

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA AMENDING TITLE 17, CHAPTER 17.88 OF THE TEHAMA COUNTY CODE REGULATING WEDDINGS, EVENT VENUES AND WINERIES

THE BOARD OF SUPERVISORS OF THE COUNTY OF TEHAMA ORDAINS AS FOLLOWS:

SECTION 1. Chapter 17.88 of the Tehama County Code hereby reads as follows:

Chapter 17.88 –Weddings, Event Venues and Wineries

Sections:

17.88.010 – Purpose.

17.88.020 – Definitions.

17.88.030 – Administrative Use Permit Process.

17.88.040 – Notice and Appeals.

17.88.050 – Event Venue Development and Performance Standards.

17.88.060 – Winery Standards.

17.88.010 - Purpose.

This section establishes a permit process and standards for development and operation of special event facilities on private property, accessory to an owner's primary residence or business, applicable to the zones identified below. These provisions are necessary to reduce or avoid impacts to surrounding properties so that special event facilities do not result in an incompatible land use. The limitation of size, scale and design of venue serve to protect surrounding agriculture operations and residences. These standards shall provide opportunity for economic development of local agriculture with regard to wineries and weddings by encouraging the development and expansion of wineries and special event venues in suitable locations.

17.88.020 - Definitions.

“**Winery**” means an agricultural processing facility that produces wine from fruit or fruit juices through fermentation or the refermenting of still wine into sparkling wine, that is bonded through the Alcohol, Tobacco Tax and Trade Bureau, and that has a current California Alcohol Beverage Control (ABC) Type 2 Winegrower’s License.

“**Commercial Vineyard**” means a vineyard capable of producing a commercial crop, over 100 gallons.

“**Special Event**” A special event is a celebration, ceremony, wedding, reception, corporate function, or similar activity for the benefit of someone other than the property owner that takes place on a periodic basis, involving the gathering of individuals

assembled for the common purpose of attending a special event. Uses that are accessory to a single family residential use including private parties, gatherings and similar activities that are not subject to a use agreement between a private individual or group and the homeowner are not defined as a special event and are not regulated under this section.

“Event Facility” A facility where special events are permitted under this section. Event facilities are subject to a use agreement between a private group or individual and the facility owner. Facilities may operate entirely within a structure, outside of a structure, or both inside and outside a structure. The facility must include improvements to accommodate special events, including access and circulation improvements, parking area, water supplies and sewer systems, gathering areas, and other physical improvements necessary to accommodate special events.

17.88.030 - Administrative Use Permit Process.

- A. Applicants may apply for an Administrative Use Permit for wineries, weddings and events on lands within the AG-1, AG-2, AG-3, AG-4, and Residential zoned districts, 10 acres or more, if such use is consistent with the Administrative Use Permit application requirements and Administrative Use Permit standards and criteria set forth in this Chapter. In the event that the proposed use or activity does not meet the standards and requirements of this Chapter, the applicant shall be required to obtain a Use Permit under Chapter 17.70.
- B. Application for an Administrative Use Permit shall be made in writing by the owner or authorized occupant of the property on a form prescribed by the Director of Planning. The application shall be accompanied by a fee, as set by the Board of Supervisors, and plans showing the details of the site and the proposed use or activity.
- C. Prior to issuance of any Administrative Use Permit, the proposed use or activity and site plans shall be reviewed by the affected County departments and other affected public agencies to ascertain compliance with all applicable laws, policies, codes and regulations.
- D. Administrative Use Permits under this Chapter shall be issued upon a determination by the Director of Planning that the wedding and event use described in the application for the permit and the plans submitted with the application shall conform to the requirements of this Chapter and other applicable laws, regulations, and ordinances, and that the fee has been paid.

17.88.040 - Notice and Appeals.

- A. A public hearing shall not be required on any application for an Administrative Use Permit prior to action being taken by the Director of Planning to approve or deny the application.

