



Department of Conservation and Development
County Planning Commission
Wednesday, June 7, 2023 – 6:30 P.M.

CONTINUED PUBLIC HEARING

STAFF REPORT

Agenda Item # _____

Project Title: Zoning Text Amendment Establishing Agritourism Uses in Agricultural Zoning Districts

County File(s): CDZT22-00003

Applicant: Contra Costa County

Owner: Contra Costa County

General Plan/Zoning: Countywide

Site Address/Location: Countywide

California Environmental Quality Act (CEQA) Status: The project is exempt under Section 15061(b)(3) of the Environmental Quality Act (See Section VI for additional information).

Project Planner: Jennifer Cruz, Principal Planner (925) 655-2867
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Staff Recommendation: Recommend Approval to the Board of Supervisors (See Section II for complete recommendation)

I. PROJECT SUMMARY

This is a hearing on a County initiated Zoning Text Amendment to establish size and location standards, sales requirements, and other regulations governing agritourism uses in agricultural zoning districts, recodify Chapter 88-20 (Agricultural Farm Stands and Farm Markets) as Chapter 824-4 (Grower Stands, Farm Stands, and Farm Markets), and amend Chapters 84-82 and 84-84 to allow stables in A-40 and A-80 agricultural zoning districts with the issuance of a land use permit.

RECOMMENDATION

Staff recommends that the County Planning Commission:

1. OPEN the public hearing on the proposed zoning text amendment; RECEIVE testimony; and CLOSE the public hearing.
2. RECOMMEND that the Board of Supervisors take the following actions:
 - A. ADOPT the proposed zoning text amendment to establish size and location standards, sales requirements, and other regulations governing agritourism uses in agricultural zoning districts, recodify Chapter 88-20 (Agricultural Farm Stands and Farm Markets) as Chapter 824-4 (Grower Stands, Farm Stands, and Farm Markets), and amend Chapters 84-82 and 84-84 to allow stables in A-40 and A-80 agricultural zoning districts with the issuance of a land use permit.
 - B. DETERMINE that the proposed zoning text amendment is exempt from CEQA under CEQA Guidelines Sections 15061(b)(3) (common sense exemption).
 - C. Direct staff to file a Notice of Exemption with the County Clerk.

II. BACKGROUND

Board Direction

On December 20, 2016, at the recommendation of then Supervisor Piepho, the Board of Supervisors approved the expenditure of up to \$150,000 from the Livable Communities Trust (District III Portion) and authorized the Department of Conservation and Development (DCD), in consultation with the Ag Task Force and local agricultural stakeholders, to identify for future Board consideration specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality. The succeeding District III Supervisor, Supervisor Burgis, met with staff and outreached to the community to generate interest and ideas for the upcoming public process. On February 13, 2018, Supervisor Burgis recommended, and the Board approved, authorizing DCD to convene a series of open, public meetings with persons and groups interested in the policy reform topic.

Public review process

DCD convened a series of public meetings with people and parties interested in agricultural sustainability and economic vitality in Contra Costa County to review existing land use regulations and collect input on potential modifications to these policies.

The policy review process was held over a 12-month period starting in 2018. These large meetings, which ranged from 20-70 participants per meeting, were held in Martinez, Danville, and Knightsen. Participants that attended the meetings came from diverse backgrounds, including individuals from the farming and ranching community, rural residents, proponents of various agricultural commercial ventures, and conservation organizations. The meetings also included significant support and participation from the County's Departments of Agriculture, Health Services (Environmental Health Division), and Public Works, and agencies such as the University of California Cooperative Extension (UCCE) and Contra Costa Resource Conservation District (RCD). Participants provided insights on what makes the County unique, developed a shared vision for the future of agriculture in Contra Costa County, identified obstacles to a healthier agricultural economy, and discussed opportunities and constraints of agritourism. Staff researched policies and programs in other counties and developed numerous tables and maps with relevant background information. The meetings also included guest speakers from Yolo County and Sonoma County sharing their experiences promoting agriculture in their regions and their work as an agricultural ombudsperson.

The discussion among the participants and the County led to a number of specific proposals to improve agricultural land use policy. These proposals were assembled into a preliminary list of recommendations, including thoughts on key conditions and staff notes on key relevant Building, Health, and Public Works provisions. Iterative drafts of the list of recommendations were discussed in meetings and commented on in numerous comment periods over the course of approximately one year.

Recommendations Report

The result of the extensive stakeholder collaboration was the Recommendations on Reforming Agricultural Land Use Policies in Contra Costa County To Improve Both Economic Vitality and Sustainability Report ("Report"). The Report, included 18 recommendations to promote and preserve agriculture in Contra Costa County.

The Report recommends authorizing various new types of lodging accommodations in agricultural areas, including short-term rentals for 90 days or less, farm stays for up to 90 days, bed-and-breakfast, and camping/yurts. The Report also recommends authorizing food service uses in agricultural areas, including farm dinners and farm-to-table restaurants. The Report also recommends updating the County's winery policies and authorizing certain new uses to host large events. The Report discussed the possible permits that may be required, in addition to other permits required by other agencies.

Recommendations in the Report to promote agriculture in Contra Costa County include equestrian and bike trails to connect farms, allowing equestrian facilities within additional agricultural districts, exploring additional funding for signage to promote agriculture in the County, updating the County's Sign Ordinance, and working with other agencies to promote agricultural vitality in the County.

Board Action on Report

The Report was presented to and accepted by the Board of Supervisors on February 4, 2020. Since then, the County has updated the Sign Ordinance. DCD has also undertaken the extensive effort to establish a regulatory framework in this proposed zoning text amendment for permitting, establishing, and operating agritourism uses, as discussed in the Report.

III. FEBRUARY 22, 2023 COUNTY PLANNING COMMISSION MEETING

The County Planning Commission held a public hearing on February 22, 2023 to consider a draft of the zoning text amendment. The draft zoning text amendment would add Division 824 to the County Ordinance Code to authorize farm stay, farm dinner, agricamping, bed and breakfast, farm-to table-restaurant, olive oil mill, and winery as agritourism uses that are permitted in agricultural zoning districts. The draft ordinance would also incorporate the County's current regulations regarding grower stands, farm stands, farm markets into Division 824, as additional agritourism uses. The draft ordinance would also authorize the establishment of stables in A-40 and A-80 zoning districts, consistent with the uses allowed in other agricultural zoning districts.

The public submitted comments both by letter prior to the Commission hearing, and at the Commission hearing. After considering the comments submitted, the Commission voted to continue the public hearing to a future date as determined by County staff to allow staff to address the comments received and provide any

appropriate revisions to the draft zoning text amendment. A summary of the comments received and staff's response and proposed revisions to the draft ordinance are detailed in the section below.

IV. REVISIONS TO THE PROPOSED AGRITOURISM ORDINANCE

In response to public comments and comments from the Commission, staff has prepared a revised draft ordinance, including the following revisions.

Illuminated Signs

The prior draft considered in February did not allow on-site signs to be illuminated. Public comments expressed an interest in illuminated signs, and the County sign ordinance permits illuminated signs in some circumstances with a permit. Staff revised the proposed ordinance to authorize illuminated signs with a land use permit and requires lighting to be directed, oriented, and shielded to prevent light trespass or glare onto adjacent property or public rights-of-way. Additionally, the land use permit may include conditions related to the time, intensity, direction, quality of illumination to mitigate any negative impacts of illumination.

Retail Water Supplier Requirement

The prior draft considered in February required that certain agritourism uses (bed and breakfast, farm-to-table restaurant, and winery or an olive oil mill with a tasting/on-site sales area or that will host large events) could only be established on a lot located within an area served by a retail water supplier. Staff revised the proposed ordinance to provide that lots located within the East Contra Costa County Groundwater Subbasin are eligible for such uses even if not in an area served by a retail water supply. This is consistent with the County's industrial hemp cultivation ordinance, which includes regulations intended to protect groundwater supplies.

Agricamping

The prior draft considered in February includes staff's recommendation that agricamping only be permitted in camping structures, including tent cabins, and yurts owned by the property owner, in order to better ensure the quality and safety of structures and prevent potential nuisance conditions. In response to public comments that little houses on wheels should also be permitted, and for consistency with the Report, staff revised the proposed ordinance to allow agricamping in travel trailers owned by the property owner.

Farm-to-Table Restaurants

The prior draft considered in February required at least 50% of fruits and vegetables served at a farm-to-table restaurant to have been grown on-site. Based on public comments, including concerns that the seasonality of produce may preclude some agricultural operations from meeting this requirement, staff revised the proposed ordinance to authorize the zoning administrator to establish a different threshold in the land use permit for the percentage of fruits and vegetables that must be grown on-site based on the site's agricultural activities and seasonal impacts on production.

Mobile Food Vendors

The prior draft considered in February prohibited mobile food vendors at agritourism uses. Public comments expressed an interest in allowing mobile food vendors in a limited fashion, particularly at seasonal u-pick type operations where other food services are not available. Staff revised the proposed ordinance to allow food trucks or mobile food vendors on a private parcel where an agritourism use is authorized in any of the following circumstances:

- the agritourism use is a grower stand, farm stand, or farm market and the total of number of days that the vendor operates does not exceed three days in a calendar year;
- a land use permit authorizing the agritourism use also authorizes the vendor to operate;
- the vendor is part of a temporary event authorized under the County's temporary events ordinance.

Large Events

Staff revised the proposed ordinance to increase the maximum number of events that may be hosted by an agritourism use establishment on parcels of 40 or more acres. The proposed draft would allow for a maximum of 26 large events on parcels of 40 acres or more (the previous draft authorized 12). The proposed draft would still authorize a maximum of six large events on parcels less than 40 acres. In consideration of the increase in maximum number of large events that may be hosted, staff revised the proposed ordinance to provide that the zoning administrator may limit a site to a fewer number of large events based on enumerated factors including the lot size of the event venue, parking available 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 large events with neighboring uses, and the degree to which large events conflict with the property's primary use of agriculture.

Staff also revised the proposed ordinance by removing the restriction that no more than one large event be hosted in a calendar month and the restriction on the maximum number of people allowed at a large event on parcels less than 40 acres. On parcels less than 40 acres, the maximum number of persons allowed at a large event would be set by the zoning administrator.

Other minor changes in the proposed ordinance include the following:

- The definition of agritourism lodging establishment was revised to not reference short-term rentals, which are permitted under a separate chapter.
- The definition of large event was revised such that an event spanning up to three consecutive days constitutes a single event, and to apply to an assemblage that exceeds 75 persons, consistent with the threshold found in the Temporary Events Ordinance.
- The proposed ordinance was revised to provide that agricultural lodging establishments and agricamping establishments may not provide lodging to a guest for more than 30 consecutive days.
- The proposed ordinance was revised to authorize the establishment of an agritourism lodging use in a legally established residential accessory structure, in addition to a legally established residence.
- The proposed ordinance was revised to consolidate the various plans required of applicants for the different agritourism uses. The proposed ordinance requires a single agricultural activities and promotion plan for each of the agritourism use types that has a requirement to submit a plan regarding agricultural operations. The revised ordinance also requires an agricultural activities and promotion plan for wineries and olive oil mills that propose to host large events, consistent with the original February 2020 recommendations that uses with large events have farming assurances.
- The meal service provisions for bed and breakfast were expanded to enable the service of food or meals at any time to registered guests. Previously only breakfast was authorized. The change is proposed to make bed and breakfasts consistent with farm stay establishments which may serve meals at any time.

Hillside Properties

Several public comments expressed concern that the requirement that 80 percent of the property must be engaged in agricultural activities and kept free of structures would preclude certain hillside properties from establishing certain agritourism uses. Staff does not recommend any revision to this requirement. The 80% requirement

only applies to farm-to-table restaurants and bed and breakfasts. The stated intent of the agritourism program is to help promote, not replace, agriculture in the County. Staff believes that a threshold of 80 percent of the property used for agricultural purposes is appropriate for these more intensive agritourism uses. Further, though there can be challenges, certain agricultural practices are employed on hillsides (e.g. grazing and grapes).

