

**(k) Special event facilities**

- (1) Special event facilities include farm and residential land and structures that are used for 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 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 a minimum of 40 acres is allowed by right, so long as the facility holds no more than one (1) event per month not to exceed eight (8) events per year, and attracts fewer than 150 attendees at each event, and each event generates less than 100 vehicle trips. 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 in the A-N, A-X and the A-R agricultural zones and in the RR-5, RR-1, and R-L residential zone with a Minor Use Permit. Small special event facilities are allowed with a Site Plan Review in the Clarksburg Agricultural District, and are allowed by right with building and environmental health permits in the A-C and A-I zones, provided that the project meets all development standards. At the discretion of the Planning Director, a Minor Use Permit may be required for a small special event facility 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. 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 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, where 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 the A-C and A-I zones and the Clarksburg Agricultural District, if there are any agricultural, residential, vehicle access, traffic, if other land use 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.

- (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. 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) Review of a special event facility subject to discretionary approval shall consider vehicular access as it relates to traffic, public safety, potential conflicts with farming equipment, and points of access to public roads. Vehicular 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 vehicular access shall also be reviewed for comment by the County Sheriff's Office and the Highway Patrol, as appropriate. In determining whether to issue a Use Permit, the decision-making authority shall consider the relevant factors and considerations identified in section 8-2.217(e).
- (8) 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) Small and large special event facilities subject to discretionary approval shall include an agricultural spraying buffer or setback from any nearby established and active orchard or farm field that employs spraying, measured from the outdoor areas where participants may congregate, based on existing nearby agricultural operations. A buffer or setback may be reduced or eliminated, either permanently or for a fixed number of years, with the approval of all owners of neighboring properties affected by the buffer. Such approval must be in writing, binding on all successors in interest, filed with the Department of Community Services and Agricultural Commissioner, and recorded with the County Recorder.

- (10) An application for a small and 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 large special event facility located on lands under a Williamson Act contract or in a Williamson Act Agricultural Preserve must be incidental to an established agricultural operation and 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 land must have exited the Williamson Act program prior to permit approval.

### **(I) Bed and breakfasts/lodging**

- (1) A “small” bed and breakfast/lodging is defined as one which has six (6) guest rooms or less. A “large” bed and breakfast/lodging has more than six guest rooms and not more than ten (10) guest rooms. Different thresholds apply within the Clarksburg Agricultural District (see Sec. 8-2. 401). A bed and breakfast/lodging of any size that holds “special events” shall also comply with all applicable requirements for special event facilities found in Sec. 8-2.306(k).
- (2) Small bed and breakfasts/lodging 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 with the issuance of a Minor Use Permit in the A -R zone and in the RR-5, R-L, R-M, and R-H residential zones, provided that the project includes no newly constructed cottages or buildings.
- (3) Large bed and breakfasts/lodging are subject to a Major Use Permit in the A-X and A-N zones all of the residential zones, and are subject to a Minor Major Use Permit in the A-C agricultural zone and the Clarksburg Agricultural District.
- (4) At the discretion of the Planning Director, a Minor Use Permit may be required for a small bed and breakfast/lodging, or a Major Use Permit may be required for a large bed and breakfast/lodging, if there are any agricultural, residential, vehicle access, traffic, or other land use 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, guest rooms may be located outside the primary residence cottages (newly constructed structures or existing buildings that are renovated for habitable use), provided that any newly constructed cottages require the issuance of a Major Use Permit.
  - (ii) Food service for a traditional bed and breakfast must be restricted to breakfast or a similar early morning meal. The price of food must

be included in the price of overnight accommodation. Lodging other than a traditional bed and breakfast is not required to serve breakfast for guests, but all other standards must be met.

- (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/lodging shall comply with all CCDEH (California Conference of Directors of Environmental Health) guidelines and CURFFL (California Uniform Retail Food Facilities Law) requirements.
- (5) Small and large bed and breakfasts/lodging subject to discretionary approval shall include an agricultural spraying buffer or setback from any nearby established and active orchard or farm field that employs spraying, measured from the outdoor areas where participants may congregate, based on existing nearby agricultural operations. A buffer or setback may be reduced or eliminated, either permanently or for a fixed number of years, with the approval of all owners of neighboring properties affected by the buffer. Such approval must be in writing, binding on all successors in interest, filed with the Department of Community Services and Agricultural Commissioner, and recorded with the County Recorder. In determining whether to issue a Use Permit, the decision-making authority shall consider the relevant factors and considerations identified in section 8-2.217(e).
- (6) A large bed and breakfast/lodging facility located on lands under a Williamson Act contract or in a Williamson Act agricultural preserve must be incidental to an established 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