



December 18, 2019

Planning Commission Meeting

**Agritourism Zoning Text Amendment (Z1703)**

# Today's Agenda

- History & Purpose
- Importance of Updating Code
- Overview of Current County Code
- Overview of Initial Proposed Updates
- AgT in Other Jurisdictions
- Menu Options
- Development Standards
- Direction Topics



# Background

- Community concerns
  - Residents wanted clarity on commercial ag uses
- Staff brought topic to PC
  - Issues w/ current County Code
  - Ag in today's society
  - PC directed staff to update Code
- PC appointed TAC
  - TAC held several public meetings
  - Modeled AgT Ord. after Tehama Co.
  - Lack of public interest until PC meeting
  - Majority of public comment directed towards Multi-Species Project

# Intent of Updates

- Support our agriculture & ag economy
- Focus on Ag uses
  - AgT uses = accessory ag uses
  - Could be allowed under today's Code
- Set limits for commercial ag uses
  - Provide a # of allowed activities w/ # of guests
  - Provide a permitting path dependent on activities/# of guests
- Provide flexibility – ag business always evolving
  - Sets limits & permit path for some commercial ag uses
- Unlikely to lead to significant changes to existing Ag operations
  - Example Tehama County

# Importance of Updating Code

- Code adopted in 1986 – ag regulations
  - 2 minor updates since 86'
- Ag economy different in today's society
- Wording & examples in Code provide basis for interpreting Code
- Would define and set limits for accessory agriculture uses
- Staff could use those examples and limits as basis
  - Ag uses that exceed those would not be accessory

# Current County Ordinance

## Allowed Uses AG-1 & AG-2:

- Farm labor housing
- SFR/mobile homes
  - Incidental to ag
- **Accessory uses incidental to ag**
- Ag uses: tree, vine, row, & field crops
- Grow/harvest trees, livestock farming, animal husbandry
  - No dairies, commercial feed lots, poultry & hog operations
- Nurseries w/ retail sales
- Fish/frog farms
- Roadside stands for sales of ag products

## Allowed Uses R-R:

- Small acreage farming
  - Except commercial dairies, kennels, rabbit, fox, goat, horse, chicken/poultry & hog farms.
  - Riding stables, rodeos, or commercial horse rentals
- Accessory uses incidental to small farming
- Crop & tree farming

Uses listed in Article 15 may be allowed in AG-1 & AG-2 w/ CUP approval.

# Initial Proposed Text Updates

- Only applies to R-R; AG-1 & AG-2
  - Property must be working farm or ranch
  - 10 acres or greater
- Would allow accessory agriculture uses through:
- By-right Uses
  - Allowed w/out permits
  - Must comply w/ all requirements
- Administrative Permit
  - Approved by staff
  - No public hearing
- Use Permit
  - Planning Commission approval



# By-Right

- Allowed w/out permits
- Must meet all requirements
- Would not allow commercial activities such as:
  - Concerts
  - Commercial weddings
- Still required to meet Health & Safety codes
- Still required to receive building permit approval for any development

## Updates Would Allow:

- 20 single-day events
  - <30 people

## AND

- 3 single-day events
  - 30-150 people

## Examples:

- Farm tours/Field days
- Horse lessons/training
- Ranch or sponsored dinners
- Educational classes/activities



# Administrative Permit (Level II)

- Staff level review & approval
- Must meet Agritourism Performance Standards

## Examples:

- Farm tours
- Field days
- Ranch or sponsored dinners
- School Tours
- Educational classes

## Admin. Permit Required For:

- *Onsite fruit & veggie sales\**
- U-Pick
- Farmstays
- Agritourism camping
- Single-day events in excess of Level I
  - Would only allow up to double Level I limits

*\*Current County Ordinance allows:  
“...roadside stands for seasonal sales of agricultural products from the premises”  
in AG-1 & AG-2\**

# Administrative Permit (Level II)

Admin Permit approval could allow:

## Small Events:

- 40 single-day events
  - <30 people

OR

- 20 single-day events
  - <60 people

## Large Events

- 6 single-day events
  - 30-150 people

OR

- 3 single-day events
  - <300 people

Only get to choose 1  
option from each column

No mix & matching!