Noise

Public comments raised concerns regarding noise resulting from large events. The proposed ordinance requires that noise be restricted such that it cannot be heard from neighboring properties during quiet hours identified as 10 pm through 7 am the following morning. Amplified sound is also prohibited during quiet hours. This noise restriction also applies to the following uses: farm stay, agricamping, bed and breakfast, farm dinner, and farm-to-table restaurant. Staff believes that the amplified sound restriction can be an effective tool in enforcing noise restrictions due to its relative ease of documentation and confirmation. Additionally, large events can only be established with a land use permit which may include additional appropriate conditions to address potential noise impacts.

V. CALIFORNIA ENVIRONMENTAL QUALITY ACT DETERMINATION

The Zoning Text Amendment is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3).

CEQA Guidelines section 15061(b)(3) is the "common sense exemption." The proposed actions would authorize the establishment of agritourism uses in agricultural zoning districts after the issuance of a ministerial permit or a land use permit. No specific project is approved with this Zoning Text Amendment. The proposed new uses that could foreseeably have an environmental impact would each require separate discretionary permits and be subject to individual environmental review pursuant to CEQA. Some uses could be approved with a ministerial permit and that action would be statutorily exempt from CEQA. However, such proposed uses are minor extensions of existing allowed uses, are subordinate to the primary agricultural use, and are subject to specific standard requirements related to lot area, number of bedrooms and guests, number of events, noise, and light. Thus, it can be seen with certainty that there is no possibility that the proposed actions could have a significant effect on the environment.

VI. CONCLUSION

The proposed zoning text amendment would authorize agritourism uses in agricultural zoning districts in the County and would establish standards for these uses that would preserve agricultural land consistent with the County General Plan. Therefore, staff recommends the Commission recommend that the Board of Supervisors approve the zoning text amendment.

Attachments:

- Attachment A - Draft Ordinance
- Attachment B – Redlined Version of Draft Ordinance
- Attachment C - Revised Table of Agritourism Uses
- Attachment D – Agricultural Zoning Districts Within Boundaries of Retail Water Supplier or East Contra Costa County Groundwater Subbasin
- Attachment E - Power Point Presentation

ORDINANCE NO. 2023-__ **DRAFT**

AUTHORIZING AGRITOURISM USES IN AGRICULTURAL ZONING DISTRICTS

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION 1. SUMMARY. This ordinance establishes size and location standards, sales requirements, and other regulations governing agritourism uses in agricultural zoning districts. This ordinance also recodifies Chapter 88-20 (Agricultural Farm Stands and Farm Markets) as Chapter 824-4 (Grower Stands, Farm Stands, and Farm Markets). This ordinance also amends Chapters 84-82 and 84-84 to allow stables in A-40 and A-80 agricultural zoning districts with the issuance of a land use permit.

SECTION 2. Division 824 is added to the County Ordinance Code, to read:

**Division 824
AGRITOURISM**

**Chapter 824-2
GENERAL AGRITOURISM REGULATIONS**

824-2.002 Purpose and Intent. The purpose of this division is to establish zoning regulations to allow for a variety of agritourism uses in agricultural zoning districts. Agritourism uses are uses that are located at a working farm, ranch, or other agricultural operation; are accessory to a primary agricultural use; are conducted for the enjoyment and education of visitors, guests, or clients; and generate income for the owner or operator of the working farm, ranch, or other agricultural operation. (Ord. 2023-__ § 2.)

824-2.004 Definitions. For purposes of this division, the following words and phrases have the following meanings:

- (a) “Agricamping establishment” means an establishment that provides food and lodging in accordance with this division.
- (b) “Agritourism lodging establishment” means a residence in an agricultural zoning district that is used as a bed and breakfast establishment or a farm stay establishment.
- (c) “Agritourism use” means any of the following uses located in an agricultural zoning district: agricamping; agritourism lodging establishment; farm dinner; farm market; farm stand; farm-to-table restaurant; grower stand; olive oil mill; or winery.
- (d) “Bed and breakfast establishment” means an establishment that provides food and lodging in accordance with this division.

- (e) “Farm dinner” means an occasion where food is provided in accordance with this division.
- (f) “Farm market” means an area accessory to an on-site agricultural operation that is used to sell farm products, value-added farm products, and non-agricultural items, as specified, where the total sales area does not exceed 3,500 square feet.
- (g) “Farm product” includes any of the following in its raw or natural state: any agricultural, horticultural, viticultural, or vegetable product of the soil; poultry products; livestock products; and apiary products. “Farm product” does not include any livestock, poultry, fish, or shellfish.
- (h) “Farm stand” means an area accessory to an on-site agricultural operation that is used primarily to sell farm products, value-added farm products, and non-agricultural items, as specified, where the total sales area does not exceed 1,500 square feet.
- (i) “Farm stay establishment” means an establishment that provides food and lodging in accordance with this division.
- (j) “Farm-to-table restaurant” means a restaurant that provides food in accordance with this division.
- (k) “Grower stand” means an area accessory to an on-site agricultural operation that is used to sell farm products produced on-site or proximate to the site, as specified, where the total sales area does not exceed 1,500 square feet.
- (l) “Large event” means an occasion at an agritourism use establishment organized for a particular and limited purpose and time, not to exceed three consecutive days, and is an organized assemblage that exceeds 75 persons.
- (m) “Non-agricultural item” means any item offered for sale other than farm products and value-added farm products.
- (n) “Olive oil mill” means an operation for the processing of olives into olive oil. An olive oil mill may be a small olive oil mill or a large olive oil mill.
- (o) “Olive oil production facility” means a facility or facilities at an olive oil mill used for any of the following activities or uses: harvesting, milling, pressing, and crushing fresh olives; extraction and blending of olive oil; bottling and labeling of olive oil; storage of olive oil; laboratory facilities; administrative offices; shipping, receiving, and distribution of olive oil; equipment storage and repair; composting and removal of olive pomace and other agricultural product waste, and agricultural wastewater treatment. A tasting area or on-site sales area at an olive oil mill is not part of the olive oil production facility at the olive oil mill.

- (p) “Responsible party” means a person that is designated by the applicant as a point of contact for the agritourism use.
- (q) “Value-added farm product” means a farm product that has been changed from its natural state to an item in a different form through canning, drying, freezing, preserving, fermenting, compounding, processing, packing, or a similar alteration, so as to increase the value of the farm product.
- (r) “Wine production facility” means a facility or facilities at a winery used for any of the following activities or uses: crushing or pressing grapes; fermenting wine; aging wine; processing and blending of wine; bottling and labeling of wine; storage of wine in cellars, vats, barrels, bottles, or cases; laboratory facilities; administrative offices; shipping, receiving, and distribution of wine; truck scales; equipment storage and repair; composting of grape byproducts and other agricultural product waste, and agricultural wastewater treatment. A tasting area or on-site sales area at a winery is not part of the wine production facility at the winery.
- (s) “Winery” means an operation for the fermentation and processing of grapes into wine, or the refermentation of still wine into sparkling wine. A winery may be a small winery or a large winery. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.006 Location.

- (a) An agritourism use that complies with the provisions of this division may be located on any legal lot in an agricultural district (A-2, A-3, A-4, A-20, A-40, and A-80).
- (b) Multiple agritourism uses may be permitted on the same lot, except as follows:
 - (1) A farm stay establishment and a bed and breakfast establishment may not be permitted on the same lot.
 - (2) A farm dinner and a farm-to-table restaurant may not be permitted on the same lot.
 - (3) A farm market and a farm stand may not be permitted on the same lot.
 - (4) A farm market and a grower stand may not be permitted on the same lot.
 - (5) A farm stand and a grower stand may not be permitted on the same lot.
 - (6) A small olive oil mill and a large olive oil mill may not be permitted on the same lot.
 - (7) A small winery and a large winery may not be permitted on the same lot. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.008 Accessory Use. An agritourism use is allowed only if it is an accessory use on a property that is used for agriculture, as defined in Section 82-4.206. If property is located in an agricultural zoning district but the property is not used for agriculture, then no agritourism use is allowed on the property. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.010 Parking.

- (a) Adequate parking for consumers and employees must be provided at an agritourism use. If an agritourism use consists of a structure, one off-street parking space must be provided for each 300 square feet of structural floor area, with a minimum of two parking spaces. Each required off-street parking space must be at least nine feet by 19 feet in size. The required parking spaces may be dirt or gravel. The required parking spaces need not be paved, striped, or otherwise improved, but must be identifiable. Parking spaces must be oriented such that vehicles are not required to back onto a public road.
- (b) Safe access to and from a public road must be provided with a durable, dustless surface, such as compacted gravel or a similar permeable surface, or asphalt, except that within 20 feet of a public road all access surfaces must be asphalt. A defined point of ingress and egress must be provided. An encroachment permit must be obtained for a new point of access to a public road.
- (c) The parking requirements of Chapter 82-16 do not apply to this division. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.012 Signs.

- (a) One or more on-site commercial signs are allowed on a lot with an agritourism use. An “on-site commercial sign” is a sign that directs attention to the business activity conducted or products sold or produced on the lot where the agritourism use is located.
- (b) The following on-site commercial signs may be located on a lot with an agritourism use:
 - (1) One free-standing on-site commercial sign that does not exceed 12 feet in height or the height of the tallest structure, whichever is lower, and whose total display surface area does not exceed 32 square feet if the sign is single-sided or 64 square feet if the sign is double-sided.
 - (2) Additional on-site commercial signs that are affixed directly to any structure with an indoor sales area.
 - (3) One or more additional free-standing on-site commercial signs. No additional free-standing sign shall exceed 12 feet in height or have a display surface area greater than 16 square feet.
- (c) The total display surface area of all on-site commercial signs on a lot with an agritourism

use shall not exceed 128 square feet.

- (d) An on-site commercial sign may not encroach on any public right of way and may not conflict with any applicable sight distance.
- (e) An on-site commercial sign may not be illuminated unless expressly authorized by a land use permit. All illuminated signs shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties, public rights-of-way, and driveway areas. The land use permit may include conditions as to the time, intensity, direction, and quality of illumination to mitigate any negative impacts of illumination.
- (f) All signs and sign structures shall be maintained in a safe and structurally sound manner free from deterioration, rust, rot, and loose parts. Each sign face must be clean and neatly painted at all times.
- (g) A temporary on-site commercial sign must be removed when not in use.
- (h) An on-site commercial sign or signs authorized by this division may contain noncommercial copy in lieu of other copy. Nothing in this division may be construed as regulating or restricting the use of noncommercial copy or message on any sign allowed under this section.
- (i) If an agritourism use is lawfully established under the provisions of this division, on-site commercial signs that meet the requirements of this section are allowed without a separate permit.
- (j) Off-site commercial signs are prohibited on a lot with an agritourism use. An “off-site commercial sign” is an advertising sign that directs attention to a business activity conducted or product or services sold or offered at a location not on the lot where the agritourism use is located. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.014 Height and Setbacks. An agritourism use must comply with the height and setback requirements that apply in the zone in which the property is located. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.016 Events. Except as otherwise provided for in this division, the requirements of Chapter 82-44, Temporary Events, apply to this division. (Ord. 2023-__ § 2.)

824-2.018 Permits.

- (a) No permit. No permit is required under this division for a grower stand that meets the standards contained in this division.
- (b) Ministerial permit.

