



COUNTY OF PLACER
Community Development/Resource Agency

PLANNING
SERVICES DIVISION

Michael J. Johnson, AICP
Agency Director

E.J. Ivaldi, Deputy Director

MEMORANDUM

TO: Honorable Board of Supervisors

FROM: Michael J. Johnson, AICP
Agency Director

By George Rosasco, Supervising Planner

DATE: August 26, 2014

SUBJECT: ZONING TEXT AMENDMENT – COMMUNITY CENTERS

ACTIONS REQUESTED

1. After holding a Public Hearing, adopt the Negative Declaration (Revised) prepared for the proposed Zoning Text Amendment, and
2. Adopt an ordinance amending Placer County Code, Chapter 17 (Zoning Ordinance), to establish new definitions, development standards and criteria for the following: Community Center, Commercial Event Center, and Agricultural Event Center.

BACKGROUND

On April 9, 2013, the Placer County Board of Supervisors approved an interim ordinance establishing a 45-day moratorium on processing 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 Section 17.04.030 (Definitions of Land Uses, Specialized Terms and Phrases) and Section 17.06.050.D (Land Use and Permit Tables) of the Placer County Zoning Ordinance. In conjunction with the moratorium, staff was 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" should be modified. On May 21, 2013, the Board of Supervisors extended the moratorium for up to 22 months and 15 days to allow for the processing of a Zoning Text Amendment revising the definition of "Community Centers" and to provide new standards and criteria for review.

As part of the process of creating the Draft Event Center Ordinance, staff presented the Draft Event Center Ordinance a minimum of two times (each) for comments to the Foresthill Forum, Granite Bay Municipal Advisory Council, Horseshoe Bar Municipal Advisory Council, Meadow Vista Municipal Advisory Committee, Newcastle Ophir Municipal Advisory Council, North Auburn Municipal Advisory Council, Penryn Municipal Advisory Council, Rural Lincoln Municipal Advisory Council, Sheridan Municipal Advisory Council, Weimar Applegate Colfax Municipal Advisory Council, and Agricultural Commission. Following is a synopsis of each of the Municipal Advisory Council's recommendations and Agricultural Commission's recommendations:

MUNICIPAL ADVISORY COUNCILS

Foresthill Forum:

- The Access Standards Section of the Draft Ordinance should be modified to clarify road maintenance issues and road use liability.
- The minimum 200' setback for Event Center structures should be removed and should be as specified in the Use Permit.
- Reduce the amount of events an Event Center may have and specify the maximum number of events that can occur in a one month period.

Granite Bay Municipal Advisory Committee:

- Recommended approval of the Ordinance with the caveat that an event be better defined with regard to maximum length of time.

Horseshoe Bar Municipal Advisory Council:

- Agricultural Event Centers should not be accessed via a shared private road.
- An Agricultural Event Center should be required to demonstrate to the Placer County Agricultural Commissioner that they have onsite agricultural production of \$1000 gross per acre per year.
- Agricultural Event Centers should be 400 feet from other dwellings on adjoining parcels.
- Code Enforcement should be available on the weekends to deal with Event Center issues.

Meadow Vista Municipal Advisory Council:

- Strengthen the agricultural requirement.
- Reduce the number of events from 26 to between 4 and 12.
- Create an online data base that lets people know when an Event Center is having an event.

Newcastle Ophir Municipal Advisory Committee:

- Guidelines for the funding of private road maintenance.
- An event should be better defined with regard to maximum length of time and what constitutes an "event".
- Method for tracking the number of events held at each Event Center that is accessible to the public, preferably via the internet or online data base.
- Provide an exemption to the 26 events per year limit to allow for a fixed number of nonprofit fundraising events each year.
- Chapter 17.D.4 is revised to state that setbacks can be greater than 200 feet if required by the Conditional Use Permit, but not less than 200 feet.
- Chapter 17.D.7 is revised to indicate that the agricultural production requirement of \$4,500 is a five year average based on actual production. This chapter should also specify whether this production requirement is net income or gross income.
- Provide guidelines on how enforcement will be applied to Event Centers.

Rural Lincoln Municipal Advisory Committee:

- Agricultural Event Center should not be accessed via a shared private road.
- Code Enforcement should be available when needed to hear and respond to complaints.
- The acreage for all Agricultural Event Centers should be doubled.
- The owners that desire to develop an Event Center must demonstrate that at least 51% of their income is from agriculture.
- Event Centers should be limited to hosting events 12 times per calendar year.
- The Event Center permit must go to the applicant and not the property. When the owner dies, sells, or transfers ownership, the permit expires.
- There must be a method for evaluating each event center site in order to avoid a concentration in a relatively small area before a permit is granted.

North Auburn Municipal Advisory Committee:

- Examine the necessity for an agricultural requirement.
- Examine need to have permanent notification signage.
- Examine the number of Events allowed.

Penryn Municipal Advisory Committee:

- Agricultural Event Centers should not be accessed via a shared private road.
- The maximum number of events allowed at an Event Center per year should be 6 not 26.
- The acreage for all Agricultural Event Centers should be doubled.
- Code Enforcement should be available on the weekends to deal with Event Center issues.

Sheridan Municipal Advisory Committee:

- Code Enforcement should be available on the weekends to deal with Event Center issues.
- Agricultural Event Centers should not be accessed via a shared private road.

Weimar/Applegate/Colfax Municipal Advisory Council:

- An Agricultural Event Center should be required to demonstrate to the Placer County Agricultural Commissioner that they have onsite agricultural production of \$1,000 gross per acre per year.
- Put sheriff's phone number on the permanent posting signage in case of a problem with an event.
- The acreage for all Agricultural Event Centers should be doubled.
- Reduce the number of events because 26 is excessive.
- Agricultural Event Centers should not be accessed via a shared private road.

AGRICULTURAL COMMISSION

- An Agricultural Event Center should be required to demonstrate to the Placer County Agricultural Commissioner that they have onsite agricultural production of \$1,000 gross per acre per year.
- A Use Permit for an Agricultural Event Center shall terminate if the property-owner who obtained it sells the land.
- No Agricultural Event Center building or component shall occur within current agricultural production areas on parcels designated as prime farmland, farmland of statewide importance, farmland of local importance or unique farmland by the Department of Conservation.
- Agricultural Event Centers shall not be protected by the Placer County Right to Farm Ordinance.
- The Agricultural Event Center is supportive of surrounding agricultural production.

PLANNING COMMISSION WORKSHOPS

The Planning Services staff has conducted five workshops before the Planning Commission on the proposed Event Center Ordinance.

May 9, 2013 Planning Commission Workshop

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 (attachment D), and recommended that the issues identified by the MAC 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.

June 27, 2013 Planning Commission Workshop

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 Centers. 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.

The Planning Commission also gave staff direction to include the following performance standards as part of the Draft Event Center Ordinance that address the public's concerns and others issues associated with Event Centers:

- minimum parcel size (section D. [3])
- setback regulations (section D. [4])
- maximum event size (section D. [5])
- maximum number of events (section D. [6])
- hours of operation (section D. [8])
- noise issues (section D. [9])
- access issues (section D. [2])
- parking issues (section D. [1])
- on-site agricultural use (section D. [7])
- lighting section (section D. [10])
- food guidelines (section D. [11])
- noticing requirements (section D. [12])
- On-site security (deemed unnecessary not incorporated into Draft Event Center Ordinance)
- Event Center Code Enforcement Options (process in place for enforcement not incorporated into ordinance)
- Event Center Density (will be reviewed as part of the Conditional Use Permit)

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 Conditional 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.

July 25, 2013 Planning Commission Workshop

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 Centers. The workshop was attended by about 11 members of the public, with eight of those giving public testimony. The public testimony given by the eight citizens requested that the Commission ensure that specific non-flexible standards should be placed on Event centers that must be met for a use to be approved and could be modified as part of a Use Permit. 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 with five definitions for "Event Centers", including the following:

"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 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 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.

The definitions above are included in the proposed Draft Event Center Ordinance.

October 10, 2013 Planning Commission Workshop

On October 10, 2013, the Planning Commission conducted a fourth workshop on "Community Centers". Staff scheduled this workshop to obtain direction from the Planning Commission on the proposed Draft Zoning Text Amendment, which would replace the Community Center provisions set forth in the Zoning Ordinance with a new Event Center section. The workshop was attended by approximately 12 members of the public, with seven of those giving public testimony. The public testimony given by the seven citizens was centered on protecting the long term viability of agricultural lands, issues that could arise based on an Event Center using a shared private access road, the lack of code enforcement on weekends to police Event Centers, and excessive noise that may emanate from an Event Center in a rural agricultural area. To address these issues they asked that Code Enforcement services be available on the weekends and that the Planning Commission require non-flexible standards for all Event Centers to ensure the issues discussed above are addressed.

After hearing the public testimony and reviewing the Draft Event Center Ordinance, the Planning Commission determined that it was satisfied with the overall content of the proposed Draft Event Center Ordinance and instructed staff to present it to all interested Municipal Advisory Councils. The Commission specifically asked staff to solicit comments from the Municipal Advisory Councils on the following four issues:

1. How many events are appropriate at an Agricultural Event Center?
2. How to ensure that a viable agricultural use continues after approval of an Agricultural Event Center?
3. Should Agricultural Event Centers be subject to more stringent noise standards as required in the Draft Ordinance or should they be required to only comply with the existing Noise Ordinance?
4. Should Event Centers be required to provide permanent signage with a contact number manned by a live person to address problems that may occur during events?

The above questions were presented to ten Municipal Advisory Councils and the Agricultural Commission prior to their making a recommendation to the Planning Commission. The MACs and Agricultural Commission responses to the questions, and their recommendations are include in background section of this report.

April 24, 2014 Planning Commission Workshop

On April 24, 2014 staff returned to the Planning Commission to discuss the recommendations made by the Municipal Advisory Committees on the Draft Event Center Ordinance (see the Municipal Advisory Committee Recommendations section on page 7). The Planning Commission reviewed all the recommendations made by the Municipal Advisory Committees and heard public testimony from nine members of the public. The public testimony given by the workshop attendees was centered on protecting the long term viability of agricultural lands, issues that could arise from an event center using a shared private access road, and the lack of Code Enforcement availability on the weekends to police Agricultural Event Centers.

After reviewing the Municipal Advisory Committee's recommendation and hearing the public testimony, the Planning Commission determined that it was satisfied with the overall content of the proposed Draft

Event Center Ordinance, but asked that staff address the following three issues before returning to the Planning Commission for a recommendation to the Board of Supervisors on the Draft Ordinance and the associated Negative Declaration. Those three issues are as follows:

1. Add the following definition of "Event" to the Draft Event Center Ordinance: A gathering of more than five people for 1-12 hours where the purpose is for fundraising or profit, or is political, public, social, or educational in nature. A gathering that consists of friends or family of an Event Center owner that is not for the purpose of fundraising, profit, and is not political, public, or educational in nature, and no donation or compensation of any kind is exchanged in relationship to the gathering, is not considered an event.
2. Revise the Agricultural Requirements section (Section 7) of the Draft Ordinance to state that:
 - The building and parking footprint for an Agricultural Event Center shall not occur within current agricultural production areas on parcels designated as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland by the California Department of Conservation.
 - Require that an Agricultural Event Center be required to demonstrate and maintain, while their Conditional Use Permit is valid, a minimum of \$1000 gross income per acre from agricultural production. No Agricultural Event Center shall be required to have more than \$40,000 in gross income from agricultural production. Different income requirements for Agricultural Event Centers may be specified as part of the Conditional Use Permit.
3. Provide a range of alternatives on how Agricultural Event Centers may be accessed, e.g. whether an Agricultural Event Center may be accessed from a shared private access road or should it only be allowed to access directly onto a publicly maintained roadway.

July 10, 2014 Planning Commission Hearing on the Draft Event Center Ordinance

Based on the Planning Commission's direction, the following changes were incorporated into the ordinance:

- The definition of Event: "A gathering of more than five people for 1 to 12 hours where the purpose is for fundraising or profit, or is political, public, social, or educational in nature. A gathering that consists of friends or family of an Event Center owner that is not for the purpose of fundraising, profit, and is not political, public, or educational in nature, and no donation or compensation of any kind is exchanged in relationship to the gathering, is not considered an "event" has been incorporated into the Draft Ordinance in the Definitions section.
- The Agricultural Requirement section (D.[7]) has been revised pursuant to the Agricultural Commission's recommendations to contain the following:
 - The building and parking footprint for an Agricultural Event Center shall not occur within current agricultural production areas on parcels designated as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland by the California Department of Conservation.
 - Require that an Agricultural Event Center be required to demonstrate and maintain, while their Conditional Use Permit is valid, a minimum of \$1000 gross income per acre from agricultural production. No Agricultural Event Center shall be required to have more than \$40,000 in gross

income from agricultural production. Different income requirements for Agricultural Event Centers may be specified as part of the Conditional Use Permit.

- With regard to options for access to Agricultural Event Centers staff reviewed the following three options:
- The access for an Agricultural Event Center shall be reviewed on a case by case basis as part of the Conditional Use Permit, and may be any type of access that would adequately serve the Agricultural Event Center.
- If an Agricultural Event Center is proposed to be accessed by a private shared roadway the owner of the Event Center is required to obtain a signed and notarized agreement from every property owner who has property that is accessed by the roadway prior to approval of the Conditional Use Permit.
- Agricultural Event Centers shall be accessed by a roadway or roadways that serve only the subject event center and do not share access or easement rights with any other property owners until they connect to a publicly maintained roadway.

After reviewing the access options the Planning Commission directed staff to incorporate into the Event Center Ordinance the requirement that if an Agricultural Event Center is proposed to be accessed by a private shared roadway the owner of the Event Center is required to obtain a signed and notarized agreement from every property owner who has property that is accessed by the roadway prior to approval of the Conditional Use Permit.

- minimum parcel size (section D. [3])
- setback regulations (section D. [4])
- maximum event size (section D. [5])
- maximum number of events (section D. [6])
- hours of operation (section D. [8])
- noise issues (section D. [9])
- access issues (section D. [2])
- parking issues (section D. [1])
- on-site agricultural use (section D. [7])
- lighting section (section D. [10])
- food guidelines (section D. [11])
- noticing requirements (section D. [12])

DISCUSSION OF ISSUES

As shown in the "Background" section, a myriad of issues associated with this Community Center Ordinance have been raised by the public, members of the MACs, and the Planning Commission. In addressing each of these issues, an ordinance is proposed that provides opportunities for the establishment of Community Centers while still protecting the rural character of the County.

During the public outreach process for this ordinance, the most controversial and discussed issues included:

- Should an Agricultural Event Center be allowed to be accessed via a shared private roadway?
- How many Events should an agricultural Event Center be allowed a year?
- The County should insure that adequate Code Enforcement Services are available to deal with Agricultural Event Centers that are not adhering to their Conditional Use Permit requirements.

After taking public testimony and discussing the above issues, the Planning Commission concluded that the Event Center Ordinance needed to have the following provisions added to ensure that the County's agricultural lands are protected. Furthermore, the Planning Commission believed that this would ensure its intent that Agricultural Event Centers be a secondary use to agricultural operations that could provide an alternative revenue stream to farmers and ranchers so that agricultural lands remain in agricultural production.

- The proposed Event Center Ordinance requires that Agricultural Event Centers that are accessed by a private shared roadway will require that the owner of the Event Center obtain a signed and notarized written approval from every property owner of record and include all approvals with the application submittal (Section D [2] of the Draft Ordinance).
- The Proposed Ordinance has limited the number of events for an Agricultural Event Center to a maximum of 26 per year (Section D [6] of the Draft Ordinance).
- The County is currently in the process of hiring an additional Code Enforcement Officer who will be available during non-standard business hours to deal with Agricultural Event Centers which may be in violation of their Conditions of their Use Permit or other provisions of County Code.

With these revisions, the Planning Commission recommended that the Board approve the ordinance as amended and adopt the revised Negative Declaration (4: 1: 2: 0 with Commissioners Moss and Gray absent) Commissioner Roccucci voted no because he felt the proposed Event Center Ordinance did not adequately protect agricultural lands from degradation by Agricultural Event Centers.

CONCLUSION

In conclusion, the Draft Event Center Ordinance before the Board of Supervisors is the result of five Public Workshops with the Planning Commission and extensive public outreach that included a minimum of two presentations before each of the Municipal Advisory Committees and two presentations to Agricultural Commission for a total of 33 public meetings on the Draft Event Center Ordinance. Additionally, event center regulations from 11 other similar counties were reviewed to help formulate the best possible Event Center Ordinance.

FISCAL IMPACT

There is no direct fiscal impact to the County that will result from the adoption of the Event Center Ordinance. It is anticipated that there may an indirect economic benefits to the County because the adoption of the Event Center Ordinance will promote Agro-Tourism.

CEQA COMPLIANCE: A Negative Declaration (EIAQ-20130133) has been prepared and finalized pursuant to CEQA for this project. The Negative Declaration is attached and must be found adequate to satisfy the requirements of CEQA by the decision-making body. Recommended findings for this purpose are attached.

RECOMMENDATION

Staff forwards the recommendations of the Planning Commission and recommends the Board of Supervisors take the following actions:

1. Adopt the Negative Declaration prepared for the Community Center Zoning Text Amendment based upon the following findings:
 - A. The negative declaration has been prepared as required by law.

- B. There is no substantial evidence in the record as a whole that the Project will have a significant effect on the environment.
 - C. The negative declaration as adopted for the Project reflects the independent judgment and analysis of Placer County, which has exercised overall control and direction of its preparation.
 - D. The custodian of records for the Project is the Placer County Planning Director, 11414 B Avenue, Auburn, CA 95603.
2. Adopt the ordinance set forth in Attachment A to amend Placer County Code, Chapter 17 (Zoning Ordinance), to establish new definitions, development standards and criteria for the following: Community Center, Commercial Event Center, and Agricultural Event Center.

ATTACHMENTS:

- Attachment A: Draft Ordinance
- Attachment B: Negative Declaration
- Attachment C: Correspondence
- Attachment D: Municipal Advisory Council recommendation letters

- cc: Andy Fisher, Parks Division of Facility Services
Gerald Cardin, County Counsel
Holly Heinzen, Chief Assistant CEO
Joshua Huntsinger, Agricultural Commissioner
Karin Schwab, County Counsel
Michael Johnson, CDRA Director
Paul Thompson, Assistant CDRA Director – Tahoe
Rick Eiri, Deputy Director Engineering & Surveying
Tom Christofk, Director Air Pollution Control District
Wesley Nicks, Director Environmental Health

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

Ordinance No.: _____

In the matter of:
Amendments to Placer County Code Chapter
17 pertaining to Community Center/Commercial
Event Center/Agricultural Event Center

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.

Chair, Board of Supervisors

Attest:

Clerk of said Board

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

SECTION 1: Placer County Code Chapter 17, Article 17.04, Section 17.04.030 is hereby
amended as follows:

17.04.030 Definitions of Land Uses, Specialized Terms and Phrases

"Agricultural Event Center" means one of the following:

"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 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 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 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.

See Section 17.56.340 for Development and Operational Standards.

"Community Centers" (land use) means 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.

"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. See Section 17.56.340 for Development and Operational Standards.

"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. See Section 17.56.340 for Development and Operational Standards.

"Event" means a gathering of more than 5 people for 1-12 hours where the purpose is for fundraising, profit or is political, public, social, or educational in nature. A gathering which consists of friends or family of an Event Center owner that is not for the purpose of fundraising, profit, or is political, public, or educational in nature and no donation or compensation of any kind is exchanged in relationship to the gathering, is not considered an event.

