DEPARTMENT: Planning Department

RECOMMENDED ACTION AND JUSTIFICATION: Adopt a Resolution of Intention to initiate an amendment to Title 17, Zoning, Chapter 17.40, to make bed and breakfasts and transient rental facilities with a permanent on-site manager a permitted use in the Agriculture Exclusive (AE) zone.

Currently, all bed and breakfasts and transient rental facilities in the AE zone are conditional uses. A conditional use permit must be obtained for a B&B or transient rental in the AE zone, which requires a noticed public hearing at the Planning Commission. A CUP is discretionary, which means that conditions may be imposed and environmental review pursuant to CEQA is required. In other zones in the county, a B&B or transient rental facility is a permitted use, if the application can comply with established standards.

This matter came up at the noticed public hearing for agritourism, when the current owners of the Indian Peak Ranch submitted a letter requesting that the Board of Supervisors amend the AE zone to allow guest and dude ranches to be a permitted use. The request also included an amended definition for guest ranches, to include “self-catering” units. The Board of Supervisors directed that the Indian Peak Ranch request be scheduled for consideration at a future Agricultural Advisory Committee meeting. Although the Agricultural Advisory Committee recommended an alternative approach to the Indian Peak Ranch request; the alternative approach meets the Indian Peak Ranch’s objectives and is supported by the Robinsons.

If the recommended action is taken, Planning Staff will forward the amendment to the Planning Commission for formal consideration at a noticed public hearing. Following the Planning Commission’s recommendation, Planning Staff will schedule the amendment for final action at the Board of Supervisors at a noticed public hearing. An environmental determination will need to accompany the amendment. Staff intends to include this amendment with a batch of other “clean-up” code amendments which the Planning Commission recently initiated. This will economize the processing costs for the amendments.

BACKGROUND OF BOARD ACTIONS:

None related to this amendment.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Financial Impact? [ ] Yes (X) No Current FY Cost: $ 
Budgeted In Current FY? [X] Yes ( ) No ( ) Partially Funded
Amount in Budget: 
Additional Funding Needed: $  
Source: 
Internal Transfer 
Unanticipated Revenue 4/5's vote 
Transfer Between Funds 4/5's vote 
Contingency 4/5's vote 
General Other  
List Attachments, number pages consecutively

1. Draft Resolution of Intention
2. Memo to Agricultural Advisory Committee (AAC)  
3. 9/19/10 Request from Indian Peak Ranch
4. Draft excerpt from AAC meeting minutes 9/30/10

CLERK'S USE ONLY:

Res. No. [X] 538 Ord. No.______ 
Vote – Ayes: 5 Noes: ______ 
Approved [X] 
Minute Order Attached [ ] No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: ________

Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: ________
Deputy

COUNTY ADMINISTRATIVE OFFICER:

✓ Requested Action Recommended
No Opinion

Comments:

________________________________________

________________________________________

________________________________________

________________________________________

________________________________________

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________________________________________

________________________________________

CAO: [Signature]
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution No 2010-538

A resolution of intention to initiate an amendment to Title 17, Zoning, to amend provisions for bed and breakfast and transient rental establishments in the Agriculture Exclusive Zone to allow facilities with an on-site manager to be a permitted use.

WHEREAS, the Mariposa County Code is adopted by ordinance; and

WHEREAS, Title 17, Chapter 17.40 establishes the Agriculture Exclusive (AE) Zone; and

WHEREAS, pursuant to Zoning Amendment No. 09-87, Section 17.40.010.A.1.c was amended to include “Bed and Breakfast and Transient Rentals in accordance with the standards of Section 17.108.180” as a conditional use in the AE Zone; and

WHEREAS, prior to Zoning Amendment No. 09-87, the requirement for a conditional use permit for a bed and breakfast or a transient rental in the AE zone was established by Section 17.108.180, Mariposa County Code; and

WHEREAS, Section 17.108.180 defines bed and breakfast establishments as a “single family structure in which there is a full time, permanent resident family, and a limited number of guest bedrooms. Breakfast is prepared each day is a kitchen appropriately permitted by the Health Department;” and

WHEREAS, Section 17.108.180 defines residential transient rental establishments as “a single family structure which is available for rental to a family or a group on a transient basis;” and

WHEREAS, Section 17.108.180.A limits the number of bedrooms available for occupancy by transients to five in a bed and breakfast establishment; and

WHEREAS, Section 17.108.180.A limits the number of bedrooms available for occupancy by transients to three in a transient rental establishment; and

WHEREAS, as a result of public input received from Indian Peak Ranch (the Robinsons) at a public hearing for Zoning Amendment No. 09-87, the Board of Supervisors directed that the request from Indian Peak Ranch be forwarded to the Mariposa County Agricultural Advisory Committee for review and recommendation; this input had not been a part of the public review and hearing process at either the Agricultural Advisory Committee meetings or the Planning Commission public hearings; and
WHEREAS, at their meeting on the 30th day of September, 2010, the Agricultural Advisory Committee considered the written proposal from Indian Peak Ranch as submitted to the Board of Supervisors for the public hearing on Zoning Amendment No. 09-87; and

WHEREAS, the Agricultural Advisory Committee also considered the memorandum from staff dated the 24th day of September 2010; and

WHEREAS, as a result of the review and discussion, the Agricultural Advisory Committee recommended the Board of Supervisors initiate an amendment to the Zoning Ordinance to make bed and breakfasts and transient rentals with a permanent on-site manager a permitted use in the AE zone.