- (1) Unless a land use permit is otherwise required by subsection (c), below, a ministerial permit is required before any of the following uses may be established under this division: farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or small olive oil mill without a tasting/on-site sales area and that will not host large events.
- (2) An application for a ministerial permit must be made in writing and contain sufficient information to allow the Department of Conservation and Development to determine if the agritourism use will meet the standards in this division.
- (3) An application for a ministerial permit will be approved without discretionary review or public hearing unless any of the following grounds for denial exist:
 - (A) The application is incomplete.
 - (B) The applicant has not paid all required fees in accordance with the fee schedule adopted by the Board of Supervisors.
 - (C) The applicant is delinquent in the payment of County taxes.
 - (D) A separate agritourism use permit associated with the location or the applicant was revoked within 24 months before the date of application.
 - (E) A structure proposed for an agritourism use violates any provision of this code, including the building standards in Title 7.
- (4) After a ministerial permit for farm stay or farm dinner is issued, the department will notify all owners of property within 300 feet of the farm stay or farm dinner that a permit was issued. The notice will be in writing and contain the location of the farm stay or farm dinner, contact information for the responsible party associated with the permit, contact information for county code enforcement, and a website address where the agritourism ordinance is listed.
- (5) A ministerial permit for farm stay or farm dinner expires one year from the date the permit was approved, unless it is revoked sooner.
- (6) An application to renew a ministerial permit for farm stay or farm dinner must be filed with the Department of Conservation and Development at least 30 days before the permit expires.
- (7) An application to renew a ministerial permit for farm stays or farm dinners will be approved ministerially unless any of the following grounds for denial exist:
 - (A) Any of the grounds for denial under subsection (3) exist.

- (B) The application is filed less than 30 days before the permit expires.
 - (C) The permit is revoked or is the subject of a revocation proceeding at the time of application.
- (8) A short-term rental proposed for an agricultural zoning district must comply with the permit requirements of Chapter 88-32.
- (c) Land use permit.
- (1) A land use permit is required before three or more of the following uses may be established on a lot under this division: farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or small olive oil mill without a tasting/on-site sales area and that will not host large events.
 - (2) A land use permit is required before any of the following uses may be established under this division: agricamping; bed and breakfast; farm market; farm-to table-restaurant; large olive oil mill; large winery; small olive oil mill with a tasting/on-site sales area or that will host large events; or small winery with a tasting/on-site sales area or that will host large events.
 - (3) An application to establish a land use permit under this division must contain all of the information required by Article 26-2.20 of this code.
 - (4) An application for a land use permit under this division will be decided in accordance with Article 26-2.20 of this code. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.020 Fees. Application, review, and permit fees for agritourism uses will be in amounts established by the Board of Supervisors in the Conservation and Development Department's fee schedule. (Ords. 2023-__ § 2, 2007- 23 § 2.)

824-2.022 Other Laws. Agritourism uses also may be subject to ordinances, statutes and regulations administered by other county departments, including the building department, health department, public works department, and agricultural commissioner's office, and may be subject to state and federal laws and regulations. The establishment of an agritourism use under this division does not relieve anyone from the obligation to obtain any other permit or license required by this code or state or federal law. Nothing in this division authorizes the establishment of a microenterprise home kitchen operation. (Ords. 2023-__ § 2, 2007-23 § 2.)

Chapter 824-4 GROWER STANDS, FARM STANDS, AND FARM MARKETS

824-4.002 Purpose and Intent. The purpose of this chapter is to establish zoning regulations to allow for the direct marketing of farm products from agricultural producers to consumers, which

the California Legislature has found benefits the agricultural community and the consumer. (Food and Agricultural Code, sections 47000 and following.) This chapter is intended to allow facilities that are accessory to on-site agricultural operations where agricultural products are produced to sell these products as specified, and is not intended to encourage the establishment of traditional retail stores or convenience markets in agricultural zoning districts. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-4.004 Sales Areas.

- (a) A grower stand, farm stand, or farm market may consist of one or more outdoor sales display areas, one or more structures with an indoor sales area, or both.
- (b) The total sales area of a grower stand or farm stand, including all outdoor and indoor sales areas, may not exceed 1,500 square feet.
- (c) The total sales area of a farm market, including all outdoor and indoor sales areas, may not exceed 3,500 square feet. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-4.006 Product Sales.

- (a) Grower Stands.
 - (1) A grower stand may sell farm products produced on-site or proximate to the site. Vending machines that dispense bottled or canned drinks may also be located at a grower stand.
 - (2) The sale at a grower stand of any of the following is prohibited: value-added farm products; non-agricultural items, except for bottled or canned drinks dispensed from vending machines; and farm products not produced on-site or proximate to the site.
- (b) Farm Stands.
 - (1) A farm stand may sell farm products produced on-site or proximate to the site.
 - (2) Up to 40 percent of the total sales area at a farm stand may be used for the sale of any or all of the following: value-added farm products produced on-site or proximate to the site; farm products not produced on-site or proximate to the site; and non-agricultural items. No more than 10 percent of the total sales area of a farm stand may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site.
- (c) Farm Markets.
 - (1) A farm market may sell farm products produced on-site or proximate to the site

and value-added farm products produced on-site or proximate to the site.

- (2) Up to 20 percent of the total sales area at a farm market may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site.
- (d) No petroleum products or tobacco may be sold or dispensed at any grower stand, farm stand, or farm market.
- (e) Except as otherwise provided in this chapter, nothing may be sold from a motorized vehicle at any grower stand, farm stand, or farm market unless the vehicle is owned by the property owner and all sales from the vehicle are in compliance with this chapter. (Ords. 2023-__ § 2, 2007-23 § 2.)

Chapter 824-6 WINERIES AND OLIVE OIL MILLS

824-6.002 Minimum Lot Size.

- (a) A winery may only be located on a lot with a commercial vineyard of at least five acres.
- (b) An olive oil mill may only be located on a lot with a commercial olive grove of at least five acres. (Ord. 2023-__ § 2.)

824-6.004 Accessory Facilities.

- (a) Production Facilities. The cumulative maximum floor area of all wine production facilities at a winery or all olive oil production facilities at an olive oil mill is 5,000 square feet.
- (b) Tasting/On-Site Sales Areas. The cumulative maximum floor area of all tasting areas and on-site sales areas at a winery or olive oil mill is 30 percent of the total floor area of all wine production facilities at the winery or olive oil production facilities at the olive oil mill. (Ord. 2023-__ § 2.)

824-6.006 Production Standards.

- (a) Production Capacity.
 - (1) Wineries. A small winery may produce no more than 50,000 gallons of wine annually. A large winery may produce more than 50,000 gallons of wine annually.
 - (2) Olive Oil Mills. A small olive oil mill may produce no more than 50,000 gallons of olive oil annually. A large olive oil mill may produce more than 50,000

gallons of olive oil annually.

(b) Production Ingredients.

- (1) A minimum of 25 percent of a winery's production or an olive oil mill's production must be from fruit grown on the premises.
- (2) A minimum of 50 percent of a winery's production or an olive oil mill's production must be from fruit grown in Contra Costa County.
- (3) The owner of a winery or olive oil mill must maintain records showing the total annual production amount from fruit grown on the premises and the amount from fruit imported from off the premises. The records must indicate the dates of receipt and the quantities of all imported fruit, and the name and location of the growing operation from which the fruit is imported. (Ord. 2023-__ § 2.)

824-6.008 Food Service. A winery or olive oil mill may serve food as part of a wine tasting or olive oil tasting. The following standards apply to food service at a winery or olive oil mill.

- (a) Food service must be incidental to the tasting of wine or olive oil.
- (b) Food may not be sold separately from the wine or olive oil tasting.
- (c) Food service must be limited to small appetizer-size portions with a fixed menu selected by the winery or olive oil mill. Food service may not involve menu options and meal service so that the winery or olive oil mill functions as a café or restaurant.
- (d) Food service must be limited to one food sample per type of wine or olive oil. (Ord. 2023-__ § 2.)

824-6.010 Retail Water Supplier Required. A winery with a tasting/on-site sales area or that will host large events, or an olive oil mill with a tasting/on-site sales area or that will host large events, may only be located on a lot served by a retail water supplier or within the boundaries of the East Contra Costa County Groundwater Subbasin. A "retail water supplier" is a public agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier. (Ord. 2023-__ § 2.)

824-6.012 Agricultural Activities and Promotion Plan. An agricultural activities and promotion plan must be submitted with a permit application for a winery that will host large events or an olive oil mill that will host large events. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program

associated with the winery or olive oil mill, including how the program will promote local agriculture and educate guests. (Ord. 2023-__ § 2.)

824-6.014 Winery Permits and Licenses. In addition to all other permits and licenses required by this code, state law, and federal law, a winery must have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, if required by the Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited. (Ord. 2023-__ § 2.)

824-6.016 Large Events at Wineries and Olive Oil Mills.

- (a) Except as otherwise provided for in this section, a winery or olive oil mill may not host a temporary event under Chapter 82-44, Temporary Events.
- (b) A land use permit authorizing a winery or olive oil mill may also authorize the winery or olive oil mill to host large events, consistent with Chapter 824-12. Large events that are authorized by a land use permit pursuant to this section are allowed without a separate permit. (Ord. 2023-__ § 2.)

Chapter 824-8
LODGING IN AGRICULTURAL DISTRICTS

824-8.002 Agritourism Lodging.

- (a) Agritourism lodging may be provided only in a legally established residence or legally established residential accessory structure. Agritourism lodging may not be located within agricultural employee housing, seasonal or year-round farmworker housing, or accessory dwelling units.
- (b) The minimum parcel size for an agritourism lodging establishment is 10 acres.
- (c) The owner of the land on which agritourism lodging is provided, or a tenant farmer, must reside on the property.
- (d) An agritourism lodging establishment may have a maximum of five bedrooms or sleeping rooms used for lodging.
- (e) The maximum overnight occupancy for agritourism lodging is two persons per bedroom or sleeping room. Children under 18 years of age are not counted toward occupancy. The maximum number of agritourism lodging guests that may be on the premises at any one time is 10.
- (f) An agricultural lodging establishment may not provide lodging to a guest for more than 30 consecutive days.

- (g) Food Service.
 - (A) An agricultural lodging establishment may serve food or meals at any time, but only to registered guests.
 - (B) The price of food served at a farm stay establishment or bed and breakfast establishment must be included in the price of the lodging.
 - (C) No kitchen or kitchenette facilities are allowed in a guest room within an agritourism lodging establishment.
- (h) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device outside the agritourism lodging establishment is prohibited during quiet hours.
- (i) Exterior lighting must be directed downward and away from adjacent properties.
- (j) The operator of an agricultural lodging establishment must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the lodging.
- (k) An agricultural activities and promotion plan must be submitted with the permit application. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the agricultural lodging, including how the program will promote local agriculture and educate guests.
- (l) Farm stay establishments. The following additional standard applies to farm stay establishments: the maximum number of days a farm stay establishment may host guests in a calendar year is 90 days.
- (m) Bed and breakfast establishments. The following additional standards apply to bed and breakfast establishments.
 - (1) At least 80 percent of a parcel where a bed and breakfast establishment is located must be engaged in agricultural activities and kept free of structures.
 - (2) A bed and breakfast establishment may only be located on a lot served by a retail water supplier or within the boundaries of the East Contra Costa County

Groundwater Subbasin. A “retail water supplier” is a public agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier.

- (3) In land use districts where a bed and breakfast establishment regulated by this division would otherwise be a permitted use, it is unlawful to establish a bed and breakfast establishment if the location of the bed and breakfast establishment is within one-quarter mile of any parcel occupied by any other bed and breakfast establishment. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel on which the bed and breakfast establishment will be established to any point on the property line of the other parcel.
- (4) Large events at bed and breakfast establishments.
 - (A) Except as otherwise provided for in this subsection (4), a bed and breakfast establishment may not host a temporary event under Chapter 82-44, Temporary Events.
 - (B) A land use permit authorizing a bed and breakfast establishment may also authorize the bed and breakfast establishment to host large events, consistent with Chapter 824-12. Large events that are authorized by a land use permit pursuant to this subsection (4) are allowed without a separate permit. (Ord. 2023-__ § 2.)