SECTION 2: Placer County Code Chapter 17, Article 17.06, Section 17.06.050(D) is hereby amended as follows:

ZONE DISTRICTS

| LAND USE TYPES | RESIDENTIAL | | | | COMMERCIAL | | | | | | | | INDUSTRIAL | | | | AGRICULTURAL, RESOURCE | | | | | |
|--|-------------|-----|-----|-----|------------|-----|-----|-----|-----|-----|-----|----|------------|----|-----|-----|------------------------|-----|-----|-----|---|--|
| | RS | RM | RA | RF | C1 | C2 | C3 | CPD | HS | OP | RES | AP | BP | IN | INP | AE | F | FOR | O | TPZ | W | |
| Recreation, Education and Public Assembly Uses | | | | | | | | | | | | | | | | | | | | | | |
| Campgrounds (Section 17.56.080) | | | | MUP | | | | | MUP | | MUP | | | | | | | MUP | MUP | MUP | | |
| Camping, incidental (Section 17.56.080) | | | | A | | | | | | | A | | | | | | | A | A | A | | |
| Community centers | MUP | MUP | MUP | MUP | E | E | E | CUP | E | MUP | E | | | | | | MUP | | | | | |
| Community Center (Section 17.56.340) | CUP | CUP | CUP | CUP | CUP | C | C | CUP | CUP | CUP | CUP | | | | | | CUP | CUP | | | | |
| Commercial Event Center (Section 17.56.340) | | | | | CUP | C | C | CUP | CUP | CUP | CUP | | | | | | | | | | | |
| Small Agricultural Event Center (Section 17.56.340) | | | | CUP | CUP | | | | | | | | | | | | | CUP | CUP | | | |
| Intermediate Agricultural Event Center (Section 17.56.340) | | | | CUP | CUP | | | | | | | | | | | | | CUP | CUP | | | |
| Large Agricultural Event Center (Section 17.56.340) | | | | CUP | CUP | | | | | | | | | | | | | CUP | CUP | | | |
| Golf driving ranges | | | | | MUP | MUP | MUP | | MUP | | MUP | | | | MUP | MUP | | | | | | |
| ***** | | | | | | | | | | | | | | | | | | | | | | |

SECTION 3: Placer County Code Chapter 17, Article 17.10, Section 17.10.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|--|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | <u>MUP-CUP</u> | <u>Section 17.56.340</u> |
| <u>Small Agricultural Event Center</u> | <u>CUP</u> | <u>Section 17.56.340</u> |
| <u>Intermediate Agricultural Event Center</u> | <u>CUP</u> | <u>Section 17.56.340</u> |
| <u>Large Agricultural Event Center</u> | <u>CUP</u> | <u>Section 17.56.340</u> |
| Houses of worship | MUP | |

SECTION 4: Placer County Code Chapter 17, Article 17.20 Section 17.20.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|--|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | CUP | <u>Section 17.56.340</u> |
| <u>Commercial Event Center</u> | <u>CUP</u> | <u>Section 17.56.340</u> |
| Houses of worship | CUP | |

SECTION 5: Placer County Code Chapter 17, Article 17.22 Section 17.22.010(B) is hereby amended as follows:

| | | |
|---|----------|---------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | C | <u>Section 17.56.340</u> |
| Commercial Event Center | C | <u>Section 17.56.340</u> |
| Golf driving ranges | MUP | |

SECTION 6: Placer County Code Chapter 17, Article 17.24 Section 17.24.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION |
|---|-----------------|---------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | C | <u>Section 17.56.340</u> |
| Commercial Event Center | C | <u>Section 17.56.340</u> |
| Golf driving ranges | MUP | |

SECTION 7: Placer County Code Chapter 17, Article 17.26 Section 17.26.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|---|-------------------|---------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Campgrounds | MUP | 17.56.080 |
| Community centers | C -CUP | <u>Section 17.56.340</u> |
| Commercial Event Center | CUP | <u>Section 17.56.340</u> |
| Golf driving ranges | MUP | |

SECTION 8: Placer County Code Chapter 17, Article 17.30 Section 17.30.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|---|-------------------|---------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | C -CUP | <u>Section 17.56.340</u> |
| Commercial Event Center | CUP | <u>Section 17.56.340</u> |
| Golf driving ranges | MUP | |

SECTION 9: Placer County Code Chapter 17, Article 17.32 Section 17.32.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|---|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | <u>MUP-CUP</u> | <u>Section 17.56.340</u> |
| Commercial Event Center | <u>CUP</u> | <u>Section 17.56.340</u> |
| Houses of worship | MUP | |

SECTION 10: Placer County Code Chapter 17, Article 17.34 Section 17.34.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|---|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Campgrounds | MUP | 17.56.080 |
| Camping, incidental | A | 17.56.080 |
| Community centers | CUP | <u>Section 17.56.340</u> |
| Commercial Event Center | <u>CUP</u> | <u>Section 17.56.340</u> |
| Golf driving ranges | MUP | |

SECTION 11: Placer County Code Chapter 17, Article 17.44, Section 17.44.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | MINIMUM ⁽¹⁾ LOT AREA (sq. ft.) | SPECIFIC STANDARDS IN SECTION: |
|---|-----------------|---|--------------------------------|
| Recreation, Education and Public Assembly Uses | | | |
| Community centers | <u>MUP-CUP</u> | 40,000 | <u>Section 17.56.340</u> |
| Small Agricultural Event Center | <u>CUP</u> | | <u>Section 17.56.340</u> |
| Intermediate Agricultural Event Center | <u>CUP</u> | | <u>Section 17.56.340</u> |
| Large Agricultural Event Center | <u>CUP</u> | | <u>Section 17.56.340</u> |
| Houses of worship | MUP | 40,000 | |

SECTION 12: Placer County Code Chapter 17, Article 17.46, Section 17.46.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|---|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Campgrounds | MUP | 17.56.080 |
| Camping, incidental | A | 17.56.080 |
| Community centers | <u>MUP-CUP</u> | <u>Section 17.56.340</u> |
| Small Agricultural Event Center | <u>CUP</u> | <u>Section 17.56.340</u> |
| Intermediate Agricultural Event Center | <u>CUP</u> | <u>Section 17.56.340</u> |

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|--|-----------------|--------------------------------|
| <u>Large Agricultural Event Center</u> | <u>CUP</u> | <u>Section 17.56.340</u> |

SECTION 13: Placer County Code Chapter 17, Article 17.48, Section 17.48.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | SPECIFIC STANDARDS IN SECTION: |
|--|-----------------|--------------------------------|
| Recreation, Education and Public Assembly Uses | | |
| Community centers | <u>MUP-CUP</u> | <u>Section 17.56.340</u> |
| Houses of worship | MUP | |

SECTION 14: Placer County Code Chapter 17, Article 17.50, Section 17.50.010(B) is hereby amended as follows:

| ALLOWABLE LAND USES | LAND USE PERMIT | MINIMUM ⁽²⁾ LOT AREA (sq. ft.) | SPECIFIC STANDARDS IN SECTION: |
|--|-----------------|---|--------------------------------|
| Recreation, Education and Public Assembly Uses | | | |
| Community centers | <u>MUP-CUP</u> | | <u>Section 17.56.340</u> |
| Fisheries and game preserves | A | 10,000 | |

SECTION 15: Placer County Code Chapter 17, Article 17.54, Section 17.54.060(B)(3) is hereby amended as follows:

| Recreation, Education and Public Assembly Land Uses | Number of Parking Spaces Required |
|---|---|
| Campgrounds | See Section 17.56.080 |
| Cemeteries (see also Mortuaries, columbariums) | As provided by the internal circulation system |
| Community centers | 1 per 4 fixed seats 1 per 40 sq. ft. of multi-use floor area if no fixed seats <u>See Section 17.56.340</u> |
| <u>Commercial Event Center</u> | <u>See Section 17.56.340</u> |
| <u>Small Agricultural Event Center</u> | <u>See Section 17.56.340</u> |
| <u>Intermediate Agricultural Event Center</u> | <u>See Section 17.56.340</u> |
| <u>Large Agricultural Event Center</u> | <u>See Section 17.56.340</u> |
| Houses of worship | 1 per 4 fixed seats; 1 per 40 sq. ft. of multi-use floor area if no fixed seats; 1 per office or classroom |

SECTION 16: Placer County Code Chapter 17, Article 17.56 is hereby amended to add Section 17.56.340 as follows:

Division VIII. Specific Use Regulations

Article 17.56

SPECIFIC USE REQUIREMENTS

Sections:

17.56.010 Purpose and applicability of article.

17.56.330 Wineries.

17.56.340 Community Center, Commerical Event Center, Agricultural Event Cener.

17.56.340 Community Center, Commerical Event Center, Agricultural Event Cener

A. Purpose. The purpose of this section is to provide for the orderly development within Placer County of a Community Center, Commercial Event Center or Agricultural Event Center, as these terms are defined in Section 17.04.030. Additionally this section is intended to protect the agricultural character and long-term agricultural production of agricultural lands which may have an on-site Agricultural Event Center.

B. Definitions.

"Agricultural Event Center" - See Section 17.04.030.

"Community Center" - See Section 17.04.030.

"Commercial Event Center" - See Section 17.04.030.

"Conditional Use Permit" - See Section 17.58.130.

"Event" - See Section 17.04.030.

C. Permit Requirements. The permit requirements for Community Center, Commercial Event Center and Agricultural Event Center are set forth below.

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

| 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 herein 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 or Agricultural Event Centers shall comply with County Code, State and local Fire Safe Standards as determined by the County and the serving fire agency.

b. If a Community Center, Commercial Event Center or Agricultural Event Center is 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 or Agricultural Event Center is accessed by a private road, the applicant shall provide notarized written approval of each owner of record of said road of the proposed use with the application submittal. Verification of ownership of the private road will be determined by the County. The application will not be deemed complete until said verification is completed. In addition, an encroachment permit may be required to address ingress, egress and sight-distance requirements for the private road connection to a County-Maintained Highway.

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 types of "Agricultural Event Center" 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 or as specified by the Conditional Use Permit.
- d. "Intermediate Agricultural Event Center" shall be allowed a maximum event size of 200 guests or as specified by the Conditional Use Permit.
- e. "Large Agricultural Event Center" shall be allowed a maximum event size of 400 guests or as specified by the Conditional Use Permit.

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.
- c. All types of "Agricultural Event Center" shall be allowed a maximum of 26 events per year. The terms of the Conditional Use Permit may reduce said number but not exceed it.

7. Agricultural Requirement.

- a. All types of "Agricultural Event Center" shall be required to have an on-going, on-site agricultural production for the length of the term of the Conditional Use Permit, and shall be required to demonstrate a minimum of \$1,000 gross revenue per acre per year from said agricultural production, or as specified by the Conditional Use Permit. No Agricultural Event Center is required to have more than \$40,000 gross revenue agricultural production per year. The verification of Agricultural production for "Agricultural Event Centers" shall be made by the Placer County Agricultural Commissioner or his designee.
- b. An Agricultural Event Center and its associated areas such as parking, decks and patios shall not occur within current agricultural production areas on a parcel designated as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland by the California Department of Conservation unless otherwise specified in the Conditional Use Permit.

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 types of "Agricultural Event Center" 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 types of "Agricultural Event Center" 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 Center" 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.

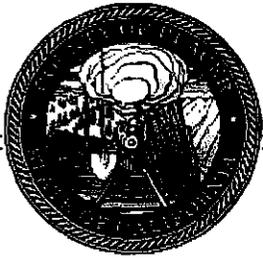
b. "Commercial Event Center" as specified by the Conditional Use Permit.

c. "Agricultural Event Center" 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.

a. All types of "Agricultural Event Center" shall be required to post a notice three days prior to an event with a poster no smaller than 4 feet by 4 feet (4x4) 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 posting shall have a contact phone number that people can call during the event if an issue arises and the phone line shall be manned at all times by a live person during the event.

SECTION 17: 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.



COUNTY OF PLACER
Community Development Resource Agency

Michael J. Johnson, AICP
Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

E.J. Ivaldi, Coordinator

**NOTICE OF INTENT
TO ADOPT A REVISED NEGATIVE DECLARATION**

The project listed below was reviewed for environmental impact by the Placer County Environmental Review Committee and was determined to have no significant effect upon the environment. A proposed Revised Negative Declaration has been prepared for this project and has been filed with the County Clerk's office.

PROJECT: Event Center Zoning Text Amendment (PZTA 20130133)

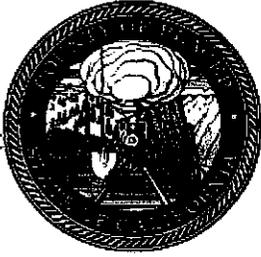
PROJECT DESCRIPTION: The project proposes a Zoning Text Amendment to revise sections 17.04.030 (Definitions of Land Uses, Specialized Terms and Phrases) and 17.06.050.D (Land Use and Permit Tables) of the Placer County Code (Zoning Ordinance), which regulate Community Centers. The proposed amendments would result in the creation of an Event Center section in the Zoning Ordinance that would define what constitutes an event, as well as, define five different types of event centers, including a Community Event Center, Commercial Event Center, Small Agricultural Event Center, Intermediate Agricultural Event Center, and Large Agricultural Event Center.

PROJECT LOCATION: Unincorporated Placer County

APPLICANT: Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603

The comment period for this document closes on **June 30, 2014**. A copy of the Revised Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Applegate, Auburn, Colfax, Foresthill, Granite Bay, Lincoln, Loomis, Meadow Vista, Penryn, Rocklin and Roseville public libraries. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132, between the hours of 8:00 am and 5:00 pm, at 3091 County Center Drive, Auburn, CA 95603.

Published in the Sacramento Bee, the Auburn Journal, and the Lincoln News Messenger on Thursday, May 29, 2014.



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

E.J. Ivaldi, Coordinator

NEGATIVE DECLARATION (Revised)

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared.
- Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

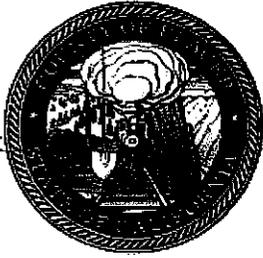
PROJECT INFORMATION

| | |
|--|----------------------------|
| Title: Event Center Zoning Text Amendment | Plus# PZTA 20130133 |
| Description: The project proposes a Zoning Text Amendment to revise sections 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 Code (Zoning Ordinance), which regulate Community Centers. The proposed amendments would result in the creation of an Event Center section in the Zoning Ordinance that would define what constitutes an event, as well as, define five different types of event centers, including a Community Event Center, Commercial Event Center, Small Agricultural Event Center, Intermediate Agricultural Event Center, and Large Agricultural Event Center. | |
| Location: Countywide | |
| Project Applicant: Placer County Community Development Resource Agency | |
| County Contact Person: George Rosasco | 530-745-3065 |

PUBLIC NOTICE

The comment period for this document closes on **June 30, 2014**. A copy of the Revised Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/NegDec.aspx>, Community Development Resource Agency public counter, and at the Applegate, Auburn, Colfax, Foresthill, Granite Bay, Lincoln, Loomis, Meadow Vista, Penryn, Rocklin and Roseville public libraries. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3132 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, please visit our Tahoe Office, 775 North Lake Blvd., Tahoe City, CA 96145.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.



COUNTY OF PLACER
Community Development Resource Agency

**ENVIRONMENTAL
COORDINATION
SERVICES**

Michael J. Johnson, AICP
Agency Director

E. J. Ivaldi, Coordinator

3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3080 • www.placer.ca.gov

INITIAL STUDY & CHECKLIST (Revised)

The Initial Study & Checklist was posted for a 30-day public review from April 7, 2014 to May 7, 2014. Subsequent to the public posting period, comments were received resulting revisions and/or clarifications to the discussion in the "Agricultural Requirement" in PROJECT DESCRIPTION and the analysis in Section II. AGRICULTURAL & FOREST RESOURCES.

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects.

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

| | |
|---|----------------|
| Project Title: Event Center Zoning Text Amendment | Plus# 20130133 |
| Entitlement: Zoning Text Amendment | |
| Site Area: Countywide | APN: Various |
| Location: Unincorporated Placer County | |

Project Description: The project proposes a Zoning Text Amendment to revise sections 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 Code (Zoning Ordinance), which regulate Community Centers. The proposed amendments would result in the creation of an Event Center section in the Zoning Ordinance that would define what constitutes an event, as well as, define five different types of event centers, including a Community Event Center, Commercial Event Center, Small Agricultural Event Center, Intermediate Agricultural Event Center, and Large Agricultural Event Center. The Zoning Text Amendment would also specify the zone districts in which each type of event center could be located. The proposed Zoning Text Amendment would replace or supersede the existing sections of the Zoning Ordinance that pertain to Community Centers as appropriate.

The proposed Zoning Text Amendment would also add the following development standards for Event Centers:

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 1 parking space for each permanent employee. No off-site parking is allowed unless permitted by an approved Conditional Use Permit or through a Zoning Clearance process. All parking areas shall be constructed with 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

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.

3. Minimum Parcel Size

The minimum parcel size for Event Centers shall be determined by the base zone district with the exception that Small Agricultural Event Centers shall have a minimum parcel size of 10 acres, Intermediate Agricultural Event Centers shall have a minimum parcel size of 20 acres, and Large Agricultural Event Centers shall have a minimum parcel size of 40 acres.

4. Setbacks

The minimum setback for an Event Center shall be determined by the base zone district with the exception that Agricultural Event Centers shall be required to conduct any outdoor activities associated with the Agricultural Event Center (with the exception of parking) a minimum of 200 feet from the exterior property lines unless otherwise specified by the Conditional Use Permit.

5. Event Size

The maximum number of guests permitted for Community Centers and Commercial Event Centers shall be specified by the Conditional Use Permit. Small Agricultural Event Centers shall be allowed a maximum event size of 100 guests, Intermediate Agricultural Event Centers shall be allowed a maximum event size of 200 guests, Large Agricultural Event Centers shall be allowed a maximum event size of 400 guests.

6. Number of Events

The maximum number of events permitted for Community Centers and Commercial Event Centers shall be as specified by the Conditional Use Permit. 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

All "Agricultural Event Centers" shall be required to have an on-site verifiable agricultural production of \$1,000 gross per acre per year, or as otherwise specified by the Conditional Use Permit. No Agricultural Event Center is required to have more than \$40,000 gross agricultural production per year. The verification of Agricultural production for "Agricultural Event Centers" shall be made by the Placer County Agricultural Commissioner or his designee.

Agricultural Event Centers and their associated areas such as parking, decks and patios shall not occur within current agricultural production areas on a parcel designated as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland by the California Department of Conservation.

8. Hours of Operation

The hours of operation for Community Centers and Commercial Event Centers shall be as specified by the Conditional Use Permit. 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

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

10. Lighting

For Community Centers and Commercial Event Centers, the outdoor lighting shall be as specified by the Conditional Use Permit and/or the Design Review agreement. 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

Food regulation for Community Centers and Commercial Event Centers shall be specified by the Conditional Use Permit. 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

There are no special noticing requirements for Community Centers and Commercial Event Centers. However, all Agricultural Event Centers shall be required to post a notice three days prior to an event with a poster no smaller than 4 feet by 4 feet (4x4) in a location commonly accessible to adjoining property owners (e.g. clustered mailboxes or at the entrance to the property that the Agricultural Event Center is located on). The posting shall have a contact phone number that people can call during the event should an issue arise, and the phone line shall be staffed at all times by a live person during the event.

In closing, no specific Event Center is approved as part of this Zoning Text Amendment. In fact, these amendments, in themselves, would not directly result in changes to the physical environment (environmental effects). After the zoning text amendments are adopted, the County will evaluate each Event Center proposal based on their compliance with the General Plan, relevant Community Plans, Zoning Ordinance, and other ordinances. Additional environmental review of potential environmental effects in compliance with the California Environmental Quality Act may be required prior to development of any specific Event Center.

B. ENVIRONMENTAL SETTING:

Placer County is a geographically diverse county. While the western portion of the County contains suburbs of the Sacramento Region and large amounts of open farm land, the central portion of the County consists of communities such as Auburn, Loomis, and Granite Bay located in the Sierra Foothills, the eastern portion lies within the Lake Tahoe Region. Placer County is one of the fastest growing counties in the state. Between 2000 and 2010, the County's population grew from 248,399 to 348,432. All of these factors combined with its close proximity to a large Bay Area population result in an area which is perfect for the placement of Event Centers.

C. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency would use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur:

- ➔ Placer County General Plan EIR
- ➔ Community Plan EIRs

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division Office, 565 West Lake Blvd., Tahoe City, CA 96145.

D. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows:

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Have a substantial adverse effect on a scenic vista? (PLN) | | | | X |
| 2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway? (PLN) | | | | X |
| 3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN) | | | | X |
| 4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no aesthetic impacts.

Any aesthetic impacts resulting from the construction and operation of an event center will be addressed through the required entitlement process for each specific event center. To ensure that significant impacts to aesthetic resources do not occur, any proposed Event Center would be subject to the County's Design Guidelines, Rural Design Guidelines, and the specific provisions of the Event Center Section that address setbacks, lighting, and parking. Individual projects would also be subject to any requirements mandated through the County's environmental review process.

II. AGRICULTURAL & FOREST RESOURCES – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN) | | | | X |
| 2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN) | | | | X |
| 3. Conflict with existing zoning for agricultural use, a Williamson Act contract or a Right-to-Farm Policy? (PLN) | | | | X |
| 4. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? (PLN) | | | | X |
| 5. Involve other changes in the existing environment which, due to their location or nature, could result in the loss or conversion of Farmland (including livestock grazing) or forest land to non-agricultural or non-forest use? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no agricultural or forest impacts

Event Centers regulated by this section may result in impacts to agricultural resources, but those would be addressed through the specific entitlement process for each Event Center. Event Centers would not be allowed in either the Forest or Timberland Production Zone districts resulting in no impacts to forest resources. To address the impacts that may occur to agricultural resources there is a development standard contained in the Event Center Section that requires that all "Agricultural Event Centers" be required to have an on-site verifiable agricultural production of \$1000 gross per acre per year, or as otherwise specified by the Conditional Use Permit. No Agricultural Event Center is required to have more than \$40,000 gross agricultural production per year. The verification of Agricultural production for Agricultural Event Centers would be made by the Placer County Agricultural Commissioner or his designee. Additionally, Agricultural Event Centers and their associated areas such as parking, decks and patios would not occur within current agricultural production areas on a parcel designated as prime farmland, farmland of statewide importance, farmland of local importance, or unique farmland by the California Department of Conservation. Consequently, the creation of an Event Center on agriculturally producing land will create an additional revenue stream helping insure that Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance and its agricultural use is not converted to a higher revenue producing use.

