

PRELIMINARY DRAFT SUBJECT TO FURTHER REVISIONS

PROPOSED TEXT AMENDMENTS TO THE COMMERCIAL AG REGULATIONS

(shown in legislative font with ~~strikeouts~~ for deletion and underline for additional text)

Excerpts from Article 3: Agricultural Zones of the Yolo County Zoning Ordinance

Sec. 8-2.303 Agricultural Use Types Defined

(c) Agricultural Commercial and Rural Recreation Uses

This Use Type includes commercial uses incidental to the agricultural or horticultural operations of the area that preserve the rural lifestyle and stimulate the agricultural economy, as well as some uses such as bed and breakfasts located on small parcels that may not be incidental to agriculture. These Use Type examples do not require the rezoning of the land to the Agricultural Commercial Zone, which is reserved for significant agricultural commercial uses that are the primary use of the property. Examples of this Use Type includes wineries, special events, lodging/bed and breakfasts, commercial horse stables, “Yolo Stores,” and other farm-based tourism (i.e., working farms or ranches), which educate or entertain visitors, guests or clients, and generate income for the owner/operator. ~~This includes using the land for special events, festivals, lodging/bed and breakfasts, horseshows, crop-based seasonal events, ancillary restaurants, educational experiences, agricultural technical tours, garden/nursery tours, historical agricultural exhibits, ranch/farm tours, and winery/vineyard tours.~~

This Use Type also includes commercial or non-commercial operations related to outdoor sporting or leisure activities that require large open space areas which do not have any detrimental impact on adjacent agricultural lands.

Sec. 8-2.306 Specific Use Requirements or Performance Standards

(k) Special event facilities

- (1) Special event facilities include farm and residential land and structures that are used for ~~for-profit, paid~~ special events such as weddings, tastings, special or seasonal celebrations, rodeos, and other gatherings, and may include tasting rooms. A “special event” or “event” is defined in Sec. 8-2.307. Special event facilities are characterized as “small” or “large” depending on construction of new structures, the number of events that are held in a given year, the number attendees, and the amount of traffic that is generated. “Small special event facilities” are those that do not involve the construction of substantial new structures used by the public, hold no more than ~~one event per month, or~~ twelve events per year, attract fewer than 150 attendees at each event, and each event generates less than 100 vehicle trips. “Large special event facilities” are those that involve construction of substantial new structures used by the public, hold more than twelve events per year, or the events attract more than 150 attendees or generate more than 100 vehicle trips. Large special event facilities receive a greater level of review to ensure that any potential impacts are addressed. Different development standards apply within the Clarksburg Agricultural District (see Sec. 8-2. 401).
- (2) A special event facility located on a parcel that is ~~greater than a minimum of~~ 40 acres, holds no more than one (1) event per month not to exceed eight (8) events per year, and ~~generates less than 100 vehicle trips or fewer than 150 attendees per event, whichever is less, attracts fewer than 150 attendees at each event, and each event generates less than 100 vehicle trips,~~ is allowed by right. At the discretion of the

Planning Director, a Site Plan Review or Minor Use Permit may be required if there are any agricultural, residential, vehicle access, traffic, or other **land use** compatibility issues, or if any of the development standards are not met.

