



# LAND USE SERVICES DEPARTMENT PLANNING STAFF REPORT



HEARING DATE: January 5, 2012

AGENDA ITEM NO: 2

Project Description:

**Applicant:** Land Use Services Department  
**Proposal:** A Development Code Amendment to revise the development standards for projects within the Rural Living Land Use Zoning District within the Oak Glen Community Plan area.  
**Community:** Oak Glen  
**Project No:** L612  
**Staff:** Jim Squire

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**BACKGROUND:**

On March 13, 2007, the Board of Supervisors adopted the General Plan Update project which included the preparation of 13 community plans. Advisory Committees were established within each community plan area which provided valuable assistance in formulating the community goals, policies and programs and facilitating public input into each plan.

One of the key issues in the preparation of the Oak Glen Community Plan identified by the residents included preserving the rural character of the community by maintaining agricultural activities, low-density residential development and limited commercial development. It was intended that this would be accomplished by balancing the desire for the preservation of the rural character with the desire to provide local jobs and promote local businesses through agritourism opportunities. With this in mind, the provisions of the Development Code were drafted with the intention to ensure the success of this balancing effort.

At the time of adoption of the Oak Glen Community Plan and the updated Development Code, staff thought the proposed regulations relative to the allowed uses and development standards within the Oak Glen Community Plan were sufficient to address the community's concerns over the health, safety and welfare of the community. However, since that time, it has become apparent the certain clarifications to the code are warranted. A controversial project was recently processed through the Land Use Services Department and went to the Planning Commission for action. The Commission action was ultimately appealed to the Board of Supervisors. That project and the comments received from the community relative to its design and operations made it clear that many in the community expected all businesses within the Rural Living (RL) Land Use Zoning District would be subject to the agritourism development standards outlined in the Development Code.

Policy OG/LU 2.2 in the adopted community plan reads as follows:

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Action taken by the Planning Commission on this item may be appealed to the Board.  
Note: Recommendations to the Board of Supervisors are not appealable.

Yes  No

- “OG/LU 2.2 In recognition of the community’s desire to preserve the rural character while providing agritourism opportunities, the County shall modify the Development Code to facilitate the expansion of agricultural related commercial activities within the Rural Living and Agriculture land use districts within Oak Glen. The addition of these commercial activities shall be limited to only those parcels that are adjacent to Oak Glen Road and shall not be to the detriment of the surrounding community. Standards shall be developed in consideration of the following:
- A. All parcels that are under common ownership, contiguous to the parcel that fronts Oak Glen Road, will be considered “adjacent to Oak Glen Road,” and therefore eligible for these expanded uses.
  - B. Consider compatibility with surrounding uses relative to health, safety and the availability of adequate infrastructure and services.
  - C. Require a percentage of the property to be dedicated to permanent or seasonal crop in order to permit agritourism-related commercial activities.
  - D. **Establish development standards and/or conditions of approval in order to adequately address any potential noise, traffic, hours of operation, and aesthetic impacts.** [*Emphasis added*]

Even though development standards were incorporated into the Code for agritourism enterprises, some of them are open for interpretation and therefore should be clarified. There are other uses in addition to those falling within the agritourism classification that are allowed within the RL zone that are not currently subject to the agritourism development standards. These uses include the following: campgrounds, conference/convention facilities, meeting facilities (public or private), and sports and entertainment assembly facilities. The controversial project mentioned above fell within these classifications and brought these discrepancies to light.

The proposed ordinance would amend the Development Code to ensure that all non-agritourism uses that are allowed within the RL Land Use Zoning District in Oak Glen would be subject to the hours of operations and noise/amplified sound standards included in the agritourism development standards. It would also require that all uses within the “Recreation, Education & Public Assembly Uses” category be subject to all of the other agritourism development standards. Additionally, it would require that all amplified music that is offered through any type of activity with the RL zone would have to be conducted indoors, unless specifically permitted through an approved Temporary Special Event Permit or when conducted at least 330 feet away from the nearest residence or other sensitive receptor on a neighboring parcel. These proposed changes would ensure that all future projects would be subject to the development standards that the community expected would be applicable for such projects within the plan area.