III. AIR QUALITY – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Conflict with or obstruct implementation of the applicable air quality plan? (PLN, Air Quality) | | | | X |
| 2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (PLN, Air Quality) | | | | X |
| 3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (PLN, Air Quality) | | | | X |
| 4. Expose sensitive receptors to substantial pollutant concentrations? (PLN, Air Quality) | | | | X |
| 5. Create objectionable odors affecting a substantial number of people? (PLN, Air Quality) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no air quality impacts. The proposed zoning text amendment does not revise, replace or attempt to supersede existing standards and procedures that pertain to Air Quality regulation. Additionally, Event Centers will be subject to all applicable Air Quality regulations as part of their entitlement process. Event Centers may also be subject to environmental review as required by State law and County policy.

IV. BIOLOGICAL RESOURCES – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service or National Oceanic and Atmospheric Administration Fisheries? (PLN) | | | | X |
| 2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of restrict the range of an endangered, rare, or threatened species? (PLN) | | | | X |
| 3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN) | | | | X |
| 4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community, including oak woodlands, identified in local or regional plans, policies or regulations, or by the California Department of Fish & Game, U.S. Fish & Wildlife Service, U.S. Army Corps of Engineers or National Oceanic and Atmospheric Administration Fisheries? (PLN) | | | | X |
| 5. Have a substantial adverse effect on federal or state protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) or as defined by state statute, through direct removal, filling, hydrological interruption, or other means? (PLN) | | | | X |
| 6. Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nesting or breeding sites? (PLN) | | | | X |
| 7. Conflict with any local policies or ordinances that protect biological resources, including oak woodland resources? (PLN) | | | | X |
| 8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to biological resources. Additionally, Event Centers will be subject to applicable County codes and policies, including General Plan and Community Plan policies that discourage development in environmentally sensitive areas and protect significant ecological areas, habitat resources, watersheds, and riparian vegetation.

V. CULTURAL RESOURCES – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN) | | | | X |
| 2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN) | | | | X |
| 3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN) | | | | X |
| 4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN) | | | | X |
| 5. Restrict existing religious or sacred uses within the potential impact area? (PLN) | | | | X |
| 6. Disturb any human remains, including these interred outside of formal cemeteries? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an event center, therefore there are no impacts to cultural resources. Adherence to applicable county, state, and federal standards and guidelines related to the protection/preservation of cultural resources, as well as the requirements mandated during the environmental review of individual projects would be implemented when an Event Center is proposed.

VI. GEOLOGY & SOILS – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD) | | | | X |
| 2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD) | | | | X |
| 3. Result in substantial change in topography or ground surface relief features? (ESD) | | | | X |
| 4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD) | | | | X |
| 5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD) | | | | X |
| 6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD) | | | | X |
| 7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD) | | | | X |

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|--|--|--|--|---|
| 8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD) | | | | X |
| 9. Be located on expansive soils, as defined in Chapter 18 of the California Building Code, creating substantial risks to life or property? (ESD) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no geological or soils impacts. All future Event Centers will be subject to all applicable County safety standards, comply with the Building Code, and require approval from the Engineering Services Department, including the approval of grading permits and geotechnical reports to eliminate threats from expansive soil, geologic faults and unstable earth conditions.

VII. GREENHOUSE GAS EMISSIONS – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant and/or cumulative impact on the environment? (PLN, Air Quality) | | | | X |
| 2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (PLN, Air Quality) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there is no generation of greenhouse gases. Additionally, the proposed zoning text amendment does not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

VIII. HAZARDS & HAZARDOUS MATERIALS – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS) | | | | X |
| 2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS) | | | | X |
| 3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (PLN, Air Quality) | | | | X |
| 4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to | | | | X |

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|--|--|--|--|---|
| the public or the environment? (EHS) | | | | |
| 5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN) | | | | X |
| 6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN) | | | | X |
| 7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN) | | | | X |
| 8. Create any health hazard or potential health hazard? (EHS) | | | | X |
| 9. Expose people to existing sources of potential health hazards? (EHS) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there is potential hazards and no generation of hazardous materials. All future Event Centers in the county will be subject to hazardous materials regulations and would be required to meet fire safe guidelines. Project-specific health hazards will be evaluated at the time a specific development proposal for an Event Center is made.

IX. HYDROLOGY & WATER QUALITY – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Violate any federal, state or county potable water quality standards? (EHS) | | | | X |
| 2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS) | | | | X |
| 3. Substantially alter the existing drainage pattern of the site or area? (ESD) | | | | X |
| 4. Increase the rate or amount of surface runoff? (ESD) | | | | X |
| 5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD) | | | | X |
| 6. Otherwise substantially degrade surface water quality?(ESD) | | | | X |
| 7. Otherwise substantially degrade ground water quality? (EHS) | | | | X |

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|---|--|--|--|---|
| 8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD) | | | | X |
| 9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD) | | | | X |
| 10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD) | | | | X |
| 11. Alter the direction or rate of flow of groundwater? (EHS) | | | | X |
| 12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no hydrology or water quality impacts. All future Event Centers will be subject to County and other agencies' runoff/stormwater and floodplain regulations, permit and approvals, including Placer County's Flood Damage Prevention Ordinance, Stormwater Management Manual, and NPDES Municipal Storm Water Permit, and will comply with all applicable County policies related to hydrology and water quality. Event centers are required to be located outside of any special flood hazard areas as defined by FEMA or otherwise shown on survey maps of record, subdivision maps, parcel maps, other maps of record, and as identified in special flood zone studies prepared by a California registered civil engineer, geologist, or hydrologist.

X. LAND USE & PLANNING – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Physically divide an established community? (PLN) | | | | X |
| 2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN) | | | | X |
| 3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies, plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN) | | | | X |
| 4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN) | | | | X |
| 5. Affect agricultural and timber resources or operations (i.e. impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN) | | | | X |
| 6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN) | | | | X |
| 7. Result in a substantial alteration of the present or planned land use of an area? (PLN) | | | | X |

91

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|--|--|--|--|---|
| 8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN) | | | | X |
|--|--|--|--|---|

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to existing land use regulations. The proposed zoning text amendment for Event Centers is not expected to impact the Placer County General Plan or other regulations which are used to regulate land use and planning issues to promote the orderly development of the county. Any potential land use impacts associated with individual Event would be evaluated through environmental review as required by State law and County policy.

XI. MINERAL RESOURCES – Would the project result in:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN) | | | | X |
| 2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to mineral resources. Additionally, all future Event Centers shall be subject to all applicable County codes and policies for residential projects, including General Plan and Community Plan policies that protect known mineral resources reserves to avoid the loss of the availability of mineral resources.

XII. NOISE – Would the project result in:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN) | | | | X |
| 2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN) | | | | X |
| 3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN) | | | | X |
| 4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN) | | | | X |

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|--|--|--|--|---|
| 5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN) | | | | X |
|--|--|--|--|---|

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no noise impacts. Event Centers regulated by this section in the future may create noise impacts, but those will be addressed through the specific entitlement process for each specific Event Center. To address the noise impacts that may occur from an Event Center, a development standard contained in the zoning text amendment requires that all Event Centers shall be subject to Placer County Code Article 9.36 (Noise Ordinance) and all Agricultural Event Centers shall be required to stop all noise generating activities, such as music, at 7:30 pm or move such activities into an enclosed structure which will reduce the noise level to 20 decibels or less at the event center's exterior property lines.

XIII. POPULATION & HOUSING – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN) | | | | X |
| 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the county's zoning ordinance to regulate event centers that will supersede existing community center regulations set forth in the zoning ordinance. The project addressed in this environmental document does not result in the approval or creation of an event center, therefore there are no impacts to the population or housing. Additionally, the adoption of the proposed zoning text amendment for event centers will not by itself induce substantial population growth in unincorporated placer county or displace existing housing.

XIV. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Fire protection? (ESD, PLN) | | | | X |
| 2. Sheriff protection? (ESD, PLN) | | | | X |
| 3. Schools? (ESD, PLN) | | | | X |
| 4. Maintenance of public facilities, including roads? (ESD, PLN) | | | | X |

| | | | | |
|--|--|--|--|---|
| 5. Other governmental services? (ESD, PLN) | | | | X |
|--|--|--|--|---|

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to Public Services. All future Event Centers will be subject to site-specific environmental studies as determined appropriate by the County, and will comply with all applicable County policies and regulation related to public services.

XV. RECREATION – Would the project result in:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|--|--------------------------------|--|------------------------------|-----------|
| 1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN) | | | | X |
| 2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to recreational facilities or the need for additional recreational facilities. Event Centers will not cause an increase in demand for recreational facilities and in some instances may reduce the impacts to existing recreational facilities by providing alternate recreational venues. Event Centers will not require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

XVI. TRANSPORTATION & TRAFFIC – Would the project result in:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD) | | | | X |
| 2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD) | | | | X |
| 3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ESD) | | | | X |
| 4. Inadequate emergency access or access to nearby uses? (ESD) | | | | X |

| | | | | |
|---|--|--|--|---|
| 5. Insufficient parking capacity on-site or off-site? (ESD, PLN) | | | | X |
| 6. Hazards or barriers for pedestrians or bicyclists? (ESD) | | | | X |
| 7. Conflicts with adopted policies, plans, or programs supporting alternative transportation (i.e. bus turnouts, bicycle lanes, bicycle racks, public transit, pedestrian facilities, etc.) or otherwise decrease the performance or safety of such facilities? (ESD) | | | | X |
| 8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (PLN) | | | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to transportation or traffic impacts. The proposed zoning text amendment does not alter any existing standards or requirements related to traffic or transportation and will not create significant direct or indirect traffic impacts. Individual Event Centers will be required to go the County's entitlement process which ensure that all potential impacts to transportation and traffic are addressed through the payment of traffic fees and improvements to roads serving the project.

XVII. UTILITIES & SERVICE SYSTEMS – Would the project:

| Environmental Issue | Potentially Significant Impact | Less Than Significant with Mitigation Measures | Less Than Significant Impact | No Impact |
|---|--------------------------------|--|------------------------------|-----------|
| 1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD) | | | | X |
| 2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD) | | | | X |
| 3. Require or result in the construction of new on-site sewage systems? (EHS) | | | | X |
| 4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD) | | | | X |
| 5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS) | | | | X |
| 6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD) | | | | X |
| 7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS) | | | | X |

95

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the County's Zoning Ordinance to regulate Event Centers that will supersede existing Community Center regulations set forth in the Zoning Ordinance. The project addressed in this environmental document does not result in the approval or creation of an Event Center, therefore there are no impacts to utilities and service systems.

All future Event Centers will be required as part of their entitlement process to comply with health and safety regulations including water, wastewater, storm water drainage and solid waste disposal.

E. MANDATORY FINDINGS OF SIGNIFICANCE:

| Environmental Issue | Yes | No |
|--|-----|----|
| 1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory? | | X |
| 2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.) | | X |
| 3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly? | | X |

Discussion- All Items:

The proposed project includes the adoption of a zoning text amendment to create a section in the county's zoning ordinance to regulate event centers that will supersede existing community center regulations set forth in the zoning ordinance. any proposed event centers will be subject to project-specific environmental review as required by state law and county policy.

F. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

| | |
|--|--|
| <input type="checkbox"/> California Department of Fish and Wildlife | <input type="checkbox"/> Local Agency Formation Commission (LAFCO) |
| <input type="checkbox"/> California Department of Forestry | <input type="checkbox"/> National Marine Fisheries Service |
| <input type="checkbox"/> California Department of Health Services | <input type="checkbox"/> Tahoe Regional Planning Agency |
| <input type="checkbox"/> California Department of Toxic Substances | <input type="checkbox"/> U.S. Army Corp of Engineers |
| <input type="checkbox"/> California Department of Transportation | <input type="checkbox"/> U.S. Fish and Wildlife Service |
| <input type="checkbox"/> California Integrated Waste Management Board | <input type="checkbox"/> _____ |
| <input type="checkbox"/> California Regional Water Quality Control Board | <input type="checkbox"/> _____ |

G. DETERMINATION – The Environmental Review Committee finds that:

The proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

H. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Services Division, George Rosasco, Chairperson
 Planning Services Division, Air Quality, Lisa Carnahan
 Engineering and Surveying Division, Richard Eiri

Department of Public Works, Transportation, Richard Moorehead
 Environmental Health Services, Kurtis Zumwalt
 Flood Control Districts, Andrew Darrow
 Facility Services, Parks, Andy Fisher
 Environmental Engineering Division, Heather Knutson
 Placer County Fire/CDF, Mike DiMaggio



Signature _____ Date May 23, 2014
 E. J. Ivaldi, Environmental Coordinator

I. SUPPORTING INFORMATION SOURCES: The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 775 North Lake Blvd., Tahoe City, CA 96145.

| | | |
|---------------------------------|--|--|
| County Documents | <input checked="" type="checkbox"/> Air Pollution Control District Rules & Regulations | |
| | <input checked="" type="checkbox"/> Community Plan | |
| | <input checked="" type="checkbox"/> Environmental Review Ordinance | |
| | <input checked="" type="checkbox"/> General Plan | |
| | <input type="checkbox"/> Grading Ordinance | |
| | <input checked="" type="checkbox"/> Land Development Manual | |
| | <input type="checkbox"/> Land Division Ordinance | |
| | <input type="checkbox"/> Stormwater Management Manual | |
| | <input type="checkbox"/> Tree Ordinance | |
| Trustee Agency Documents | <input type="checkbox"/> Department of Toxic Substances Control | |
| | <input type="checkbox"/> _____ | |
| Site-Specific Studies | Planning Services Division | <input type="checkbox"/> Biological Study |
| | | <input type="checkbox"/> Cultural Resources Pedestrian Survey |
| | | <input type="checkbox"/> Cultural Resources Records Search |
| | | <input type="checkbox"/> Lighting & Photometric Plan |
| | | <input type="checkbox"/> Paleontological Survey |
| | | <input type="checkbox"/> Tree Survey & Arborist Report |
| | | <input type="checkbox"/> Visual Impact Analysis |
| | | <input type="checkbox"/> Wetland Delineation |
| | | <input type="checkbox"/> Acoustical Analysis |
| | <input type="checkbox"/> _____ | |
| | Engineering & Surveying Division, Flood Control District | <input type="checkbox"/> Phasing Plan |
| | | <input type="checkbox"/> Preliminary Grading Plan |
| | | <input type="checkbox"/> Preliminary Geotechnical Report |
| | | <input type="checkbox"/> Preliminary Drainage Report |
| | | <input type="checkbox"/> Stormwater & Surface Water Quality BMP Plan |
| | | <input type="checkbox"/> Traffic Study |
| | | <input type="checkbox"/> Sewer Pipeline Capacity Analysis |
| | | <input type="checkbox"/> _____ |

Event Center Zoning Text Amendment Initial Study & Checklist continued

| | | |
|--------------------------------|---|---|
| | | <input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available) |
| | | <input type="checkbox"/> Sewer Master Plan |
| | | <input type="checkbox"/> Utility Plan |
| | | <input type="checkbox"/> Tentative Map |
| | Environmental Health Services | <input type="checkbox"/> Groundwater Contamination Report |
| | | <input type="checkbox"/> Hydro-Geological Study |
| | | <input type="checkbox"/> Phase I Environmental Site Assessment |
| | | <input type="checkbox"/> Soils Screening |
| | | <input type="checkbox"/> Preliminary Endangerment Assessment |
| | Planning Services Division, Air Quality | <input type="checkbox"/> CALINE4 Carbon Monoxide Analysis |
| | | <input type="checkbox"/> Construction Emission & Dust Control Plan |
| | | <input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos) |
| | | <input type="checkbox"/> Health Risk Assessment |
| | | <input type="checkbox"/> CalEEMod Model Output |
| | | <input type="checkbox"/> _____ |
| | Fire Department | <input type="checkbox"/> Emergency Response and/or Evacuation Plan |
| | | <input type="checkbox"/> Traffic & Circulation Plan |
| <input type="checkbox"/> _____ | | |

Maywan Krach

From: Susan & Carter Ames <wiselama@zetabroadband.com>
Sent: Sunday, June 29, 2014 8:46 AM
To: Placer County Environmental Coordination Services
Subject: Winery/Event Center final decisions

I have been involved in these issues since the beginning, very disappointed in how it's turning out but do want to point out one thing regarding the final decisions: it is my understanding that one point under consideration is limiting the possibility of ANY sort of events being held on properties smaller than 10 acres.

PLEASE NOTE that the approved uses must follow the zoning, i.e. if a property is 200 acres or 5 (4.6 net) acres, if the zoning is farming or ag/residential, the approved uses must be the same. The size of events/allowable patrons, etc can be the controlling factor and hopefully that already is the case, but you cannot allow a use on a 10 acre parcel but deny that option to the 5 acres parcel next door. If you do you have just virtually made that 5 acre parcel valueless, and it is not a legally defensible position opening the County up to class action lawsuits among other things.

Please not that since I was a real estate appraiser in Los Angeles and Ventura counties with my own corporation for 17 years, doing private appraisals for lenders as well as reviews and consulting for FNMA, VA, Wells Fargo Bank and Gibraltar savings, I've had experience with rural properties and lenders approach to these properties as well as buyer impressions of mixed use neighborhoods and I can see only problems with an arbitrary denial of use in the same zoning areas.

Please consider this aspect of the new expanded regulations very carefully when making your final decisions.

Thank you,

Susan Helgeson Ames
6330 Wise Rd
Auburn, CA 95603



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



PUBLIC INTEREST COALITION
P.O. Box 671, Loomis, CA 95650



June 29, 2014

Placer County
Community Development Resource Agency
Placer County
3091 County Center Dr, Ste 190
Auburn, CA 95603

Ladies and Gentlemen:

RE: Revised Negative Declaration (Neg Dec)—Event Center Zoning Text Amendment (ZTA)—PZTA 2013-133

Thank you for providing adequate notice of the Revised Neg Dec and for considering our suggestions.

The “Notice of Intent” states that the proposed Zoning Text Amendments (ZTA) would create “...an Event Center Section in the Zoning Ordinance that would define what constitutes an event, as well as, define five different types of event centers....” After years of discussions, the five different types of event centers are fairly clear, but what actually constitutes an event was subject to wide variation. For transparency sake, the definition of what constitutes an event should have been included in this Neg Dec.

Because many of our concerns regarding the process and the Agricultural Event Centers (AEG) development standards have not been addressed, along with code enforcement issues, we submit essentially similar comments on the revised Neg Dec as before with a number of modifications.

The revision of item 7, “Agricultural Requirement,” in the development standards for Event centers, is an improvement (gross production of \$1,000 per acre, up to a maximum of \$40,000 gross per year). First, we urge that the amount be stated and applied as “net” income from agricultural (ag) production in order to be more meaningful. Using “gross production” as the standard is subject to manipulation. Second, we urge striking out the compromising phrase (“...or as otherwise specified by the Conditional Use Permit.”) which renders the standard potentially useless. It implies that Conditional Use Permit (CUP) approval may allow any amount of gross production.

As an aside, in the Initial Study (IS) discussion, “II. Agricultural & Forest Resources,” the last sentence is somewhat confusing. If AEG’s are not permitted on Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance, then the implication that they “...will create an additional revenue stream....” on those designated parcel zones should not be stated as such. Definitive clarification should be included in the ZTA to avoid misinterpretation by applicants and hinder code enforcement.

We cannot stress strongly enough that code enforcement, if it is to be viable, must have clearly defined, non-ambiguous, or “subject to interpretation” requirements. “Work around” or “loophole” language is what created the problems and continues with the current proposal. This AEG ZTA will impact family residents in neighborhoods and/or

communities where peace and quiet is and should be the norm. At the very least, as a mitigation measure, in addition to specifying penalties for non-compliance, the ZTA standards should include a clause that no variances shall be granted on the specific established criteria or stipulations, nor with a CUP once it has been approved.

IS item "X. Land Use & Planning," states in the discussion, "The proposed zoning text amendment for Event Centers is not expected to impact the Placer County General Plan or other regulations which are used to regulate land use and planning issues to promote the orderly development of the county." "Orderly development" is a fundamental principle of zoning and planning. However, to approve commercial operations, which is what Event Centers are, in Residential Ag/Farm zones is to create incompatible land-use activities and destroy trust in the concept of "orderly development." We have Commercial and Industrial zones separated from residential zones for good reasons. An AEC will have "No Impact" only if the standards are clear, strict, and consistently enforced. Instead of "may be revoked," the ordinance should state "shall be revoked." The ZTA should include consequences of noncompliance as most laws do, to support the 100% "No Impact" evaluations.