# Other Rural Jurisdictions

## Tehama County

- Minimum Parcel Size: None
  - Farmstays & Glamping: 20 acres
- By-right: uses w/ no more than 15 guests/day or 106/week
- Admin Permit: uses w/ no more than 35 guests/day or 250/week
- Largely identical **Development Standards**
- Time limits 7:00am-10:00pm
- Noticing requirement for Admin
- Additional buffer for spraying
- 15 guest limit for Farmstays & Glamping



# Other Rural Jurisdictions

## Yolo County

- Minimum Parcel Size: None
- By-right: uses w/ no more than 150 guests no more than 8/year
- Majority of AgT activities require Admin Permit
  - Admin Permit may allow uses w/ over 100 daily visitors
- Regulates wide variety of ag uses
- Emphasis on ag w/ minimal permitting requirements
- UP approval required for only intensive ag operations (e.g. goat/sheep farm > 500 animals; hog farm > 100 hogs)



# Recommendations

Staff is recommending the following be included w/ the AgT Updates:

- Removal of “Unique Agricultural Product”
- Removal of “Agricultural Camping” definition/use
  - Farmstays to include any transient overnight stay on working farm or ranch
- Admin Permit noticing requirement
  - 300 feet consistent w/ current noticing procedures
- Additional buffer for activities near area of spraying



# Recommendations

The following be included as by-right uses w/in AG-1, AG-2, & R-R:

- Roadside stands/onsite sales
  - Include in R-R zoning district
- U-Pick
- Farm tours
- FFA/educational activities
- By-right = no permit approval



# Menu Option #1 – Barley Option

## Barley Option

- Zoning: AG-1, AG-2, & R-R
- Minimum Parcel Size: 10 acres
  - 20 acres for Farmstays
- By-right activities:
  - No more than 20 guests/event; no 'event' limit
  - Farm dinners w/ no more than 20 guests
  - Farmstays
- Administrative Permit:
  - Activities that exceed 20 guests but no more than 300 guests
- Use Permit:
  - Activities that exceed 300 guests
- Farmstays limited to no more than 25 people



# Menu Option #2 – Rye Option

## Rye Option

- Zoning: AG-1, AG-2, & R-R
- Minimum Parcel Size: 20 acres
- By-right activities:
  - No more than 30 guests/event; no more than 20 events/year
  - Farm dinners w/ no more than 30 people
  - Farmstays > 1,000' from neighbors
- Administrative Permit:
  - Activities that exceed **30** guests but no more than 300 guests limited to 7 events/year
  - Farmstays <1,000' from neighbors
  - Other AgT activities <1,000' from neighbors
- Use Permit:
  - Activities that exceed 300 guests
- Farmstays limited to no more than 20 people



**Staff report identified  
20 guest limit for  
Admin Permit, but  
should be 30 for  
consistency w/ by-right**



# Menu Option #3 – Oats Option

## Oats Option

- Zoning: AG-1 & AG-2
- Minimum Parcel Size: 40 acres
- By-right activities: None
- Administrative Permit:
  - Farmstays
  - Farm dinners w/ 30 guest limit
- Use Permit:
  - All other activities limited to no more than 300 guests/event
- Farmstays limited to no more than 15 people