- B. All property owners within 1,000 feet of the project parcel and the applicant shall be notified by mail of the Director of Planning's action to approve or deny the Administrative Use Permit. The notice shall include the location and general description of the proposed use that may be established upon the issuance of the Administrative Use Permit. The notice shall inform the property owners and applicant of their right to appeal the approval or denial of the Administrative Use Permit to the Planning Commission.
- C. Appeal of the action to approve or deny an Administrative Use Permit under this Chapter by the Director of Planning shall be made in writing to the Planning Commission and submitted to the Planning Department within 10 business days of the date the notification is mailed to the property owners and applicant pursuant to Subdivision (B). The written appeal shall be accompanied by an appeal fee prescribed by the Board of Supervisors.
- D. Following a public meeting, notice of which shall be given in the manner provided in Subdivision (B), the Planning Commission may affirm, modify or reverse the action of the Director of Planning, based upon the standards and requirements set forth in this Chapter.
- E. The decision by the Planning Commission to affirm, modify or reverse the action of the Director of Planning may be appealed to the Board of Supervisors within 10 days of such action. The appeal shall be submitted in writing to the Clerk of the Board and accompanied by an appeal fee prescribed by the Board of Supervisors.
- F. Following a public meeting, notice of which shall be given in the manner provided in Subdivision (B), the Board of Supervisors may affirm, modify or reverse the action of the Planning Commission. Action by the Board of Supervisors on the appeal of an Administrative Use Permit shall be final.

17.88.060 – Event Venues - Development and Performance Standards.

- A. Any weddings, special event or winery use or activity permitted under this Chapter shall comply with the following operation and development standards:
 - 1. **Event Management Plan.** Owner/operator shall maintain an event management plan that includes but is not limited to all applicable conditions of approval, approved Administrative Use Permit and plot plan, traffic management plan, exhibit map showing all closest surrounding sensitive receptors, and all other operational limitations. A copy of the management plan shall be provided to the Planning Department and must be available for on-site inspection at all times.
 - 2. **Noise Control.** Noise shall never create nuisance for any sensitive receptor. Outdoor amplified music and speech shall not be allowed after 10:00 p.m.

3. **Traffic and Circulation.** The Administrative Use Permit shall include a traffic management plan. The traffic management plan shall be approved for traffic safety by the Department of Public Works. The traffic management plan shall include the following requirements and standards:
 - i. Approved access conforming to County improvement standards as determined by the Public Works Department.
 - ii. Adequate ingress and egress shall be provided for all emergency vehicles to the satisfaction of the Tehama County Fire Department and Public Works Department.
 - iii. A traffic control plan to ensure an orderly and safe arrival, parking and departure of all vehicles and to ensure that traffic will not back-up or block private easements, county roads, intersections, or private driveways.
 - iv. A parking attendant(s) for large events over 200 guests shall direct traffic into the facility and towards available parking during the arrival of guests. Attendants shall direct traffic leaving the facility at the conclusion of the event.
4. **Operational Limitations.** The following operational limitations apply to all Special Event Facilities:
 - i. Special event facilities shall be operated accessory to the owner's primary residence. No special event facility shall be permitted where no residential use exists on the property.
 - ii. No special event facility shall be allowed to exceed an attendance level of 500 people, last longer than 2 days, or as established by the Administrative Permit, not including set-up and take down.
 - iii. Operational hours shall not exceed 12 hours per day and are limited to the hours of 9:00 am and 10:00 pm.
 - iv. The Planning Department may grant exceptions to these hours of operation through an Administrative Use Permit amendment.
 - v. The permitted operator of the use or activity, or their authorized agent, shall be personally present onsite at all times throughout the duration of the use or activity.
 - vi. Permitted uses or activities shall be limited to the parcel or parcels identified in the application.
5. **Environmental Health.** Special event facility shall complete and submit an Environmental Health Checklist for each event type.
6. **Setbacks.** The minimum setbacks shall be as per the zoning code for each property.