The definition portion of the five different event centers is reasonable, and except for one preferred stipulation,¹ we support the "Community Center" and "Commercial Event Center" land-use definitions.

Under "B. Environmental Setting," a description of Placer County and its growth is given. However, an erroneous or questionable conclusion is drawn with an unsupported statement that many disagree with if taken at face value: "All of these factors combined with its close proximity to a large Bay Area population result in an area which is perfect for the placement of Event Centers." Placer County may be perfect for creating Event Centers but only if their "placement" is in Commercial or Industrial areas—not in residential ag/farm zones. The strain on septic systems alone in rural areas with throngs of people every weekend, for 26 weekends straight (six months), has huge, potentially significant environmental impacts.

IS item "XIV. Public Services," should address the need for additional code enforcement, especially "after hours," as that is when most events will take place.

IS item "XV. Recreation," has a statement in the discussion to the effect that Event Centers "...in some instances may reduce the impacts to existing recreational facilities by providing alternate recreational venues."² In that scenario, then the septic systems in rural AEC's may also be stretched to failure, which may have impacts to ground water, surface waters (run off), and health and safety impacts to attendees of the events.

Our comments and concerns are focused primarily on the AEC designation issues, and we remain optimistic that a workable ZTA can be adopted if either (1) the recommendations and concerns submitted by the public, MAC's and Agricultural

¹ "Community Center" (land use) should have an additional requirement that it be a facility which is owned by a not-for-profit organization or a public agency with governmental oversight.

² "...alternate recreational venues" opens AEG's in particular to new impacts. Are weddings, concerts, reunions, fundraisers, considered "recreation"? In the years of Event Center discussion, recreational activities were seldom mentioned, but when they were, it was in a pejorative sense—motor bike racing, rodeo, and other noise-producing activities. If reducing impacts to existing recreational facilities is a potential benefit of AEG's then the increased impacts caused by the shifting of those impacts to AEG's should be analyzed in a higher, more robust CEQA review level—such as a Mitigated Neg Dec or an Environmental Impact Report.

Commission are considered and incorporated into the Event Center ZTA, rather than left for discretionary decision making on a case-by-case basis, or (2) a Programmatic Environmental Impact Review (PEIR) is circulated to codify the criteria—development and operational standards that all AEC's proposals or other applications for event activities in Residential Agriculture or Farm Zones must meet before being considered for approval.

This Event Center ZTA may be considered a county wide rulemaking; thus a PEIR would be appropriate to circulate for disclosure of the probable environmental impacts, mitigation measures, and alternatives. New AEC applications, or other proposals that meet event definitions, would then tier off the PEIR and include an Initial Studies/Mitigated Negative Declarations (IS/MMD). Such a PEIR would also address the cumulative impacts of new AEC's or other event activities as a whole instead of having them pop up piecemeal in rural areas of the County. But even a PEIR will be useless unless the submitted recommendations are included without discretionary judgment calls.

In the Initial Study & Checklist" of this Event Center ZTA Neg Dec, on page 3, Section "C. Previous Environmental Document," reference is made to project consistency with existing policies. It states, "*Thus, if an impact is not peculiar...or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.*" Therein lies the chronic potential weakness of this proposal and Neg Dec:

First, the public cannot know what impacts the AEC applications will present, but we can be fairly certain that any applicant will argue that their impacts are not "*peculiar*" to the project or site and/or will claim that any potential impacts (traffic, noise, air quality, water pollution, etc.) were mitigated in a prior EIR. However, the AEC itself is a new and increased use; thus any AEC proposal and its impacts will automatically be "*peculiar*" to existing zoning.

Second, the non-specific and equivocal language in the operational standards (described in more detail below under "Inadequate Negative Declaration"), provides no assurance to the public that any impact will be "*substantially mitigated by the imposition of uniformly applied development policies or standards*" because in the AEC ZTA (1) uniform enforceable standards do not exist and (2) what vague unenforceable standards that are stated will be applied on a case-by-case basis. Consistency or uniformity is non-existent whenever staff has discretion to interpret the standards. Unfortunately, the only guarantee for the public is a lack of uniformity and an inconsistency as to what influences will persuade staff in deciding the conditions of approval for each AEC application, which in turn will potentially drag the public, Planning Commission, and Board of Supervisors into each drawn-out contentious application. Only strict, unequivocal, enforceable standards for the AEC's (or other event activities in Res Ag/Farm Zones) will resolve this issue.

Background

This Event Center ZTA process (moratorium, many public meetings and workshops) was created to address the vagueness and un-enforceability of the current "Community Center" ordinance. The traditional connotation of a Community Center (CC), from as far back as the mid 1800's, is: A non-profit or agency-owned-and-operated facility, created for public benefit—not for private profit—that provides a venue available to rent at nominal fees for public gatherings (club meetings, social events, forums, local government and non-government activities, etc.) in rural areas for agricultural and farm

community residents—such as Grange Halls, Veterans Halls, Memorial Halls, etc.). The current CC ordinance was never meant to cover or govern the types of applications received and expected in the future—upscale, private, profit-making commercial endeavors in rural ag and farm communities with large footprints. Discretionary interpretation of the vague CC code language resulted in non-conforming, incompatible land-use approvals for a number of private commercial event and entertainment facilities in Ag and Farm zones. Because of this hijacking of a public benefit land-use designation, the Event Center ZTA process was initiated.

Fortunately, the County Planning Director recognized the conundrum and characterized the problem accurately and succinctly in his memo of June 12, 2012, to the Planning Commission. [Exhibit A] Unfortunately, except for the addition of the “Agricultural Requirement” production threshold, none of the submitted recommendations for the currently proposed Event Center ZTA were incorporated into the proposed Draft ZTA; thus the vague language remains problematic. Reliance on discretion most likely will again lead to broad interpretations resulting in the same controversial outcomes, whether proposals are approved or denied, and will potentially create significant environmental impacts to boot.

We urge Placer County to revise the proposed Event Center ZTA and adopt an AEC ZTA that contains specific, unequivocal development and operational standards. Rather than adopting the proposed subject-to-interpretation standards that present a perceived “Trust us” policy, the “common theme” list of recommendations to the draft ordinance presented by the County’s Supervising Planner to the Planning Commission on April 24, 2014 [list contained in this document] would greatly improve the proposed ZTA. Zoning codes should not be created with “interpretation” and “discretion” applied on a case-by-case basis by individual staff members. Such a process will ensure enforcement problems and a lack of continuity with staff changes. AEC applicants and neighbors in affected rural communities need to know what the standards are the starting point. With those in mind, an applicant can then decide whether to proceed with a project or not.

As currently proposed, applicants can approach the AEC application process with a “how many ways can I get around the policy?” attitude and probably succeed. Zoning must be for the benefit of all, but the current proposal will impose incompatible commercial activities in rural Residential Ag and Farm zones—a de facto rezoning on an individual basis with ensuing hardships. Concerns of the public have been brushed aside in part by claims that the CUP will require both public noticing and California Environmental Quality Act (CEQA) review. However, the language in the standards for the CUP, such as, “...*may* be required,” and “...*or* as specified,” are meaningless. Hence, the CUP process provides no guarantees that agricultural (ag) lands will not be lost or that other negative impacts, environmental and otherwise, will not be created because there will undoubtedly be “overriding circumstances” and “cannot be mitigated to less than significant” and/or a discretionary determination that the “benefits outweigh the impacts.” **An AEC ZTA with unambiguous, precise development and operational standards will reduce or eliminate the potential for such impacts, make code enforcement less tedious, and will satisfy rural residents who have participated in this process for the past two years.**

The Neg Dec might be appropriate and acceptable if it revealed and considered the potential significant environmental impacts that all proposed events in Res Ag and Farm zones may create. As presented, the proposed AEC ZTA does not set enforceable

development and operational standards and relies on staff discretion in evaluating CUP's for AEC applications on a case-by-case basis. Allowing such discretion, coupled with a lack of unequivocal, enforceable criteria will result in ongoing controversy, keep both applicants and rural residents in exactly the same ambiguity and controversy that exists now, continue with the same inconsistent enforcement issues and abuses, and will create potentially significant environmental impacts. The past years of public discourse and good faith effort will be for naught.

With an enforceable AEC, rural residents' concerns would be addressed, and the Neg Dec would be appropriate and acceptable. Without an enforceable AEC with common theme recommendations incorporated, the Neg Dec is inappropriate. If this is a "Rulemaking" activity, then circulation of a Programmatic EIR would be the correct CEQA procedure.

As a side comment: With the circulation of this Neg Dec regarding the proposed ZTA, there appears to have been a huge disconnect in the purpose of this two-year process. In all the many Municipal Advisory Councils (MAC) and Agricultural (Ag) Commission meetings, and the Planning Commission workshops, concerned citizens acted in good faith—primarily because of promises that their recommendations and suggestions would be considered **before** any proposed ZTA was finalized. Throughout the process, many workable recommendations were made from citizens who had first-hand horrific experiences with "public events" as well as others who could foresee negative impacts that AEC's and other public events will have in rural areas that are zoned Agricultural and/or Farmlands. **Other than the one "ag production" requirement, not one of those recommendations was incorporated into the final proposed ZTA.**

At the April 24, 2014, Planning Commission workshop, the staff report from George Rosasco, Supervising Planner ("WORKSHOP—EVENT CENTER USES IN PLACER COUNTY") included a condensation of many recommendations from various sources with a request that the Planning Commission review them and make changes "as they see fit." On pages 7-8 of that staff report, a comprehensive bulleted list that reflected "...the common theme of the recommendations...." was provided:

- An Agricultural Event Center should be required to demonstrate to the Placer County Ag Commissioner that they have onsite agricultural production of \$1,000 gross per acre per year.
- No Agricultural Event Center building or component shall occur within current agricultural production areas on parcels designated as prime farmland, farmland of statewide importance, farmland of local importance or unique farmland by the Department of Conservation.
- Agricultural Event Centers shall not be protected by the Placer County Right to Farm Ordinance.
- The proposed minimum acreage for each Agricultural Event Center should be doubled.
- Agricultural Event Centers should not be accessed via a shared private road.
- The suggested (or proposed) number of events permitted each year should be reduced.
- Code Enforcement should be available on weekends to deal with Event Center issues.
- Define how long an event can be and what constitutes an event (i.e., can one event take place over multiple days, is a family wedding an event?).

104 5/1

All of these recommendations might not be endorsed by all citizens, commissions, and organizations, but they accurately reflected common themes that most could accept, embrace, and live with in the proposed ZTA. Although we would prefer much more specificity, we would accept incorporation of the common theme list because it accurately reflects the gravest concerns regarding the AEC ZTA standards and addresses them.

To our dismay, the Planning Commission seemed to lose focus of the task at hand—to establish an **enforceable** ZTA, and instead retreated back to vague and discretionary policy preferences. The take-away of the April 24, 2014, Planning Commission meeting was that the commission was still bogged down in trying to keep language vague (calling it “flexible”). Some seemed to focus on the “private property rights” concepts related to an AEC approval. In doing so, they equally lost sight of the same property rights of all rural residents who trust that the County will enforce zoning codes that were in place when they invested in their residences/properties. To approve AEC’s on a case-by-case basis opens the door to inconsistent interpretation of the new and increased land uses, which will in turn re-create the current rancor and hostilities that divide communities. We believe the basic role of the County/Planning Commission is to set firm parameters—establish enforceable codes, ordinances, and ZTA’s for the good of the order—which includes prohibiting incompatible land uses, preventing one land use from interfering or infringing on existing land-use rights, and curtailing the loss of ag resources, to mention just a few. As proposed, the AEC ZTA will not resolve the issues it was meant to address.

Incompatible Land Uses

Ag operations are well defined and described in many Placer County governance codes, the General Plan, and state policies. Placer County allows ranch and farm activities in Ag and Farm zones that are prohibited in other zones, such as roadside stands to sell produce and value-added products. The County provides a waiver of fees for temporary outdoor agricultural events, etc., that it does not grant other residential applicants. Because it is so well understood that having a private, year-round, commercial event facility in an ag or farm zone is not an allowed use, permits must be obtained should a rural/ag or farm zone landowner wish to hold a non-conforming commercial event.

Only with proper approvals, the County allows two such non-conforming event activities (up to three days each) per year via a “Temporary Outdoor Event” (TOE) permit. With another proper permit (ARP), wineries may have six two-day events per year in addition to TOE’s. Thus, the precedent and policy that the County has established is: Commercial public events in ag or farm zones is so **outside** the realm and **separate** from an actual viable ag operation or activity that special permits are required.

This proposed ZTA needs to be revised to clearly include any and all events or event-type centers located in Residential Ag or Farm zones. It should not exempt or exclude any type of operation, including but not limited to wineries, breweries or any other operation, from abiding by the AEC ZTA if they are located in Res Ag or Farm zones. The Winery Ordinance may deal with tastings and hours of operations, but all public events should be required to follow the ZTA standards covered by the AEC ZTA or obtain TOE permits.

Instead of resolving issues, the proposed AEC ZTA will exacerbate conflicts. It allows commercial event centers in ag and farm zones which will have the potential to endanger the health, safety and welfare of the surrounding rural properties and community and lower property values. AEC’s must be governed as the private, for-profit, commercial

entertainment event centers they are, with the associated incompatible land uses, de facto zoning changes (from ag/farm to commercial), and potential impacts such a rezoning creates.

Inadequate Negative Declaration

Had the recommendations from the public been adopted, potential negative impacts and public concerns might have been less than significant. However, the Neg Dec simply ignores the potential impacts of the proposed ZTA, does not inform the public of those potential negative affects in terms of noise, traffic, loss of property values, to mention just a few, and does not address the potential loss of agricultural operations and lands. Thus, as presented, the Neg Dec is inadequate.

The claim may be made that the proposed Event Center ZTA is “more restrictive” than the existing CC ordinance and therefore does not require a CEQA review. We disagree—the existing CC, as vague and problematic as it is, has been broadened and/or expanded in this attempt to clarify and correct its deficiencies.

1—The current CC designation was never meant to cover the type of private, year-round, commercial event centers for hundreds of public attendees which were proposed and approved by the County. The proposed ZTA creates commercial AEC’s where before there were none; therefore it has potentially more impacts (saturating one area with AEC’s, traffic, noise, etc.) and thus does not meet a “more restrictive” threshold. The proposed ZTA also allows potentially 26 (or more) year-round events per year where currently, under the TOE, only 2 events per year are allowed and under the Winery Ordinance, six 2-day events are allowed. Essentially, the proposed ZTA is an obvious expansion of the scope of both the CC land-use designation, TOE permitting process, and the Winery Ordinance.

2—Had the proposed ZTA contained required standards that were unequivocally “more restrictive,” then it might have been accepted as being “more restrictive.” Instead, the proposed ZTA renders the standards that are stated useless in terms of being “more restrictive” due to non-enforceable language. For example (from staff report to Planning Commission, 4/24/14):

- Operational Standard 4—Setbacks—states an objective minimum setback standard but then weakens it with “...unless otherwise specified” by the CUP. The public cannot know for certain how this standard will be implemented.
- Operational Standard 6—Number of Events, c—is one of the more contentious issues. A maximum number of events is objectively stated as 26, but is followed by “...or as specified” by the CUP. Thus the number of events could be more or less than 26, but the public, community and/or neighbors have no clue as to how many will be allowed—one every weekend?—or what the potential impacts will be. Note: Many recommendations were for a maximum of 6 events per year—not 26.

3—By not prohibiting AEC’s on shared private roads, the proposed ZTA creates new and increased commercial “uses” on those shared private roads, as well as new and increased impacts of safety, maintenance, and liability issues for those living on private roads. Shared private roads are utilized for just that: Private activities—private arrivals and departures. They were never intended for year-round public event traffic with hundreds of attendees coming and going. Had they been, the County would have required that public road standards be met. By now approving an AEC on a private road, the use changes that road to a “public” use which can be highly objectionable for numerous

106³

reasons. If the Event Center ZTA is approved and allows AEC's on private roads, then the Neg Dec is totally inadequate and does not inform the public of the negative impacts. A legitimate ag operation on a private road may use the road for the normal egress and ingress for its operations, but opening the road up to public commercial events with the potential for 100 or more attendees per event is a new and increased use, fraught with potential negative impacts.

Most private roads are not required to be built to the standards of public roads (no street lighting or speed limits, less-than-two lanes wide, no shoulders, sidewalks, gutters, or striping, etc.). When total strangers attempt to navigate private roads, especially after dark (and possibly after imbibing alcoholic beverages) there are potential health and safety issues. During the day, children and pets who live on private roads often use them without expecting either throngs of public traffic or the speed at which the public may travel on their private road which creates additional safety issues. The Neg Dec ignores the health and safety issues created when a private road is converted to a public use for commercial events. With hundreds of event attendees coming and going, potential air quality impacts to residents may become an issue as well.

With shared private roads, there are well-established legal easement liability risks that can become litigious. There are also shared road maintenance issues when excessive traffic usage from an AEC's multiple events results in road wear and tear. And last, there are issues of residents trying to use their own road but being subjected to inconvenient delays due to profit-making intrusion of commercial AEC traffic. Most people on shared private roads accept a neighbor's occasional large, private or family gathering, but that is different from a neighbor holding year-round, multiple, large, for-profit, commercial events and creating hardships for the other residents who share that road.

Event Definition:

What constitutes an event must be clearly defined. The definition provided at the April 24 meeting of the Planning Commission needs to be edited to read as follows:

Event: A gathering of more than 5 people for 1 to 8 hours where the purpose is for fundraising, profit, or the purpose is political, public, social, or educational in nature shall constitute an event. Any event that is for those who have paid a membership or similar fee or a donation to 'belong,' shall constitute an event."

Non-Event: A gathering on any Residential Agriculture or Farmland zoned parcel, which is a non-public event attended solely by friends or family, that is not for the purpose of fundraising or profit, where no fees, dues, donations, sales, or compensation of any kind is exchanged in relationship to the gathering, is not considered an event."

These are the issues that are not addressed in the Neg Dec, but should be. Everyone wants farmers and ranchers to succeed, but no one expects or desires to be subjected to unsafe conditions or air quality impacts on their own private roads and properties, especially when they may have little-to-no recourse if a faulty, inadequate AEC ZTA is adopted. We urge that as a minimum, one of the most often mentioned recommendations be incorporated into the ZTA: **AEC's shall be allowed or approved only where egress and ingress to the facility is directly from a public roadway.**

California Environmental Quality Act Review Issues

As currently proposed, the ZTA will create multitude negative impacts by allowing incompatible new land uses in the form of AEC designations in rural ag and farm zoned areas. The Initial Study/Negative Declaration (IS/ND) may be geared toward

"Rulemaking" and not be a "project" per se. However, because the Event Center ZTA creates and codifies new uses, the Neg Dec is inadequate and fails to comply with the requirements of CEQA, Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq. ("Guidelines"). The IS/ND ignores and/or glosses over potentially significant impacts—particularly impacts related to traffic, noise, and public safety hazards. The IS/ND entirely ignores potential cumulative impacts that one AEC after another may create, especially if one community is saturated with them. Unless the proposed AEC ZTA is revised with strong and enforceable standards, we urge that either

(1) the current revised Neg Dec be rescinded; the proposed ZTA be revised to incorporate concerns and recommendations submitted;³ firm, absolute standards be established and required for AEC designation approvals to avoid potential negative impacts; and a revised Mitigated Neg Dec be recirculated; or

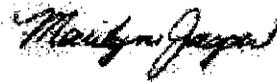
(2) an appropriate Programmatic Environmental Impact Review be circulated to analyze countywide issues and impacts, with clear provisions that it covers all events, with no exceptions or exclusions, that are proposed in Residential Ag or Farmland zones. This would allow both the contentious issues and the many potential environmental impacts to be resolved in advance, rather than on a piecemeal, case-by-case approach.

Please see Exhibit B for specific potential impacts.

The need for strict unequivocal AEC standards is further supported by the existence of many already-existing commercial venues situated in properly zoned Placer County areas to prevent conflict with/in residential zones. These commercial event center venues are viable alternatives to AEC's and may be rented for weddings, reunions, fundraisers, banquets, carnivals, and other large events, with parking provided. They advertise their facilities, can provide an economic boost for the County without impacting homeowners' rights to enjoy their residential properties, do not displace agricultural or farm zoned lands with commercial facilities, as AEC's have the potential to do, and will not have the potential environmental impacts that AEC's will have.

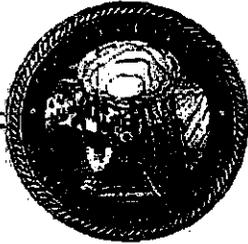
In closing, we are not opposed to the orderly development of Event Centers as long as they do not create a loss of ag lands or operations and do not create hardships for rural residents. We sincerely want to see an AEC ZTA adopted that works and resolves contentious issues. The currently proposed Event Center ZTA fails on both counts. Please consider revising and incorporating the "common theme" recommendations.

Thank you for considering our views.