	Option 1 – Barley Option	Option 2 – Rye Option	Option 3 – Oats Option
Zoning Districts	AG-1, AG-2, R-R	AG-1, AG-2, R-R	AG-1, AG-2
Minimum Parcel Size	10 acres 20 acres for Farmstays	20 acres	40 acres
By-right Uses	Onsite sales U-Pick Farm tours FFA/educational activities	Onsite sales U-Pick Farm tours FFA/educational activities	Onsite sales U-Pick Farm tours FFA/educational activities
By-right Activities/Events	Other agritourism activities that generate no more than 20 people per event  Farm dinners with no more than 20 people  Farmstays	Other agritourism activities that generate no more than 30 people per event Limited to 20 events per year  Farm dinners with no more than 30 people  Farmstays that are >1,000 feet from any adjacent residence	N/A
Admin. Permit	Agritourism activities that exceed 20 people but not more than 300 people	Agritourism activities that exceed 20 people but not more than 300 people. Limited to seven events per year  Farmstays that are within 1,000 feet from any adjacent residence  All other agritourism activities within 1,000 feet of any adjacent residence	Farmstays  Farm dinners no more than 30 people
Use Permit	Agritourism activities that exceeds 300 people per event	Agritourism activities that exceeds 300 people per event	All other agritourism uses/activities, limited to no more than 300 people per event
Special Requirements	Farmstays limited to a maximum of 25 people	Farmstays limited to a maximum of 20 people	Farmstays limited to a maximum of 15 people

# Initial Development Standards

- (1) Applicant is actively engaged in the production of Unique Agricultural Products and the majority of inputs for the Unique Agricultural Products is raised or grown on the proposed Agritourism Property.
- (2) If the Agritourism to be permitted pursuant to the Administrative Use Permit requires permanent structural improvements to facilitate the use then the improvements shall occupy no more than ten percent of the proposed Agritourism Property's total acreage or five acres, whichever is the lesser.
- (3) The Agritourism to be permitted shall generate no more than ten (10) Average Daily Trips (ADT) per calendar month, excluding school buses. If the Agritourism to be permitted generates ADT in excess of this amount, a conditional use permit shall be required.
- (4) When proposed Agritourism activities will take place within one thousand feet of a residence on neighboring property, outdoor Agritourism activities shall be limited to the hours of 7 a.m. through 8 p.m.
- (5) The applicant shall demonstrate and implement adequate on-site parking for all employees and participants for the use or activity, and shall not rely upon on-street parking.
- (6) Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall be shielded so as not to be directed outside their premises.
- (7) The Agritourism Property owner or lessee operator, or authorized agent, shall be present during Agritourism events authorized under an administrative use permit.
- (8) Parcel boundaries and entrance signs at Agritourism Properties shall be clearly posted for the Agritourism use.

# Initial Development Standards

- (9) An adequate number of portable toilets or restroom facilities shall be provided, but in no case shall the number of portable toilets or restroom facilities be less than one per one hundred (100) visitors per day for day use. If a septic system is relied upon, the system must be adequate to accommodate the additional use or occupancy, as determined by the Environmental Health Division. Portable hand washing facilities shall be provided with all portable toilets used for serving visitors or the public.
- (10) Standard provisions will be included in the administrative permit to address noise, soil disturbance, biological resources, and cultural resources.
- (11) A Farmstay use or activity shall meet all of the following additional requirements:
  - (i) The Farmstay operation shall be located on Property containing an existing dwelling occupied by the owner or operator.
  - (ii) The Farmstay owner or lessee operator shall obtain a transient occupancy registration certificate in compliance with the Siskiyou County Code and comply therewith.
  - (iii) The Farmstay owner or lessee operator shall be personally present during the Farmstay use or activity.
- (12) An Agritourism Camping use or activity shall meet all of the following additional requirements:
  - (i) The Agritourism Camping operation shall be limited to no more than twenty-five guests.
  - (ii) The Agritourism Camping owner or lessee operator shall secure a transient occupancy registration certificate in compliance with Siskiyou County Code and comply therewith.
  - (iii) The Agritourism Camping operation shall provide evidence of compliance with the California Department of Housing and Community Development's regulations and permit requirements for its camping area.

# Direction Topics

- Allow AgT in AG-1, AG-2, and R-R?
- Minimum parcel size?
- Minimum parcel size for specific uses (e.g. Farmstays)?
- Allow roadside stands (onsite sales), U-pick operations, farm tours, and FFA/educational activities outright?
- AgT activities allowed by-right? How many guest per event allowed by-right?
- AgT activities allowed by Admin Permit? How many guest per event allowed by Admin Permit?
- Any AgT activities that require Use Permit approval?
- Any separation requirements?
- Farm dinners be allowed by-right? How many guests?
- Farm stays be permitted by-right, Admin Permit, or Use Permit approval?
- Max # of farm stay guests?
- Are Development Standards sufficient? What should be modified, deleted, or added?
- Any regulations to add? (e.g. noticing requirements, additional buffer in areas of regular agricultural spraying, etc.)

