



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
Community Development/Resource Agency

DATE: June 19, 2012

SUBJECT: Temporary Outdoor Event Permit Process for Temporary Agricultural Events

ACTION REQUESTED

As directed by the Board at its April 10, 2012 hearing, the Placer County Planning Services Division is providing an informational report on the administrative process for the issuance of Temporary Outdoor Event (TOE) permits for agricultural related events. This report follows the Board's April 10, 2012 adoption of an ordinance (Ordinance No. 5673-B) approving a fee waiver program for Temporary Outdoor Event permits, where the proposed events are agricultural in nature. This report is for informational purposes only; no Board action is requested.

BACKGROUND

On April 10, 2012, the Board considered and adopted an ordinance to approve a fee waiver program for TOE permits for agricultural events. The fee waiver program provides a waiver of permit application fees for TOE permits that are agricultural in nature, as verified by the Placer County Agricultural Commissioner. As part of the Board's action, the Board directed staff to:

1. provide an informational update to the Board within 60 days which provides additional detail related to the processing of temporary agriculture event permits and includes a copy of the Agriculture Questionnaire,
2. return to the Board in one year to provide an update on the total number of temporary agriculture permits that are processed in that year, and a determination as to the initial success of the fee waiver, and
3. return to the Board in two years with an overall assessment of the success of the fee waiver, and a recommendation from staff on how to move forward.

This memorandum is provided as an informational update as directed above.

Under current Placer County Zoning Code Section 17.56.300, Temporary Outdoor Events are subject to review and approval of a TOE permit. Since the Board's adoption of the fee

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waiver program, temporary events that are agricultural in nature now qualify for a waiver of the permit application fees; however, said events are still required to obtain a Temporary Outdoor Events permit through the Planning Services Division for the event. The current permitting process entails staff review of the proposed permit, including review of the event logistics and the event site. Approval of any proposed event is determined by the Planning Director, and that determination typically includes the placement of conditions of approval on the approved permit. No modification of this permitting process has been proposed for Temporary Outdoor Events; all temporary agricultural events are required to go through the existing process described above to obtain a TOE permit.

Many temporary events that occur within the County are for the purpose of promoting agriculture 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 and customary to the primary agricultural use on a specific site.

As noted in staff's April 10, 2012 report to the Board, according to the Placer County Agricultural Commissioner's office, many agricultural businesses and agricultural operations or organizations have found the County's existing 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. Accordingly, the Board adopted a fee waiver program, waiving the TOE permit fees for temporary agricultural events as a way to provide administrative relief for the agricultural community.

In addition, staff has explored ways to partner with the Placer County Agricultural Commissioner to establish an improved internal system where Planning Services staff and the Agricultural Commissioner can partner together to help facilitate the agricultural community through the TOE permit process. The purpose of this report is to provide the Board with further information regarding that effort.

ANALYSIS

Determining/Verifying a Temporary Outdoor Agricultural Event

Based upon the County's Zoning Ordinance Section 17.56.300, Temporary Outdoor Events involve the use of land for outdoor festivals/concerts, arts and crafts fairs and similar short-term events. These events are one-time events that do not exceed three consecutive days and two times in one location in a calendar year and where the event site is not altered by grading or construction of accessory facilities.

With the Board's adoption of the fee waiver program waiving TOE permitting fees for agricultural events, temporary agricultural events are verified by the Placer County Agricultural Commissioner in order to qualify for the waiver of permitting fees. The intent of the fee waiver program and purpose of staff's effort to develop an improved internal system to help the agricultural community through the TOE permitting process is to promote and encourage agriculture in Placer County. Accordingly, the Commissioner will be reviewing potential temporary agricultural events to ensure that the purpose of the agricultural event is to promote and/or encourage Placer County agriculture, thereby helping to improve the viability of the County's agricultural sector.

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Temporary agricultural events include events that take place on an agricultural site, including working farms, ranches, vineyards, or forestry sites/tree farms. These TOEs are events where the focus of the event is to feature the farm, ranch, vineyard or forestry/tree farm site, or to feature products related to their operations. As previously noted, examples of such events include pumpkin patch festivals on working farms, Christmas festivals on Christmas tree farms, auctions, and farm and barn tours. Events that would not qualify as an agricultural event would include events where the primary focus of the event is not related to the agricultural site, operation or products related to the operation. Examples of events that would not qualify as a temporary agricultural event include, but are not limited to weddings, concerts, art shows, etc.

