

BOARD OF SUPERVISORS, COUNTY OF PLUMAS

RESOLUTION NO. 2020 – 8459

RESOLUTION OF INTENTION TO

REVIEW AND CONSIDER AMENDMENTS TO THE PLUMAS COUNTY CODE

**TITLE 9 (PLANNING AND ZONING), CHAPTER 2 (ZONING), TO ESTABLISH COMMERCIAL WEDDING VENUES
AS A USE, ALLOWED IN CERTAIN ZONE(S), AND ALLOWED BY WHAT PROCESS(ES)**

AND TO

REVIEW AND CONSIDER AMENDMENTS TO RESOLUTIONS ADOPTING
THE UNIFORM RULES GOVERNING THE ESTABLISHMENT AND ADMINISTRATION OF
AGRICULTURAL PRESERVES, INCLUDING COMPATIBLE USES

WHEREAS, Title 9 (Planning and Zoning), Chapter 2 (Zoning), Article 9 (Amendments) of the Plumas County Code states provisions of the zoning code may be changed whenever the public necessity, convenience, and general welfare require such an amendment.

WHEREAS, Title 9 (Planning and Zoning), Chapter 2 (Zoning), Article 9 (Amendments) of the Plumas County Code states amendments to any provision of the zoning code may be initiated by a resolution of intention adopted by the Board of Supervisors.

WHEREAS, the Plumas County Planning Commission held a regularly scheduled meeting on December 19, 2019, where a presentation was given by Denise Geissinger and family of Kinship Ranch, Cromberg.

WHEREAS, the presentation by Kinship Ranch requested the County establish Commercial wedding venues in the Plumas County Code as a use allowed on agricultural parcels, specifically Agricultural Preserve (AP) zoning.

WHEREAS, the presentation by Kinship Ranch further requested the County amend resolutions (see Exhibit C) that established the uniform rules governing agricultural preserves to add commercial wedding venues as a compatible use within agricultural preserves.

WHEREAS, during the Kinship Ranch presentation item, members of the public were present and spoke in support of commercial wedding venues as a compatible use within agricultural landscapes citing the growing need of diversification of ranching operations to remain self-supportive and economically viable, the positive impact to local businesses, the contribution to Plumas County's tax base, and the ability to bring farm-based tourism visitors to the County that may stay and return for other tourism opportunities.

WHEREAS, during the Kinship Ranch presentation item, the Plumas County Director of Environmental Health and Plumas County Assessor were present and expressed cooperation should a zoning code amendment process commence.

WHEREAS, during the Kinship Ranch presentation item, Planning Commissioners spoke in support of amending the zoning code to establish Commercial wedding venues as a use, and at a minimum, allowing such a use in the Agricultural Preserve (AP) zone by means of the simplest process while addressing compatibility and public health and safety matters.

WHEREAS, Denise Geissinger and of Kinship Ranch provided County staff with letters of support from local businesses, chambers of commerce, and residents who could not attend the December 19, 2019, Planning Commission meeting.

WHEREAS, the 2035 Plumas County General Plan Land Use Element explains the Agricultural Preserve and the Agriculture and Grazing designations are intended to protect and support agriculture as a productive use of resource lands, for the continuation of a diversified economy, for the maintenance of the County's rural character, for the protection of scenic, natural and recreational resources, and as a defining characteristic of the County's quality of life. The Agricultural Preserve and the Agriculture and Grazing designations allow for a broad range of agricultural uses, agricultural support services, and compatible uses including farm-based tourism.

WHEREAS, the 2035 Plumas County General Plan Land Use Element further includes an implementation measure that directs updates to the zoning code to ensure that areas designated for agricultural uses both limit and allow uses that directly relate to agricultural production, support agriculture, complement agricultural uses and landscapes, and are compatible with agriculture.

WHEREAS, the 2035 Plumas County General Plan Economics Element includes policies that strive to attract new businesses, pursue new economic opportunities, and support year-round tourism development where it is compatible with the ongoing viability of the County's industries such as agriculture.

WHEREAS, the 2035 Plumas County General Plan Agriculture & Forestry Element includes policies that allow compatible uses that support agriculture on agricultural land, such as farm-based tourism, and support owners of lands that have traditionally been used for agriculture to keep land in agriculture production by continuing existing agriculture use, developing compatible uses, and/or leasing lands to agricultural users.