#### **FINDINGS FOR THE DEVELOPMENT CODE AMENDMENT:**

1. The ordinance is necessary for and will protect the health, safety, and welfare of those within the Oak Glen Community Plan area and is a reasonable exercise of the County’s police powers;
2. The proposed amendment is consistent with the General Plan and any applicable community plan or specific plan;

3. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the County because it places additional limitations on development on projects within the Rural Living Land Use Zoning District within the Oak Glen Community Plan area;
4. The proposed amendment is internally consistent with other applicable provisions of this Development Code; and
5. The proposed amendment is exempt from the California Environmental Quality Act (CEQA) in accordance with Section 15061(b)(3) of the CEQA Guidelines as the proposed change does not have the potential to cause a significant effect on the environment.

**RECOMMENDATION:** The Planning Commission recommends that the Board of Supervisors:

- A. ADOPT the proposed ordinance to amend Title 8 of the County Code relative to the development standards for projects within the Oak Glen Community Plan area;
- B. ADOPT the findings as contained in the staff report; and
- C. FILE the Notice of Exemption.

**ATTACHMENTS:**

Exhibit A: Proposed Development Code Changes

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# EXHIBIT A

## Proposed Development Code Changes

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**82.04.040 Residential Land Use Zoning District Allowed Uses and Permit Requirements**

- (a) **General permit requirements.** Table 82-7 identifies the uses of land allowed by this Development Code in each residential land use zoning district established by Chapter 82.01 (Land Use Plan, and Land Use Zoning Districts, and Overlays), in compliance with Section 82.02.030 (Allowed Land Uses and Planning Permit Requirements).
  
- (b) **Requirements for certain specific land uses.** Where the last column in Table 82-7 ("Specific Use Regulations") includes a section number, the referenced section may affect whether the use requires Land Use Review, or Conditional Use Permit or Minor Use Permit, or other County approval, and/or may establish other requirements and standards applicable to the use.



**Table 82-7  
Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL <sup>(4)</sup>	RS	RM	
<b>AGRICULTURAL, RESOURCE &amp; OPEN SPACE USES</b>				
Accessory crop production	A <sup>(1)</sup>	A <sup>(1)</sup>	A <sup>(1)</sup>	84.01
Agricultural accessory structure - 1,000 sf max.	A	A	A	
Agricultural accessory structure - up to 10,000 sf max. on 5 ac. or less	A	—	—	
Agricultural accessory structure greater than 10,000 sf. on 5 ac. or less	M/C	—	—	
Agricultural support services	CUP	—	—	
Animal keeping	S	S	S	84.04
Crop production, horticulture, orchard, vineyard, nurseries	A	—	—	
Livestock operations	CUP	—	—	84.04
Natural resources development (mining)	CUP	—	—	88.03
Nature preserve (accessory uses)	M/C	—	—	
Lake	M/C	CUP	—	
Pond	A	A	M/C	
<b>INDUSTRY, MANUFACTURING &amp; PROCESSING, WHOLESALING</b>				
Composting operations	CUP	—	—	
Recycling facilities – reverse vending machine, accessory	S	—	—	84.19
<b>RECREATION, EDUCATION &amp; PUBLIC ASSEMBLY USES</b>				
Agritourism enterprises	S	—	—	84.03
Campgrounds <sup>(5)</sup>	CUP	—	—	
Commercial entertainment - Indoor <sup>(5)</sup>	—CUP	—	—	
Conference/convention facility <sup>(5)</sup>	CUP	—	—	
Equestrian facility <sup>(5)</sup>	M/C	S <sup>(2)</sup>	—	
Fitness/health facility <sup>(5)</sup>	—	—	—	
Golf course <sup>(5)</sup>	CUP	—	—	
Library, museum, art gallery, outdoor exhibit <sup>(5)</sup>	M/C	M/C	M/C	
Meeting facility, public or private <sup>(5)</sup>	CUP	CUP	CUP	
Park, playground <sup>(5)</sup>	P	P	P	
Places of worship	CUP	CUP	CUP	
Rural sports and recreation <sup>(5)</sup>	M/C	—	—	
School - College or university	— <sup>(3)</sup>	—	—	
School - Private	— <sup>(3)</sup>	— <sup>(3)</sup>	—	
School - Specialized education/training	CUP	—	—	
Sports or entertainment assembly <sup>(5)</sup>	CUP	—	—	

**KEY**

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

- Notes:** (1) Use allowed as an accessory use only with standards, on the same site as a residential use allowed by this table.  
 (2) A boarding facility only with a Home Occupation Permit.  
 (3) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.