Marilyn Jasper, Chair

³ Common themes from staff report to the Placer County Planning Commission, "Workshop—Event Center Uses in Placer County, April 24, 1914, pages 7-8.



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.

Planning Director's Determination - "Community Centers"

June 12, 2012

Page Three

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.

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cc: David Boesch, County Executive Officer
Holly Helmsen, 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

Appendix B: Potential Significant Environmental Impacts Resulting from the Adoption of the Event Center Zoning Text Amendment (ZTA) as Currently Proposed.

Most if not all of the potential significant environmental impacts listed below can be eliminated with a revision of the Event Center ZTA as it relates to Agricultural Event Centers (AEC) and/or an inclusion of mitigation measures. However, if adopted as currently worded, the proposed AEC ZTA creates the following potentially significant impacts:

1—Zoning requirements must separate incompatible land uses and not permit additional revenue activities for some, but not for others.

Loss of ag lands will occur with paving for parking, event venue facilities, driveways, as well as other out-building footprints for AEC's.

As multiple AEC's are approved, there will be cumulative impacts and further introduction of incompatible uses as well as the conflicts and potential litigation they create.

2—Water supply and quality is already being severely stressed with the current drought. A Sacramento BEE article on a recent CA Dept of Water Resources report indicated that groundwater levels across the state were at historically low water levels. But worse, of the three central Sierra Counties with the most wells deepened, Placer County ranked second. (Sacramento BEE, May 2, 2014, "Groundwater Levels Falling" or online, "Report: Well Water Under Strain Across CA") Water usage by multiple AEC's with a potentially unknown number of events and hundreds of attendees has the potential to impact groundwater significantly; mitigation measures could reduce those impacts.

It is well known that septic system failures can contaminate both ground and surface waters. With hundreds of attendees using toilet and washing facilities, the potential exists for significant water quality impacts. "Porta Potties" are an alternative, but at an upscale wedding or banquet for hundreds of people, the likelihood of their being used is remote.

3—Wildfire risks are severely exacerbated in our current drought. The Gladding Fire in 2008 was a wake-up call to many as to how potentially susceptible rural communities are to fire—flying embers can and do extend fires for miles. AEC's holding large events in rural areas of the County, especially in dry summer months, will create significant risks (smoking, outside cooking or fire pits, etc). It may be reasonable to require a specific documented minimum response time from the fire district that has jurisdiction over the AEC application. If the response time for either fire equipment or ambulance exceeds national standards or if the AEC water system cannot meet fire flow requirements, then the AEC should be denied.

To add to the potential fire hazards, Climate Change and Global Warming are no longer speculative. Very recent multiple reports and forecasts suggest that more frequent

and/or intense heat waves can be expected, beginning this year (2014).¹ With the release of the National Climate Assessment by the U.S. Global Change Research Program, there is no doubt that Placer County will probably face unprecedented, record-setting heat waves. Piling on is a recent news report that at least one Placer County fire department will face layoffs of 1/3 of its emergency responding staff.² The potential significant impacts of fire risks in rural areas created by both AEC's, their locations, number of events, and attendees, etc., all should be analyzed to inform the public.

4—Air Quality and Greenhouse gas emissions would have potential impacts especially if hundreds of vehicles are coming and going not just to one AEC but possibly to many of them, all in the same rural area and/or all on the same day. Exhaust from hundreds of attendees driving on private roads could severely impact residents with existing compromised breathing issues, especially with children.

Particulate matter increases with open fires or barbecue pits that are utilized for special events are potentially significant for multiple day-long events with AEC's. This is especially true with the allowance of 26 events per year—which could mean an AEG event every weekend for six months straight.

5—Using the operational standards listed in the proposed ZTA, the potential noise and traffic impacts of just one AEC in a rural community— 26 days (or more) of 12-hour long events—are significant. Add the second AEC, third, fourth...ad infinitum, and the potential for significant impacts is increased exponentially. Unless the standard is modified, or the AEC is granted a variance, the noise standard in the proposed ZTA could be one of the more objective and potentially enforceable ones. However, the cumulative impacts of having 3 or 5 AEC's within a 2-mile radius, for example, with ambient noise lasting until 10 pm every weekend, is unacceptable. Worse is that code enforcement will be hard pressed to prove a violation on a Monday, after the fact. The potential noise impacts created by the AEC ZTA should be analyzed to inform the public.

6—The County's General Plan has zoning ordinances, codes and restrictions for good reason. Plopping commercial AEC's on to Res Ag and Farmland zones is contrary to the General Plan and creates grossly incompatible land uses.

¹ "White House Report Says Climate Change Is Here And Now," May 6, 2014.
<http://www.npr.org/2014/05/06/310165886/white-house-report-says-climate-change-is-here-and-now>

² <http://www.auburncityfire.com>



PLACER GROUP
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PUBLIC INTEREST COALITION
P.O. Box 671, Loomis, CA 95650



May 6, 2014

Placer County
Community Development Resource Agency
Placer County
3091 County Center Dr, Ste 190
Auburn, CA 95603

Ladies and Gentlemen:

RE: Event Center Zoning Text Amendment (ZTA)—PZTA 2013-133

The lengthy public outreach effort that Placer County staff conducted, the hundreds of hours of participation by the public, and all the input from various citizens, organizations, and public agencies, are greatly appreciated and commendable. The definition portion of the proposed ZTA is reasonable, and except for one preferred stipulation,¹ we agree with the “Community Center” and “Commercial Event Center” land-use definitions.

We will focus only on the “Agricultural Event Center” (AEC) designation issues and remain optimistic that a workable ZTA can be adopted if either (1) the recommendations and concerns submitted by the public, MAC’s and Agricultural Commission are considered and incorporated into the Event Center ZTA, rather than left for discretionary decision making on a case-by-case basis, or (2) a Programmatic Environmental Impact Review (PEIR) is circulated to codify the criteria—development and operational standards that all AEC’s proposals or other applications for event activities in Residential Agriculture or Farm Zones must meet before being considered for approval. This Event Center ZTA is a county wide rulemaking; thus a PEIR would be appropriate to circulate for disclosure of the probable environmental impacts, mitigation measures, and alternatives. New AEC applications, or other proposals that meet event definitions, would then tier off the PEIR and include an Initial Studies/Mitigated Negative Declarations (IS/MMD). Such a PEIR would also address the cumulative impacts of new AEC’s or other event activities as a whole instead of having them pop up piecemeal in rural areas of the County. But even a PEIR will be useless unless recommendations are included without discretionary judgment calls.

In the Initial Study & Checklist” of this Event Center ZTA Neg Dec, on page 5, Section “C. Previous Environmental Document,” reference is made to project consistency with existing policies. It states, “*Thus, if an impact is not peculiar...or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.*” Therein lies the chronic potential weakness of this proposal and Neg Dec.

¹ “Community Center” (land use) should have an additional requirement that it be a facility which is owned by a not-for-profit organization or a public agency with governmental oversight.

First, the public cannot know what impacts the AEC applications will present, but we can be fairly certain that any applicant will argue that their impacts are not "*peculiar*" to the project or site and/or will claim that any potential impacts (traffic, noise, air quality, water pollution, etc.) were mitigated in a prior EIR. However, the AEC itself is a new and increased use; thus any AEC proposal and its impacts will automatically be "*peculiar*" to existing zoning.

Second, the non-specific and equivocal language in the operational standards (described in more detail below under "Inadequate Negative Declaration"), provides no assurance to the public that any impact will be "*substantially mitigated by the imposition of uniformly applied development policies or standards*" because in the AEC ZTA (1) uniform enforceable standards do not exist and (2) what vague unenforceable standards that are stated will be applied on a case-by-case basis. Consistency or uniformity is non-existent whenever staff uses discretion in interpreting the standards. Unfortunately, the only guarantee for the public is a lack of uniformity and an inconsistency as to what influences will persuade staff in deciding the conditions of approval for each AEC application, which in turn will drag the public, Planning Commission, and Board of Supervisors into each drawn-out contentious application. Only strict, unequivocal, enforceable standards for the AEC's (or other event activities in Res Ag/Farm Zones) will resolve this issue.

Background

This Event Center ZTA process (moratorium, many public meetings and workshops) was created to address the vagueness and un-enforceability of the current "Community Center" ordinance. The traditional connotation of a Community Center (CC), from as far back as the mid 1800's, is: A non-profit or agency-owned-and-operated facility, created for public benefit—not for private profit—that provides a venue available to rent at nominal fees for public gatherings (club meetings, social events, forums, local government and non-government activities, etc.) in rural areas for agricultural and farm community residents—such as Grange Halls, Veterans Halls, Memorial Halls, etc.). The current CC ordinance was never meant to cover or govern the types of applications received and expected in the future—upscale, private, profit-making commercial endeavors in rural ag and farm communities with large footprints. Discretionary interpretation of the vague CC code language resulted in non-conforming, incompatible land-use approvals for large, private commercial event and entertainment facilities in Ag and Farm zones. Because of this hijacking of a public benefit land-use designation, the Event Center ZTA process was initiated.

Fortunately, the County Planning Director recognized the conundrum and characterized the problem accurately and succinctly in his memo of June 12, 2012, to the Planning Commission. [Exhibit A] Unfortunately, because none of the submitted recommendations for the currently proposed Event Center ZTA were incorporated into the proposed Draft ZTA, the vague language remains problematic. Reliance on discretion will again lead to broad interpretations resulting in the same controversial outcomes, whether proposals are approved or denied, and will potentially create significant environmental impacts to boot.

We urge Placer County to revise the proposed Event Center ZTA and adopt an AEC ZTA that contains specific, unequivocal development and operational standards. Rather than adopting the proposed subject-to-interpretation standards that present a

perceived "Trust us" policy, the "common theme" list of recommendations to the draft ordinance presented by the County's Supervising Planner to the Planning Commission on April 24, 2014 [list contained in this document] would greatly improve the proposed ZTA. Zoning codes should not be created with "interpretation" and "discretion" applied on a case-by-case basis by individual staff members. Such a process will ensure enforcement problems. AEC applicants and neighbors in affected rural communities need to know the standards are the starting point. With those in mind, an applicant can then decide whether to proceed with a project or not.

As currently proposed, applicants can approach the AEC application process with a "how many ways can I get around the policy?" attitude and probably succeed. Zoning must be for the benefit of all, but the current proposal will impose incompatible commercial activities in rural Residential Ag and Farm zones—a defacto rezoning on an individual basis—and ensuing hardships. Concerns of the public have been brushed aside in part by claims that the Conditional Use Permit (CUP) will require both public noticing and California Environmental Quality Act (CEQA) review. However, the operational standards for the CUP are loaded with loophole language, such as, "...*may* be required," and "...*or* as specified...." Therefore, the CUP process provides no guarantees that agricultural (ag) lands will not be lost or that other negative impacts, environmental and otherwise, will not be created because there will undoubtedly be "overriding circumstances" and "cannot be mitigated to less than significant" and/or a discretionary determination that the "benefits outweigh the impacts." **An AEC ZTA with unambiguous, precise development and operational standards will reduce or eliminate the potential for such impacts, make code enforcement less tedious, and will satisfy rural residents who have participated in this process for the past two years.**

The Negative Declaration (Neg Dec) might be appropriate and acceptable if it revealed and considered the potential significant environmental impacts that all proposed events in Res Ag and Farm zones may create. As presented, the proposed AEC ZTA does not set enforceable development and operational standards and relies on staff discretion in evaluating CUP's for AEC applications on a case-by-case basis. Allowing such discretion, coupled with a lack of unequivocal, enforceable criteria will result in ongoing controversy, keep both applicants and rural residents in exactly the same ambiguity and controversy that exists now, continue with the same inconsistent enforcement issues and abuses, and will create potentially significant environmental impacts. The past two years of public discourse and good faith effort will be for naught.

With an enforceable AEC, rural residents' concerns would be addressed, and the Neg Dec would be appropriate and acceptable. Without an enforceable AEC with common theme recommendations incorporated, the Neg Dec is inappropriate. If this is a "Rulemaking" activity, then circulation of a Programmatic EIR would be the correct CEQA procedure.

As a side comment: With the circulation of this Neg Dec regarding the proposed ZTA, there appears to have been a huge disconnect in the purpose of this two-year process. In all the many Municipal Advisory Councils (MAC) and Agricultural (Ag) Commission meetings, and the Planning Commission workshops, concerned citizens acted in good faith—primarily because of promises that their recommendations and suggestions would be considered **before** any proposed ZTA was finalized. Throughout the process, many workable recommendations were made from citizens who had first-hand horrific

experiences with “public events” as well as others who could foresee negative impacts that AEC’s and other public events will have in rural areas that are zoned Agricultural and/or Farmlands. **Not one of those recommendations was incorporated into the final proposed ZTA.**

At the April 24, 2014, Planning Commission workshop, the staff report from George Rosasco, Supervising Planner (“WORKSHOP—EVENT CENTER USES IN PLACER COUNTY”) included a condensation of many recommendations from various sources with a request that the Planning Commission review them and make changes “as they see fit.” On pages 7-8 of that staff report, a comprehensive bulleted list that reflected “...the common theme of the recommendations...” was provided:

- An Agricultural Event Center should be required to demonstrate to the Placer County Ag Commissioner that they have onsite agricultural production of \$1,000 gross per acre per year.
- No Agricultural Event Center building or component shall occur within current agricultural production areas on parcels designated as prime farmland, farmland of statewide importance, farmland of local importance or unique farmland by the Department of Conservation.
- Agricultural Event Centers shall not be protected by the Placer County Right to Farm Ordinance.
- The proposed minimum acreage for each Agricultural Event Center should be doubled.
- Agricultural Event Centers should not be accessed via a shared private road.
- The suggested (or proposed) number of events permitted each year should be reduced.
- Code Enforcement should be available on weekends to deal with Event Center issues.
- Define how long an event can be and what constitutes an event (i.e., can one event take place over multiple days, is a family wedding an event?).

Although all of these recommendations might not be endorsed by all citizens, commissions, and organizations, they accurately reflected common themes that most could accept, embrace, and live with in the proposed ZTA. Although we would prefer much more specificity, we would accept incorporation of the common theme list because it accurately reflects the gravest concerns regarding the AEC ZTA standards and addresses them.

To our dismay, the Planning Commission seemed to lose focus of the task at hand—to establish an **enforceable ZTA**, and instead retreated back to vague and discretionary policy preferences. The take-away of the April 24, 2014, Planning Commission meeting was that the commission was still bogged down in trying to keep language vague (calling it “flexible”). Some seemed to focus on the “private property rights” concepts related to an AEC approval. In doing so, they equally lost sight of the same property rights of all rural residents who trust that the County will enforce Zoning codes that were in place when they invested in their residences/properties. To approve AEC’s on a case-by-case basis opens the door to inconsistent interpretation of the new and increased land uses, which will in turn re-create the current rancor and hostilities that divide communities. We believe the basic role of the County/Planning Commission is to set firm parameters—establish enforceable codes, ordinances, and ZTA’s for the good of

the order—which includes prohibiting incompatible land uses, preventing one land use from interfering or infringing on existing land-use rights, and curtailing the loss of ag resources, to mention just a few. As proposed, the AEC ZTA will not resolve the issues it was meant to address.

Incompatible Land Uses

Ag operations are well defined and described in many Placer County governance codes, the General Plan, and state policies. Placer County allows ranch and farm activities in Ag and Farm zones that are prohibited in other zones, such as roadside stands to sell produce and value-added products. The County provides a waiver of fees for temporary outdoor agricultural events, etc., that it does not grant other residential applicants. Because it is so well understood that having a private, year-round, commercial event facility in an ag or farm zone is not an allowed use, permits must be obtained should a rural/ag or farm zone landowner wish to hold a non-conforming commercial event. Only with approvals, the County allows two such non-conforming event activities (up to 3 days each) per year via a "Temporary Outdoor Event" (TOE) permit. With another proper permit (ARP), wineries may have six two-day events per year in addition to TOE's. Thus, the precedent and policy that the County has established is: Commercial public events in ag or farm zones is so **outside the realm and separate** from an actual viable ag operation or activity that special permits are required.

This proposed ZTA needs to be revised to clearly include any and all events or event-type centers located in Residential Ag or Farm zones. It should not exempt or exclude any type of operation, including but not limited to wineries, breweries or any other operation, from abiding by the AEC ZTA if they are located in Res Ag or Farm zones. The Winery Ordinance may deal with tastings and hours of operations, but all public events should be required to follow the ZTA standards covered by the AEC ZTA or obtain TOE permits.

Instead of resolving issues, the proposed AEC ZTA will exacerbate conflicts. It allows commercial event centers in ag and farm zones which will have the potential to endanger the health, safety and welfare of the surrounding rural properties and community and lower property values. AEC's must be governed as the private, for-profit, commercial entertainment event centers they are, with the associated incompatible land uses, defacto zoning changes (from ag/farm to commercial), and potential impacts such a rezoning creates.

Inadequate Negative Declaration

Had the recommendations from the public been adopted, potential negative impacts and public concerns might have been less than significant. However, the Neg Dec simply ignores the potential impacts of the proposed ZTA, does not inform the public of those potential negative affects in terms of noise, traffic, loss of property values, to mention just a few, and does not address the potential loss of agricultural operations and lands. Thus, as presented, the Neg Dec is inadequate.

The claim may be made that the proposed Event Center ZTA is "more restrictive" than the existing CC ordinance and therefore does not require a CEQA review. We disagree—the existing CC, as vague and problematic as it is, has been broadened and/or expanded in this attempt to clarify and correct its deficiencies.

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1—The current CC designation was never meant to cover the type of private, year-round, commercial event centers for hundreds of public attendees which were proposed (two of which were approved). The proposed ZTA creates commercial AEC's where before there were none; therefore it has potentially more impacts (saturating one area with AEC's, traffic, noise, etc.) and thus does not meet a "more restrictive" threshold. The proposed ZTA also allows potentially 26 (or more) year-round events per year where currently, under the TOE, only 2 events per year are allowed and under the Winery Ordinance, six 2-day events are allowed. Essentially, the proposed ZTA is an obvious expansion of the scope of both the CC land-use designation, TOE permitting process, and the Winery Ordinance.

2—Had the proposed ZTA contained required standards that were unequivocally "more restrictive," then it might have been accepted as being "more restrictive." Instead, the proposed ZTA renders the standards that are stated useless in terms of being "more restrictive" due to non-enforceable language. For example:

- Operational Standard 4—Setbacks—states an objective minimum setback standard but then weakens it with "...or as specified" by the CUP. The public cannot know for certain how this standard will be implemented.
- Operational Standard 6—Number of Events, c—is one of the more contentious issues. A maximum number of events is objectively stated as 26, but is followed by "...or as specified" by the CUP. Thus the number of events could be more or less than 26, but the public, community and/or neighbors have no clue as to how many will be allowed—one every weekend?—or what the potential impacts will be. Note: Many recommendations were for a maximum of six events per year—not 26.

Operational Standard 7—Agricultural Requirement—appears to require a clearly-stated, verifiable ag production amount of \$4,500 per year, but any "gross" amount requirement is easily manipulated and thus meaningless. This minimal ag operation gross income standard is further weakened by language that includes "...or have the potential to produce..." Thus, any unsuspecting landowner is subject to having an adjacent or nearby property designated as an AEC.² The proposed AEC ZTA has the potential to create a negative impact with a loss of ag/farm land via such a defacto conversion to a commercial event center. The event center activities would potentially preclude the ag operation by becoming more profitable, as the ZTA's minimum gross ag production dollar amount could be easily attained without a viable ag operation. Thus, contrary to Checklist item II, Ag & Forest Resources, the project (AEC) will indeed potentially convert Prime Farmland to nonagricultural use.

3—By not prohibiting AEC's on shared private roads, the proposed ZTA creates new and increased commercial "uses" on those shared private roads, as well as new and increased impacts of safety, maintenance, and liability issues. Shared private roads are utilized for just that: Private activities—private arrivals and departures. They were never intended for year-round public event traffic with hundreds of attendees coming and going. Had they been, the County would have required that public road standards be met. By now

² Selling a few head of cattle or one horse a year might meet that proposed unrealistic and arbitrary amount threshold, without having a legitimate ag operation.

approving an AEC on a private road changes the use of that road to a "public" use which can be highly objectionable for numerous reasons. If the Event Center ZTA is approved and allows AEC's on private roads, then the Neg Dec is totally inadequate and does not inform the public of the negative impacts. A legitimate ag operation on a private road may use the road for the normal egress and ingress for its operations, but opening the road up to public commercial events with the potential for 100 or more attendees per event is a new and increased use, fraught with potential negative impacts.

Most private roads are not required to be built to the standards of public roads (no street lighting or speed limits, less-than-two lanes wide, no shoulders, sidewalks, gutters, or striping, etc.). When total strangers attempt to navigate private roads, especially after dark (and possibly after imbibing alcoholic beverages) there are potential health and safety issues. During the day, children and pets who live on private roads often use them without expecting either throngs of public traffic or the speed at which the public may travel on their private road which creates additional safety issues. The Neg Dec ignores the health and safety issues created when a private road is converted to a public use for commercial events. With hundreds of event attendees coming and going, potential air quality impacts to residents may become an issue as well.