- (3) Any structures used by the public, i.e., barns, indoor riding arenas, etc., are required to be fully permitted, and shall be classified with respect to the occupancy group and the listed use, as determined by the Chief Building Official. Agriculturally exempt structures shall not be used by the public **unless the structures are reclassified through the issuance of a new building permit.**
- (4) Small special event facilities are allowed **by right in the A-C and A-I zones, and** with the issuance of a Site Plan Review in the A-N and A-X agricultural zones and in the RR-5 residential zone. Small special event facilities are allowed with a Minor Use Permit in the A-R zone and in the RR-1 and R-L residential zones. Small special events facilities are allowed by right with building **and environmental health** permits only in the A-C and A-I zones, provided that the project is designed to be compatible with any adjoining agricultural operations and single family residences. At the discretion of the Planning Director, a Minor Use Permit may be required for a small project if there are any agricultural, residential, vehicle access, traffic, or other compatibility issues, or if any of the development standards are not met. A Minor Use Permit shall be required if the project involves noise generating activities after 10 p.m.
- (5) Large special event facilities require the issuance of a ~~Minor~~ **Major** Use Permit in the A-N, ~~and A-X, and A-R~~ zones, **except in the A-C and A-I zones, and the Clarksburg Agricultural District, a Minor Use Permit is required.** At the discretion of the Planning Director, a Major Use Permit may be required for a large project **in Clarksburg,** if there are any **potential** agricultural, residential, vehicle access, traffic, or other compatibility issues, or if any of the development standards are not met. A Major Use Permit shall be required if the project involves noise generating activities after 10 p.m. **Large special event facilities located on land under a Williamson Act contract must be found to be incidental to the agricultural use of the parcel.**
- (6) Special event facilities shall provide adequate on-site parking for all attendee's vehicles, including service providers. Permanent parking spaces, either of gravel or other permeable surface, shall be provided for all sales, gift, handicraft and food service areas. Paved handicapped spaces shall be provided as required. Parking for special events, weddings, marketing promotional events, and similar functions may utilize temporary, overflow parking areas. Limitations on the number of guests may be based on availability of off-street parking. **The permitted number of guests may also be dependent on the availability of shuttle service.** Overflow parking areas may be of dirt, decomposed granite, gravel or other permeable surface, provided that the parking area is fire safe **and not located on any leachfields.** On-street parking shall not be permitted.
- (7) Access to ~~a any tourist or sales~~ **special event** facility shall **normally** be connected directly to a public road ~~and Where a facility is located on a private road,~~ access shall be subject to the review and approval of the Director, ~~and~~ **all jurisdictional authorities including** the local Fire District ~~and CalFire.~~ **The adequacy of access to the site shall also be reviewed for comment by the County Sheriff's Office and the Highway Patrol, as appropriate.**
- (8) ~~The project~~ **A special event facility** must be designed to be compatible with any adjoining agricultural operations and single family residences, including appropriate setbacks, landscaping, and parking. Adequate land area must be available for the provision of on-site services, e.g., leachfields, to accommodate the projected number of attendees. **Approval of large special event facility applications shall include conditions that regulate potential impacts to adjacent agricultural operations and neighbors including noise, lighting, dust, spray buffers, crime/trespassing/vandalism; and advance notification for large events over 150 participants.**

- (9) Large special event facilities shall include a 500-foot agricultural spraying buffer or setback from any nearby established and active orchard or farm field that employs spraying, measured from the event location, including outdoor areas where participants may congregate.**
- (10) An application for a large special event facility located in a Fire Hazard Severity Zone shall include a public safety/fire and emergency evacuation plan. The Public Safety Plan shall require: a detailed fire plan, including evacuation; a staffing plan; employees/staff training in all safety procedures; a smoking policy; and a ban on all fireworks.**
- (11) A special event facility located on lands under a Williamson Act contract must be found to comply with the Williamson Act statutes, including Government Code Section 51238.1. If a finding of consistency or compatibility with the Williamson Act cannot be made, the contract must be cancelled or must have exited the Williamson Act program through non-renewal prior to permit approval.**

(I) Bed and breakfasts

- (1) A “small” bed and breakfast is defined as one which has six (6) guest rooms or less; ~~and that holds less than twelve special events per year and the events have less than 150 attendees; and which generates less than 100 vehicle trips on any given day of operations (such as a wedding).~~ A “large” bed and breakfast has more than six guest rooms and not more than ten (10) guest rooms, ~~and/or holds more than one event per month, or twelve special events per year, and/or generates more than 100 vehicle trips on any given day of operations.~~ Different thresholds apply within the Clarksburg Agricultural District (see Sec. 8-2. 401). A bed and breakfast of any size that holds “large special events” that attract more than 150 attendees or generate more than 100 vehicle trips shall comply with all applicable requirements of Sec. 8-2.306(k), above.**
- (2) Small bed and breakfasts are allowed by right within the Clarksburg Agricultural District, with the issuance of a Site Plan Review in ~~all of the A-X, A-N, and A-C agricultural zones and the RR-5, R-L, R-M, and R-H residential zones, with the exception of the A-I zone,~~ and with the issuance of a Minor Use Permit in the A-R zone, provided that the project is includes no newly constructed cottages, is designed to be compatible with any adjoining agricultural operations and single family residences, and the project holds no special events, as defined in Sec. 8-2.306(k), above.**
- (3) Large bed and breakfasts are subject to a Minor Use Permit in the A-C agricultural zone and all of the residential zones and a Minor Major Use Permit in the A-X and A-N zones, except in the Clarksburg Agricultural District a Minor Use Permit is required. At the discretion of the Planning Director, a Minor Use Permit may be required for a project of six guest rooms or cottages, or less, or a Major Use Permit may be required for a project larger than six guest rooms or cottages, if there are any compatibility issues, or if any of the following development standards are not met:**
- (i) All guest rooms must be located within and accessible through the main single-family dwelling. Alternatively, ~~a minority of~~ guest rooms may be located outside the primary residence in ancillary dwelling(s) cottages, or other buildings (newly constructed or renovated structures or existing buildings that are renovated for habitable use), provided that any newly constructed cottages require with the issuance of a Major Use Permit.**
 - (ii) Food service must be restricted to breakfast or a similar early morning meal. The price of food must be included in the price of overnight accommodation.**