NOW BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby initiate an amendment to Chapter 17.40 of Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendment to Chapter 17.40 will allow bed and breakfast and transient rental establishments with a permanent on-site manager to be a permitted use in the AE zone.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Chapter 17.40 of the Mariposa County Code will read as follows (new text shown in italicized underlined type and deleted text shown in strike-thru type) (only amended portions of Chapter 17.40 are shown)

Chapter 17.40

AGRICULTURE EXCLUSIVE ZONE (AEZ)

Sections:

17.40.010 Agriculture exclusive zone (AEZ).

17.40.010 Agriculture exclusive zone (AEZ).

The Agriculture Exclusive Zone (AEZ) as designated on the Mariposa County land use map, is applied to land considered to be most desirable for agriculture use. The purpose is to preserve the agricultural industry of Mariposa County as a viable economic activity.

A. Development standards for the AEZ. Development standards for the AEZ shall be as follows, with the express provision that any agritourism or agri-nature tourism use shall comply with all federal, state and local laws and regulations. In this code, agritourism and agri-nature tourism are subject to the same standards and regulations:

1. Uses:

   a. Permitted uses: Ranching and commercial vineyards and orchards, nurseries, greenhouses, wineries, processing plants for products grown on-site (not including dairies), seasonal sale of agricultural products grown on-site from roadside
stands or produce stands, permanent facilities for sale of and/or tasting rooms for agricultural products produced or processed on-site in accordance with the standards established by Section 17.108.070, u-pick operations, collaborative sales of agricultural products in accordance with state and federal standards, agricultural homestays in accordance with standards established by Section 17.40.010.A.4 and in conjunction with the primary agriculture production use of the property, Bed and Breakfasts and Transient Rentals which are managed by permanent on-site managers in accordance with the standards of Section 17.108.180; Collaborative AgriNature Tourism Events, horseback riding as an agritourism use, commercial row crops and other similar agricultural uses when conducted in a manner consistent with proper and accepted customs, standards, and practices, except those listed as administrative or conditional uses below: low density residential and employee housing in accordance with the density standards of this chapter; accessory buildings and accessory uses, barns, private stables, farm equipment shelters, and other out buildings; home enterprises, rural home industry, public schools, public parks and other public facilities, such as volunteer fire departments, utility transmission and distribution lines, towers, poles and substations; mining, rock and mineral processing when in compliance with the Surface Mining and Reclamation Act; private airstrips and heliports for personal use by the property owner; and agricultural activities associated with a 4-H and/or FFA project or projects; and those applicable uses listed under Chapter 17.108. Limited agritourism and agri-nature tourism uses and activities pursuant to the definitions for agritourism and agri-nature tourism and in accordance with the development standards established by Section 17.40.010.A.4 shall be permitted when conducted in compliance with all of the following:

i. A daily use or activity is limited to no more than an average of 15 persons per day with a maximum of less than 106 in any given week (not counting employees). If averages are used, they must be on a per week basis.

b. Administrative Use Permit uses: Larger and more frequent agritourism and agri-nature tourism uses and activities pursuant to the definitions, and including but not limited to Collaborative AgriNature Tourism Events, petting zoos of resident animals, and hunting dog trials when no fire arms are discharged. All of the uses shall be conducted in compliance with all of the following:

i. A daily use or activity is limited to no more than an average of 35 persons per day with a maximum of 250 in any given week (not counting employees). If averages are used, they must be on a per week basis.

ii. The use or activity is conducted in accordance with the development standards established by Section 17.40.010.A.4.

iii. Submittal of an agritourism facility compliance form to the Mariposa County Planning Department is required annually for reporting of agritourism activities and events. The report shall include information on the number of participants, days of activity, and hours of operation.

Agricultural activities associated with a 4-H and/or FFA project or projects shall not be subject to an administrative use permit.
Prior to issuance of an administrative use permit, the use or activity is subject to submittal of proposed use or activity and site plans for review by County departments and State agencies as to compliance with applicable laws, policies, codes and regulations.