TOE Permit Statistics & County's Enforcement of Unpermitted Events

The County has been tracking TOE permits since 2004. Since then, the total number of issued TOE permits is 83, and 13 of those permits were events that were agricultural in nature. Since staff's April 10, 2012 report to the Board, six TOE permits have been processed, one of which is for the purposes of promoting Placer County agriculture and the other five TOE applications were for events unrelated to agricultural (i.e., cycling events, car shows, etc.). All events unrelated to promoting agricultural paid the required permitting fees.

Total Temporary Outdoor Event (TOE) Permits 2004-Present	Total Agricultural- Related Temporary Outdoor Event (TOE) Permits 2004-Present
83	13

Based upon this data, the County has historically issued approximately one or two TOE permits annually for agricultural events. It should be noted however, that it is likely that these statistics do not accurately represent the actual number of temporary agricultural events that occur within the County on an annual basis. Staff has been made aware by the Placer County Agricultural Commissioner that there are some agricultural events that occur without the benefit of a TOE permit. The County's enforcement of such events is complaint driven, and enforcement records do not indicate a large number of code violations pertaining to unpermitted temporary agricultural events. There have been four to six code enforcement complaints/cases submitted pertaining to unpermitted temporary agricultural events since 2004; however, additional complaint inquiries resulting in no formal submittal of a code violation complaint have occurred over the years.

In coordinating with the Placer County Agricultural Commissioner on the issue of unpermitted agricultural events, the Commissioner has indicated that there are a couple of potential reasons for non-compliance with the TOE permit requirement. The Commissioner has noted that many people are simply unaware of the permit requirements for temporary events, and those that are aware find the process too much of a challenge to undertake. The agricultural sector has noted that the permitting process has been cost prohibitive and that there are many barriers associated with the process that are difficult to navigate. With the Board's April 10, 2012 adoption of the fee waiver program for temporary agricultural events, staff anticipates increased compliance with the TOE permitting requirements and submittal of TOE permits for agricultural events. In addition, to further address the identified challenges in the permitting process, staff has worked with the Agricultural Commissioner to develop an internal system to help facilitate applicants through the permitting process. The

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following section outlines the existing permit process, identifies the barriers in that process, and illustrates how staff's internal administrative system may help to alleviate some barriers.

Permit Process, Barriers & Improved Internal System for Temporary Agricultural Events

As noted above, all temporary agricultural events are required to obtain a TOE permit and the existing processing requirements and conditions of approval for all TOE permits remain in effect. 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.

However, in an effort to ensure that proposed events are agricultural in nature and support the agricultural sector in Placer County, staff has developed a system where applicants work with the Placer County Agricultural Commissioner to help them navigate through the existing TOE permitting process. Staff has drafted a questionnaire, where the applicant is asked to address questions regarding their proposed event (see Attachment 1). The questionnaire will be provided to the Agricultural Commissioner for review and verification that the event is agricultural in nature and in support of Placer County agricultural. The purpose of the questionnaire is to provide the Agricultural Commissioner with information on their proposed event so that the Commissioner can then assess the scope of the proposed agricultural event and any issues that may arise, and generally provide feedback and information to the applicant regarding the process. It is staff's intention that this questionnaire will better inform the applicant about the process and any issues they should be aware of.

The following case study provides an example of a temporary agricultural event that is required to obtain and go through the TOE permitting process. This case study demonstrates potential barriers in the permitting process and how such an event would likely benefit from early consultation with the Agricultural Commissioner regarding their proposed event.

Placer County Farm and Barn Tour

The Placer County Farm and Barn Tour event takes place on multiple sites, where visitors typically start at one site and work their way around to some or all of the farms participating in the event. The event is a self-guided tour of working farms, ranches, and vineyards, where each site features varied activities including tours, demonstrations, farm animals, equipment displays, food and wine tasting, artists, and locally grown produce and prepared foods for sale.

