

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

**In the matter of: Amendment to
Chapter 2, Article 2.116, Section 2.116.050
to add Subsection D Related to Waiver of
Temporary Event Application Fee
for Temporary Agricultural Events**

Ordinance No.: _____
First Reading: April 10, 2012

The following Ordinance was duly passed by the Board of Supervisors of the County of Placer at a regular meeting held _____, by the following vote on roll call:

Ayes:

Noes:

Absent:

Signed and approved by me after its passage.

Attest:

Clerk of said Board

Board of Supervisors

Ann Holman

Chair

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

SECTION 1: Chapter 2 ADMINISTRATION, Article 2.116 ADMINISTRATIVE FEES, Section 2.116.050 Fee waivers and variances is hereby amended to add subsection D as follows:

D. The fee for a temporary outdoor event (TOE) permit application may be waived for temporary agricultural events by the Community Resources/Development Agency (CDRA) Director or his/her designee if:

1. The CDRA Director or his/her designee determines that the TOE application is consistent with General Plan Agricultural and Forestry Resources Policies 7.C.1, 7.C.2, 7.C.3, and 7.C.6;

2. The CDRA Director or his/her designee determines, in consultation with the Placer County Agricultural Commissioner, that the proposed temporary event is for the purpose of promoting agriculture or is related to agricultural operations in the County; and

3. The CDRA Director or his/her designee determines that the temporary event application and proposed event complies with all provisions of Chapter 17, Article 17.56, Section 17.56.300.B.

SECTION 2: This ordinance shall take effect and be in full force thirty (30) days after the date of its passage. The Clerk is directed to publish this ordinance, or a summary thereof, within fifteen (15) days in accordance with Government Code Section 25124.

Ord Intro



COUNTY OF PLACER
Community Development/Resource Agency

Michael J. Johnson, AICP
Agency Director

**PLANNING
SERVICES DIVISION**

Paul Thompson, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, Director *MJ*
Community Development/Resource Agency

DATE: April 10, 2012

SUBJECT: Temporary Outdoor Event Permit Fee Waiver Program for Temporary
Agricultural Events

ACTION REQUESTED

The Planning Services Division respectfully requests your Board take the following action: Adopt an ordinance amending County Code Chapter 2, Article 2.116, Administrative Fees, Section 2.116.050 approving a fee waiver program allowing the waiver of Temporary Outdoor Event permit fees for the processing of temporary agricultural event permits.

BACKGROUND

Under the current zoning code (Section 17.56.300), Temporary Outdoor Events (one-time events, not to exceed three consecutive days nor two times in one location in a calendar year) are subject to review and approval of a Temporary Outdoor Event (TOE) permit. The cost for a TOE permit is \$425. The process includes staff review of the proposed permit, including review of the event logistics and the event site. Approval of the proposed event is determined by the Planning Director, and that determination typically includes the placement of conditions of approval on the approved permit.

Many temporary events that occur within the County are for the purpose of promoting agricultural or are related to agricultural operations. Examples of such events include farm-and-barn tours, agricultural festivals and dinners, where the events are temporary in nature and incidental to the primary agricultural use on a specific site.

According to the Placer County Agricultural Commissioner's office, many agricultural businesses and agricultural operations or organizations have found the TOE permit process burdensome. The agricultural community has indicated that the permit can be cost prohibitive and that the process can be difficult for agricultural businesses, operations, and organizations supporting and encouraging agriculture in Placer County to navigate. The result can be the occurrence of such events without a permit. Without the permit process, staff is unable to assess the access, parking, fire protection, and water and sanitation supply needs/demands of the event, all of which are important for both the event patrons as well as the surrounding residents. Accordingly, staff has explored this issue, and in response is proposing to waive the TOE permit fees for agricultural events as a way to provide administrative relief for the agricultural community. In addition, staff is working with the Placer County Agricultural Commissioner to establish an improved internal process where Planning Services staff

and the Agricultural Commissioner will partner together to better facilitate the agricultural community through the TOE permit process.

ANALYSIS

Fee Waiver and Permit Process for Temporary Agricultural Events

As noted above, the current fee for a TOE permit is \$425. Staff is proposing to waive these fees for events that promote agriculture in Placer County.

While staff is proposing to waive the permit fees for such events, the requirement to obtain a permit and the processing of the permits for the events would remain in effect. Additionally, staff is not proposing to eliminate or waive any requirements or conditions of approval that may result from the issuance of TOE permits for agricultural events.