7. **Lighting.** Any new exterior lighting installed related to a permitted use or activity shall be designed to illuminate the immediate vicinity and shall not shine on adjacent properties. All Lighting associated with the special event shall be turned off by 11:00 pm. Parking lot lighting may remain on for a longer period if specified under the Administrative Use Permit.
8. **Signage.** Temporary directional signs are allowed during event activities as well as slow traffic if placed outside of the county right-of-way.
9. **Dust Control.** The Administrative Use Permit shall control fugitive dust emissions. Fugitive dust emission control measures shall be approved by the Tehama County Air Pollution Control District. Fugitive dust control measures shall include Reasonably Available Control Measures (RACM). RACM's include, but are not limited to, application of dust suppressants, use of coverings or enclosures, paving, enshrouding, planting, control of vehicle speeds, and any other measure recognized by the Air Pollution Control Officer as providing equivalent dust control.
10. **Parking.** All special events shall maintain parking on-site. Parking shall be 1 space per 4 seats or 1 space for every 4 person based on the maximum building occupancy, whichever is greater.
11. **Neighbor Notification.** Facilities shall post a schedule of future events to their website or an annual seasonal schedule of future events. Future events and schedules shall be made available upon request. The schedule shall show days planned for events, hours of operation, and include a phone number for inquiries.
12. **Williamson Act Contract Properties.** Event facilities shall be accessory to the agricultural use and the owner's residence. Event facilities are permitted only when not requiring new permanent improvements and when not interfering with the agricultural operation and must be in compliance with the Williamson Act Contract.

17.88.070 – Winery Standards.

An Administrative Use Permit may be issued under this Chapter for the following uses:

- A. A Winery use or activity shall meet all of the following requirements:
 1. The winery operation shall have a current ABC license signed by the Tehama County Sheriff.
 2. Retail sales of merchandise, art, and prepackaged food items shall only be allowed within the tasting facilities and shall not be located in a separate structure. The sale of prepackaged food items shall comply with the California Health and Safety Code and be permitted by Environmental

Health. Sales of non-wine merchandise shall be subordinate to the winery's wine sales and require a Board of Equalization license.

3. Winery shall complete and submit an Environmental Health Self Checklist prior to holding any events.
4. The winery operation conforms to all environmental health codes, building codes, fire codes, and American Disabilities Act and other accessibility requirements.
5. A distillery shall be bonded through the Alcohol and Tobacco Tax and Trade Bureau and have a current California ABC License. Distilleries are permitted in conjunction with a winery on the same lot.
6. Tasting facilities shall be clearly related and subordinate to the primary operation of the bonded winery as a production facility. The primary focus of the tasting facility shall be the marketing and sale of the wine and grape or fruit products produced, vented, cellared or bottled at the winery. Snack foods that are consumed during wine tasting are allowed.
7. Wine sales shall be limited to those produced, vented, cellared or bottled by the winery operator or grown on the winery lot or custom crushed at another facility for the winery operator, subject to the provisions of an ABC Type 2 Winegrower's license.
8. Marketing shall take place in tasting facilities and include any marketing activities sponsored by a winery facility intended for the promotion and sale of the winery's product. Activities of a marketing event may include but are not limited to live music, catered food, grape crushing, winemaker's dinners, releases and similar activities. All outside live music shall conclude by 10:00 pm.

- B. Event venues are permitted within a winery operation with an Administrative Use Permit provided all the Development and Performance standards are met outlined in section 17.88.060.

SECTION 2. This ordinance shall take effect thirty (30) days from the date of its adoption, and prior to the expiration of fifteen (15) days from the adoption thereof shall be published at least one time in the *Red Bluff Daily News*, a newspaper of general circulation in Tehama County.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Tehama, State of California, at a regular meeting of the Board of Supervisors on the 4th day of Dec., 2018 by the following vote:

AYES: Supervisors Williams, Chamblin, Garton and Carlson

NOES: None

ABSENT OR NOT VOTING: Supervisor Bundy

Candy Carlson

Candy Carlson, CHAIRPERSON,
Board of Supervisors

STATE OF CALIFORNIA)
) ss
COUNTY OF TEHAMA)

I, Jennifer A. Vise, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California, hereby certify the above and foregoing to be a full, true and correct copy of an ordinance adopted by said Board of Supervisors on the 4th day of December, 2018.

DATED: This 5th day of December, 2018.

Jennifer A. Vise, County Clerk and ex-officio Clerk of the Board of Supervisors of the County of Tehama, State of California.

By *Angela L. Ford*
Deputy