- (iii) Adequate parking and access must be provided, as set forth in Sec.8-2.306(k)(5) and (6), above.
 - (iv) The project must be designed to be compatible with any adjoining agricultural operations and single family residences, including appropriate setbacks, landscaping, and parking.
 - (v) Adequate land area is available for the provision of on-site services, e.g., leachfields, to accommodate the number of guests and employees, if the project is not connected to public services.
 - (vi) Bed and breakfast inns shall comply with all CCDEH (California Conference of Directors of Environmental Health) guidelines and CURFFL (California Uniform Retail Food Facilities Law) requirements.
- (3) **A large bed and breakfast facility located on lands under a Williamson Act contract must be incidental to an agricultural operation, and must be found to comply with the Williamson Act statutes, including Government Code Section 51238.1. If a finding of consistency or compatibility with the Williamson Act cannot be made, the contract must be cancelled or must have exited the Williamson Act program through non-renewal prior to permit approval.**

(m) Farm stays

- (1) A “farm stay” includes six (6) or fewer guestrooms or accommodates no more than 15 guests, in a single family dwelling, or main farm house, or accessory guest house, provided as part of a working farm or ranch operation. A farm stay may hold farm dinners for guests. A farm stay may hold no more than four special events per year, attended by no more than 50 attendees. A farm stay that exceeds these performance standards shall be processed as either a Special Event Facility or a Bed and Breakfast, **as applicable**.
- (2) Farm stays are allowed in all of the agricultural zones, with the exception of the A-I zone, and in the RR-5 residential zone, provided that the project is designed to be compatible with any adjoining agricultural operations and single family residences. At the discretion of the Planning Director, a Minor Use Permit may be required for a project if there are any compatibility issues, or if any of the following development standards are not met:
 - (i) An agricultural/farm stay must be located on and be a part of a farm or ranch that produces agricultural products as its primary source of income. An on-site farmer or rancher must be in residence on the property. Lodging and meals must be incidental to, and not the primary function of, the farm stay.
 - (ii) The price of food must be included in the price of overnight accommodation.
 - (iii) Adequate parking and access must be provided, as set forth in Sec. 8-2.306(k)(5) and (6), above.
 - (iv) The project must be designed to be compatible with any adjoining agricultural operations and single family residences, including appropriate setbacks, landscaping, and parking.
 - (v) Adequate land area must be available for the provision of on-site services, e.g., leachfields, to accommodate the number of guests and farm employees, if the project is not connected to public services.
 - (vi) Farm stays shall comply with all CCDEH (California Conference of Directors of Environmental Health) guidelines and CURFFL (California Uniform Retail Food Facilities Law) requirements, if applicable.

~~(n) Other agri-tourism uses~~

- ~~(1) **Income generating agri-tourism uses other than special event facilities, bed and breakfasts, farm stays, and wine and olive tasting may be conducted on a working farm or ranch, or other agricultural operation or agricultural facility, for the enjoyment and education of visitors, guests, or clients. Other agri-tourism includes activities and uses found to be appurtenant to the agricultural operations.**~~

- ~~(2) Other agri-tourism uses are allowed through the Site Plan Review process, provided that the proposed use is consistent with the performance thresholds and meets the development standards established for special event facilities (Section 8.2-306(k)), bed and breakfasts (Section 8.2-306(l)), farm stays (Section 8.2-306(m)), and rural recreation facilities (Section 8.2-306(p)).~~
- ~~(3) Agricultural commercial uses directly related to agri-tourism that are proposed on Williamson Act (WA) land in the A-N and A-X zones may require a Major Use Permit, subject to the terms of each individual WA land use agreement. Such uses shall be appurtenant to and incidental to agriculture, or directly dependent upon a unique natural resource or feature.~~
- ~~(4) For agri-tourism projects that hold more than twelve no more than one event per month, not to exceed eight (8) special events per year, or events of more than 150 attendees; and/or events which generate more than 100 vehicle trips on any given day of operations (such as a wedding), a Minor Use Permit shall be required.~~

~~(e)~~**(n) Rural restaurants**

Rural restaurants must be appurtenant to the primary agricultural use of the area. Rural restaurants are allowed only in the A-C zone. New rural restaurants may not be established as the only or single use on a parcel in a predominantly agricultural area.