824-8.004 Agricamping.

- (a) Agricamping may be provided only in camping structures, including tent cabins and yurts, or in travel trailers owned by the property owner. Camping in tents, guest-owned structures, or guest-owned travel trailers is not allowed.
- (b) The minimum parcel size for an agricamping establishment is 10 acres.
- (c) The owner of the land on which agricamping is provided, or a tenant farmer, must reside on the property.
- (d) An agricamping establishment may have a maximum of five total camping structures or travel trailers.
- (e) The maximum overnight occupancy for agricamping is two persons per camping structure or travel trailer. Children under 18 years of age are not counted toward occupancy. The maximum number of agricamping guests that may be on the premises at any one time is 10.

- (f) An agricamping establishment may not provide lodging to a guest for more than 30 consecutive days.
- (g) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at the agricamping establishment is prohibited during quiet hours.
- (h) Exterior lighting must be directed downward and away from adjacent properties.
- (i) An agricamping establishment may serve food or meals at any time, but only to registered guests. No camp stove, kitchen, or kitchenette facilities are allowed in a camping structure or travel trailer.
- (j) The operator of an agricamping establishment must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the lodging.
- (k) An agricultural activities and promotion plan must be submitted with the permit application. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the agricamping, including how the program will promote local agriculture and educate guests. (Ord. 2023-__ § 2.)

Chapter 824-10 FOOD SERVICE IN AGRICULTURAL DISTRICTS

824-10.002 Farm Dinners.

- (a) Up to 12 farm dinners may be hosted at a property per year.
- (b) The maximum number of guests at a farm dinner is 30, except that one farm dinner with a maximum of 150 guests may be held at a property annually.
- (c) A farm dinner may be hosted in an existing structure, outdoors on a property, on a patio, or on a deck. If a farm dinner is hosted in an existing structure, the structure must meet all building codes and fire codes that apply to the proposed number of guests.
- (d) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be

heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at a farm dinner is prohibited during quiet hours.

- (e) Exterior lighting must be directed downward and away from adjacent properties.
- (f) The host of a farm dinner must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the farm dinner.
- (g) An agricultural activities and promotion plan must be submitted with the permit application. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the farm dinner, including how the program will promote local agriculture and educate guests.
- (h) This section does not authorize the establishment of a microenterprise home kitchen operation. Food served at a farm dinner must be prepared in accordance with all applicable local, state, and federal laws and regulations. (Ord. 2023-__ § 2.)

824-10.004 Farm-to-Table Restaurant.

- (a) A farm-to-table restaurant may be established in an existing structure or in a new structure.
- (b) The minimum parcel size for farm-to-table restaurant is 10 acres.
- (c) The maximum dining area size in a farm-to-table restaurant is 1,500 square feet.
- (d) The maximum dining area capacity in a farm-to-table restaurant is 35 guests.
- (e) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device outside the farm-to-table restaurant is prohibited during quiet hours.
- (f) Exterior lighting must be directed downward and away from adjacent properties.
- (g) Unless otherwise provided in a land use permit, at least 50 percent of the fruits and vegetables served at a farm-to-table restaurant must be grown on-site. A land use permit may, based the site's agricultural activities and seasonal impacts on production, authorize

a different percentage of fruits and vegetables grown on-site that must be served at the farm-to-table restaurant. At least 75 percent of the fruits and vegetables served at a farm-to-table restaurant must be grown within Contra Costa County.

- (h) An agricultural activities and promotion plan must be submitted with the permit application. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also demonstrate how the farm-to-table restaurant will meet the percentage requirements for fruits and vegetables that must be grown on-site. The plan must also describe the agricultural promotion program associated with the farm-to-table restaurant, including how the program will promote local agriculture and educate guests.
- (i) At least 80 percent of a parcel where a farm-to-table restaurant is located must be engaged in agricultural activities and kept free of structures.
- (j) A farm-to-table restaurant may only be located on a lot served by a retail water supplier or within the boundaries of the East Contra Costa County Groundwater Subbasin. A “retail water supplier” is a public agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier.
- (k) In land use districts where a farm-to-table restaurant regulated by this division would otherwise be a permitted use, it is unlawful to establish a farm-to-table restaurant if the location of the farm-to-table restaurant is within one mile of any parcel occupied by any other farm-to-table restaurant. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel on which the farm-to-table restaurant will be established to any point on the property line of the other parcel.
- (l) Large events at farm-to-table restaurants.
 - (1) Except as otherwise authorized provided for in this subsection (l), a farm-to-table restaurant may not host a temporary event under Chapter 82-44, Temporary Events.
 - (2) A land use permit authorizing a farm-to-table restaurant may also authorize the farm-to-table restaurant to host large events, consistent with Chapter 824-12. Large events that are authorized by a land use permit pursuant to this subsection (l) are allowed without a separate permit. (Ord. 2023-__ § 2.)

824-10.006 Mobile Food Vendors.

- (a) Except as otherwise provided for in this section, a food truck or other mobile food vendor

may not operate on any private parcel where an agritourism use is authorized under this division.

- (b) A food truck or other mobile food vendor may operate on a private parcel where an agritourism use is authorized in any of the following circumstances.
 - (1) The agritourism use is a grower stand, farm stand, or farm market, and the total number of days that a food truck or other mobile food vendor operates on the private parcel does not exceed three days in a calendar year.
 - (2) A land use permit issued under this division authorizes a food truck or other mobile food vendor to operate on the private parcel.
 - (3) The food truck or other mobile food vendor is part of a temporary event authorized under Chapter 82-44. (Ord. 2023-__ § 2.)

Chapter 824-12

LARGE EVENTS HOSTED BY AGRITOURISM USE ESTABLISHMENTS

824-12.002 Large Events – Authorized. A land use permit authorizing any of the following agritourism uses may also authorize the agritourism use establishment to host large events, consistent with this chapter.

- (a) A winery.
- (b) An olive oil mill.
- (c) A bed and breakfast establishment.
- (d) A farm-to-table restaurant. (Ord. 2023-__ § 2.)

824-12.004 Location. An agritourism use establishment may not host large events if it is located on a parcel that is within one mile of any parcel occupied by an agritourism use that is permitted under this division to host large events. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel that will host large events to any point on the property line of the other parcel. (Ord. 2023-__ § 2.)

824-12.006 Conditions.

- (a) Number of large events.
 - (1) A land use permit that authorizes large events at an agritourism use establishment must limit the annual maximum number of large events for the purposes of maintaining the agricultural nature of the property and reasonably limiting impacts on neighbors. In imposing conditions regulating the maximum number of

large events, the zoning administrator may consider the lot size of the event venue, parking available 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 large events with neighboring uses, and the degree to which large events conflict with the property's primary use of agriculture.

- (2) The number of large events allowed by a land use permit at an agritourism use establishment may not exceed the following amounts annually.
 - (A) On a parcel of less than 40 acres, the maximum number of large events an agricultural use establishment may host in a calendar year is six.
 - (B) On a parcel of 40 or more acres, the maximum number of large events an agricultural use establishment may host in a calendar year is 26.
- (b) Number of people. A land use permit that authorizes large events at an agritourism use establishment must limit the maximum number of people allowed at each event for the purposes of reasonably limiting impacts on traffic, parking, and neighbors. In imposing conditions regulating the maximum number of people, the zoning administrator may consider 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.
- (c) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours, during which noise must be restricted such that it cannot be heard from neighboring properties, shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at a large event is prohibited during quiet hours.
- (d) Exterior lighting must be directed downward and away from adjacent properties. (Ord. 2023-__ § 2.)

SECTION 3. Chapter 88-20 of the County Ordinance Code is repealed.

SECTION 4. Section 84-82.404 of the County Ordinance Code is amended to read:

84-82.404 Differences from A-20 district.

The following regulations for A-40 districts are different from those for A-20 districts:

- (1) Uses with land use permit. No land use permit may be issued in an A-40 district for the uses listed in subsections (11) through (15) of Section 84-80.404.
- (2) Area. No building or other structure permitted in an A-40 district shall be erected or

placed on a lot smaller than 40 acres in area. (Ords. 2023-__ § 4, 2017-14 § 17, 79-108.)

SECTION 5. Section 84-84.404 of the County Ordinance Code is amended to read:

84-84.404 Differences from A-20 district.

The following regulations for A-80 districts are different from those for A-20 districts:

- (1) Uses with land use permit. No land use permit may be issued in an A-20 district for the uses listed in subsections (11) through (15) of Section 84-80.404.
- (2) Area. No building or other structure permitted in an A-80 district shall be erected or placed on a lot smaller than 80 acres in area. (Ords. 2023-__ § 5, 2018-18 § 5, 2017-14 § 17, 79-108.)

SECTION 6. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: Monica Nino,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By: _____
Deputy

[SEAL]

TLG:

ORDINANCE NO. 2023-___ **DRAFT**

AUTHORIZING AGRITOURISM USES IN AGRICULTURAL ZONING DISTRICTS

The Contra Costa County Board of Supervisors ordains as follows (omitting the parenthetical footnotes from the official text of the enacted or amended provisions of the County Ordinance Code):

SECTION 1. SUMMARY. This ordinance establishes size and location standards, sales requirements, and other regulations governing agritourism uses in agricultural zoning districts. This ordinance also recodifies Chapter 88-20 (Agricultural Farm Stands and Farm Markets) as Chapter 824-4 (Grower Stands, Farm Stands, and Farm Markets). This ordinance also amends Chapters 84-82 and 84-84 to allow stables in A-40 and A-80 agricultural zoning districts with the issuance of a land use permit.

SECTION 2. Division 824 is added to the County Ordinance Code, to read:

**Division 824
AGRITOURISM**

**Chapter 824-2
GENERAL AGRITOURISM REGULATIONS**

824-2.002 Purpose and Intent. The purpose of this division is to establish zoning regulations to allow for a variety of agritourism uses in agricultural zoning districts. Agritourism uses are uses that are located at a working farm, ranch, or other agricultural operation; are accessory to a primary agricultural use; are conducted for the enjoyment and education of visitors, guests, or clients; and generate income for the owner or operator of the working farm, ranch, or other agricultural operation. (Ord. 2023-___ § 2.)

824-2.004 Definitions. For purposes of this division, the following words and phrases have the following meanings:

- (a) “Agricamping establishment” means an establishment that provides food and lodging in accordance with this division.
- (b) “Agritourism lodging establishment” means a residence in an agricultural zoning district that is used as a bed and breakfast establishment, or a farm stay establishment, ~~or a short-term rental that complies with Chapter 88-32.~~
- (c) “Agritourism use” means any of the following uses located in an agricultural zoning district: agricamping; agritourism lodging establishment; farm dinner; farm market; farm stand; farm-to-table restaurant; grower stand; olive oil mill; or winery.
- (d) “Bed and breakfast establishment” means an establishment that provides food and

lodging in accordance with this division.