# Next Steps

## How Staff Plans to Move Forward:

- Modify text updates per PC direction
- Evaluate recommended modifications w/ environmental analysis
  - Revise MND as necessary
  - Significant modifications could require re-circulation of MND
- January Planning Commission meeting
  - Final draft of proposed text updates for PC review
  - PC forwards a recommendation to BoS
  - Meeting date will depend on PC direction
- Board of Supervisors meeting
  - BoS meeting to be noticed in accordance w/ current procedures

# Today's Procedure

1. Staff presentation
2. Public comment
3. PC clarifying questions
4. PC deliberation & direction
5. Staff summary of PC direction



**Questions?**



# Initial Definitions

- **“Unique Agricultural Products”** means specialty agricultural products, including but not limited to, fruits, berries, nuts, eggs, meats, flowers, wine, oils, jams and honey. Producers of Unique Agricultural Products raise or grow traditional commodities, but also create value added products from those commodities by changing the commodity’s physical state or by connecting the farm or ranch directly to consumers or sales intermediaries such as grocery stores, restaurants or similar food service institutions. Establishments producing Unique Agricultural Products are typically family owned and operated facilities. Unique Agricultural Products do not include cannabis or cannabis related products.
- **“Agricultural Farmstay”** shall have the same meaning as set forth in Health and Safety Code section 113893 as amended from time to time. The Agricultural Farmstay owner shall maintain a Transient Occupancy Tax registration certificate and remain current on all required reports and payments.

# Initial Definitions

- **“Agritourism”** is an event or activity that brings visitors to a working farm or ranch as a guest for the purpose of enjoyment, education or other active participation in the activities of the farm. A working farm or ranch is a place of agricultural production which has annual sales of agricultural products of one thousand dollars (\$1,000) or more. Agritourism shall not include concerts or other commercial activities or events that are not related to the promotion of the primary use of the property as a working farm or ranch.
- **“Level I Agritourism”** is Agritourism on Agritourism Property ten (10) acres or larger that is limited to (i) twenty single-day Agritourism events per year with no more than thirty (30) guests per event; and (ii) three single-day Agritourism events per year involving guests in excess of thirty (30), but no more than one hundred fifty (150) guests per event. Examples of such single-day events include farm tours, field days, ranch or farm sponsored hospitality dinners, educational classes and/or activities, school tours, farm-focused corporate events and similar activities that relate to the promotion of the primary use as a working farm or ranch.

# Initial Definitions

**“Level II Agritourism”** is Agritourism on Agritourism Property ten (10) acres or larger that is in compliance with the Siskiyou County Agricultural Tourism Performance Standards and involves any of the following:

1. Single-day Agritourism events in excess of Level I Agritourism frequency limits or guest number limits, up to a maximum of twice the limits set forth in Level I Agritourism, and as more specifically limited in an Administrative Permit;
2. On-site fruit and vegetable picking and associated sales, often referred to as “U-Pick” operations;
3. Onsite sales of Unique Agricultural Products or merchandise related to the working farm or ranch;
4. Farmstays;
5. Agritourism Camping.

# SVAP

- “**Agriculture** is the number 1 economy in the Scott Valley Watershed”
- Protect Ag land from non-compatible /intense development (Dev. Goal #1)
- Goals 2-9 focus on development
  - Protect natural resources & ag
  - Protect quality of life
- Text update focuses on *uses*
  - Development still required to meet SVAP Goals
- New development reviewed against SVAP goals

## SVAP 5 Major Goals

1. Protect natural resources, water quality and **economic vitality**
2. Development shall not subject people or property to hazardous conditions
3. Reduce costs of public services – intense development to occur near existing services
4. Public services not be overburdened by new development
5. Land uses be compatible w/ existing and planned uses