WHEREAS, the 2035 Plumas County General Plan Agriculture & Forestry Element further includes an implementation measure that directs amendments to the zoning code to address the use of ministerial permitting of agricultural and forestry support uses.

NOW, THEREFORE, BE IT RESOLVED BY the Board of Supervisors of the County of Plumas, State of California that this Board intends to:

1. initiate review of Title 9 (Planning and Zoning), Chapter 2 (Zoning),
2. address the establishment of Commercial wedding venues as a use in the Plumas County Code,
3. address what zone(s) Commercial wedding venues would be allowed,
4. address by what process(es) Commercial wedding venues would be allowed, and
5. address potential amendments to resolutions (see Exhibit C) regarding uses determined to be compatible within agricultural preserves.

The foregoing Resolution was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a meeting held on the 14th day of JANUARY, 2020 by the following roll call vote:

AYES: Supervisors: SIMPSON, ENGEL, GOSS

NOES: Supervisors: NONE

ABSENT: Supervisors: THRAILL

Said resolution to be effective as of the 14th day of JANUARY, 2020.

ATTEST:


Clerk of said Board of Supervisors

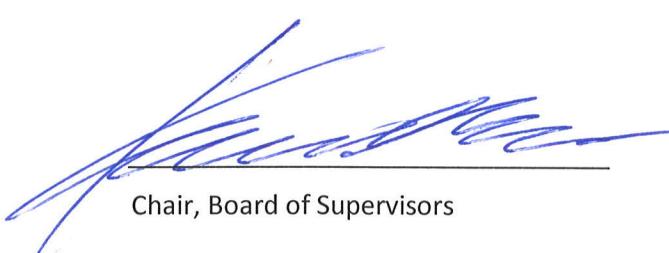

Chair, Board of Supervisors

Exhibit C

**UNIFORM RULES GOVERNING THE ESTABLISHMENT AND ADMINISTRATION
OF AGRICULTURAL PRESERVES, INCLUDING COMPATIBLE USES
(Resolution No. 76-2914)**

A. "Agricultural Preserve" means an area devoted to any uses and compatible uses as defined in the Land Conservation Act of 1965, as amended, and consistent with the County General Plan.

B. An Advisory Board is hereby established to be known as "The Land Conservation Advisory Board", consisting of the Agricultural Commissioner, Planning Director, Director of the Cooperative Extension Service, three (3) members representing Ranching operations, one (1) member representing Commercial Timber production, one (1) member representing Christmas Tree production, one (1) member representing local Businessmen, and one (1) member representing the general public. The County Counsel and the County Assessor shall act as resource people.

The Agricultural Commissioner, Planning Director, and the Director of the Cooperative Extension Service shall serve as members of the Advisory Board. All other members shall serve at the pleasure of the Board of Supervisors for a term of four (4) years with staggered terms as follows:

1975 one (1) Local Businessman and one (1) general public member;
1976 one (1) Ranching representative and one (1) Commercial Timber representative;
1977 one (1) Ranching representative and one (1) Christmas Tree representative; and
1978 one (1) Ranching representative.

This same schedule of appointments shall continue in the following years. These appointments shall be made in January of each year and be effective March 1 of that year.

C. It shall be the duty of said Advisory Board to make recommendations to the Board of Supervisors on the establishment of Agricultural Preserves, the signing of individual contracts within Preserves and matters relative thereto.

D. Agricultural Preserves may be either of the following types:

1. Area preserves--designated areas in which the County desires to enter into contracts pursuant to the Land Conservation Act of 1965, as amended.
2. Specific preserves--whose boundaries coincide with individual contract applications otherwise acceptable to the County but which fall outside established area preserves.

E. Agricultural Preserves may be established by the following methods:

1. Upon written request to the Planning Department of one or more land owners the County shall initiate proceedings to consider the establishment of Agricultural Preserves.
2. The County may on its own initiate proceedings to establish Agricultural Preserves.

F. Requests to establish Agricultural Preserves shall be transmitted to the Land Conservation Advisory Board for study and recommendation.

G. A public hearing shall be held by the Board of Supervisors prior to the establishment of an agricultural preserve in accordance with Government Code Section 51230.