- (e) “Farm dinner” means an occasion where food is provided in accordance with this division.
- (f) “Farm market” means an area accessory to an on-site agricultural operation that is used to sell farm products, value-added farm products, and non-agricultural items, as specified, where the total sales area does not exceed 3,500 square feet.
- (g) “Farm product” includes any of the following in its raw or natural state: any agricultural, horticultural, viticultural, or vegetable product of the soil; poultry products; livestock products; and apiary products. “Farm product” does not include any livestock, poultry, fish, or shellfish.
- (h) “Farm stand” means an area accessory to an on-site agricultural operation that is used primarily to sell farm products, value-added farm products, and non-agricultural items, as specified, where the total sales area does not exceed 1,500 square feet.
- (i) “Farm stay establishment” means an establishment that provides food and lodging in accordance with this division.
- (j) “Farm-to-table restaurant” means a restaurant that provides food in accordance with this division.
- (k) “Grower stand” means an area accessory to an on-site agricultural operation that is used to sell farm products produced on-site or proximate to the site, as specified, where the total sales area does not exceed 1,500 square feet.
- (l) “Large event” means an occasion at an agritourism use establishment organized for a particular and limited purpose and time, not to exceed three consecutive days, and is an organized assemblage that exceeds 75 persons.
- (m) “Non-agricultural item” means any item offered for sale other than farm products and value-added farm products.
- (n) “Olive oil mill” means an operation for the processing of olives into olive oil. An olive oil mill may be a small olive oil mill or a large olive oil mill.
- (o) “Olive oil production facility” means a facility or facilities at an olive oil mill used for any of the following activities or uses: harvesting, milling, pressing, and crushing fresh olives; extraction and blending of olive oil; bottling and labeling of olive oil; storage of olive oil; laboratory facilities; administrative offices; shipping, receiving, and distribution of olive oil; equipment storage and repair; composting and removal of olive pomace and other agricultural product waste, and agricultural wastewater treatment. A tasting area or on-site sales area at an olive oil mill is not part of the olive oil production facility at the olive oil mill.

- (p) “Responsible party” means a person that is designated by the applicant as a point of contact for the agritourism use.
- (q) “Value-added farm product” means a farm product that has been changed from its natural state to an item in a different form through canning, drying, freezing, preserving, fermenting, compounding, processing, packing, or a similar alteration, so as to increase the value of the farm product.
- (r) “Wine production facility” means a facility or facilities at a winery used for any of the following activities or uses: crushing or pressing grapes; fermenting wine; aging wine; processing and blending of wine; bottling and labeling of wine; storage of wine in cellars, vats, barrels, bottles, or cases; laboratory facilities; administrative offices; shipping, receiving, and distribution of wine; truck scales; equipment storage and repair; composting of grape byproducts and other agricultural product waste, and agricultural wastewater treatment. A tasting area or on-site sales area at a winery is not part of the wine production facility at the winery.
- (s) “Winery” means an operation for the fermentation and processing of grapes into wine, or the refermentation of still wine into sparkling wine. A winery may be a small winery or a large winery. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.006 Location.

- (a) An agritourism use that complies with the provisions of this division may be located on any legal lot in an agricultural district (A-2, A-3, A-4, A-20, A-40, and A-80).
- (b) Multiple agritourism uses may be permitted on the same lot, except as follows:
 - (1) A farm stay establishment and a bed and breakfast establishment may not be permitted on the same lot.
 - (2) A farm dinner and a farm-to-table restaurant may not be permitted on the same lot.
 - (3) A farm market and a farm stand may not be permitted on the same lot.
 - (4) A farm market and a grower stand may not be permitted on the same lot.
 - (5) A farm stand and a grower stand may not be permitted on the same lot.
 - (6) A small olive oil mill and a large olive oil mill may not be permitted on the same lot.
 - (7) A small winery and a large winery may not be permitted on the same lot. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.008 Accessory Use. An agritourism use is allowed only if it is an accessory use on a property that is used for agriculture, as defined in Section 82-4.206. If property is located in an agricultural zoning district but the property is not used for agriculture, then no agritourism use is allowed on the property. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.010 Parking.

- (a) Adequate parking for consumers and employees must be provided at an agritourism use. If an agritourism use consists of a structure, one off-street parking space must be provided for each 300 square feet of structural floor area, with a minimum of two parking spaces. Each required off-street parking space must be at least nine feet by 19 feet in size. The required parking spaces may be dirt or gravel. The required parking spaces need not be paved, striped, or otherwise improved, but must be identifiable. Parking spaces must be oriented such that vehicles are not required to back onto a public road.
- (b) Safe access to and from a public road must be provided with a durable, dustless surface, such as compacted gravel or a similar permeable surface, or asphalt, except that within 20 feet of a public road all access surfaces must be asphalt. A defined point of ingress and egress must be provided. An encroachment permit must be obtained for a new point of access to a public road.
- (c) The parking requirements of Chapter 82-16 do not apply to this division. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.012 Signs.

- (a) One or more on-site commercial signs are allowed on a lot with an agritourism use. An “on-site commercial sign” is a sign that directs attention to the business activity conducted or products sold or produced on the lot where the agritourism use is located.
- (b) The following on-site commercial signs may be located on a lot with an agritourism use:
 - (1) One free-standing on-site commercial sign that does not exceed 12 feet in height or the height of the tallest structure, whichever is lower, and whose total display surface area does not exceed 32 square feet if the sign is single-sided or 64 square feet if the sign is double-sided.
 - (2) Additional on-site commercial signs that are affixed directly to any structure with an indoor sales area.
 - (3) One or more additional free-standing on-site commercial signs. No additional free-standing sign shall exceed 12 feet in height or have a display surface area greater than 16 square feet.

- (c) The total display surface area of all on-site commercial signs on a lot with an agritourism use shall not exceed 128 square feet.
- (d) An on-site commercial sign may not encroach on any public right of way and may not conflict with any applicable sight distance.
- (e) An on-site commercial sign may not be illuminated unless expressly authorized by a land use permit. All illuminated signs shall be directed, oriented, and shielded to prevent light trespass or glare onto adjacent properties, public rights-of-way, and driveway areas. The land use permit may include conditions as to the time, intensity, direction, and quality of illumination to mitigate any negative impacts of illumination.
- (f) All signs and sign structures shall be maintained in a safe and structurally sound manner free from deterioration, rust, rot, and loose parts. Each sign face must be clean and neatly painted at all times.
- (g) A temporary on-site commercial sign must be removed when not in use.
- (h) An on-site commercial sign or signs authorized by this division may contain noncommercial copy in lieu of other copy. Nothing in this division may be construed as regulating or restricting the use of noncommercial copy or message on any sign allowed under this section.
- (i) If an agritourism use is lawfully established under the provisions of this division, on-site commercial signs that meet the requirements of this section are allowed without a separate permit.
- (j) Off-site commercial signs are prohibited on a lot with an agritourism use. An “off-site commercial sign” is an advertising sign that directs attention to a business activity conducted or product or services sold or offered at a location not on the lot where the agritourism use is located. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.014 Height and Setbacks. An agritourism use must comply with the height and setback requirements that apply in the zone in which the property is located. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.016 Events. Except as otherwise provided for in this division, the requirements of Chapter 82-44, Temporary Events, apply to this division. (Ord. 2023-__ § 2.)

824-2.018 Permits.

- (a) No permit. No permit is required under this division for a grower stand that meets the standards contained in this division.

(b) Ministerial permit.

- (1) Unless a land use permit is otherwise required by subsection (c), below, a ministerial permit is required before any of the following uses may be established under this division: farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or small olive oil mill without a tasting/on-site sales area and that will not host large events.
- (2) An application for a ministerial permit must be made in writing and contain sufficient information to allow the Department of Conservation and Development to determine if the agritourism use will meet the standards in this division.
- (3) An application for a ministerial permit will be approved without discretionary review or public hearing unless any of the following grounds for denial exist:
 - (A) The application is incomplete.
 - (B) The applicant has not paid all required fees in accordance with the fee schedule adopted by the Board of Supervisors.
 - (C) The applicant is delinquent in the payment of County taxes.
 - (D) A separate agritourism use permit associated with the location or the applicant was revoked within 24 months before the date of application.
 - (E) A structure proposed for an agritourism use violates any provision of this code, including the building standards in Title 7.
- (4) After a ministerial permit for farm stay or farm dinner is issued, the department will notify all owners of property within 300 feet of the farm stay or farm dinner that a permit was issued. The notice will be in writing and contain the location of the farm stay or farm dinner, contact information for the responsible party associated with the permit, contact information for county code enforcement, and a website address where the agritourism ordinance is listed.
- (5) A ministerial permit for farm stay or farm dinner expires one year from the date the permit was approved, unless it is revoked sooner.
- (6) An application to renew a ministerial permit for farm stay or farm dinner must be filed with the Department of Conservation and Development at least 30 days before the permit expires.
- (7) An application to renew a ministerial permit for farm stays or farm dinners will be approved ministerially unless any of the following grounds for denial exist:

- (A) Any of the grounds for denial under subsection (3) exist.
 - (B) The application is filed less than 30 days before the permit expires.
 - (C) The permit is revoked or is the subject of a revocation proceeding at the time of application.
- (8) A short-term rental proposed for an agricultural zoning district must comply with the permit requirements of Chapter 88-32.
- (c) Land use permit.
- (1) A land use permit is required before three or more of the following uses may be established on a lot under this division: farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or small olive oil mill without a tasting/on-site sales area and that will not host large events.
 - (2) A land use permit is required before any of the following uses may be established under this division: agricamping; bed and breakfast; farm market; farm-to table-restaurant; large olive oil mill; large winery; small olive oil mill with a tasting/on-site sales area or that will host large events; or small winery with a tasting/on-site sales area or that will host large events.
 - (3) An application to establish a land use permit under this division must contain all of the information required by ~~a~~Article 26-2.20 of this code.
 - (4) An application for a land use permit under this division will be decided in accordance with ~~a~~Article 26-2.20 of this code. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-2.020 Fees. Application, review, and permit fees for agritourism uses will be in amounts established by the Board of Supervisors in the Conservation and Development Department's fee schedule. (Ords. 2023-__ § 2, 2007- 23 § 2.)

824-2.022 Other Laws. Agritourism uses also may be subject to ordinances, statutes and regulations administered by other county departments, including the building department, health department, public works department, and agricultural commissioner's office, and may be subject to state and federal laws and regulations. The establishment of an agritourism use under this division does not relieve anyone from the obligation to obtain any other permit or license required by this code or state or federal law. Nothing in this division authorizes the establishment of a microenterprise home kitchen operation. (Ords. 2023-__ § 2, 2007-23 § 2.)

Chapter 824-4 GROWER STANDS, FARM STANDS, AND FARM MARKETS

824-4.002 Purpose and Intent. The purpose of this chapter is to establish zoning regulations to allow for the direct marketing of farm products from agricultural producers to consumers, which the California Legislature has found benefits the agricultural community and the consumer. (Food and Agricultural Code, sections 47000 and following.) This chapter is intended to allow facilities that are accessory to on-site agricultural operations where agricultural products are produced to sell these products as specified, and is not intended to encourage the establishment of traditional retail stores or convenience markets in agricultural zoning districts. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-4.004 Sales Areas.

- (a) A grower stand, farm stand, or farm market may consist of one or more outdoor sales display areas, one or more structures with an indoor sales area, or both.
- (b) The total sales area of a grower stand or farm stand, including all outdoor and indoor sales areas, may not exceed 1,500 square feet.
- (c) The total sales area of a farm market, including all outdoor and indoor sales areas, may not exceed 3,500 square feet. (Ords. 2023-__ § 2, 2007-23 § 2.)

824-4.006 Product Sales.

- (a) Grower Stands.
 - (1) A grower stand may sell farm products produced on-site or proximate to the site. Vending machines that dispense bottled or canned drinks may also be located at a grower stand.
 - (2) The sale at a grower stand of any of the following is prohibited: value-added farm products; non-agricultural items, except for bottled or canned drinks dispensed from vending machines; and farm products not produced on-site or proximate to the site.
- (b) Farm Stands.
 - (1) A farm stand may sell farm products produced on-site or proximate to the site.
 - (2) Up to 40 percent of the total sales area at a farm stand may be used for the sale of any or all of the following: value-added farm products produced on-site or proximate to the site; farm products not produced on-site or proximate to the site; and non-agricultural items. No more than 10 percent of the total sales area of a farm stand may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site.