Based upon the required existing TOE process, the applicant for this event first submits an application for the TOE permit, which initiates an internal staff review. With the application submittal, the applicant is required to submit a scaled site plan showing the location(s) and premises of the proposed event, including areas for parking, access and other uses incidental to the outdoor event. The applicant is also required to provide proof of ownership or written consent of all owners of the event site and detailed information regarding the event itself (i.e., number of participants, food and beverages served, amplified music).

After TOE application submittal, copies of the application are distributed to the Planning Services Division, Engineering Services Department and Department of Public Works, Building Services Division, Environmental Health Division and the Placer County/Cal Fire staff. Each department or division staff then reviews the application and conducts a field review of the proposed event site(s). In the case study described above, staff conducts a

field review of each site proposed and after conducting a site review, assesses the scale of the proposed event as it relates to the event site to determine whether or not the site can accommodate the proposed event or whether or not any site improvements would be required in order to accommodate the proposed event. For example, the Department of Public Works and/or Placer County Fire may require road or access improvements to be made on a site in order to address public safety concerns related to the traffic associated event traffic or automobiles coming and going from the event site(s). There have been instances where staff has determined that certain sites need access widening, new points of access, or new or improved roadway surfacing to provide safe access to the public as they enter and exit properties. In some cases, this has posed an economic hardship and/or time-constraint to applicants, particularly for small agricultural-related applicants. 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. There have been some proposed events where the applicant has withdrawn their application after discovering their site needs improvements or that it may not be conducive to accommodating large public events.

SUMMARY

Accordingly and as noted above, staff has explored ways to help agricultural business/operation owners and organizations through the TOE permitting process. The improved internal partnering 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 permitting staff. By filling out the event questionnaire and working with the Agricultural Commissioner early in the process, it is anticipated that the Agricultural Commissioner can help to identify any potential issues. It is the staff's hope that this system will better inform the applicant about the process and any issues they should be aware of when applying for a TOE permit. For example, the Commissioner may note concern that a site is too small for the scale of the event being proposed, or note that a certain site may need costly improvements. By doing an initial consult early, the Commissioner can work with the applicants to revise their proposal, helping the applicants to develop an event that is more conducive to their site (i.e., reducing the scale of the event, number of participants), or the Commissioner may suggest and help to facilitate partnering with an alternate farm that has a larger or more appropriate site which would better serve the event. While focusing on this sort of early consultation, the Agricultural Commissioner can also make contact with Planning or Engineering staff to help identify any issues or expected improvements or costs prior to the submittal of an application. This will help the applicants to have a better understanding of the process and what will be expected by the County in order to conduct the event. It is staff's conclusion that this partnering effort will help alleviate the burdens that the agricultural community may encounter when obtaining a TOE permit.

Staff anticipates that the temporary agricultural event process described in this report, coupled with the Board's adoption of the fee waiver program for temporary agricultural events, will provide administrative and economic relief to agricultural operations and businesses, thereby helping to improve the viability of the agricultural sector in Placer County.

ATTACHMENTS

Attachment A: Temporary Agricultural Event Questionnaire

cc: Josh Huntsinger, Agricultural Commissioner
Paul Thompson, Deputy Director, Planning Services Division
Crystal Jacobsen, Advanced Planning, Planning Services Division
Edmund Sullivan, Advanced Planning, Planning Services Division
George Rosasco, Current Planning, Planning Services Division
Karin Schwab - County Counsel
Andrew Gaber - Public Works Department
Rebecca Taber - Department of Engineering & Surveying
Ken Stuart - Environmental Health Division



PLACER COUNTY PLANNING SERVICES DIVISION

Reserved for Date Stamp

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Auburn, CA 95603
530-745-3000/FAX 530-745-3080
Web page: www.placer.ca.gov/planning

TAHOE OFFICE
775 N. Lake Blvd./P. O. Box 1909
Tahoe City CA 96145
530-581-6280 /FAX 530-581-6204
Email : planning@placer.ca.gov

TEMPORARY AGRICULTURE EVENT QUESTIONNAIRE

Office Use Only

Receipt No. Zoning Date Received
Filing Fee File #

Application must be filed 60 days prior to the proposed event and submitted to the Planning Division. The application must be accompanied by a written discussion of the items listed in Attachment A, located on the reverse side of this application. Submit completed application, appropriate application fee, and supplemental information to the Placer County Planning Division offices listed above.