- (4) For projects within the Oak Glen Community Plan Area, all non-agritourism uses shall comply with the agritourism hours of operation standard [Subsection 84.03.030(b)(3)] and the agritourism noise/amplified sound regulations [Subsection 84.03.030(b)(5)].
- (5) For projects within the Oak Glen Community Plan Area, these uses shall comply with the agritourism development standards provided in Table 84-1 in Section 84.03.030. The permit requirements presented this table shall prevail over any permit requirement listed in Table 84-1.

**Table 82-7 (continued)**  
**Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts**

LAND USE <i>See Division 10 (Definitions) for land use definitions</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL <sup>(2)</sup>	RS	RM	
<b>RESIDENTIAL USES</b>				
Accessory structures and uses	A	A	A	84.01
Caretaker housing	M/C <sup>(5)</sup>	M/C	M/C	84.01
Dependent housing	SUP	SUP	SUP	84.08
Guest housing	A	A	A	84.01
Home occupation	SUP	SUP	SUP	84.12
Homeless shelter	CUP	CUP	CUP	
Mobile home park/manufactured home land-lease community	CUP	CUP	CUP	84.14
Multiple dwelling, 2 to 3 units, attached or detached	—	—	A	84.16
Multiple dwelling, 4 to 19 units, attached or detached	—	—	A	84.16
Multiple dwelling, 20 to 49 units, attached or detached	—	—	MUP	84.16
Multiple dwelling, 50 or more units, attached or detached	—	—	CUP	84.16
Organizational house (sorority, fraternity, etc.)	CUP	CUP	M/C	
Rooming or boarding, 2 or fewer persons - Accessory	—	—	P	84.01
Secondary dwelling	A <sup>(1)</sup>	A <sup>(1)</sup>	—	84.01
Single dwelling	A	A	— <sup>(6)</sup>	
Short-Term Private Home Rental	SUP	SUP	SUP	85.28
<b>RETAIL</b>				
Produce stand	A <sup>(2)</sup>	A <sup>(2)</sup>	A <sup>(2)</sup>	
<b>SERVICES - BUSINESS &amp; PROFESSIONAL</b>				
Medical services - Hospital	M/C <sup>(4)</sup>	M/C <sup>(4)</sup>	M/C <sup>(4)</sup>	
Medical services - Rehabilitation centers	M/C	M/C	M/C	
Office - Accessory	A	A	A	84.12
Office - Government	— <sup>(4)</sup>	— <sup>(4)</sup>	— <sup>(4)</sup>	
<b>SERVICES - GENERAL</b>				
Cemetery, including pet cemeteries	CUP	CUP	—	84.06
Child care - Small family day care home	A	A	A	
Child care - Large family day care home	MUP	MUP	MUP	
Child care - Day care center	M/C	M/C	M/C	
Commercial Kennels and Catteries - min lot 2.5 acres (over 15 animals)	M/C/S	—	—	84.04
Correctional institution <sup>(4)</sup>	—	—	—	
Lodging - Bed and breakfast inn (B&B)	SUP <sup>(3)</sup>	SUP <sup>(3)</sup>	SUP <sup>(3)</sup>	84.05
Public safety facility	M/C	M/C	M/C	
Social care facility - 6 or fewer clients	A	A	A	84.23
Social care facility - 7 or more clients	M/C	CUP	CUP	84.23

**KEY**

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

Notes: (1) Use allowed as an accessory use only, on the same site as a residential use allowed by this table provided that the parcel is twice the minimum lot size required by the land use zoning district.

- (2) In the Phelan/Pinon Hills Community Plan area on lots greater than 10,000 sq. ft. with a maximum 200 sq ft structure for storage and sales and a maximum 6 sq ft advertising sign; in RS and RM, can only operate for 72 hours per month.
- (3) A CUP shall be required for three or more rooms.
- (4) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.
- (5) For parcels that are 10 acres or greater, a Site Plan Permit is all that is needed.
- (6) Single dwellings will only be allowed within an RM Land Use Zoning District when it is part of a Planned Residential Development that has been designed to meet the goals and densities of the RM zone.
- (7) For projects within the Oak Glen Community Plan Area, all non-agritourism uses shall comply with the agritourism hours of operation standard [Subsection 84.03.030(b)(3)] and the agritourism noise/amplified sound regulations [Subsection 84.03.030(b)(5)].

