



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.

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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
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