H. An Agricultural Preserve shall consist of no less than 100 acres; provided that in order to meet this requirement two or more parcels may be combined if they are contiguous or if they are in common ownership and further provided that an Agricultural Preserve may be less than 100 acres at the discretion of the County in accordance with Government Code Section 51230.

I. The basis for approval of a contract within an Agricultural Preserve shall be as follows:

1. The applicant uses his land for the production of food and/or fibre for commercial purposes to support the agricultural economy.
3. The minimum area for contract of field crops type of cultivation or for irrigated pasture* shall be eighty (80) acres. The uses permitted for residence shall be one (1) family dwelling for the use of an owner or manager or a person employed on said land by not exceeding one (1) dwelling for each parcel of not less than eighty (80) acres.

*A general guide line for determining what constitutes irrigated pasture is: Pastureland receiving eighteen (18) inches or more of irrigation water per growing season; 25% of which is received after July 15th.

or

4. The minimum area for contract of commercial timber type cultivation or land for grazing shall be one hundred sixty (160) acres. The uses permitted for residence shall be one (1) family dwelling for the use of an owner or manager or a person employed on said land but not exceeding one (1) dwelling for each parcel of not less than one hundred sixty (160) acres.
5. The aforementioned acreage limitations shall apply only to the use of the land in question at the date of signing of a particular contract, the land owner may change the type of crop or agricultural use at the sole discretion of the land owner, but subject to the permitted uses described in Section J. herein.
6. Within Area Agricultural Preserves contracts may be offered for parcels smaller than the minimum acreages provided in I-2, I-3, or I-4, provided there are no residential dwellings. The contract shall prohibit any future division of the property or any construction of residential dwellings during the contract period.

(I.,2., Resolution 81-3401, eff. Feb. 3, 1981)

J. The following uses are hereby determined to be agricultural and compatible uses within Agricultural Preserves:

1. General farming, commercial livestock, poultry production and warehousing and storage pertinent to the agricultural operation, timber or Christmas tree production.

(Resolution 81-3401, eff. Feb. 3, 1994)

2. Single family dwellings as provided in I-2, I-3, I-4, or I-6.
3. Additional housing facilities within a contract area (including trailers) to accommodate only agricultural employees and their families, employed by the owner or operator of the premises and provided that such additional housing facilities shall be considered accessory to the main building.
4. Accessory buildings and uses pertinent to the permitted uses including agricultural processing plants.
5. A stand or display for agricultural commodities produced on the premises; sales of products produced off the premises is acceptable provided that the sale of such products is incidental and secondary to the sale of agricultural products produced on the premises.
6. Miscellaneous compatible uses:
 - a. The drilling for and/or production of hydrocarbon, mineral and thermal production including the installation and use of such equipment, structures, and facilities as are necessary.
 - b. Public utility and public services including structures, uses and buildings.
 - c. Airport or aircraft landing facilities.
 - d. Farm labor camps.
 - e. Sand and gravel operations.
 - f. Flood control.
 - g. Wildlife enhancement and preservation.
 - h. Cemeteries.
 - i. Any other use determined to be compatible use in all agricultural preserves by the Board of Supervisors after public hearing on ten (10) days published notice and such other notice, if any, as they may specify.
 - j. Recreational uses, but not limited to walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation.
(Resolution 85-3893, eff. July 9, 1985)

K. Submission of applications for contracts and/or establishing Agricultural Preserves shall be as follows:

1. Applications shall be submitted upon forms to be supplied by the Plumas County Planning Department, and must be completed in detail.
2. All applications must be submitted and be filed with the Plumas County Planning Department on or before September 1st in order that the contract will become effective during the following year.
3. Applications must be accompanied by a legal description and corresponding Assessor parcel maps covering the lands applied for.

4. A fee of five hundred (\$500) dollars shall be submitted with the application, and this fee shall not be returned in the event the application is turned down by the County.

(Resolution 79-3243, eff. Aug. 16, 1979, amended by Resolution 85-3936, eff. Nov. 5, 1985, amended by Resolution 88-4305, eff. Nov. 1, 1988)

5. An application for zoning, if necessary, shall be submitted to the Plumas County Planning Department at the same time as an application for contract and/or Agricultural Preserve.

L. Cancellation of contracts and/or alteration of Agricultural Preserve shall be accomplished in the same manner noted in K. above and with the same fees.