**Table 82-7 (continued)**

**Allowed Land Uses and Permit Requirements for Residential Land Use Zoning Districts**

LAND USE <i>See Division 10 (Definitions) for land use definitions.</i>	PERMIT REQUIRED BY DISTRICT			Specific Use Regulations
	RL <sup>(4)</sup>	RS	RM	

**TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE**

Broadcasting antennae and towers	M/C	—	—	
Electrical power generation	CUP <sup>(3)</sup>	—	—	84.29
Pipelines, transmission lines, and control stations <sup>(1)</sup>	(1)	(1)	(1)	
Sewage treatment and disposal facility <sup>(2)</sup>	—	—	—	
Solid waste disposal <sup>(2)</sup>	—	—	—	
Telecommunications facility	S	S	S	84.27
Transportation facility	M/C	M/C	M/C	
Utility facility	CUP	CUP	CUP	
Wind energy accessory	S	S	S	84.26
Wireless telecommunications facility	S	S	S	84.27

**OTHER**

Accessory structures and uses	A	A	A	84.01
Temporary special events	TSP	TSP	TSP	84.25
Temporary structures and uses	TUP	TUP	TUP	84.25

**KEY**

A	Allowed use (no planning permit required)	PD	Planned Development Permit required (Chapter 85.10)
P	Permitted Use; Site Plan Permit required (Chapter 85.08)	SUP	Special Use Permit required (Chapter 85.14)
M/C	Minor Use Permit required; unless a Conditional Use Permit required in compliance with Section 85.06.050 (Projects That Do Not Qualify for a Minor Use Permit)	S	Permit requirement set by Specific Use Regulations (Division 4)
		TSP	Temporary Special Events Permit required (Chapter 85.16)
CUP	Conditional Use Permit required (Chapter 85.06)	TUP	Temporary Use Permit required (Chapter 85.15)
MUP	Minor Use Permit required (Chapter 85.06)	—	Use not allowed

**Notes:** (1) These uses are regulated and approved by the Public Utilities Commission. See alternate review procedures in Chapter 85.02.

(2) Requires a General Plan Amendment to Institutional (IN) Land Use Zoning District.

(3) Use may be allowed only on a minimum of 20 acres.

(4) For projects within the Oak Glen Community Plan Area, all non-agritourism uses shall comply with the agritourism hours of operation standard [Subsection 84.03.030(b)(3)] and the agritourism noise/amplified sound regulations [Subsection 84.03.030(b)(5)].

Adopted Ordinance 4011 (2007); Amended Ordinance 4043 (2008); Amended Ordinance 4057 (2008); Amended Ordinance 4085 (2009); Amended Ordinance 4098 (2010)



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## CHAPTER 84.03 AGRITOURISM ENTERPRISES

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### Sections:

- 84.03.010 Purpose
- 84.03.020 Applicability
- 84.03.030 Permit Requirements and Development Standards

#### **84.03.010 Purpose**

The purpose of this Chapter is to regulate the establishment and operation of agritourism enterprises in order to maintain and preserve the rural character, integrity, and property values of surrounding areas in which these uses are located.

Adopted Ordinance 4011 (2007)

#### **84.03.020 Applicability**

The permit requirements and standards provided in this Chapter apply to agritourism enterprises where allowed in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses).

Adopted Ordinance 4011 (2007)

#### **84.03.030 Permit Requirements and Development Standards**

The following permit requirements and development standards shall apply to all agritourism enterprises.

**(a) Permit requirements and development standards.**

- (1) Scope of use and permit requirements.** The allowed scope of use, minimum lot size, and permit requirements for an agritourism enterprise shall be as provided in Table 84.1.