- (c) Farm Markets.
- (1) A farm market may sell farm products produced on-site or proximate to the site and value-added farm products produced on-site or proximate to the site.
 - (2) Up to 20 percent of the total sales area at a farm market may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site.
- (d) No petroleum products or tobacco may be sold or dispensed at any grower stand, farm stand, or farm market.
- ~~(e)~~ ~~Nothing~~(e) Except as otherwise provided in this chapter, nothing may be sold from a motorized vehicle at any grower stand, farm stand, or farm market unless the vehicle is owned by the property owner and all sales from the vehicle are in compliance with this chapter. (Ords. 2023-__ § 2, 2007-23 § 2.)

Chapter 824-6 WINERIES AND OLIVE OIL MILLS

824-6.002 Minimum Lot Size.

- (a) A winery may only be located on a lot with a commercial vineyard of at least five acres.
- (b) An olive oil mill may only be located on a lot with a commercial olive grove of at least five acres. (Ord. 2023-__ § 2.)

824-6.004 Accessory Facilities.

- (a) Production Facilities. The cumulative maximum floor area of all wine production facilities at a winery or all olive oil production facilities at an olive oil mill is 5,000 square feet.
- ~~(b)~~ Tasting/On-Site Sales Areas. The cumulative maximum floor area of all tasting areas and on-site sales areas at a winery or olive oil mill is 30 percent of the total floor area of all wine production facilities at the winery or olive oil production facilities at the olive oil mill.
- ~~(e)(b)~~ ~~At least 80 percent of the parcel where a winery or olive oil mill is located must be engaged in agricultural activities and kept free of structures. An agricultural/farming plan must be submitted with the permit application, and annually thereafter. The agricultural/farming plan must include a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities.~~ (Ord. 2023-__ § 2.)

824-6.006 Production Standards.

(a) Production Capacity.

- (1) Wineries. A small winery may produce no more than 50,000 gallons of wine annually. A large winery may produce more than 50,000 gallons of wine annually.
- (2) Olive Oil Mills. A small olive oil mill may produce no more than 50,000 gallons of olive oil annually. A large olive oil mill may produce more than 50,000 gallons of olive oil annually.

(b) Production Ingredients.

- (1) A minimum of 25 percent of a winery's production or an olive oil mill's production must be from fruit grown on the premises.
- (2) A minimum of 50 percent of a winery's production or an olive oil mill's production must be from fruit grown in Contra Costa County.
- (3) The owner of a winery or olive oil mill must maintain records showing the total annual production amount from fruit grown on the premises and the amount from fruit imported from off the premises. The records must indicate the dates of receipt and the quantities of all imported fruit, and the name and location of the growing operation from which the fruit is imported. (Ord. 2023-__ § 2.)

824-6.008 Food Service. A winery or olive oil mill may serve food as part of a wine tasting or olive oil tasting. The following standards apply to food service at a winery or olive oil mill.

- (a) Food service must be incidental to the tasting of wine or olive oil.
- (b) Food may not be sold separately from the wine or olive oil tasting.
- (c) Food service must be limited to small appetizer-size portions with a fixed menu selected by the winery or olive oil mill. Food service may not involve menu options and meal service so that the winery or olive oil mill functions as a café or restaurant.
- (d) Food service must be limited to one food sample per type of wine or olive oil. (Ord. 2023-__ § 2.)

824-6.010 Retail Water Supplier Required. A winery with a tasting/on-site sales area or that will host large events, or an olive oil mill with a tasting/on-site sales area or that will host large events, may only be located on a lot served by a retail water supplier- or within the boundaries of the East Contra Costa County Groundwater Subbasin. A "retail water supplier" is a public

agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier. (Ord. 2023-__ § 2.)

824-6.012824-6.012 Agricultural Activities and Promotion Plan. An agricultural activities and promotion plan must be submitted with a permit application for a winery that will host large events or an olive oil mill that will host large events. The plan must demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the winery or olive oil mill, including how the program will promote local agriculture and educate guests. (Ord. 2023-__ § 2.)

824-6.014 Winery Permits and Licenses. In addition to all other permits and licenses required by this code, state law, and federal law, a winery must have a valid permit and bond issued by the U.S. Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau, if required by the Bureau, and a current 02 Winegrowers license issued by the California Department of Alcoholic Beverage Control. Licenses issued by the California Department of Alcoholic Beverage Control that allow other types of alcohol sales are prohibited. (Ord. 2023-__ § 2.)

824-6.0146 Large Events at Wineries and Olive Oil Mills.

- (a) Except as otherwise provided for in this section, a winery or olive oil mill may not host a temporary event under Chapter 82-44, Temporary Events.
- (b) A land use permit authorizing a winery or olive oil mill may also authorize the winery or olive oil mill to host large events, consistent with Chapter 824-12. Large events that are authorized by a land use permit pursuant to this section are allowed without a separate permit. (Ord. 2023-__ § 2.)

Chapter 824-8 LODGING IN AGRICULTURAL DISTRICTS

824-8.002 Agritourism Lodging.

- (a) Agritourism lodging may be provided only in a legally established residence- or legally established residential accessory structure. Agritourism lodging may not be located within agricultural employee housing, seasonal or year-round farmworker housing, or accessory dwelling units.
- (b) The minimum parcel size for an agritourism lodging establishment is 10 acres.
- (c) The owner of the land on which agritourism lodging is provided, or a tenant farmer, must reside on the property.

- (d) An agritourism lodging establishment may have a maximum of five bedrooms or sleeping rooms used for lodging.
- (e) The maximum overnight occupancy for agritourism lodging is two persons per bedroom or sleeping room. Children under ~~three~~18 years of age are not counted toward occupancy. The maximum number of agritourism lodging guests that may be on the premises at any one time is 10.

(f) An agricultural lodging establishment may not provide lodging to a guest for more than 30 consecutive days.

(g) Food Service.

(A) ~~A farm stay~~An agricultural lodging establishment may serve food or meals at any time, but only to registered guests.

~~(B) A bed and breakfast establishment may serve only breakfast, and only to registered guests.~~

~~(C)~~(B) The price of food served at a farm stay establishment or bed and breakfast establishment must be included in the price of the lodging.

~~(D) A short term rental may not serve food or meals to guests.~~

~~(E)~~(C) No kitchen or kitchenette facilities are allowed in a guest room within an agritourism lodging establishment.

(g)(h) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device outside the agritourism lodging establishment is prohibited during quiet hours.

(h)(i) Exterior lighting must be directed downward and away from adjacent properties.

(i)(j) The operator of an agricultural lodging establishment must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the lodging.

(j)(k) An agricultural activities and promotion plan must be submitted with the permit application. The ~~agricultural promotion~~ plan must demonstrate that the primary use of the land is for agriculture and that by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of

agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the agricultural lodging, including how the program will promote local agriculture and educate guests.

~~(k)~~(l) Farm stay establishments. The following additional standard applies to farm stay establishments: the maximum number of days a farm stay establishment may host guests in a calendar year is 90 days.

~~(l)~~(m) Bed and breakfast establishments. The following additional standards apply to bed and breakfast establishments.

- (1) At least 80 percent of a parcel where a bed and breakfast establishment is located must be engaged in agricultural activities and kept free of structures. ~~An agricultural/farming plan must be submitted with the permit application, and annually thereafter. The agricultural/farming plan must include a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities.~~
- (2) A bed and breakfast establishment may only be located on a lot served by a retail water supplier or within the boundaries of the East Contra Costa County Groundwater Subbasin. A “retail water supplier” is a public agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier.
- (3) In land use districts where a bed and breakfast establishment regulated by this division would otherwise be a permitted use, it is unlawful to establish a bed and breakfast establishment if the location of the bed and breakfast establishment is within one-quarter mile of any parcel occupied by any other bed and breakfast establishment. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel on which the bed and breakfast establishment will be established to any point on the property line of the other parcel.
- (4) Large events at bed and breakfast establishments.
 - (A) Except as otherwise provided for in this subsection (4), a bed and breakfast establishment may not host a temporary event under Chapter 82-44, Temporary Events.
 - (B) A land use permit authorizing a bed and breakfast establishment may also authorize the bed and breakfast establishment to host large events, consistent with Chapter 824-12. Large events that are authorized by a

land use permit pursuant to this subsection (4) are allowed without a separate permit. (Ord. 2023-__ § 2.)

824-8.004 Agricamping.

- (a) Agricamping may be provided only in camping structures, including tent cabins and yurts, or in travel trailers owned by the property owner. Camping in tents, guest-owned structures, or tents guest-owned travel trailers is not allowed.
- (b) The minimum parcel size for an agricamping establishment is 10 acres.
- (c) The owner of the land on which agricamping is provided, or a tenant farmer, must reside on the property.
- (d) An agricamping establishment may have a maximum of five total camping structures or travel trailers.
- (e) The maximum overnight occupancy for agricamping is two persons per camping structure or travel trailer. Children under ~~three~~18 years of age are not counted toward occupancy. The maximum number of agricamping guests that may be on the premises at any one time is 10.
- ~~(f)~~ An agricamping establishment may not provide lodging to a guest for more than 30 consecutive days.
- ~~(g)~~(g) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at the agricamping establishment is prohibited during quiet hours.
- ~~(g)~~(h) Exterior lighting must be directed downward and away from adjacent properties.
- ~~(h)~~(i) An agricamping establishment may serve food or meals at any time, but only to registered guests. No camp stove, kitchen, or kitchenette facilities are allowed in a camping structure or travel trailer.
- ~~(i)~~(j) The operator of an agricamping establishment must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the lodging.
- ~~(j)~~(k) An agricultural activities and promotion plan must be submitted with the permit application. The ~~agricultural promotion~~ plan must demonstrate that the primary use of the land is for agriculture ~~and that~~ by including a map of the parcel, the location of

agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the agricultural lodgingagricamping, including how the program will promote local agriculture and educate guests. (Ord. 2023-__ § 2.)

Chapter 824-10

FOOD SERVICE IN AGRICULTURAL DISTRICTS

824-10.002 Farm Dinners.

- (a) Up to 12 farm dinners may be hosted at a property per year.
- (b) The maximum number of guests at a farm dinner is 30, except that one farm dinner with a maximum of 150 guests may be held at a property annually.
- (c) A farm dinner may be hosted in an existing structure, outdoors on a property, on a patio, or on a deck. If a farm dinner is hosted in an existing structure, the structure must meet all building codes and fire codes that apply to the proposed number of guests.
- (d) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at a farm dinner is prohibited during quiet hours.
- (e) Exterior lighting must be directed downward and away from adjacent properties.
- (f) The host of a farm dinner must engage in a program of agricultural promotion and guest education regarding the agricultural activities on site and in the area. The program may include active participation in the on-site agricultural activities as part of the consideration for the farm dinner.
- (g) An agricultural activities and promotion plan must be submitted with the permit application. The ~~agricultural promotion~~ plan must demonstrate that the primary use of the land is for agriculture ~~and that~~ by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also describe the agricultural promotion program associated with the farm dinner, including how the program will promote local agriculture and educate guests.
- (h) This section does not authorize the establishment of a microenterprise home kitchen operation. Food served at a farm dinner must be prepared in accordance with all applicable local, state, and federal laws and regulations. (Ord. 2023-__ § 2.)

824-10.004 Farm-to-Table Restaurant.