~~(p)~~**(o) Rural recreational facilities**

- (1) Activities on Williamson Act-contracted land in the A-N and A-X zones shall require issuance of a Major Use Permit for any rural recreational uses requiring any new construction, including significant grading, and/or generating in excess of 100 vehicle trips per use or per day. Such uses shall be found to meet the following standards:
 - (i) The use will not substantially modify the land's natural characteristics or change them beyond those modifications already related to current or previous agricultural uses;
 - (ii) The use will not require permanent cessation of agriculture on the subject lands or preclude conversion back to agriculture if desirable in the future; and
 - (iii) The use will not be detrimental to surrounding agricultural uses in the area.
- (2) In addition to the above findings, proposed uses such as health resorts, spas, and retreat centers must be found to benefit from locating in a quiet, sparsely-populated, agricultural or natural environment.

Sec. 8-2.307 Definitions

Agri-tourism

An income-generating activity conducted **on a working farm or ranch**, or other agricultural operation or agricultural facility, for the enjoyment and education of visitors, guests, or clients. Agricultural tourism refers to the act of visiting a working farm or ranch, or any agricultural or horticultural operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or ranch or agricultural operation that also adds to the economic viability of the agricultural operation. Agri-tourism includes activities and uses **that are appurtenant incidental to the agricultural operations, as well as some uses such as bed and breakfasts located on small parcels that may not be incidental to agriculture.** ~~that~~ **Agri-tourism uses** benefit from locating in a quiet, sparsely-populated, agricultural or natural environment, and that do not include commercial or retail uses and activities that are not directly related to agriculture such as sales of goods and services typically found in urban areas. Agri-tourism uses include, but are not limited to, wine, beer, and olive oil tasting, sale of local agricultural products,

lodging (bed and breakfasts and farm stays), and event centers that accommodate weddings, music, and limited dining.

Bed and Breakfast (B&B)

A single-family dwelling, and accessory buildings, **cottages and bungalows**, with an owner in residence, containing no more than ten (10) guest rooms used, let or hired out for transient night-to-night lodging, and that meets all of the standards in Section 8-2.306(l). ~~A majority of the guest rooms must be located within and accessible through the main single family dwelling.~~ Food service, **if provided**, is restricted to breakfast or a similar early morning meal, subject to applicable County Health Department regulations.

Cottages

Bungalows or cottages, attached or unattached, that are part of an approved bed and breakfast use, that are located within an agricultural area on agricultural-zoned lands, and that are appurtenant or incidental to permitted agri-tourism uses located on the parcel or in the immediate agricultural area. Cottages may be newly constructed structures or existing buildings that are renovated for habitable use. Cottages are not motel rooms and are not housing for permanent, year-round residents.

Farm stay

A form of agricultural tourism where a farmer or rancher hosts guests or tourists at his/her working farm or ranch to familiarize the visitors with the daily activities associated with farming or ranching. Farm stays include six (6) or fewer guestrooms, or accommodations for no more than 15 guests, in a single family dwelling, or main farm house, or accessory guest house, provided as part of a farming operation, with an on-site farmer in residence, that includes all meals provided in the price of the lodging, and that meets all of the standards in Section 8-2.306(m).

Rural recreation

Outdoor sporting or leisure activities that require large open space areas and do not have any significant detrimental impact on agricultural use of lands that are in the general vicinity of the rural recreation activity. Rural recreation activities shall include, but are not limited to: the shooting of skeet, trap, and sporting clays; archery; gun, hunting, or fishing, clubs; sport parachuting; riding; picnicking; nature study; viewing or enjoying historical, archaeological, scenic, natural or scientific sites; health resorts, rafting, hiking, backpacking, bicycling, or touring excursions; or camping.

Special event

A “special event” or “event” is a community or private gathering such as a harvest festival, wedding, seasonal tasting, or rodeo, that is held at a special event facility/tasting room. An event includes all such gatherings, whether paid or unpaid. However, an event does not include small informal gatherings of family members or personal friends of the special event operator/owner.

Special event facility/tasting room

The use of land and/or facilities, for which a fee is **normally** charged, for a community or private event that is held on the premises of an agricultural property, ~~such as harvest festivals, weddings, seasonal tastings, or rodeos.~~ A special event facility can include a tasting room, in which the general public, customers or guests may taste and purchase wine, beer, olive oil, cider, food items, or other incidental products commonly sold at such tasting rooms. A tasting room may be located at a vineyard, orchard, or other agricultural property, without the need for a winery, brewery, distillery, or olive mill facility or other processing facility to be located upon the premises.