**Table 84-1  
Permit Requirements and Development Standards for Agritourism Enterprises**

Use/Permit Required	Scope of Use/Event <sup>(4)</sup>	Minimum Lot Size
<u>Produce Stand</u> Permitted (no permit required)	<ul style="list-style-type: none"> <li>• Single structure that is 200 sq. ft. or less</li> <li>• All produce shall be grown on site.</li> <li>• No other produce or merchandise allowed.</li> </ul>	10,000 sq. ft
<u>Small scale use</u> Site Plan Permit	<ul style="list-style-type: none"> <li>• Single structure greater than 200 sq. ft. and less than 3,000 sq. ft.</li> <li>• Not more than 15 automobiles allowed on site at any one time.<sup>(1)(2)</sup></li> <li>• Bed and Breakfast Home (up to 5 guest rooms)</li> <li>• Small incidental food services operations not to include restaurants.</li> <li>• Operations that do not require a permanent structure (e.g., educational tours).<sup>(3)</sup></li> <li>• No use of amplified music, or historical reenactments using gunfire or similar loud noise.</li> </ul>	2 acres
<u>Medium scale use</u> Minor Use Permit	<ul style="list-style-type: none"> <li>• Single or multiple structures with a total area that is 3,000 sq. ft. or greater and less than 5,000 sq. ft.</li> <li>• Not more than 25 automobiles allowed on site at any one time.<sup>(1)(2)</sup></li> <li>• Bed and Breakfast Inn/Lodge (up to 10 guest rooms) [the requirements of Section 84.05.060 (a) need not apply]</li> <li>• No use of amplified music, or historical reenactments using gunfire or similar loud noise.</li> </ul>	5 acres
<u>Large scale use</u> Conditional Use Permit	<ul style="list-style-type: none"> <li>• Single or multiple structures with a total area that is 5,000 sq. ft. or greater</li> <li>• More than 25 automobiles allowed on site at any one time.<sup>(1)(2)</sup></li> <li>• Lodging having more than 10 guest rooms</li> <li>• Restaurants</li> </ul>	10 acres

**Notes:**

- (1) This requirement refers only to the parking required and/or provided for the commercial activities that are accessory to the primary agricultural uses. It shall not apply to the parking provided for the primary agricultural activities (e.g., u-pick or u-cut operations, etc.).
- (2) Parking for the commercial activities accessory to the primary agricultural uses shall be provided in compliance with Section 83.11.040 (Number of Parking Spaces Required) and Table 83-15 (Parking Requirements by Land Use) specified for "General retail." Parking area improvements shall be in compliance with Section 83.11.090 (Parking and Loading Development Standards), or as specified in the approved permit for the commercial agritourism enterprise
- (3) If these operations are conducted year round, a Site Plan Permit shall be required. If the project cannot meet the standards of this section or any other regulations, the permit may be elevated to a Minor Use Permit or a

Conditional Use Permit. These operations shall have an Environmental Health Services-approved wastewater disposal system and facilities. If no more than four events are planned, a Temporary Special Event Permit shall be required.

(4) The parameters in this column will dictate both the use/permit required and the minimum lot size. The filing of a higher land use approval application shall not relieve a project of the minimum lot size.

- (2) **Storage areas.** The total area of all storage areas shall not exceed 25 percent of the total floor area of the structures used for the agritourism enterprise.
- (3) **Setbacks.** Structures for agritourism enterprises shall be set back from lot lines in compliance with Division 2 (Land Use Zoning Districts and Allowed Land Uses) unless a greater setback is required by the applicable review authority.

**(b) Operational standards.**

- (1) **Incidental to primary agricultural, horticultural, animal husbandry use.** An agritourism enterprise shall be incidental to the primary associated agricultural, horticultural, or animal husbandry use being conducted on the property. For the purposes of this Section, a primary agricultural, horticultural, or animal husbandry use shall mean that:
  - (A) At least 50 percent of the total gross parcel area shall be suitable and available for agricultural, horticultural animal husbandry or open space use; and
  - (B) At least fifty percent of that 50 percent area (i.e., 25 percent of the total gross parcel area) shall be in actual active agricultural, horticultural, or animal husbandry use. For operations with a total area greater than 200 acres, at least 40 acres must be actual active agricultural, horticultural, or animal husbandry use.
- (2) **Operator.** The agritourism enterprise shall be operated or maintained by the owner, operator, or occupant of the land upon which the primary associated agriculture, horticulture, or animal husbandry use is being conducted.
- (3) **Hours of operation.** Hours of operation for outdoor activities shall be limited to 8:00 a.m. to 8:00 p.m.
- (4) **Private special events for compensation.** Private special events (e.g. weddings, receptions, parties, etc.) or similar activities conducted for compensation may be held, as follows.
  - (A) Up to 5 private special events in a 12-month time period shall require a Site Plan Permit.
  - (B) 6 to 12 private special events in a 12-month time period shall require a Minor Use Permit.