- (a) A farm-to-table restaurant may be established in an existing structure or in a new structure.
- (b) The minimum parcel size for farm-to-table restaurant is 10 acres.
- (c) The maximum dining area size in a farm-to-table restaurant is 1,500 square feet.
- (d) The maximum dining area capacity in a farm-to-table restaurant is 35 guests.
- (e) Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours during which noise must be restricted such that it cannot be heard from neighboring properties shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device outside the farm-to-table restaurant is prohibited during quiet hours.
- (f) Exterior lighting must be directed downward and away from adjacent properties.
- (g) ~~At~~Unless otherwise provided in a land use permit, at least 50 percent of the fruits and vegetables served at a farm-to-table restaurant must be grown on-site. A land use permit may, based on the site's agricultural activities and seasonal impacts on production, authorize a different percentage of fruits and vegetables grown on-site that must be served at the farm-to-table restaurant. At least 75 percent of the fruits and vegetables served at a farm-to-table restaurant must be grown within Contra Costa County.
- (h) ~~At least 80 percent of a parcel where a farm-to-table restaurant is located must be engaged in agricultural activities and kept free of structures. An agricultural/farming promotion plan must be submitted with the permit application, and annually thereafter. The agricultural/farming plan must include demonstrate that the primary use of the land is for agriculture by including a map of the parcel, the location of agritourism use(s), the location of any other structures, the locations and type of agricultural activities to be conducted on the parcel, and the total percentage of parcel area engaged in agricultural activities. The plan must also demonstrate how the farm-to-table restaurant will meet the percentage requirements for fruits and vegetables that must be grown on-site. The plan must also describe the agricultural promotion program associated with the farm-to-table restaurant, including how the program will promote local agriculture and educate guests.~~
- (i) At least 80 percent of a parcel where a farm-to-table restaurant is located must be engaged in agricultural activities and kept free of structures.
- ~~(j)~~ (j) A farm-to-table restaurant may only be located on a lot served by a retail water supplier or within the boundaries of the East Contra Costa County Groundwater Subbasin. A

“retail water supplier” is a public agency, city, county, or investor-owned water utility regulated by the state Public Utilities Commission that provides retail water service. A mutual water company is not a retail water supplier.

~~(k)~~ In land use districts where a farm-to-table restaurant regulated by this division would otherwise be a permitted use, it is unlawful to establish a farm-to-table restaurant if the location of the farm-to-table restaurant is within one mile of any parcel occupied by any other farm-to-table restaurant. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel on which the farm-to-table restaurant will be established to any point on the property line of the other parcel.

~~(l)~~ Large events at farm-to-table restaurants.

- (1) Except as otherwise authorized provided for in this subsection (~~(k)~~), a farm-to-table restaurant may not host a temporary event under Chapter 82-44, Temporary Events.
- (2) A land use permit authorizing a farm-to-table restaurant may also authorize the farm-to-table restaurant to host large events, consistent with Chapter 824-12. Large events that are authorized by a land use permit pursuant to this subsection (~~(k)~~) are allowed without a separate permit. (Ord. 2023-__ § 2.)

824-10.006 Mobile Food Vendors. A

~~(a) Except as otherwise provided for in this section, a food truck or other mobile food vendor may not operate on any private parcel where an agritourism use is authorized under this division, except as otherwise allowed by.~~

~~(b) A food truck or other mobile food vendor may operate on a private parcel where an agritourism use is authorized in any of the following circumstances.~~

~~(1) The agritourism use is a grower stand, farm stand, or farm market, and the total number of days that a food truck or other mobile food vendor operates on the private parcel does not exceed three days in a calendar year.~~

~~(2) A land use permit or as issued under this division authorizes a food truck or other mobile food vendor to operate on the private parcel.~~

~~(3) The food truck or other mobile food vendor is part of a permitted large temporary event authorized under Chapter 82-44. (Ord. 2023-__ § 2.)~~

Chapter 824-12 LARGE EVENTS HOSTED BY AGRITOURISM USE ESTABLISHMENTS

824-12.002 Large Events – Authorized. A land use permit authorizing any of the following agritourism uses may also authorize the agritourism use establishment to host large events, consistent with this chapter.

- (a) A winery.
- (b) An olive oil mill.
- (c) A bed and breakfast establishment.
- (d) A farm-to-table restaurant. (Ord. 2023-__ § 2.)

824-12.004 Location. An agritourism use establishment may not host large events if it is located on a parcel that is within one mile of any parcel occupied by an agritourism use that is permitted under this division to host large events. For the purposes of this subsection, distance is measured by the shortest line connecting any point on the property line of the parcel that will host large events to any point on the property line of the other parcel. (Ord. 2023-__ § 2.)

824-12.006 Conditions.

- (a) Number of large events.
 - (1) A land use permit that authorizes large events at an agritourism use establishment must limit the annual maximum number of large events for the purposes of maintaining the agricultural nature of the property and reasonably limiting impacts on neighbors. In imposing conditions regulating the maximum number of large events, the zoning administrator may consider the lot size of the event venue, parking available 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 large events with neighboring uses, and the degree to which large events conflict with the property's primary use of agriculture.
 - (2) The number of large events allowed by a land use permit at an agritourism use establishment may not exceed the following amounts annually.
 - (A) On a parcel of less than 40 acres, the maximum number of large events an agricultural use establishment may host in a calendar year is six.
 - (B) On a parcel of 40 or more acres, the maximum number of large events an agricultural use establishment may host in a calendar year is ~~12~~26.
 - ~~(2) — No more than one large event may be hosted in a calendar month.~~
- ~~(b) —~~ Number of people.

~~(e)(b)~~ A land use permit ~~authorizing~~that authorizes large events at an agritourism use establishment must limit the maximum number of people allowed at ~~aneach~~ event for the purposes of ~~minimizing~~reasonably limiting impacts on traffic, parking, and neighbors. In imposing conditions regulating the maximum number of people ~~allowed at an event~~, the zoning administrator may consider 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.

~~(1) — On a parcel of less than 40 acres, the maximum number of people allowed at a large event may not exceed 75.~~

~~(d)(c)~~ Excessive noise that significantly impairs the quiet enjoyment of neighboring properties is prohibited. Quiet hours, during which noise must be restricted such that it cannot be heard from neighboring properties, shall be between 10:00 p.m. and 7:00 a.m. the following morning. The amplification of sound by any device at a large event is prohibited during quiet hours.

~~(e)(d)~~ Exterior lighting must be directed downward and away from adjacent properties. (Ord. 2023-__ § 2.)

SECTION 3. Chapter 88-20 of the County Ordinance Code is repealed.

SECTION 4. Section 84-82.404 of the County Ordinance Code is amended to read:

84-82.404 Differences from A-20 district.

The following regulations for A-40 districts are different from those for A-20 districts:

- (1) Uses with land use permit. No land use permit may be issued in an A-40 district for the uses listed in subsections (11) through (15) of Section 84-80.404.
- (2) Area. No building or other structure permitted in an A-40 district shall be erected or placed on a lot smaller than 40 acres in area. (Ords. 2023-__ § 4, 2017-14 § 17, 79-108.)

SECTION 5. Section 84-84.404 of the County Ordinance Code is amended to read:

84-84.404 Differences from A-20 district.

The following regulations for A-80 districts are different from those for A-20 districts:

- (1) Uses with land use permit. No land use permit may be issued in an A-20 district for the uses listed in subsections (11) through (15) of Section 84-80.404.

- (2) Area. No building or other structure permitted in an A-80 district shall be erected or placed on a lot smaller than 80 acres in area. (Ords. 2023-__ § 5, 2018-18 § 5, 2017-14 § 17, 79-108.)

SECTION 6. EFFECTIVE DATE. This ordinance becomes effective 30 days after passage, and within 15 days after passage shall be published once with the names of supervisors voting for or against it in the East Bay Times, a newspaper published in this County.

PASSED on _____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: Monica Nino,
Clerk of the Board of Supervisors
and County Administrator

Board Chair

By: _____
Deputy

[SEAL]

TLG:

Attachment C – REVISED Table of Agritourism Uses

<u>Agritourism Use</u>	<u>Type of Permit</u>	<u>Minimum Lot Area</u>	<u>Maximum Occupancy/ Sales/Floor Area/ Frequency of Activity</u>	<u>Food Sold</u>	<u>Other Noteworthy Requirements</u>
Grower Stands, Farm Stands, Farm Markets					
grower stand	None	None	1,500 sq. ft.	Yes, only as permitted by Section 824-4.006 (e)	<ul style="list-style-type: none"> ▪ Sale of farm products produced on-site or proximate to the site, including bottled or canned drinks ▪ Food truck or mobile food vendor owned by the property owner may operate on the private parcel for not more than three days in a calendar year.
farm stand	Ministerial**	None	1,500 sq. ft.	Yes, see Section 824-4.006 (b) and (e)	<ul style="list-style-type: none"> ▪ Sale of farm products produced on-site or proximate to the site. ▪ Up to 40 percent of the total sales area used for the sale of value-added farm products produced on-site or proximate to the site; farm products not produced on-site or proximate to the site; and non-agricultural items. ▪ No more than 10 percent of the total sales area of a farm stand may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site. ▪ Food truck or mobile food vendor owned by the property owner may operate on the private parcel for not more than three days in a calendar year.
farm market	Land Use Permit	None	3,500 sq. ft.	Yes, see Section 824-4.006 (c) and (e)	<ul style="list-style-type: none"> ▪ Sale of farm products produced on-site or proximate to the site and value-added farm products produced on-site or proximate to the site. ▪ Up to 20 percent of the total sales area may be used for the sale of either or both of the following: non-agricultural items and farm products not produced on-site or proximate to the site. ▪ Food truck or mobile food vendor owned by the property owner may operate on the private parcel for not more than three days in a calendar year.
Lodging					
farm stay	Ministerial** Renewed annually	10 acres	5 bdrms max; 2 p/bdrm with a max of 10 at any one time; not more than 30 consecutive days; 90 days max to host in a calendar year.	Yes, served only to guests.	<ul style="list-style-type: none"> ▪ Noise restriction – quiet hrs 10 pm – 7 am ▪ Exterior light directed downward and away from properties. ▪ Provide an agricultural activities and promotion plan.
agricamping	Land Use Permit	10 acres	5 max camping structures or travel trailers; 2 max/camping structure with a max of 10 at any one time; not more than 30 consecutive days	Yes, served only to guests.	<ul style="list-style-type: none"> ▪ Noise restriction – quiet hrs 10 pm – 7 am ▪ Exterior light directed downward and away from properties. ▪ Provide an agricultural activities and promotion plan.
bed and breakfast	Land Use Permit	10 acres	5 bdrms max; 2 p/bdrm with a max of 10 at any one time; not more than 30 consecutive days.	Yes, served only to guests.	<ul style="list-style-type: none"> ▪ Noise restriction – quiet hrs 10 pm – 7 am ▪ Exterior light directed downward and away from properties. ▪ Provide an agricultural activities and promotion plan. ▪ At least 80% of parcel is engaged in agricultural activities and kept free of structures. ▪ Served by a retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin. ▪ Not located within ¼ mile of another bed and breakfast establishment.

**Three or more of the following uses may be established on a lot with issuance of a land use permit:

farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or small olive oil mill without a tasting/on-site sales area and that will not host large events.