With shared private roads, there are well-established legal easement liability risks that can become litigious. There are also shared road maintenance issues when excessive traffic usage from an AEC's multiple events results in road wear and tear. And last, there are issues of residents trying to use their own road or drive but being subjected to inconvenient delays due to profit-making intrusion of commercial AEC traffic. Most people on shared private roads accept a neighbor's occasional large, private or family gathering, but that is different from a neighbor holding year-round, multiple, large, for-profit, commercial events and creating hardships for the other residents who share that road.

Event Definition:

What constitutes an event must be clearly defined. The definition provided at the April 24 meeting of the Planning Commission needs to be edited to read as follows:

"Event: A gathering of more than 5 people for 1 to 8 hours where the purpose is for fundraising, profit, or the purpose is political, public, social, or educational in nature shall constitute an event. Any event that is for those who have paid a membership or similar fee or a donation to 'belong,' shall constitute an event."

"Non-Event: A gathering on any Residential Agriculture or Farmland zoned parcel, which is a non-public event attended solely by friends or family, that is not for the purpose of fundraising or profit, where no fees, dues, donations, sales, or compensation of any kind is exchanged in relationship to the gathering, is not considered an event."

These are the issues that are not addressed in the Neg Dec, but should be. Everyone wants farmers and ranchers to succeed, but no ones expects or desires to be subjected to unsafe conditions or air quality impacts on their own private roads and properties, especially when they may have little-to-no recourse if a faulty, inadequate AEC ZTA is adopted. We urge that as a minimum, one of the most often mentioned recommendations be incorporated into the ZTA: **AEC's shall be allowed or approved only where egress and ingress to the facility comes directly off a public roadway.**

California Environmental Quality Act Review Issues

As currently proposed, the ZTA will create multitude negative impacts by allowing incompatible new land uses in the form of AEC designations in rural ag and farm zoned areas. The Initial Study/Negative Declaration (IS/ND) may be geared toward "Rulemaking" and not be a "project" per se. However, because the Event Center ZTA creates and codifies new uses, the Neg Dec is inadequate and fails to comply with the requirements of CEQA, Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq. ("Guidelines"). The IS/ND ignores and/or glosses over potentially significant impacts—particularly impacts related to traffic, noise, and public safety hazards. The IS/ND entirely ignores potential cumulative impacts that one AEC after another may create, especially if one community is saturated with them. Unless the proposed AEC ZTA is revised with strong and enforceable standards, we urge that either

(1) the current Negative Declaration (Neg Dec) be rescinded; the proposed ZTA be revised to incorporate concerns and recommendations submitted;³ firm, absolute standards be established and required for AEC designation approvals to avoid potential negative impacts; and a revised Neg Dec be recirculated; or

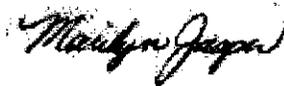
(2) an appropriate Programmatic Environmental Impact Review be circulated to analyze countywide issues and impacts, with clear provisions that it covers all events, with no exceptions or exclusions, that are proposed in Residential Ag or Farmland zones. This would allow both the contentious issues and the many potential environmental impacts to be resolved in advance, rather than on a piecemeal, case-by-case approach.

Please see Exhibit B for specific potential impacts.

The need for strict unequivocal AEC standards is further supported by the existence of many already-existing commercial venues situated in properly zoned Placer County areas to prevent conflict with/in residential zones. These commercial event center venues may be rented for weddings, reunions, fundraisers, banquets, carnivals, and other large events, with parking provided. They advertise their facilities, can provide an economic boost for the County without impacting homeowners' right to enjoy their residential properties, do not displace agricultural or farm zoned lands with commercial facilities, as AEC's have the potential to do, and will not have the potential environmental impacts that AEC's will have.

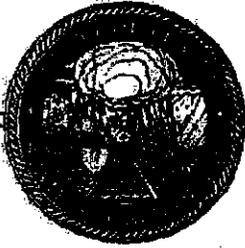
In closing, we are not opposed to the orderly development of Event Centers as long as they do not create a loss of ag lands or operations and do not create hardships for rural residents. We sincerely want to see an AEC ZTA adopted that works and resolves contentious issues. The currently proposed Event Center ZTA fails on both counts. Please consider revising and incorporating the "common theme" recommendations.

Thank you for considering our views.



Marilyn Jasper, Chair

³ Common themes from staff report to the Placer County Planning Commission, "Workshop—Event Center Uses in Placer County, April 24, 1914, pages 7-8.



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 barbecue 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.

Planning Director's Determination – "Community Centers"

June 12, 2012

Page Three

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.

125 52

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

Appendix B: Potential Significant Environmental Impacts Resulting from the Adoption of the Event Center Zoning Text Amendment (ZTA) as Currently Proposed

Most if not all of the potential significant environmental impacts listed below can be eliminated with a revision of the Event Center ZTA as it relates to Agricultural Event Centers (AEC). However, if adopted as currently worded, the proposed AEC ZTA creates the following potentially significant impacts:

1—Loss or conversion of agricultural lands is virtually guaranteed with an easily met and/or manipulated threshold requirement of \$4,500 “gross production” per year (the sale of a few head of livestock or horse can easily meet that minimum yet produce no legitimate ag operational activities). Contrary to the statement in the Neg Dec, this requirement will not in any way “insure the continued agricultural use” of ag lands in conjunction with an AEC. If “added revenue stream” is the underlying goal, then all homeowners should be allowed to have public events equally—in any residential zones—to help keep their homes from foreclosure, send the kids to college, etc. Zoning requirements must separate incompatible land uses and not permit additional revenue activities for some, but not for others. The Ag Commission’s suggested requirement of \$1,000 per acre per year would provide a greater assurance that the land would be kept in agricultural production. The Planning Commission’s mention of a requirement cap of \$40,000 per year may be reasonable.

Loss of ag lands will occur with paving for parking, event venue facilities, driveways, as well as other out-building footprints for the AEC.

As multiple AEC’s are approved, there will be cumulative impacts and further introduction of incompatible uses as well as the conflicts they create.

2—Water supply and quality is already being severely stressed with the current drought. A Sacramento BEE article on a recent CA Dept of Water Resources report indicated that groundwater levels across the state were at historically low water levels. But worse, of the three central Sierra Counties with the most wells deepened, Placer County ranked second. (Sacramento BEE, May 2, 2014, “Groundwater Levels Falling” or online, “Report: Well Water Under Strain Across CA”) Water usage by multiple AEC’s with a potentially unknown number of events and hundreds of attendees has the potential to impact groundwater significantly.

It is well known that septic system failures can contaminate both ground- and surface waters. With hundreds of attendees using toilet and washing facilities, the potential exists for significant water quality impacts. “Porta Potties” are an alternative, but at an upscale wedding or banquet for hundreds of people, the likelihood of their being used is remote.

3—Wildfire risks are severely exacerbated in our current drought. The Gladding Fire in 2008 was a wake-up call to many as to how potentially susceptible rural communities are to fire. AEC’s holding large events in rural areas of the County, especially in dry summer months, will create significant risks (smoking, outside cooking or fire pits, etc). It may be reasonable to require a specific documented minimum

response time from the fire district that has jurisdiction over the AEC application. If the response time for either fire equipment or ambulance exceeds national standards, then the AEC's CUP request should be denied. If the AEC water system cannot meet fire flow requirements, then the AEC should be denied also.

To add to the potential fire hazards, Climate Change and Global Warming are no longer speculative. Very recent multiple reports and forecasts suggest that more frequent and/or intense heat waves can be expected, beginning this year (2014).¹ With the release of the National Climate Assessment by the U.S. Global Change Research Program, there is no doubt that Placer County will probably face unprecedented, record-setting heat waves. Piling on is a recent news report that at least one Placer County fire department will face layoffs of 1/3 of its emergency responding staff.² The potential impacts of fire risks in rural areas created by both AEC's, their locations, number of events and attendees, etc., all should be analyzed to inform the public.

4—Air Quality and Greenhouse gas emissions would have potential impacts especially if hundreds of vehicles are coming and going not just to one AEC but possibly to many of them, all in the same rural area and/or all on the same day. Exhaust from hundreds of attendees driving on private roads could severely impact residents with existing compromised breathing issues, especially with children.

Particulate matter increases with open fires or barbeque pits that are utilized for special events are potentially significant for multiple day-long events with AEC's.

5—Using the operational standards listed in the proposed ZTA, the potential noise and traffic impacts of just one AEC in a rural community— 26 days (or more) of 12-hour long events—are significant. Add the second AEC, third, fourth...ad infinitum, and the potential for significant impacts is increased exponentially. Unless the standard is modified, or the AEC is granted a variance, the noise standard in the proposed ZTA is one of the more objective and potentially enforceable ones. However, the cumulative impacts of having 3 or 5 AEC's within a 2-mile radius, for example, with ambient noise lasting until 10 pm every weekend is unacceptable. Worse is that code enforcement will be hard pressed to prove a violation on a Monday, after the fact. The potential noise impacts created by the AEC ZTA should be analyzed to inform the public.

6—The County's General Plan has zoning ordinances, codes and restrictions for good reason. Plopping commercial AEC's on to Res Ag and Farmland zones is contrary to the General Plan and creates grossly incompatible land uses.

¹ "White House Report Says Climate Change Is Here And Now," May 6, 2014.
<http://www.npr.org/2014/05/06/310165886/white-house-report-says-climate-change-is-here-and-now>

² <http://www.auburncityfire.com>

Shirlee Herrington

From: Gina Fleming
Sent: Wednesday, July 16, 2014 3:10 PM
To: Allison Carlos; Andy Fisher; Anita Reis; Ann Holman; Beverly Roberts; Bill Zimmerman; Bob Costa; Brad Albertazzi; Carole Barber; Chris Coffman; Christina Shaw; Cristina Rivera; David Boesch; Edward Bonner; Estelle Maxwell; George Rosasco; Gerald Carden; Gina Fleming; Heather Knutson; Holly Heinzen; Jack Duran; James Importante; Jenine Windeshausen; Jennifer Merino; Jennifer Montgomery; Jim Holmes; Jocelyn Maddux; John Ramirez; John Weber; Joshua Huntsinger; Kellie Craig; Ken Grehm; Kirk Uhler; Kristen Spears; Kurtis Zumwalt; Leah Rosasco; Leslie Amsberry; Linda Brown; Loren Clark; Maywan Krach; Melinda Harrell; Michael Johnson; Mike DiMaggio; Mike Fitch; Nicole Hagmaier; Paul Thompson; Phil Frantz; Rebecca Taber; Robert Sandman; Robert Weygandt; Rui Cunha; Scott Finley; Sharlet Pyne; Shirlee Herrington; Steve Buelna; Steve Kastan; Teri Ivaldi; Timothy Wegner; Todd Nishikawa; Tom Poole; Tracie Coyle; Vicki Julian; Wesley Nicks; Yu-Shuo Chang
Subject: Correspondence Rcvd - FW: Is Placer County Anti-Business?

Gina

Gina Fleming, Senior Board Clerk
Placer County Clerk of the Board of Supervisors
175 Fulweiler Ave Rm #101
Auburn Ca 95603
(530) 889-4020
(530) 889-4099 FAX
<http://www.placer.ca.gov/bos/clerk>

From: Timothy Chambers [mailto:timothy Chambers@yahoo.com]
Sent: Saturday, July 12, 2014 7:26 AM
To: Placer County Board of Supervisors
Subject: Is Placer County Anti-Business?

Dear Board of Supervisors,

My wife and I have been residents of Placer County (Newcastle) for 17 years. We have been very happy to see business improve in the County. We especially love to see all the new wineries in our rural area.

Yesterday we stopped at the new brewery, GoatHouse Brewing Co. It's just a few miles from our house. We were very displeased to see the onerous restrictions imposed on them by Placer County. Apparently, the County aims to put them out of business.

The brewery grows its own hops, grains, honey... just like a winery grows its own grapes. Their rural setting is as appropriate as any vineyard. Why have they been singled out to fail? Why cant they get equal protection under the law?

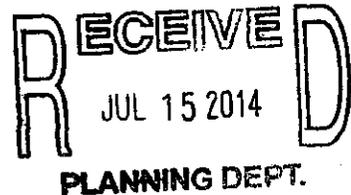
The liberalization of our brewing laws has been championed by both Republicans and Democrats and the Placer County Board is nonpartisan, so, it should not be a political issue.

We would love to see the unfair restrictions imposed on the brewery lifted. We want them to succeed and make our community a better place to live.

Thank you for considering this matter.

Sincerely,

Timothy P. and Carmen B. Chambers
6900 Cedar Glen Way
Newcastle, CA 95658



July 9, 2014

To: Placer County Planning Commission (via email) *U.S. mail*
George Rosasco, Supervising Planner, Placer County Planning Services (via email)
Placer County Board of Supervisors (via email) + *U.S. mail*

Comments on the Community Center Zoning Text Amendment, July 10, 2014

The Board of Supervisors, in fall of 2012, enacted a moratorium on approval of use permits for commercial "community centers" because of inadequacies in the existing County Code language. County Planning staff, the Planning Commission, the Municipal Area Councils (MACs), the Agricultural Commission, and concerned and committed county residents worked for months to shape the revised language, knowing the final result would have great impact to the near future of the area. The goal was to develop the , new code to strengthen and clarify currently vague and open ended county regulations for the establishment and operation of commercial event centers in agricultural zones (i.e., Ag Event Centers). However, once recommendations were presented to The Planning Commission, the intent was diluted, resulting in three critical areas of concern to rural Placer County residents in the final code language. These concerns are the number of events allowed per year, the number of guests allowed per event, and access requirements for Ag Event Centers.

Planning staff have chosen to disregard recommendations that are the result of laborious collaboration from all stakeholders. When the draft language was presented to the MAC, the number of guests allowed per event at Ag Event Centers was fixed at maxima of 100, 200 or 400, depending on the site acreage. Similarly, the maximum number of events at all sizes of Ag Event Centers was fixed at 26 per year. Five of the eight MACs that commented wanted FEWER events/year. Now that the opportunity for comment has passed, Planning staff have eliminated the hard caps on number of events and number of guests with the phrase "or as specified by the Conditional Use Permit," demonstrating total disregard for the input from the MACs and many rural residents. An applicant merely has to convince Planning staff that more and bigger events are desirable for the application to proceed. The MAC members gave their recommendations after considerable thought and in good faith that Planning would consider their viewpoints. Sadly, that faith and all the residents and MAC's effort has been misplaced. This is unacceptable.

The issue of most concern to the MACs was that many parcels in rural Placer County are accessed by shared, privately maintained roads. Of the seven MACs that commented on this issue ALL of them suggested limiting or prohibiting shared access. Again, Planning staff have chosen to disregard completely the expressed preferences of the MACs by making no provisions for protection of the neighbors who also use and maintain the shared road.

the property rights of all those who share the road are affected when a commercial venture such as an Ag Event Center applies to use this shared access. What was a small, low-traffic country lane will have to be "improved" to allow increased vehicular access by passenger and service vehicles during events. The other parties to the road agreement, who do not share in the profits of the event center and whose quality of life may suffer because of it, now are in jeopardy of legal action if an event center guest, vendor, or employee should have an accident on the shared road. These high-traffic

volume uses negatively impact property values and quality of life for local residents. The results of allowing this traffic on private or rural roads is in direct contradiction to the intent of an FB-X zoning for residential agricultural use. If Placer County allows permits for Ag Event Centers accessed by shared private roads to proceed, no matter what the final decision – either to allow or deny the use – Placer County will be favoring the property rights of one group (that is, either the neighbors or the applicant) over another, setting neighbor against neighbor. This places the County to at risk for legal battles that are costly and counterproductive. A case caused by exactly this issue involving a rural brewery is currently in litigation. Placer County Planning personnel should learn from this very distressing example and not cause these disputes by getting involved in shared access. The best way to protect the interests of everyone fairly is to state plainly in the revised code that an Ag Event Center must have or construct its own dedicated access.

Save Placer Farmlands feels that County staff have ignored good common sense and disregarded the reasoned and shared recommendations of the MACs in these three aspects of the final draft. The draft presented for your approval is not the one the MACs and Ag Commission were asked to review, nor is it the one submitted with the Mitigated Negative Declaration. By removing the hard maxima from the number of events per year and guests per event in the final draft, and by ignoring MAC recommendations and accepting applications for permits in which the applicant intends to use shared private access for an Ag Event Center, County Planning staff are increasing, not alleviating, the uncertainty and anxiety felt by many rural landowners about the eventuality of these facilities in their neighborhoods.



Teresa Chaney

6281 Schindler road
Newcastle, CA 95658

Save Placer Farmlands

*e-mailed
to Commissioners DEC
cc 7/14/14*

July 7, 2014

To: Placer County Planning Commission (via email)
George Rosasco, Supervising Planner, Placer County Planning Services (via email)
Placer County Board of Supervisors (via email)

Comments on the Community Center Zoning Text Amendment, July 10, 2014

Late in 2012, the Board of Supervisors enacted a moratorium on approval of use permits for commercial "community centers" because of inadequacies in the existing County Code language. Revising the code has been a laborious process involving County Planning staff, the Planning Commission, the Municipal Area Councils (MACs), the Agricultural Commission, and county residents. In some respects, the new code strengthens and clarifies county regulations for the establishment and operation of commercial event centers in agricultural zones (i.e., Ag Event Centers). However, there are three areas of concern to rural Placer County residents in the final code language. These concerns are the number of events allowed per year, the number of guests allowed per event, and access requirements for Ag Event Centers.

When the draft language was presented to the MAC, the number of guests allowed per event at Ag Event Centers was fixed at maxima of 100, 200 or 400, depending on the site acreage. Similarly, the maximum number of events at all sizes of Ag Event Centers was fixed at 26 per year. Five of the eight MACs that commented wanted FEWER events/year. Now that the opportunity for comment has passed, Planning staff have eliminated the hard caps on number of events and number of guests with the phrase "or as specified by the Conditional Use Permit," demonstrating total disregard for the input from the MACs and many rural residents. An applicant merely has to convince Planning staff that more and bigger events are desirable for the application to proceed. The MAC members gave their recommendations after considerable thought and in good faith that Planning would consider their viewpoints. Sadly, that faith has been misplaced.

Many parcels in rural Placer County are accessed by shared, privately maintained roads, and this was the issue of most concern to the MACs. Of the seven MACs that commented on this issue ALL of them suggested limiting or prohibiting shared access. Again, Planning staff have chosen to disregard completely the expressed preferences of the MACs by making no provisions for protection of the neighbors who also use and maintain the shared road.

When a commercial venture such as an Ag Event Center applies to use this shared access, it affects the property rights of all those who share the road. What was a small, low-traffic country lane will have to be "improved" to allow increased vehicular access by passenger and service vehicles during events. The other parties to the road agreement, who do not share in the profits of the event center and whose quality of life may suffer because of it, now are in jeopardy of legal action if an event center guest, vendor, or employee should have an accident on the shared road. These high-traffic volume uses negatively impact property values and quality of life for local residents. If

Placer County allows permits for Ag Event Centers accessed by shared private roads to proceed, no matter what the final decision – either to allow or deny the use – Placer County will be favoring the property rights of one group (that is, either the neighbors or the applicant) over another, setting neighbor against neighbor. A case caused by exactly this issue involving a rural brewery is currently in litigation. Placer County Planning personnel should learn from this very distressing example and not cause these disputes by getting involved in shared access. The best way to protect the interests of everyone fairly is to state plainly in the revised code that an Ag Event Center must have or construct its own dedicated access.

Save Placer Farmlands feels that County staff have ignored good common sense and the recommendations of the MACs in these three aspects of the final draft. The draft presented for your approval is not the one the MACs and Ag Commission were asked to review, nor is it the one submitted with the Mitigated Negative Declaration. By removing the hard maxima from the number of events per year and guests per event in the final draft, and by ignoring MAC recommendations and accepting applications for permits in which the applicant intends to use shared private access for an Ag Event Center, County Planning staff are increasing, not alleviating, the uncertainty and anxiety felt by many rural landowners about the eventuality of these facilities in their neighborhoods.



Carol Rubin
Save Placer Farmlands
2079 Country Hill Run
Newcastle

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 ✓
TSM ✓ CEO ✓ Other ✓
DB + Ht
FEB 27 2013

Dear Supervisor Weygandt:

Sup D1 ___ Sup D4 ___ Aide D1 ___ Aide D4 ___
Sup D2 ___ Sup D5 ___ 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

ATTACHMENT D

56
135

County of Placer

RURAL LINCOLN MUNICIPAL ADVISORY COUNCIL

P. O. Box 716

Lincoln, CA 95648

County Contact: Administrative Aide (530) 889-4010



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 – “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 – 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

County of Placer
RURAL LINCOLN MUNICIPAL ADVISORY COUNCIL
175 Fulweiler Avenue
Auburn, CA 95603
County Contact: Administrative Aide (530) 889-4010



April 15, 2014

Robert M. Weygandt
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Dear Supervisor Weygandt,

Over the past year, we have heard the members of our community express their concerns about a loss of the priority of agriculture and the effect on their quality of life due to businesses opening on neighboring farm land. Citizens attended from all areas of the MAC area and represented many professions and demographics.