In an effort to ensure that proposed events are agricultural in nature and in support of Placer County agriculture, staff will develop an internal system where the applicant will fill out a questionnaire about the proposed temporary event. The questionnaire will be provided to the Agricultural Commissioner for review and verification that the proposed event is agricultural in nature prior to the waiver of the permit fee.

In addition, staff will develop an internal system to help agricultural business/operation owners and organizations through the permitting system. The agricultural community has indicated that the process can be a challenge for local farmers who do not necessarily have the time or resources to navigate through the permitting process. The improved internal system will include a process where the applicant will consult with the Agricultural Commissioner regarding the proposed event, and the Agricultural Commissioner will serve as the point person for the permitting process, or the liaison between the applicant and Planning Services staff. It is staff's conclusion that this partnering effort, coupled with a waiver of the permitting fees, will help alleviate the burdens that the agricultural community may encounter when obtaining a TOE permit.

General Plan Consistency

The proposed fee waiver is consistent with goals and policies related to agricultural resources in the Placer County General Plan, in that the fee waiver would provide planning permit relief to agricultural businesses and organizations whose purpose is to promote agriculture in Placer County. There are a number of General Plan policies geared toward the protection and enhancement of continued economic viability of Placer County's agricultural operations, and the promotion of agricultural business within the County, including the following:

- Agricultural and Forestry Resources, Section 7, Policy 7.C.1. "The County shall attempt to improve the financial viability of the agricultural sector of Placer County's economy through actions that have the potential to reduce costs and increase profits";
- Agricultural and Forestry Resources, Section 7, Policy 7.C.2. "The County shall promote agricultural operations that provide a competitive edge to Placer County farmers";
- Agricultural and Forestry Resources, Section 7, Policy 7.C.3. "The County shall support opportunities to promote and market agricultural products grown or processed within Placer County as a part of the economic development activities of local agencies";
- Agricultural and Forestry Resources, Section 7, 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".

It is staff's determination that because the proposed fee waiver helps to alleviate fees for temporary agricultural events, the County will be helping to reduce regulations that could restrict supplemental sources of income for agricultural operations, thereby helping to improve the financial viability of the agricultural sector within Placer County.

ENVIRONMENTAL REVIEW

The proposed ordinance allowing the waiver of fees for the processing of Temporary Outdoor Event permits for agricultural events is exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3). However, all future temporary events/projects that may qualify for the proposed fee waiver will still be subject to independent CEQA review.

FISCAL IMPACT/TOE PERMIT STATISTICS

The County has been tracking TOE permits since 2004. Since then, the total number of issued TOE permits is 77, and 12 of those permits were events that were agricultural in nature.

Total TOE Permits 2004-Present	Total AG Related Events 2004-Present	TOE AG Related Revenue 2004- present	Average Annual TOE AG Related Revenue
77	12	~ \$5,100	~ \$638

Based upon this data, the County issues approximately one or two TOE permits annually for agricultural events, with an average annual revenue of \$638. It should be noted, however, that because the agricultural community has indicated that the existing TOE permit fees and process is cost prohibitive, it is likely that the County may see an increase in the number of agriculture-related TOE permits as a result of this fee waiver. However, it is staff's determination that should your Board approve the proposed fee waiver, the fiscal impact to the County would be minimal.

RECOMMENDATION

The Planning Services Division respectfully requests the Board consider and approve the waiver of Temporary Outdoor Event (TOE) permit fees for agricultural events, by:

1. Adopting an ordinance amending County Code Chapter 2, Article 2.116, Administrative Fees, Section 2.116.050 approving a fee waiver program allowing the waiver of Temporary Outdoor Event (TOE) permit fees for the processing of temporary agricultural event permits.

Attached to this report for the Board's information/consideration are:

ATTACHMENTS

Attachment A: Proposed Ordinance

- cc: Josh Huntsinger, Agricultural Commissioner
 Paul Thompson - Deputy Director, Planning Services Division
 Karin Schwab - County Counsel
 E.J. Ivaldi - Planning Services Division
 Christopher Schmidt - Planning Services Division
 Andrew Gaber - Public Works Department
 Rebecca Taber - Department of Engineering & Surveying
 Janelle Heinzen - Facility Services
 Ken Stuart - Environmental Health Division
 Andy Fisher - Parks Division
 Angel Green - Air Pollution Control District

