

QUESTIONS FROM 6/26/09 FORUM

1) Is there a possibility to have a commercial zoning within the agricultural zoning?

It is possible but it would create a new land use category and require a General Plan Amendment.

2) Under the new ordinance would wineries be able to increase the number of events beyond the number allowed by the Minor Use Permit (MUP) granted to a winery?

No, this ordinance doesn't affect wineries.

3) What is the current problem that is driving the need for this ordinance?

The Board directed the Tax Collector and Planning staff to simplify Title 6, the Temporary Commercial Outdoor Entertainment regulations for events attended by more than 3,000 people. In addition, the Board authorized amendments to the Land Use Ordinance to facilitate Ag Tourism in response Agricultural Policies.

4) What is the definition of a "Small"/ "Large" wedding?

No definition exists for either.

5) The current draft mentioned that weddings are prohibited, is this still true?

If there is a charge for the wedding it cannot occur on Ag properties under this proposal. Under this proposal landowners in the Ag land use category cannot lease/rent their property for a wedding, concert, etc. which is currently allowed with a Minor Use Permit (MUP).

6) Will the ordinance limit a local farmer from selling his produce from a stand on his farm? on a permanent/daily basis?

This will not affect road side stands.

7) What does the term "commercialization" means?

There is no definition in this proposal – only the standard "dictionary" definition.

8) What mitigations will there be for traffic, noise, trash, etc., if event opportunities are expanded?

New standards have been added for road access, off and on site parking and traffic control. Noise standards are included in the current proposal which states that amplified music may not be audible at the property line. The current rules have a bonding

procedure to guarantee site restoration but no standards have been added regarding trash specifically.

9) How will this ordinance help generate revenue for the community?

The limited number of agricultural events allowed by the proposed ordinance are intended to provide an opportunity for an agriculturalist to supplement their income by marketing their product(s).

10) What limits, if any, would be favored on non-Ag events, such as concerts, weddings, car shows, camping, on Ag land?

These types of Non Ag related events would not be allowed on Ag zoned land under the current proposal.

11) Does the term “food and fiber” regarding Ag land mean that livestock is not in Ag?

Food and fiber does includes some livestock and animal industries including but not limited to cattle and calf operations, sheep and lamb, goats and hog operations.

12) What is the difference between “incidental” and “secondary” uses?

They really mean the same thing – they are not the primary use.

Why are “events” not considered direct Ag marketing?

Whether events are considered direct Ag marketing will depend on what the final definition of an “event” will be.

13) Why is a “non-profit event” different from a wedding or festival with respect to food safety?

A non-profit event and a wedding have the same Health Department requirements.

14) Would a cap on the number of Minor Use Permits (MUP) and/or Conditional Use Permits (CUP) issued Countywide for events? (example: limiting the number of fishing licenses in the County)

The current proposal doesn’t consider a cap.

15) Why would non-profits have benefits that Ag landowners wouldn’t?

This is in the current proposed ordinance and should be discussed at the July 30th Planning Commission study session.

16) Would this ordinance, if it passes, supersede any city ordinance?

No.

17) Should the Ag and Wine Industry be self regulating for complaints or should the County be handling this?

The County should enforce all conditions of the land use permit and standards set by the Land Use Ordinance.

18) How will farmer tailgates be affected? Will attendance be limited? Do you propose a better method for hands-on farmer education? Is there an alternative proposal for non-profits to raise funds and is attendance limited at their events?

Tailgates are considered Education and Public Benefit Events under the proposed Ordinance. These types of events are limited to 6/site/year – attendance is not limited.

19) How are the vineyards treated under the proposed ordinance? What is the rationale for treating vineyards different than wineries?

Under this proposal, events at vineyards would be subject to the proposed ordinance and only Ag related events (Harvest festival, grape festival) would be allowed if the site is in the Ag category. Weddings and concerts would not be allowed. Wineries are subject to the current winery ordinance.

20) Do you feel the insurance requirements or more importantly the insurance review & approval process is manageable or too bureaucratic?

This is still under review.

21) If a historical site for a wedding is okay, is it okay to charge for that wedding?

Weddings at Historical sites in the Ag land use category are not allowed under the proposed ordinance.

22) Are we talking about creating a new layer of bureaucracy, new staff for enforcement and how is that possible when the County is cutting necessary staff & services?

This would create a new type of land use permits that will need to be annually renewed along with annual fees.

23) How will the burden of enforcement and what kind of penalties will be placed on the event center owner rather than on an individual who may have legitimate complaints regarding unruly guests, noise, parking, etc.?

Neighborhood notification will be required and include, complete listing of events, 24 hour contact and after hours County Code Enforcement contact information. The permit time limit is proposed to be limited to one year with an annual renewal process. The annual renewal process will have a provision if substantiated complaints have been received, then the permit renewal may not be approved.

24) Does the proposed ordinance have a cap on the number of Ag events that can occur on an annual basis?

Under the current proposal, a cap of up to 6 ag events per year, limited to up to 300 attendees, is proposed.

25) A recent draft included many land use categories that would be affected besides Ag, please explain why:

The proposed ordinance would create new standards and permit requirements for events in the CR, CS, OP, PF, REC, IND, AG, RL and RR land use categories

26) In the land use areas where weddings are allowed what is the definition for small vs. large events (weddings, etc.)?

This will need to be discussed by the Planning Commission. There is currently no definition of small vs. large weddings.

27) Has there been an economic study done on the effect in Napa after they passed a similar ordinance? and isn't it true that their wedding dollars were redirected to Sonoma & Mendocino counties?

There has not been any economic evaluation completed.

28) Do you consider Equestrian facilities or a horse operations agriculture?

Commercial horse breeding facilities and facilities for the training of ranch or draft horses are allowable in the AG category. . Visitor uses associated with horse facilities (recreation or pleasure riding stables, commercial horse boarding, equestrian schools and riding academies, horse events, etc) are evaluated for "secondary and incidental" by the Ag Department. Sites under Williamson Act contract have other considerations and requirements for equestrian facilities.

29) Is size based on volume or the value of the crop?

In evaluating the qualifying size of the ag use of a site, the determination is based on the size of the ag production area (land mass), not the value of the crop.

Incidental and secondary use refers to the proportionality of the use versus the

qualifying amount of ag production on the site. Generally, visitor uses are incidental if they are secondary to the ag use on the site. Secondary use is generally less than the primary qualifying ag use on the site.