Two businesses that have been allowed to move forward prior to the development of the Event Center Ordinance in our area and have caused considerable consternation are Wise Villa Winery and Gold Hill Gardens. These two businesses evidence some of the characteristics that most residents dislike coming into the community.

In all fairness, we also have had representatives from the community and some members of the clientele of the MAC area businesses (that fall under the current Winery Ordinance) attend the MAC meetings and express their point of view that these businesses do not interfere with Placer County's priority of agriculture nor do they diminish the quality of life for their neighbors.

We are pleased that the Board of Supervisors placed a moratorium on the development of any new event centers and charged the Planning Department with the task of developing an Event Center Ordinance. This has given our community needed time to consider all aspects of such an ordinance and voice opinions. We believe that an ordinance can support the development of new businesses and, at the same time, protect the community from potential negative effects of those businesses.

George Rosasco has done an excellent job drafting an Event Center Ordinance and we favor all the points that he included. We particularly appreciate the fact that he came repeatedly to the Rural Lincoln MAC to explain and listen to all the issues raised by our residents. While supporting the basics of the draft ordinance, the Lincoln MAC feels there are additional items to be considered to provide for the harmonious development of Event Centers in our county in the future.

Robert M. Weygandt
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603
April 15, 2014
Page 2 of 2

The following is a list of those items that we believe are necessary to make the new Event Center Ordinance compatible with agriculture and quality of life:

- Code Enforcement must be available when needed to hear and respond to complaints
- No Event Center should be allowed on a shared private road
- The size of the property allowed to develop event centers must be increased to 20 acres, 40 acres and 80 acres
- The owners that desire to develop an Event Center must demonstrate that at least 51% of their income is from agriculture
- Event Centers must be limited to hosting events 12 times per calendar year
- The Event Center permit must go to the applicant and not the property. When the owner dies, sells, or transfers ownership, the permit expires
- There must be a method for evaluating each event center site in-order to avoid a concentration in a relatively small area before a permit is granted.

In conclusion, we wish to express our appreciation to the Board of Supervisors for supporting the Municipal Advisory Council process. The community asks for your support of the recommended changes included above.

Sincerely,

George Alves

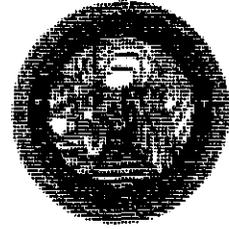
George Alves, Chairman

cc: Larry Sevison, Planning Commission Chairman
George Rosasco, Placer County Planning Department
Rural Lincoln MAC Members

73

142

County of Placer
SHERIDAN MUNICIPAL ADVISORY COUNCIL
175 Fulweiler Ave
Auburn, CA 95603
County Contact: Administrative Aide (530) 889-4010



April 3, 2014

Robert M. Weygandt
Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Dear Supervisor Weygandt,

RE: PROPOSED EVENT CENTER ORDINANCE | RECOMMENDATION

We appreciate the time and effort that George Rosasco made in drafting the proposed event center ordinance. We especially appreciate that he came twice to the Sheridan MAC to present and explain the draft ordinance and took the time to listen to our concerns and answer our questions.

In general we are pleased with the result of his work but we do have a couple reservations. We believe that some important elements have been left out of this draft. We respectfully ask that you consider our concerns and give your support to addressing them.

The following are the points that we feel should be included in the final ordinance:

- Code Enforcement must be available when needed to hear and respond to complaints raised by members of the community.
- No Event Center should be allowed on a private road without written agreement by all other property owners on that private road.

We also voted to recommend that the Event Center Ordinance be kept separate from the Winery Ordinance. While there is some overlap, we feel the issues would best be addressed by their own respective ordinance and considered separately.

Thank you for your consideration.

Sincerely,

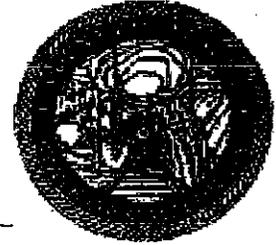
Jim Houck

Jim Houck, Chair

cc: Larry Sevison, Chairman, Placer County Planning Commission
George Rosasco, Placer County Planning Department

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143

County of Placer
NORTH AUBURN MUNICIPAL ADVISORY COUNCIL
P. O. Box 6983
Auburn, CA 95604
County Contact: Administrative Aide (530) 889-4010



February 21, 2014

Placer County Planning Commission
3091 County Center Drive
Auburn, CA 95603

Re: Draft Zoning Text Amendment – Event Centers

Dear Commissioners:

The proposed Zoning Text Amendment to change the definition and standards for Community Centers and Agricultural Event Centers in rural agricultural areas of Placer County was presented to the North Auburn Municipal Advisory Council in a series of workshops by George Rosasco, Supervising Planner.

The North Auburn MAC discussed the proposed ZTA and although there was generally support for the proposed changes to the Zoning Text to clarify the definition of Community Center and Event Center, members of the MAC voiced several concerns with the proposed language. Specifically, there were concerns regarding the minimum requirement for agricultural income, notably that such a requirement would force property owners into farming; that the signage and notification requirements could place an onerous burden on property owners; and that the number of events should be carefully examined and not based on a random number.

At its January 14, 2014 regular meeting the North Auburn MAC recommend approval of the draft Zoning Text Amendment to the Planning Commission with the following recommendations:

1. The Planning Commission should examine the necessity of minimum agricultural requirements;
2. The Planning Commission should review signage and notification requirements;
3. The Planning Commission should examine the number of events allowed.

MOTION: FARINHA/WATTS/WILBUR – YES
HUNGERFORD – NO
ROEDER – ABSTAIN
ABSENT: FLECKLIN AND LIVINGSTON

MOTION PASSED 3/1

Respectfully submitted,

Dave Hungerford,
Vice Chairman
North Auburn Municipal Advisory Council

cc: Placer County Board of Supervisors
George Rosasco, Supervising Planner

75
144

County of Placer
WEIMAR/APPLEGATE/COLFAX
MUNICIPAL ADVISORY COUNCIL
County Contact: Administrative Aide (530) 889-4010



February 19, 2014

Subject: WAC MAC Advisory to the Placer County Planning Commission and Board of Supervisors

On January 15, 2014 the Weimar, Applegate, Colfax Municipal Advisory Council (WAC MAC) reviewed and discussed the proposed Zoning Text Amendment for "Event Centers" in the unincorporated areas of Placer County. The MAC discussed several areas of concern and made the following recommendations:

- **Agricultural Requirement (7.a.)**
 - Amount of Agricultural Sales Required to be specified as \$1000 per acre Gross Income Sales.
 - Need process to verify and revoke MUP/CUP if Agricultural Requirements are not met.
 - No paving before Event Center applicant meets agricultural requirements.
 - Paving is not allowed during one-year grace period to meet Agricultural Requirements.

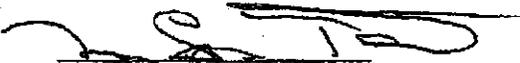
- **Special Notice Requirements (12.a.)**
 - Back-up phone number to be posted to an entity guaranteed to respond (i.e., law enforcement in the event there is no answer at the "contact phone number".)

- **Definitions (B) – recommend acreage requirements be adjusted as follows:**
 - Small Agricultural Event Center means 20 acres or larger.
 - Intermediate Agricultural Event Center means 40 acres or larger.
 - Large Agricultural Event Center means 80 acres or larger.

- **Number of Events: Modify - 26 is excessive**

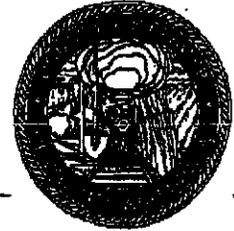
- **Access - Replace Sections D.2.b and D.2.C with the following:**
 - D.2.b. All Community Centers, commercial Event Centers and Agricultural Event Centers shall have direct and exclusive access from a County-maintained Road. An encroachment permit may be required to address ingress, egress and site distance requirements. Direct and exclusive access means either 1) the Event Center parcel abuts a County maintained highway or 2) fee simple ownership or an access easement for the exclusive use of the parcel on which the Event Center is located. Event Center access roads shall not be utilized to access any parcel other than the Event Center parcel, except in case of emergency.

Sincerely


Lynn Tauch, Vice Chairperson

76
145

County of Placer
MEADOW VISTA MUNICIPAL ADVISORY COUNCIL
175 Fulweiler Avenue
Auburn, CA 95603
County Contact: Jocelyn Maddux, District 5 Field Representative (530) 889-4010



Laurie Sweeney, Chair
Mike Walker, Vice-Chair

Sherri Bloomfield
Anders Hauge

Patrick Shea-Burgess

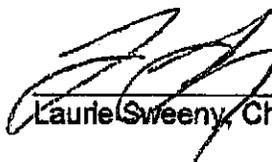
February 5, 2014

Subject: Meadow Vista MAC Advisory to the Placer County Planning Commission and Board of Supervisors

On December 4, 2013 the Meadow Vista Municipal Advisory Council (MAC) reviewed and discussed the proposed Zoning Text Amendment for "Event Centers" in the unincorporated areas of Placer County. The MAC discussed several areas of concern and made the following recommendations on a 3-1 vote:

- recommend approval of the ZTA with the addition of attached Sierra Club Recommendations Item 3. Agricultural Requirement, Item 4. Number of Events and Item 7. Online Database.
- Recommend amending Chapter 17, Planning and Zoning Ordinance, section. D1 – Parking-4a by removal of the parenthesis "(w/exception of parking)" from the text.

Sincerely,


Laurie Sweeney, Chairperson

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BOARD OF SUPERVISORS
3 BOS Rec'd COB CoCo
TSI CBO Other MAC Bids

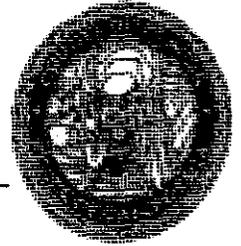
FEB - 6 2014

Sup D1 Sup D4 Aide D1 Aide D4
Sup D2 Sup D5 Aide D2 Aide D5
Sup D3 Aide D3

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County of Placer
FORESTHILL FORUM

County Contact: Administrative Aide (530) 889-4010



February 3, 2014

To: Placer County Planning Commission and Board of Supervisors

Subject: Event Center/Community Center ZTA Action

On January 6th, The Foresthill Forum (Municipal Advisory Council), reviewed and discussed the proposed Zoning Text Amendment for "Event Centers" in the unincorporated areas of Placer County.

The Forum discussed several areas of concern and took action on the proposed ZTA itself as follows:

- Section 2.c, Access Standards: Strengthen wording to address the issues of maintenance, liability, and enforcement. The Forum recommends that the burden of road maintenance, liability and enforcement be placed on the event center applicant. (UNANIMOUS 6-0)
- Section 4.a, Setbacks: Delete "minimum of 200 feet" and replace with "as specified by Conditional Use Permit". (4 Yes, 2 Abstain)
- Section 6, Number of Events: 26 events per year is too many, and the number of events per month should be specified. (UNANIMOUS 6-0)

Respectfully submitted,

Chase Dowling, Vice Chairperson, Foresthill Forum

Cc Jennifer Montgomery, Placer County Board of Supervisors Supervisor District 5
Jocelyn Maddux Field Representative to Placer County Supervisor Jennifer
Montgomery
Foresthill MAC (Forum)

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BOARD OF SUPERVISORS
5 BOS Rec'd COB CoCo
TSI CEO Other MAC Board

FEB - 6 2014

Sup D1 Sup D4 Aide D1 Aide D4
Sup D2 Sup D5 Aide D2 Aide D5
Sup D3 Aide D3

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County of Placer
HORSESHOE BAR MUNICIPAL ADVISORY COUNCIL
Loomis, CA 95650-1081
County Contact: Leah Rosasco (530) 889-4010



January 31, 2014

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BOARD OF SUPERVISORS
5 BOS Rec'd COB CoCo
TSI CEO Other

FEB -3 2014

Placer County Board of Supervisors
175 Fulweiler Avenue
Auburn, CA 95603

Sup D1 Sup D4 Aide D1 Aide D4
Sup D2 Sup D5 Aide D2 Aide D5
Sup D3 Aide D3

RE: Event Centers (Community Centers)

To The Honorable Placer County Board of Supervisors:

On January 21, 2014, the Horseshoe Bar Municipal Advisory Council held its regular meeting, hearing from members of the community, as well as representatives from Placer County Planning, relative to the proposed ordinance criteria for review of event centers in Placer County. Based on that meeting discussion we have the following recommendations.

- Recommend that access to an event center is only from a public road. We received many comments and concerns centered around non-exclusive easements on private roads. Limiting access to public roads will greatly reduce the concern.
- We support the Ag Commission recommendation of \$1000/ac. of verifiable agricultural production.
- Setbacks should include a minimum distance of 400 feet from existing dwellings. This is in line with the 200 foot setback criteria and will ensure separation for already existing dwellings that are closer than 200 feet to the property line.
- Recommend that code enforcement should be made available outside of regular business hours. Code violations will most likely occur on the weekends.

Thank you for your consideration.

Yours truly,

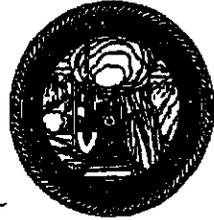
Mark Fortner,
Chairman, Horseshoe Bar Municipal Advisory Council

cc: Placer County Planning Department

Copy to MABinder

79
148

County of Placer
PENRYN MUNICIPAL ADVISORY COUNCIL
175 Fulweiler Avenue
Auburn, CA 95603
County Contact: Administrative Aide (530) 889-4010



January 30, 2014

Placer County Planning Commission
3091 County Center Drive
Auburn, CA 95603

RECEIVED
BOARD OF SUPERVISORS
SPOS Rec'd COB CoCo Kathi Hecker
TE CEO Other

MAR 14 2014

Re: Draft Zoning Text Amendment – Event Centers

Sup D4 Aide D1 Aide D4
Sup D5 Aide D2 Aide D5
Aide D3 LK

Dear Commissioners:

At its January 28, 2014 regular meeting the Penryn MAC took action to recommend the following guidelines for the proposed Zoning Text Amendment to change the definition of "Community Center" and to establish a definition and guidelines for "Agricultural Event Centers."

Since this action item was a continued item from the December 3, 2013 MAC meeting Director Neifer felt that it was important to include the highlights of the discussion heard on this item at the December meeting. These items, as reflected in the minutes, were as follows: road access on shared roadways, private access issues, maintenance on private roads, noise issues, enforcement of codes and ordinances if violations occur, the number of events that can be scheduled for such centers (26) and the number of "centers" that could be in rural Placer County resulting in the loss of farmland. General discussion followed with input from the public as well as the MAC. The following motion was made and approved:

Patty Neifer made a motion to bring forward the following recommendations regarding the Event Center proposal:

- No event centers located on private shared roads;
- Maximum number of events allowed per year should be 6 not 26;
- Maximum hours of operation should be 8 hours;
- Event center minimum acreage should be doubled (Small: 20 acres, Medium: 40 acres and Large: 80 acres);
- Enforcement contact information/number should be provided and posted if violations occur, with appropriate personnel on duty to respond to any complaints in a timely manner.

The motion was seconded by Anita Yoder; the vote was unanimous with three council members present (Mike Bishop, Patty Neifer and Anita Yoder), one council member absent (Bob Brodovsky) and one vacant seat.

Respectfully,

Mike Bishop
Vice Chair, Penryn MAC

RECEIVED
MAR 14 2014
PLANNING DEPT.

Cc: Supervisor Jim Holmes

Granite Bay MAC Minutes
Wednesday, January 8, 2014 at 7:00 p.m.
5455 Eureka Road, Granite Bay, CA

- 1) Call to Order 7:06
- 2) Pledge of Allegiance
- 3) Approval of the Agenda

Motion was made, and seconded, to approve the agenda. Motion passed, 6-0.

- 4) Approval of the Minutes
 - a) December 4, 2013 (Suzanne Jones absent.)

Motion was made, and seconded, to approve the minutes with the correction of a duplicate sentence. Motion passed, 5-0.

- 5) Introduction of MAC Members

John Thacker, Suzanne Jones, Walt Pekarsky, Don DeSantis, Eric Bose, Virg Anderson and Ashley Gibian, Secretary.

- 6) Public Safety Reports
 - a) Placer County Sheriff

Lynn Harrison reported that two more men were arrested in conjunction with a burglary. The homeowners were awoken around midnight at the sound of the break in and called 911. The two men fled the scene and were later apprehended and are still in custody.

Placer County placed again for last year's National Night Out. Placer and Los Angeles County were the only Counties in California to place. They love the commitment in the communities of Placer County, but our population isn't high enough to place higher. About a dozen neighborhoods in Granite Bay alone participated. Recently, six new neighborhood watch group were formed along the Auburn-Folsom corridor. If you share phone numbers with your neighbors and look out for each other, it can be the best deterrent. In burglaries they tend to take things they can get rid of quickly such as jewelry, money, guns, and computers.

A resident reported that the Itchy Acres community has had multiple mailbox robberies in the cluster boxes. He personally has had medical packages such as syringes stolen. He has been trying to get a higher security box and wants to know what the postal service is doing about this issue so he asked them to come to the MAC. They responded that they will come in February.

- b) South Placer Fire District

There has been a resignation on the Fire Board. Anyone interested in serving on the board must submit an application by January, 31 and they will be doing interviews in early February.

- c) California Highway Patrol

None Present.

- 7) **Public Comments:** 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 three (3) minutes per person at the discretion of the Chairperson.

None.

8) **Supervisor Report (If Supervisor Kirk Uhler is not present, Linda Brown will present)**

Robert Dugan on the PCWA Board and Supervisor Kirk Uhler are working on putting together a presentation as an informational item to explain what they are anticipating in response to the lack of rain. They are also trying to get someone from San Juan Water to come speak. Some good news because of the dry weather, construction continues on Auburn-Folsom Road to finish the widening project and continue the sewer line project. On the Board level, there was a request to approve a new Williamson Act contract. Rickey Ranch on Cavitt Stallman has been divided among the younger family members. A 70 acre portion North of Cavitt Stallman has elected to take a new contract. The new tax rate will be based on a new appraisal. The South side is letting the Williamson contract expire. On December 10, Supervisor Uhler presented the Commemorative Coin to Eric Bose. Placer County acquired the final three links needed to lay out a public trail network that someday will connect Hidden Falls Regional Park to the Bear River.

Frank commented that an article in the Sacramento Bee reported that San Juan Water District said that if the water issue continues into April or May, they will implement a Stage 5 long term water emergency.

9) **Informational Item/Non-Action:**

- a) **The Affordable Care Act:** Presented by, Cheryl S. Davis, M.S., Director, Human Services (20 min.)
The Federal Government's Affordable Care Act is a complicated change in American medical insurance coverage.
- To help Placer County residents navigate through this process, a brief overview will be presented explaining eligibility, coverage and enrollment provisions. This is not meant to be a fully comprehensive presentation but a way to find out more about where to go and the role that Placer County is playing to help the community.

Cheryl Davis came to talk about the Affordable Care Act because there has been some confusion over it. The Patient Protection and Affordable Care Act, also known as Obamacare, created a new way to purchase coverage through health insurance exchanges. It requires most of us to have health insurance or pay a penalty which is often called the "individual mandate" and has been very controversial. It also establishes essential health benefits for all health plans. It makes it illegal to deny coverage based on pre-existing conditions, age, or occupation. They cannot charge more to women and those who are sick and it eliminates annual and lifetime caps. It also extends parents' coverage for young adults up to 26 years old.

The essential benefits included in every plan are: ambulatory services, emergency services, hospitalization, maternity and newborn care, mental health and substance use, rehabilitative services, laboratory services, preventive wellness and chronic disease mgmt., pediatric services and prescription drugs.

Covered California is our health exchange for the Affordable Care Act. It is estimated that Placer County's uninsured make up about 9% of the population which is half of the National Average. It is estimated that 75% of these people will be covered by 2016 and that is a benchmark set by the Federal Government. The County is responsible for signing people up through Medi-Cal.

You can apply for coverage through March 31, by phone, online or mail.

10) **Action Item:**

- a) **Proposed Event Center Ordinance:** Presented by George Rosasco, Placer County Planning Services Division (20 min.)

The Board of Supervisors has requested that the Planning Department develop a new ordinance, for their approval, on Community Centers and Event Centers in Placer County. There were four workshops at the Planning Commission that resulted in a Draft Event Center Ordinance. This will be the second presentation to the MAC to answer further questions. Staff is requesting a recommendation on the ordinance that will be forwarded to the Planning Commission for further consideration.