- (C) 13 or more private special events in a 12-month time period shall require a Conditional Use Permit.

(5) Noise/Amplified Sound. All approved projects shall be operated in compliance with the noise standards provided in Section 83.01.080. All amplified sound being considered as part of a Conditional Use Permit application shall be conducted indoors, except as approved through a Temporary Special Event Permit or when being conducted at least 330 feet from the nearest residence or other sensitive receptor on a neighboring parcel.

- (c) **Existing structures/uses.** A structure existing before the adoption of this Chapter may be used for an agritourism enterprise and shall be exempt from the minimum lot area and floor area requirements specified in this Chapter, provided that an expansion or enlargement the structure(s) shall not exceed 15% of the total floor area existing before adoption of this Chapter unless a greater expansion is allowed through approval of a Minor Use Permit in compliance with Chapter 85.06 (Conditional Use Permit/Minor Use Permit).
- (d) **Additional licenses and permits.** In addition to required land use permits, an agritourism enterprise may be required to obtain licenses and permits from other County Departments (e.g., business licenses from the County Clerk, food service or sales licenses from the County Department of Public Health, animal care licenses from the County Department of Public Health, etc.).
- (e) **Seasonal operations.** Those operations that will be limited to three months of the year that encompass the harvest season of the agricultural product to which the tourism activity is an accessory use. may be operated with reduced standards. These shall include the following:
  - (1) **Parking area.** The parking area does not need to be surfaced with a minimum of two inches of asphaltic concrete paving or plant-mix surfacing but shall be provided with a dust-proofed surface of slag, crushed rock, or an equivalent measure.
  - (2) **Sanitation facilities.** Toilets, potable water, lavatories, wastewater may be used for seasonal operations in compliance with the provisions required for a Temporary Special Event.
  - (3) **Permit required.** Even though an operation may be seasonal, if a structure is built, land use approvals shall be required in compliance with Table 84-1 above.

Adopted Ordinance 4011 (2007)

**810.01.030 Definitions, "A."**

(cc) **Agritourism.** The act of visiting a working farm, ranch, agricultural, or horticultural operation for the purpose of active involvement in the educational, entertainment, or recreational activities offered by the farm or operation.

(dd) **Agritourism enterprise (see Land Use Tables).** An enterprise conducted by an owner of a working farm, ranch, agricultural, or horticultural operation in order to generate income for the farm or operation that is in addition to income derived from the primary farming, ranching, or agricultural activities. Activities and events are designed to educate the public about farming and ranching activities; promote the heritage and culture of farming, ranching, and a rural lifestyle, and promote the products of a farm or ranch. Activities and events may take place indoors or outdoors. Indoor facilities may include classrooms, meeting rooms, overnight accommodations, party facilities, renovated barns, etc. Outdoor facilities may include picnicking areas, trails, riding rings, paddocks, and similar areas for education, entertainment, and recreation. Examples of activities and events include:

- Agricultural food and craft shows
- Agricultural heritage museums and tours
- Barn dances (including square dancing)
- Cattle drives
- Cider pressing/tasting
- Craft skills demonstrations (weaving, candle dipping, clothes making, etc.)
- Crop mazes
- Educational and interpretive seminars, clinics, walks, workshops
- Farm equipment displays
- Farm visits
- Food festivals
- Food service
- Gardens (harvesting flowers, greenery, herbs, dried flowers, berries, vegetables)
- Gift shops
- Guided crop tours
- Harvest festivals
- Hayrides
- Historical reenactments (e.g., Revolutionary War or Civil War battle reenactments)
- Living history events where families can experience the lives of 18th or 19th century farmers, pioneers, ranchers, etc.
- Horse and pony rides
- Living History displays
- Music festivals
- Pet farms
- Picnicking
- Ranch skills demonstrations (horseshoeing, leatherwork, camp cooking, horse training, etc.)
- Retreats
- School tours
- Storytelling
- Wagon rides
- Wine tasting
- U-pick farm or orchard



**810.01.050 Definitions, "C."**

(gg) **Commercial Use.** One or more of the land use types listed in the tables of "Allowed Land Uses and Permit Requirements) in Division 2 (Land Use Zoning Districts and Allowed Land Uses) under the headings of "Recreation, Education & Public Assembly Uses," "Retail," "Services, Business and Professional," and/or "Services, General." "Agricultural Support Services" are also considered as a commercial uses.