Winery

A building, or portion thereof, used for the crushing of grapes, the fermenting and/or processing of grape juice, the aging, processing, storage, and bottling of wine, or the warehousing and shipping of wine. It shall also include accessory uses, such as: related office, laboratory, wholesale, and retail sales activities and wine tasting and winery tours.

Table 8-2.304(c)
Allowed Land Uses and Permit Requirements
for Agricultural Commercial and Rural Recreational Uses

| A = Allowed use, subject to zoning clearance* SP = Site Plan Review UP(m) = Minor Use Permit required UP(M) = Major Use Permit required N = Use Not Allowed | Land Use Permit Required by Zone | | | | | Specific Use Requirements or Performance Standards |
|--|----------------------------------|-----|-----|-----|-----|--|
| | A-N | A-X | A-C | A-I | A-R | |

AGRICULTURAL COMMERCIAL AND RURAL RECREATIONAL USES

| Commercial Uses | | | | | | |
|---|---|---------------------|-----------------|-----------------|-----------------|---|
| Commercial farm equipment sales | N | N | SP | SP | N | 1 annual sale event in A-N, A-X |
| Farm equipment repair, light manufacturing | See "agricultural support services" in Table 8-2-304(d) | | | | | |
| Christmas trees/pumpkin patches, over 100 daily customers | SP | SP | SP | SP | N | |
| Corn mazes | SP | SP | SP | SP | N | |
| Nurseries and landscaping materials | UP(m) | UP(m) | SP | SP | N | See definition |
| Permanent roadside/produce stands, farmers markets, U-pick farms, etc. | SP | SP | A | SP | SP | See Table. 8-2.506 (must meet parking requirements) |
| Seasonal roadside/produce stands | A | A | A | A | SP | |
| "Yolo Stores," less than 100 daily customers | SP | SP | SP | SP | N | See definition |
| "Yolo Stores," over 100 daily customers | UP(m) | UP(m) | SP | SP | N | |
| Wineries, breweries, distilleries, olive mills, small | SP | SP | SP | A | UP(m) | See Sec. 8-2.306(j) |
| Wineries, breweries, distilleries, olive mills, large | UP(m) | UP(m) | SP | SP | N | |
| Special event facilities, over 40 acres, 8 events per year, less than 150 attendees | A | A | N | A | N | See Sec. 8-2.306(k) and Table 8-4.401 |
| Special event facilities, small | SP | SP | A | A | UP(m) | |
| Special event facilities, large | <u>UP(m) U P(M)</u> | <u>UP(m) U P(M)</u> | <u>SP-UP(m)</u> | <u>SP-UP(m)</u> | UP(M) | |
| Private stables w/ events | SP | SP | SP | SP | N | See Sec. 8-2.306(i) |
| Commercial stables, small | SP | SP | SP | SP | N | |
| Commercial stables, large | UP(m) | UP(m) | SP | SP | N | |
| Bed and breakfasts, small | SP | SP | SP | N | UP(m) | Sec. 8-2.306(l) and Table 8-4.401 |
| Bed and breakfasts, large | <u>UP(m) U P(M)</u> | <u>UP(m) U P(M)</u> | <u>SP-UP(m)</u> | N | N | |
| Farm stays, farm dinners | A | A | SP | N | UP(m) | See Sec. 8-2.306(m) |
| Other agri-tourism uses | SP/UP(m) | SP/UP(m) | SP | N | SP/UP(m) | See Sec. 8-2.306(n) |
| Hotels, motels | N | N | N | N | N | |
| Rural restaurants | N | N | UP(m) | N | N | See Sec. 8-2.306(o) |
| Cottage food operation | A | A | A | A | A | See Sec. 8-2.506(k) |
| Rural Recreational | | | | | | |
| Campground | N | UP(M) | UP(m) | N | N | See definition and Sec. 8-2.306(p) |
| Primitive campground | UP(M) | UP(m) | N | N | N | |
| Recreational vehicle parks | N | N | UP(M) | N | N | |
| Parks, golf courses, country clubs | N | N | N | N | N | |
| Fisheries, game preserves, | UP(m) | UP(m) | N | N | N | See Sec. 8-2.306(p) |
| Sport shooting, hunting, gun and fishing >50 | UP(m) | UP(m) | N | N | N | |
| Off-road vehicle courses | N | UP(M) | N | N | N | |
| Commercial pools, ponds, or lakes | UP(M) | UP(m) | UP(M) | N | N | |
| Health resorts, spas, and retreat centers | UP(M) | UP(M) | UP(M) | N | N | |
| Rural sports activities, hiking, biking | UP(m) | UP(m) | N | SP | N | |