TO BE COMPLETED BY THE APPLICANT

- 1. Name of Event:
2. Property Owner:
Mailing Address: Telephone Number Fax Number
3. Sponsor/Promoter:
Mailing Address: Telephone Number Fax Number
4. Location/Day/Time of Event:
5. Description of Event:
6. Assessor's Parcel Number(s): Parcel Size(s):
7. Describe existing uses and facilities onsite (buildings, wells, septic systems, parking, etc)
8. Please describe what are the parking accommodations for event participants?
9. Will fifty (50) or more total persons be onsite during the event?
If yes, estimate how many and please answer questions 10 thru 16?
10. What types of solid waste (garbage) will be produced during the event?
How much? How will it be disposed of?
11. Will there be any site grading or gravel, soil etc. imported to or exported from the site related to the event?
If yes, how many cubic yards of material will be imported?
How many cubic yards of material will be exported?
Describe material sources or disposal sites, transport methods and haul routes:
12. Does the proposed event front on a County road or State Highway?
If yes, what is the name of the road?
a. If no, what is the name of the private access road and nearest cross-street?
b. Would any non-auto traffic, not related to construction activities, result from the event (i.e. buses)?
If yes, describe type and volume
c. Would any form of transit be used for traffic to/from the event site?
If yes, show proposed transit stop locations on site plan.
d. What are the expected peak hours of traffic to be caused by the event?

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13. How distant are the nearest fire protection facilities? _____

14. What is the nearest emergency source of water for fire protection purposes? Describe the source and location: _____

15. For events with a single access point, what is the distance from the project (event site) to the nearest through road? _____

16. Will you have live music at the event? yes no (note: All music must comply with Article 9.36 of the Placer County Code related to Noise)

- a. Will the music be amplified? yes no
- b. During what hours will the music occur _____
- c. Will the music be performed indoors or outdoors _____
- d. What is the distance from the source of music to the nearest neighbors _____

EVENT IS EXEMPT FROM PERMIT REQUIREMENTS: _____

PLANNING DIRECTOR ACTION: APPROVED _____ DENIED _____

APPROVAL SUBJECT TO ATTACHED CONDITIONS: YES _____ NO _____

FOR DIVISION USE ONLY

Copy of application package routed to the following departments/agencies for comment. Comments due _____

Building _____	Emergency Services _____	CDF _____
Fire (Local) _____	Health _____	Parks _____
Planning _____	Public Works _____	Sheriff _____
Engineering & Surveying _____	CHP _____	

I declare under penalty of perjury that the foregoing statements are true and correct.

Signature of Property Owner

Date

Agricultural Commissioner Verification of Fee Exempt Ag Promotional Event.

Placer County Agriculture Commissioner

Date

Attachment A

APPLICATION FOR PERMIT AND FEE

1. It shall be unlawful for any individual, partnership or corporation to operate, maintain, conduct, advertise, sell or furnish tickets or other types of written authority for admission to a temporary outdoor event (not more than three consecutive days, and not more than two times in one location in a given calendar year) in the unincorporated area of the County unless first obtaining a Permit from the County of Placer to operate or conduct such an event.
2. Application for a Permit to conduct a single temporary outdoor event as defined herein shall be made in writing to the County Planning Services Division on an application form prescribed by them. Applications for other or more frequent events shall be subject to the permit requirements of the Placer County Zoning Ordinance.
3. Applications submitted to the Planning Services Division for a Permit under this section shall be accompanied by a non-refundable application fee and shall contain the following information:
 - (a) The name, mailing address, and telephone number of the Applicant(s).
 - (b) A scaled site plan (8-1/2x11" or **folded** to that size) showing the location and assessor's parcel number(s) of the premises where the temporary outdoor event is proposed to be conducted, indicate existing buildings on the site, and show all lands to be used for parking or other uses incidental to the outdoor activity. The applicant shall submit proof of ownership of said premises or written consent of all owners thereof for the proposed use.
 - (c) The date and the hours during which the event is to be conducted.
 - (d) An estimate of the maximum number of spectators, participants and other persons expected to attend the temporary outdoor event for each day it is conducted.
 - (e) A detailed explanation of the applicant's program and plans to provide security protection (including that necessary to prevent trespass), water supply, food supply, sanitation facilities, medical facilities and services, fire protection, vehicle parking space, vehicle access and on site traffic control; and if it is proposed or expected that spectators or participants will remain at night or overnight, the arrangements for illuminating the premises and for camping or similar facilities; applicant's plans to provide for numbers of spectators in excess of the estimate, and provisions for cleanup of the premises and removal of rubbish after the event has concluded.
 - (f) A detailed explanation of the applicant's plan for policing the activity with particular emphasis on the control of alcohol consumption and prevention of drug use.
 - (g) Expected noise levels at the nearest residential and/or property lines.