Ej Ivaldi was here last week to talk about the proposed Event Center Ordinance. He reported that the Granite Bay MAC had more questions so George Rosasco is here to answer those questions. After this has been around to all the MACs (most of them twice) it will go back to the Planning Commission and then on to the Board.

An "event" is not clearly defined at this time but it is going to need to be defined. It would be something like, anything lasting longer than an hour and no more than twelve. For an example. His recommendation will be 10-12 hours max.

In response to event centers next to sensitive receptors, such as schools, the Alcohol Beverage Control Agency will not license centers too close to sensitive receptors. The event centers will also require a Conditional Use Permit which could be used to deny a center too close to sensitive receptors.

In regards to lighting, Agricultural areas don't have a lot of rules so it is necessary to spell out lighting restrictions. Those restrictions are already set for commercial areas so they do not need to be spelled out again in this specific ordinance.

For code enforcement, we could put specific language in the ordinance but it would limit the County's police in their ability to handle new situations as they arise. They have a citation process which warns people they are breaking a rule and if they do not correct it they will be fined. This works very well and often people correct the issue before their hearing. Code enforcement is not set up like police to respond instantly. There is talk about changing the way it is run so that they can respond more quickly. There has been talk of having permanent signage with a phone line that will be manned during all events. This line would be available so that someone can call and say, "Hey, this is happening" and the facility can fix it immediately. There is a concern that "everyone knows that no one is around on the weekends so they'll take advantage." Rosasco believes that if you revoke Conditional Use Permits or give fines, people will learn quickly that there are consequences for not staying to code. They discussed many options but decided that they have everything in place that they need, and they just need to expedite their responses and use it.

There were concerns about access standards and event centers being on private roads. If you were to have an event center on a private road, you would be responsible for bringing that road up to code and for a portion of the maintenance. Depending on the size of the center, this could include making the road 25 feet wide, turnouts for fire department vehicles, etc.

The agricultural requirement means that if you have an agricultural event center, it is meant to be an *alternative* revenue stream to help support the agricultural use. Should the agricultural use go away, the Conditional Use Permit should be revoked.

In counting the number of events each year, we need to have an allowance for private vs public events so that a family could have their reunion or a birthday party and it would not count against the number of events per year. We would not want this allowance to be abused though.

Density of Event Centers was discussed but it was decided not to regulate this. The only County that has done this is Monterey and their restrictions go far beyond a zoning ordinance. The County decided that a better solution is the Use Permit process and they can consider density in the permit process and decide for or against a specific center.

Eric Bose commented that the beauty of this ordinance is that it gives County Staff the ability to assess each application on a case by case basis and include the amount of regulation needed.

Residents have expressed concern over noise in Agricultural Zones. If you are in an agricultural zone, next to a legitimate agricultural use property, it can be exceedingly loud. There is heavy equipment, tractors, generators, etc. That said, there are rules set in place because the agricultural land in Placer County is very fragmented. All noise must move inside at 7:30 PM and outside noise must not exceed 20 decibels.

Marilyn Jasper suggested an online database in her letter. There is no provision for such a database and Rosasco doesn't know who would create and maintain such a database. You could have the centers do it, but that is self-policing. Sandy Harris recommended posting the conditions of the ordinance online so that people could look and see if a center is in violation on their own.

A motion was made, and seconded, the MAC Board recommends that the Planning Commission adopt the ordinance after reevaluating the number of events allowable per year as well as defining what an event is in terms of hours and length. Motion passed 5-0.

11) Correspondence – Found on Table at the rear of the room.

12) Next Regular Meeting – February 5, 2014

13) ADJOURNMENT 8:53

County of Placer
NEWCASTLE/OPHIR MUNICIPAL ADVISORY COUNCIL
PO Box 1222
Newcastle, CA 95658
County Contact: Administrative Aide (530) 889-4010

November 22, 2013

Mr. Miner Grey
Placer County Planning Commission Chairman
Planning Commission
3091 County Center Drive
Auburn, CA 96503

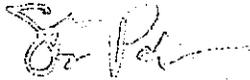
Dear Chairman Grey,

At the November 21, 2013 Newcastle Ophir Municipal Advisory Council (MAC) meeting, the MAC took action on a draft Zoning Text Amendment (ZTA) related to Event Centers. Supervising Planner, George Rosasco, presented the ZTA and requested a recommendation from the MAC.

The MAC heard numerous concerns from residents, and shares their concern about the impact of Event Centers on the local community. At this meeting, the MAC approved a motion, 7 ayes / 0 noes / 0 absent, supporting the draft ZTA as presented with the condition that the following revisions are included in the ZTA:

1. Guidelines for funding of private road maintenance.
2. Definition of what constitutes an "event."
3. Method for tracking the number of events held at each Event Center that is accessible to the public, preferably via the internet.
4. An exemption to the 26 events per year limit to allow for a fixed number of non-profit fundraising events each year.
5. Chapter 17.D.4 is revised to state that setbacks can be greater than 200 feet if required by the Conditional Use Permit, but not less than 200 feet.
6. Chapter 17.D.7 is revised to indicate that the agricultural production requirement of \$4,500 is a five year average based on actual production. This chapter should also specify whether this production requirement is net income or gross income.
7. Guidelines on how enforcement will be applied.

Sincerely,



Steven Palmer
Chair, Newcastle Ophir MAC

Cc: Jim Holmes, Placer County Board of Supervisors
George Rosasco, Supervising Planner, Placer County

COMMUNITY, COMMERCIAL, AGRICULTURAL
EVENT CENTERS, ZONING TEXT AMENDMENT
(PCPJ 20130133), NEGATIVE DECLARATION
(REVISED), ALL SUPERVISORIAL DISTRICTS

Placer County Board of Supervisors

August 26, 2014, 10:20 a.m.

Correspondence Received

8/21/14

To: Jack Duran
Placer County Supervisor District 1
175 Fulweiler Avenue
Auburn, CA 95603

RECEIVED
JUL 15 2014
CLERK OF THE
BOARD OF SUPERVISORS

RECEIVED
BOARD OF SUPERVISORS
5 BOS Rec'd. ✓ COB ✓ CoCo ✓
TSI ✓ CEO ✓ Other ✓
DB/HH
JUL 15 2014
G. Rivasco
M. Johnson

Sup D1 ___ Sup D4 ___ Aide D1 ___ Aide D4 ___
Sup D2 ___ Sup D5 ___ Aide D2 ___ Aide D5 ___
Sup D3 ___ Aide D3 ___ ✓ JUK

Re: Zoning Text Amendment - Community Centers/Event Centers

Jack,

As you are certainly aware of, there is a zoning text amendment regarding community centers that has been in the works for several years now in Placer County. I have followed the course of this ZTA through the planning commission workshops and as it circulated through the local municipal advisory council. There has been a small but vocal community uprising against large agricultural event centers mostly driven by the local Sierra Club chair Marilyn Jasper and local groups Save Placer Farmlands chair Carol Rubin. They have engaged heavily with the planning department staff, the media, planning commissioners and with all the MACs around the county to garner support for severely limiting any incarnation of a community center or event center whether it be large or small in the farm zone. What we have ended up with and what you will soon be addressing in the Board of Supervisors chambers is a ZTA that is a travesty of regulations that I believe culminates in bad policy for this county and for many local business. I have tried to provide input into the process and have spoken at both the planning commission workshops and at our local MAC meetings. My inputs have essentially fallen on deaf ears in the planning department along with those of many other like minded concerned businesses.

The planning department has delivered a ZTA to the supervisors that penalize everyone and especially the smaller business entities around the county. I believe that the planning department probably works really well with large developer projects or corporations like Target or Beverages & More but can't see the gray areas in the regulations for small businesses like myself. I have had a number of negative encounters with planning over the last few years that left me feeling like Placer County is anti business. Can you believe that it took three weeks to get a federal wine growers permit and five months to get a Place County business license for the same?

The proposed ZTA would add development standards that are sometimes harsh and sometimes idiotic. For example a parking standard of 2.5 persons per stall or the maximum number of events set at 26 per year or the definition of an event that is 5 or more people for 1 hour or more. I can't imagine someone investing in improvements on their land making a profit if they are limited to two events per month throughout the year. I also can't believe that when one car shows up with a total of 5 people and they stay and taste at my winery and picnic for an hour that that would constitute an event. An onsite commercial kitchen (with huge capital outlay by the way) can only be used for onsite events in the new ZTA when many commercial kitchens around the county rely on subsidizing the expense by renting out to caterers, small food businesses and food trucks during their down time. The parking standard would crush some small operators when they realize they need 50 spaces or more. The ZTA completely ignores alternate solutions such as car pooling, field parking or offsite parking and shuttle services.

The real travesty in these regulations is that they are written primarily to squash the large agricultural event centers like a bug while at the same time they spoil the pot for all of the little guys like me.

For example, my parcel in Meadow Vista is zoned resort (RES) and is adjacent to the Bear River, Lake Combie and industrial land that hosts a gravel quarry, asphalt plant and concrete batch plant. In the current zoning text under section 17.34 Resort (RES) district which is an inherently commercial district where the purpose and intent of the district is that it is applied to mountainous areas, water oriented, or other areas with significant natural amenities and commercial recreational potential, with good access to major highways. Allowable land uses currently include community centers by right with only a "C" zoning clearance required. The new zoning text now has five categories of community and event centers of various scale, zoning and complexity and for RES a simple outdoor community center (not an event center) would now require a full blown CUP including a public hearing at the planning commission chambers for anyone to protest the land use. I have repeatedly asked why they are making this significant change to the code and I have not received any answer whatsoever. For my small parcel that would be the deal breaker due to the

efforts and costs involved. So I guess I will never be able to have the boy scouts assemble here by the lake, or the Meadow Vista Garden Club, or the Meadow Vista Friendly Neighbors for that matter. I have been lumped in with the feared Bill Graham promoters invading Placer County agricultural lands that are sucking up large parcels, have deep pockets and want to host Van Halen rock concerts at their wedding reception party. There really are no evil operators invading our county and it is all in the minds of a few. In fact, there are currently only a few community centers approved in the region and only one waiting for approval during the moratorium. This new ZTA is bad policy and especially for the little guys.

The laughable part (and I have raised this issue previously several times to planning) is that in the resort district by right (C) I could currently have Agricultural accessory structures (something I have been denied by county staff claiming a 10 acre minimum rule which should only apply to the farm zones), Community centers, Houses of worship, Libraries and museums, Home occupations, Mobile homes, Residential care homes, Shopping centers, Child day care centers, Offices, Public safety facilities, Bed and breakfast lodging. All with no permit required with just clearance by planning. So if the board adopts the ZTA in its current form I will lose a right that is appropriate for my mountain property lakeside location with commercial zoning. All because of a few squeaky voices against large event centers in the farm zone that has nothing to do with me or my zoning.

Also, if you look at the current code in 17.34, with a simple minor use permit (no planning commission hearing) the resort district can have Campgrounds, Golf driving ranges, Membership organization facilities, Outdoor commercial recreation, Parks, playgrounds, golf courses, Recreation and fitness centers, Rural recreation, Schools, Temporary events, Caretaker and employee housing, Multifamily dwellings, Restaurants and bars, Retail stores, Roadside stands for agricultural products, Banks and financial services, Child and adult day care, Medical services – clinics and labs, Public utility facilities, Harbor facilities, Transit stations and terminals, and Vehicle storage. The proposed ZTA has no mention of a minor use permit anywhere.

The only uses that currently require a full blown CUP for the resort zone are land uses like Plant nurseries, Water extraction and storage (commercial), Mining surface and subsurface, Ski lift facilities and ski runs, Sports facilities, Service Stations, Hotels and motels, and Recreational vehicle parks. But these are all allowable uses in the resort district as well. So a small outdoor community center with a few picnic tables, barbecue pits and some benches would be forced to the same level of county planning and public scrutiny as those uses.

Sadly, Placer County is poised to enact a Draconian ZTA that will prevent the proliferation of community centers in the farm zone and everywhere else in the county while we jump at protecting the bucolic setting for folks that purchased land in a commercial agricultural district (and they signed the right to farm form) known for noise, dust, fumes, animal smells and traffic due to commercial agriculture operations. It is an obvious conclusion that this same precedence of standards and principles will flow over and be applied to wineries when that ZTA hits the BOS chambers. We will all suffer the consequences of a drop in tourism to our county and the associated tax revenues from attach businesses like hotels and restaurants and specialty shops.

I urge you to oppose the current ZTA on community/event centers until one can be drafted that addresses the differences between various levels of land use and protects small business vs. the broad brush strokes that are currently being painted to inhibit development in the farm zone and around all of Placer County.

Sincerely,


Jeff Evans

Bear River Winery

2751 Combie Road

Meadow Vista, CA 95722

(530) 878-8959



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



PUBLIC INTEREST COALITION
P.O. Box 671, Loomis, CA 95650



August 20, 2014

Placer County Board of Supervisors
175 Fulweiler Ave
Auburn, CA 95603

Ladies and Gentlemen:

RE: Event Center Zoning Text Amendment (ZTA)—PZTA 2013-133

RECEIVED
AUG 21 2014
CLERK OF THE
BOARD OF SUPERVISORS

Our organizations fully support agriculture in Placer County, and work to preserve agricultural (ag) lands. Other than our preference that the “Community Event Center” designation be reserved and approved solely for nonprofit organizations and/or public agencies, operated for the public good, our concerns are focused on the three “Agricultural Event Center” (AEC) designations as proposed in the Event Center ZTA.

More stringent language and limitations must be imposed to reduce or eliminate AEC impacts on residential ag/farmland rural communities, the environment, and to preserve future agricultural operations. Event Centers are commercial venues that create revenue from property or facility rental fees, sales, or other inducements. When these centers are located in commercial or other non-residential zones, they elicit few, if any, impacts or complaints. However, an event center per se cannot be construed to be an ag or farm activity—it is an entirely different and separate business operation from a viable ag operation. If AECs are allowed to operate in residential/ag or farm zones, they create potentially significant negative environmental impacts and incompatible land uses. Worse, they have the potential to become the dominant activity and risk replacing or greatly reducing legitimate ag operations in Placer County.¹

Because many of our concerns regarding the process and the AEC development standards have not been addressed, along with code enforcement issues, we submit by reference our more lengthy comment letter to the Placer County Planning Commission, dated June 29, 2014, for their hearing on July 10, 2014. We also wish to emphasize at least a couple of our primary concerns for your immediate consideration.

We support much of Placer County’s proposed Event Center ZTA language, but strongly urge that it be sent back for revision to incorporate more of the “common theme” recommendations submitted by the County MAC’s, Ag Commission,² organizations, and citizens as they relate to AECs.

The purpose of zoning is to separate incompatible land uses, and this concept is intricately entwined with Code Enforcement. Major problems are created when incompatible land uses collide (such as commercial and residential agricultural/farm), and/or when County code enforcement is compromised either by a lack of resources or by vague conditions of approval and/or unenforceable standards. Because code enforcement

¹ “I’ll have to go back to doing agriculture,” quote attributed to Nevada County 13-acre landowner, SACRAMENTO BEE, August 11, 2014, Nevada County considers limits on outdoor events, including weddings, page B-1.

² Common themes from staff report to the Placer County Planning Commission, “Workshop—Event Center Uses in Placer County, April 24, 2014, pages 7-8.

challenges render the Conditions of Approval (COA) on a Conditional Use Permit (CUP) problematic, as stated and/or implied in the 2013 Grand Jury Report,³ then it follows that to approve the proposed ZTA, with its “flexible” language, will simply exacerbate all of the existing problems and create new conflicts.

To approve commercial operations, which is what AECs are, in Residential Ag/Farm zones is to create incompatible land-use activities, which in turn destroys the concept of “orderly development,” which is intended to keep Commercial and Industrial zones separate from residential zones.

Enforceable standards should not be weakened with language, such as “*may* be revoked” or “...*or* as otherwise specified,” which are just two examples contained throughout the proposed ZTA.

No AEC should be allowed when the access is via a shared private roads. Families must not be subjected to unsafe conditions or air quality impacts created with hundreds of vehicles continuously utilizing their private roads and properties, especially when they may have little-to-no recourse if a faulty, inadequate AEC ZTA is adopted. We urge that as a minimum, one of the most often mentioned recommendations, and least controversial, be incorporated into the ZTA: **AECs shall be allowed or approved only where ingress and egress to the facility is directly from a public roadway.**

This AEC ZTA will impact family residents in neighborhoods and/or communities with commercial activities where rural enjoyment of peace and quiet is and should be the norm. At the very least, as a mitigation measure, to ensure enforcement, in addition to specifying penalties for non-compliance, the ZTA standards should include a clause that no variances shall be granted on the specific established criteria or stipulations, nor with a CUP, once it has been approved.

Exacerbating the environmental impacts is the suggested allowance of 26 events per year (which, as currently worded, may be more than 26) which can potentially create six months of continuous weekend events. This is unacceptable for any community or neighbors to have to deal with, especially when home owners purchased their homes in rural/res/ag zones in good faith, relying on land use compliance. Language must state that “no more than 12 events shall be allowed per year.”

The “Agricultural Requirement,” in the development standards for AECs should be stated and applied as “net” income from agricultural production in order to be more meaningful. Using “gross production” as the standard is subject to manipulation and interpretation, and will be unenforceable. Work around” or “loophole” language has created problems, both in Placer County and many other counties, and continues with the current proposal.

After years of discussions, the proposed creation of the three AEC designations is a reasonable approach, but what actually constitutes an event was subject to a wide variety of interpretation. For enforcement and transparency sake, what constitutes an event needs to be more clearly defined, limited, and explicit.⁴

³ Placer County Grand Jury Report for 2012 – 2013, page 116, and Responses to 2012 – 2013 Grand Jury Final Report, page 65.

⁴ Sample language might include: “An event is any gathering of a public or private nature, including but not limited to festivals, concerts, carnivals, fairs, ceremonies, cultural celebrations, block parties or other activity or entertainment, where the sponsors or promoters have a financial interest to be derived—sales of any goods or services, use or rent of property or facility (or any portion thereof), sales of any media rights, or any other consideration exchange.” (Drafted from portions of the Nevada County Outdoor Event Ordinance.)

We remain optimistic that a workable ZTA can be adopted if either (1) the recommendations and concerns submitted by the public, MAC's and Agricultural Commission are considered and incorporated into the Event Center ZTA, rather than left for discretionary decision making on a case-by-case basis, or (2) a Programmatic Environmental Impact Review (PEIR) is circulated to codify the criteria—development and operational standards that all AEC proposals or applications for event activities in Residential Agriculture or Farm Zones must meet before being considered for approval.

This proposed Event Center ZTA may be considered a county wide rulemaking; thus a PEIR would be appropriate to circulate for disclosure of the probable environmental impacts, mitigation measures, and alternatives. New AEC applications, or other proposals that meet event definitions, would then tier off the PEIR and include an Initial Study/Mitigated Negative Declaration, etc. Such a PEIR would also address the cumulative impacts of new AECs or other event activities as a whole, instead of having them pop up piecemeal in rural areas of the County with unlimited densities that can saturate rural communities.

The non-specific and equivocal language in the operational standards provides no assurance to the public that any impact will be *“substantially mitigated by the imposition of uniformly applied development policies or standards”* because in the AEC ZTA (1) uniform standards are compromised with unenforceable “escape” clauses; and (2) what vague standards are stated will be applied on a case-by-case basis. Consistency or uniformity is non-existent if each staff member has “flexibility” to interpret the standards case-by-case. **With staff being pressured to establish the COA for each AEC application, it is reasonable to predict that the public, Planning Commission, and Board of Supervisors will be drawn into contentious application appeals. Only strict, unequivocal, enforceable standards for the AEC designations will resolve this issue.**

The proposed ZTA should be revised with language added to include any and all types of events proposed in Res/Ag/Farm zoned lands, with no exclusions or exemptions. The Winery Ordinance allows tastings, six 2-day Promotional Events, and two 3-day Temporary Outdoor Events (TOE) permits may be obtained. However, any additional events after those permitted event days must follow the standards and be permitted under the AEC ZTA.

Alternatives to AECs are plentiful with existing commercial event venues which are situated throughout Placer County in properly zoned areas that prevent conflict with/in residential zones. These commercial event center venues are viable alternatives to AECs and may be rented for weddings, reunions, dances, concerts, fundraisers, banquets, carnivals, cooperative product promotions, and other large or small events, with parking provided. These existing facilities can provide an economic boost for the County without impacting homeowners' rights to enjoy their residential properties and will not displace agricultural or farm lands with commercial facilities, or create the environmental impacts that AECs have the potential to do.

In closing, we are not opposed to the orderly development of Event Centers as long as they do not create a loss of ag lands or operations and do not create hardships for rural residents. We sincerely want to see a fair and just AEC ZTA adopted that works and resolves contentious issues. The currently proposed Event Center ZTA fails on both counts. Please consider revising and, and at a minimum, incorporating the “common theme” recommendations.

Thank you for considering our views.



Marilyn Jasper, Chair

