

AMENDMENT TO THE TEMPORARY EVENTS ORDINANCE

CONTRA COSTA COUNTY BOARD OF SUPERVISORS

MARCH 5, 2024



TIMELINE

2005: Temporary Events Ordinance adopted

April 6, 2022: Board of Supervisors adopted Ordinance No. 2022-16, which increased fine amounts for violations of Chapter 82-44.

June 7, 2022: Board of Supervisors adopted Ordinance No. 2022-23, an urgency interim ordinance regulating commercial temporary events.

July 12, 2022: Board adopted Ordinance No. 2022-25, extending the regulations related to commercial temporary events through June 7, 2023.

May 23, 2023: Board of Supervisors adopted Ordinance No. 2023-11, extending the regulations related to commercial temporary events through May 23, 2024.

January 24, 2024: Presented proposed zoning text amendment to the Temporary Events Ordinance to the County Planning Commission.



UPDATE TO TEMPORARY EVENTS ORDINANCE IS PRIMARILY INTENDED TO ACCOMPLISH THE FOLLOWING:

- a) Integrate the provisions of Ordinance No. 2023-11, (Urgency Ordinance Extending Regulations Related to Commercial Temporary Events); and
- b) Address the portion of the 2020 Report on Recommendations on Reforming Agricultural Land Use Policies to Improve Both Economic Vitality and Sustainability that pertains to agritourism related events.



KEY UPDATES TO THE DEFINITION SECTION OF THE ORDINANCE AND ADDITION OF NOISE RESTRICTIONS

(NOTE: THE PROVISIONS BELOW HAVE GENERALLY BEEN IN EFFECT ALREADY AS A RESULT OF THE URGENCY ORDINANCES)

- Definition of event is would be updated to include gatherings of more 75 people on agriculturally- zoned properties.
- “At a residence” is also defined to clarify the reference in the event definition.
- Commercial event is also modified to include clarification that an event that requires paid admission or charges parking or that is open or advertised to the general public would be considered a commercial event.
- Addition of definitions for outdoor assemblage, persons at a venue, and vacant lot is also included in the amendment to the ordinance.
- Addition of noise restrictions for all events includes maximum noise levels and prohibited hours for amplified sound.



LIST OF CONDITIONS APPLICABLE WHEN A LAND USE PERMIT IS REQUIREMENT FOR AN EVENT VENUE IN AN AGRICULTURAL ZONING DISTRICT

- Events at a venue located in an agricultural zoning district may only be issued if authorized events are an accessory use of the agricultural use established for the property and a finding is made that the event is consistent with agricultural vitality.
- The maximum number of events would be determined by considering the lot size of the event venue, availability of parking to serve the event venue, proximity of surrounding residences, the location and size of any buildings or other visual or noise buffers between the venue and surrounding properties, the compatibility of events with neighboring uses, and the degree to which events conflict with the property's primary use of agriculture.

On a parcel of less than 40 acres, the maximum number of events per calendar year that may be authorized by a land use permit is six.

On a parcel of 40 or more acres, the maximum number of events per calendar year that may be authorized by a land use permit is 26.



LIST OF CONDITIONS APPLICABLE WHEN A LAND USE PERMIT IS A REQUIREMENT FOR AN EVENT VENUE IN AN AGRICULTURAL ZONING DISTRICT (CONTINUED)

- The maximum number of people would be determined by the lot size of the event venue, parking available to serve the event venue, proximity of surrounding residences, and the location and size of any buildings or other visual or noise buffers between the venue and surrounding properties.
- Conditions to limit impacts on neighbors, including prohibited hours for amplified noise and requirements that exterior lighting must be directed downward and away from adjacent properties.



Updates related to the enforcement of the ordinance

- Amendment would authorize the Sheriff and Sheriff's deputies to enforce the ordinance.
- Holding commercial event organizers, in addition to property owners, liable for violations of the ordinance.



STAFF RECOMMENDATIONS

1. OPEN the public hearing on Ordinance No. 2024-07 (Temporary Events); RECEIVE testimony; and CLOSE the public hearing.
2. ADOPT Ordinance No. 2024-07, amending the County's Temporary Events Ordinance to prohibit unpermitted commercial temporary events, establish standards for temporary events in agricultural zoning districts, establish new enforcement mechanisms, and related provisions.
3. DETERMINE that the adoption of Ordinance No. 2024-07 is exempt from CEQA under CEQA Guidelines Sections 15061(b)(3) (common sense exemption).
4. Direct staff to file a Notice of Exemption with the County Clerk.



QUESTIONS