General Temporary Agricultural Event Permit Requirements:

1. Adequate portable toilet facilities shall be provided at each site. Portable toilets shall be located a minimum of 100 feet from any well.
2. There shall be no parking over septic system leach fields and the 100% repair areas at each site.
3. Adequate receptacles shall be available for solid waste (garbage) collection at each site. Waste shall be removed to a sanitary landfill in a timely manner.
4. Public shall be allowed access to only bottled water for drinking. Any existing well(s) shall not be utilized to provide drinking water to the public.
5. Applicant must contact the Consumer Protection Division of Placer County Environmental Health Services to determine permit and fee requirements for any temporary food facilities associated with the event.
6. Applicant must contact the Placer County Air Pollution Control District to determine permit and fee requirements for any stationary equipment which is classified as 50 horsepower or greater.
7. No "on street" parking. Patrons shall not be permitted to park on public rights-of-way or on private road easements without the express written permission of the parties that have rights to those easements.
8. All parking shall be free of combustible vegetation.
9. All access ways, as depicted on the approved site plans, shall be kept free and clear throughout the event.
10. Traffic control measures shall be implemented that prevent "queuing" onto public rights-of-way.
11. All food and craft concessions are required to have at least one fire extinguisher.
 - Concessions conducting grease-emitting cooking (frying, broiling, etc.) shall provide a minimum Class K fire extinguisher.
 - Concessions which contain only normal combustibles (wood, paper, clothing, etc.) shall provide either a 2A-10BC extinguisher, or a 2.5 gallon pressurized water extinguisher.
 - The maximum travel distance within a concession to a fire extinguisher shall not exceed 30 feet.
12. All chemicals, LPG (propane) portable tanks, regulators, and fuel piping shall be suitably protected and stored away from vehicle and pedestrian traffic.
13. All extension cords shall be listed for exterior use, and have rated capacity at or above the rating of the appliance it serves.
14. Electrical wiring, devices, appliances, and other equipment which are modified or damaged and constitute an electrical shock or fire hazard shall not be used.
15. Concession stands utilized for cooking shall have a minimum of 10 feet of clearance on two sides.

16. Tent and temporary membrane structures in excess of 200 square feet, and canopies in excess of 400 square feet, shall have all sidewalls, drops, and tops constructed of a flame-retardant material, or shall be made fire-retardant in an approved manner.
17. Tent and canopy supports and ropes shall be clearly visible and protected from vehicle and pedestrian traffic.
18. Agricultural out buildings may not be used for any agricultural event unless they meet fire and uniform building code standards.
19. Floor coverings, including sawdust and straw, shall be treated with a flame retardant in an approved manner.
20. Heating and cooking equipment shall not be located within 10 feet of exits, aisles, passageways, or combustible materials.
21. Smoking, open flames, and hot objects shall not be permitted in or adjacent to tents, canopies, and temporary membrane structures or areas where hay, straw, sawdust, or any combustible materials are stored or used.
22. Access roads shall be maintained so that no area of the event is greater than 150 feet (foot travel) from fire department vehicle access.
23. Fire access roads shall be 20 feet wide, clearly marked, and unobstructed.
24. Applicant must provide a turnaround for all dead-ends in fire access roads exceeding 150 feet in length.
25. A minimum of 2 parking/circulation attendants must be provided if the location is not able to provide the full 20 foot wide fire access requirement. The sole duty of the parking/circulation attendants shall be to provide evacuation assistance for the public, and to maintain emergency access for fire department vehicles.