Food Service					
farm dinner	Ministerial** Renewed annually	None	Up to 12 farm dinners/yr; 30 max guests, except one farm dinner annually with a max of 150 guests located w/in existing structure, outdoors, patio or deck.	Yes	<ul style="list-style-type: none"> Noise restriction – quiet hrs 10 pm – 7 am Exterior light directed downward and away from properties. Provide an agricultural activities and promotion plan. Not authorized for a microenterprise home kitchen operation.
farm-to-table restaurant	Land Use Permit	10 acres	1,500 sq. ft. max dining area, 35 guests max for dining area.	Yes	<ul style="list-style-type: none"> Noise restriction – quiet hrs 10 pm – 7 am Exterior light directed downward and away from properties. At least 50% of fruits and vegetables served must be grown on-site; at least 75% of fruits and vegetables served must be grown within CCC. A land use permit may, based on the site’s agricultural activities and seasonal impacts on production, authorize a different percentage of fruits and vegetables grown on-site. Provide an agricultural activities and promotion plan. At least 80% of parcel is engaged in agricultural activities and kept free of structures. Served by a retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin. Not located within one mile of another farm-to-table establishment.
Wineries					
small winery w/o tasting/on-site sales area and no hosting large events	Ministerial**	5 acres	5,000 sq. ft. cumulative max floor area.	No	<ul style="list-style-type: none"> Produce 50,000 gallons max annually. Min 25% of production must be from fruit grown on-site. Min 50% of production must be from fruit grown CCC.
Small winery w/tasting/ on-site sales area or host large events	Land Use Permit	5 acres	5,000 sq. ft. cumulative max floor area; cumulative max floor area of all tasting and on-site sales is 30% of total floor area of production facilities.	Yes, see Section 824-6.008	<p>See requirements under SMALL WINERY W/O TASTING/ON-SITE SALES AND NO HOSTING LARGE EVENTS and</p> <ul style="list-style-type: none"> Served by retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin. Provide an agricultural activities and promotion plan.
Large winery	Land Use Permit	5 acres	5,000 sq. ft. cumulative max floor area; cumulative max floor area of all tasting and on-site sales is 30% of total floor area of production facilities.	Yes, see Section 824-6.008	<ul style="list-style-type: none"> May produce more than 50,000 gallons max annually. Min 25% of production must be from fruit grown on-site. Min 50% of production must be from fruit grown CCC. Served by a retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin. Provide an agricultural activities and promotion plan.
Olive Oil Mills					
small olive oil mill w/o tasting/on-site sales area and no hosting large events	Ministerial**	5 acres	5,000 sq. ft. cumulative max floor area.	No	See requirements under SMALL WINERY W/O TASTING/ON-SITE SALES AND NO HOSTING LARGE EVENTS
small olive oil mill w/tasting/ on-site sales area or host large events	Land Use Permit	5 acres	5,000 sq. ft. cumulative max floor area; cumulative max floor area of all tasting and on-site sales is 30% of total floor area of production facilities.	Yes, see Section 824-6.008	<p>See requirements under SMALL WINERY W/O TASTING/ON-SITE SALES AND NO HOSTING LARGE EVENTS and</p> <ul style="list-style-type: none"> Served by retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin. Provide an agricultural activities and promotion plan.

**Three or more of the following uses may be established on a lot with issuance of a land use permit:

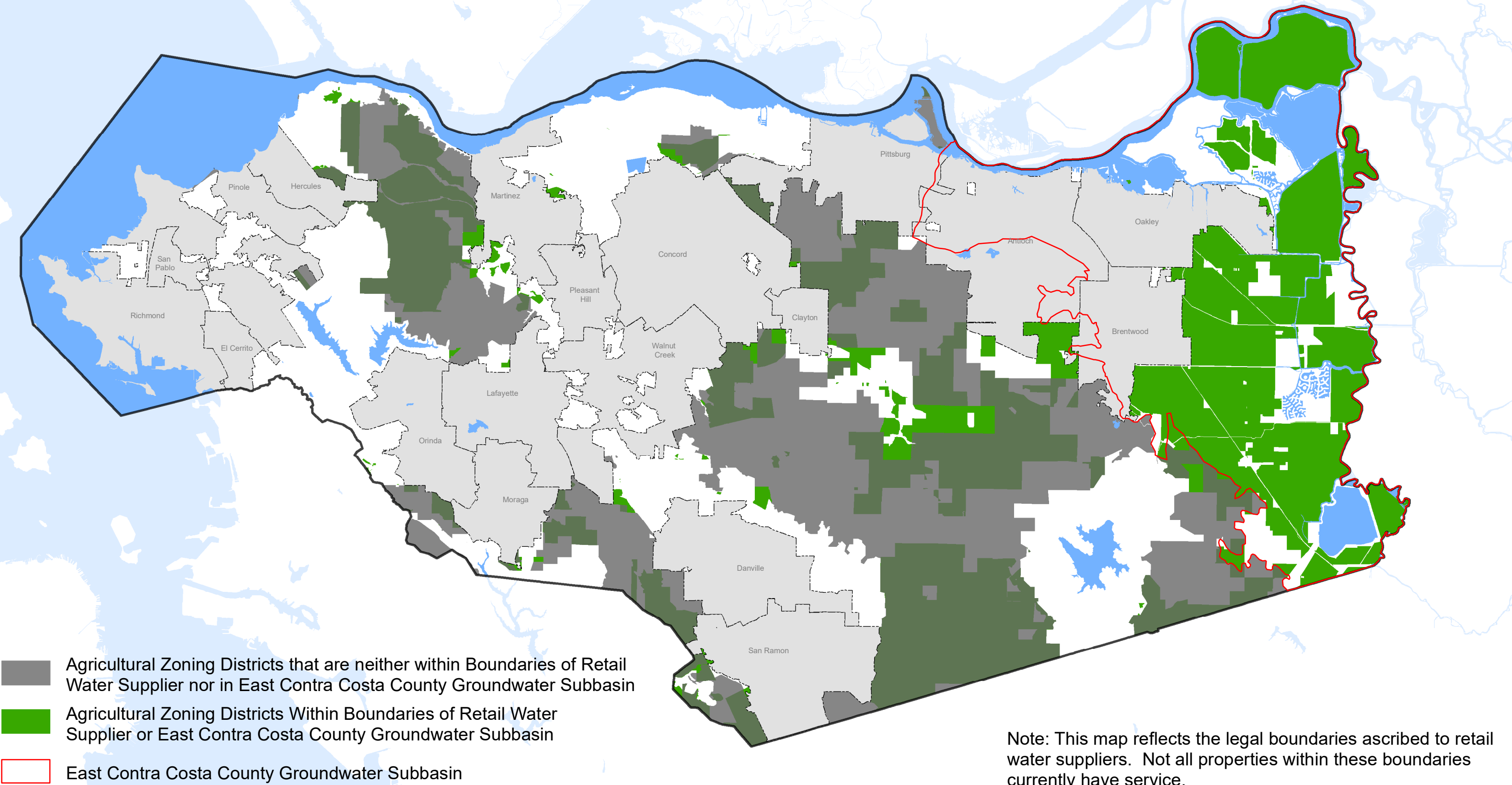
farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or

small olive oil mill without a tasting/on-site sales area and that will not host large events.

large olive oil mill	Land Use Permit	5 acres	5,000 sq. ft. cumulative max floor area; cumulative max floor area of all tasting and on-site sales is 30% of total floor area of production facilities.	Yes, see Section 824-6.008	<ul style="list-style-type: none">▪ May produce more than 50,000 gallons max annually.▪ Min 25% of production must be from fruit grown on-site.▪ Min 50% of production must be from fruit grown CCC.▪ Served by retail water supplier or within boundaries of the East Contra Costa County Groundwater Subbasin.▪ Provide an agricultural activities and promotion plan.
Large Events					
<p>The following agritourism use may host large events</p> <ul style="list-style-type: none">▪ Winery▪ Olive Oil Mill▪ Bed and breakfast▪ Farm-to-table restaurant	Land Use Permit		<ul style="list-style-type: none">▪ Parcel less than 40 acres, six max events/calendar year▪ Parcel 40 acres or more, 26 max events/calendar year		<ul style="list-style-type: none">▪ Not located within one mile of another agritourism use allowed to host large events.▪ Noise restriction – quiet hrs 10 pm – 7 am▪ Exterior light directed downward and away from properties.▪ A Land Use Permit will limit annual maximum number of large events to maintain the agricultural nature of the property and reasonably limiting impacts on neighbors. The following will be considered when imposing conditions regulating the maximum # of large events: lot size of the event venue, parking availability 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 large events with neighboring use, and to the degree which large event conflict with the property’s primary use of agriculture.▪ A Land use permit will limit the maximum number of people allowed at each event to limit impacts on traffic, parking, and neighbors. The following will be considered when imposing conditions regulating the maximum # of people: lot size of the event venue, parking availability 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.

**Three or more of the following uses may be established on a lot with issuance of a land use permit:
farm stand; farm stay; farm dinner; small winery without a tasting/on-site sales area and that will not host large events; or
small olive oil mill without a tasting/on-site sales area and that will not host large events.

**Agricultural Zoning Districts Within Boundaries of Retail Water Supplier
or East Contra Costa County Groundwater Subbasin**



AGRITOURISM ORDINANCE

COUNTY PLANNING COMMISSION

JUNE 7, 2023



Background

December 20, 2016: The Board of Supervisors authorized the Department of Conservation and Development (DCD), to identify specific actions the County could take to further promote and incentivize agricultural sustainability and economic vitality.

February 13, 2018: The Board authorized DCD to convene a series of open, public meetings with persons and groups interested in the policy reform topic.

2018-2019: Public meetings held in Martinez, Danville, Knightsen

- 20 -70 participants per meeting
- Farm and ranching community, rural residents, agricultural commercial ventures, and conservation organizations
- County's Departments of Agriculture, Health Services (Environmental Health Division), and Public Works
- University of California Cooperative Extension (UCCE) and Contra Costa Resource Conservation District (RCD)
- Proposals to improve agricultural land use policy were assembled into a list of recommendations

February 4, 2020: The Board accepted the Recommendations on Reforming Agricultural Land Use Policies Report.



Recommendations on Reforming Agricultural Land Use Policies in Contra Costa County To Improve Both Economic Vitality and Sustainability Report

18 recommendations to promote and preserve agriculture

Various types of agritourism uses

- lodging accommodations
- food service
- updating County's winery policies
- hosting large events

Promote agriculture in Contra Costa County

- equestrian and bike trails to connect farms,
- allowing equestrian facilities within additional agricultural districts,
- additional funding for signage to promote agriculture in the County
- updating the County's Sign Ordinance



Recommendations on Reforming Agricultural Land Use Policies in Contra Costa County To Improve Both Economic Vitality and Sustainability Report

Broader policy reforms

- establishing mitigation requirements for conversion of agricultural land,
- new efforts to address rural blight and illegal dumping,
- opportunities to reduce impacts of rural development on agriculture,
- facilitate communication between farming community and regulatory agencies,
- improve permitting for agricultural uses
- consider a noise ordinance



Initial Accomplishments

- Summer of 2022 Board adoption of an urgency ordinance related to temporary events to provide additional tools for deterring unregulated commercial parties in agricultural areas;
- County's Illegal Dumping Initiative launched;
- County's sign ordinance updated including provisions intended to facilitate signage for farms that can be visited by the public.



February 22, 2023 County Planning Commission

Presented the Agritourism Ordinance

- Allowing a variety of agritourism uses that are accessory to a primary agricultural use
- Incorporates the County's current regulations regarding grower stands, farm stands, farm markets as additional agritourism uses
- Allow stables in A-40 and A-80 zoning districts with the issuance of a land use permit

February 22, 2023 County Planning Commission

- Comments were received by letter prior to the Commission hearing and at the hearing
- After considering the comments submitted, the Commission voted to continue the public hearing to a future date to allow staff to address the comments received and provide any appropriate revisions to the draft zoning text amendment

Revisions to the Proposed Agritourism Ordinance

- Illuminated Signs
- Retail Water Supplier Requirement
- Agricamping
- Farm-to-Table Restaurants
- Mobile Food Vendors
- Large Events
- Hillside Properties
- Noise
- Other minor changes

Staff Recommendations

1. OPEN the public hearing on the proposed zoning text amendment; RECEIVE testimony; and CLOSE the public hearing.
2. RECOMMEND that the Board of Supervisors take the following actions:
 - A. ADOPT the proposed zoning text amendment to establish size and location standards, sales requirements, and other regulations governing agritourism uses in agricultural zoning districts, recodify Chapter 88-20 (Agricultural Farm Stands and Farm Markets) as Chapter 824-4 (Grower Stands, Farm Stands, and Farm Markets), and amend Chapters 84-82 and 84-84 to allow stables in A-40 and A-80 agricultural zoning districts with the issuance of a land use permit.
 - B. DETERMINE that the proposed zoning text amendment is exempt from CEQA under CEQA Guidelines Sections 15061(b)(3) (common sense exemption).
 - C. Direct staff to file a Notice of Exemption with the County Clerk.



Questions?