Said County department review may determine that proposed activity or use is required to obtain a conditional use permit as defined below in this section.

c. **Conditional uses**: Intensive commercial agricultural uses including but not limited to the following: commercial hog ranches, livestock feed lots when confinement is for the purpose of finishing livestock for market, and commercial poultry farming; fertilizer plants or yards; animal sales yards; dairies; dairy processing plants; experimental agricultural operations determined by the planning director that the operation could impact other agricultural operations in the county, including, but not limited to, those associated with the agri-biotech industry and genetic technologies; dormitory style housing facilities for employees; slaughter houses; very large and frequent agritourism uses and activities pursuant to the definition for agritourism for groups of 36 or more persons per day for ongoing activities up to more than 250 people per week and in accordance with the development standards established by Section 17.40.010.A.4; commercial hunting, hunting dog trials when fire arms are discharged, and game bird clubs; commercial target or shooting ranges, including archery; dude or guest ranches, riding clubs, commercial stables or animal boarding facilities and similar activities (which are not established as part of an agritourism operation or as a Rural Home Industry operation and meeting the standards and provisions listed in Section 17.108.080 and pertinent standards in 17.108.070); private schools, except as permitted by Section 17.108.060(D); churches; and recreational camps or religious organization camps; Bed and Breakfasts and Transient Rentals with no on-site manager in accordance with the standards of Section 17.108.180; Glamping in accordance with the standards established by Section 17.108.180, except as modified by the standards herein. In addition to other conditions placed on them by the planning commission, slaughter houses shall have a minimum setback of fifteen hundred (1500) feet from state highways and adjacent higher density land use classifications or property lines. Agricultural activities associated with a 4-H and/or FFA project or projects shall not be subject to a conditional use permit.

d. **Prohibited uses**: All other uses not listed above are prohibited, except similar uses in compliance with Section 17.08.120 and 17.108.030 of this Title.

**BE IT THEREFORE FURTHER RESOLVED THAT** the amendment to Chapter 17.40 of the Mariposa County Code is written based upon successful completion of the amendments proposed by Zoning Amendment No. 09-87.

**BE IT THEREFORE FINALLY RESOLVED THAT** all other text in this Section of County Code shall remain unchanged.

ON MOTION BY Supervisor Aborn, seconded by Supervisor Bibby, this resolution duly passed and adopted this 23rd day of November 2010 by the following vote:

**AYES:** ABORN, TURPIN, BIBBY, CANN, ALLEN
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Kevin Cann, Chairman
Mariposa County Board of Supervisors

Attest:

Margie Williams
Clerk of the Board of Supervisors

Approved as to Form:

Steven W. Dahlem
County Counsel
Attachment 1 – Draft Resolution of Intention
Attachment 2 – Memorandum to Agricultural Advisory Committee
MEMORANDUM

Date: September 24, 2010
To: Agricultural Advisory Committee
From: Sarah Williams, Deputy Director
Topic: Request for Review of Proposal from Indian Peak Ranch

Attached is a request from Duane Robinson of the Indian Peak Ranch, which was submitted to the Board of Supervisors as part of the public hearing process for Agritourism Amendments to County Code. Because this request had not been considered through the public review and hearing process for the Agritourism Amendment process, the Board of Supervisors referred this matter to you for your review and recommendation.

Indian Peak Ranch

The Indian Peak Ranch is located on AE zoned land. The Robinsons have a transient rental facility which was approved by Mariposa County. The Robinsons permanently live and manage their rental facility from a second single family structure located on the parcel.

Transient rentals (and B&Bs) in the AE zone require a Conditional Use Permit.

A transient rental is defined by Mariposa County Code as a single family structure which is available for rental to a family or a group on a transient basis (periods of 30 days or less).

Request from Indian Peak Ranch

The 9/19/10 request from Duane Robinson was to:

1. Modify the definition of Guest Ranch or Dude Ranch, to include:
   - On-site manager
   - Self-catering units

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.
2. Make Guest Ranches and Dude Ranches permitted uses in the AE zone (instead of Conditional uses)

The intent of the request was to differentiate a self-catering facility (as defined in the Robinson letter) from a transient rental which has no on-site manager. The idea is that a self-catering facility with an on-site manager has less potential for impacts to the neighborhood (surrounding AE land) than a transient rental without an on-site manager.

The intent of the request is to make an operation like the Indian Peak Ranch a permitted use, instead of a conditional use.

Staff Review Comments

If the objective is to make an operation like the Indian Peak Ranch a permitted use instead of a conditionally permitted use, that objective can be achieved without making all guest ranches and dude ranches permitted uses. Staff has concerns about the potential impacts of making all guest ranches and dude ranches permitted uses (instead of conditionally permitted uses).

The Indian Peak Ranch is a transient rental facility with an on-site manager (occupying a second residential structure on the property). There is no need to bring a new term into the zoning ordinance (self-catering unit) to address this objective.

The objective could simply be met by allowing a transient rental facility with a permanent on-site resident manager (which would include an operation like the Indian Peak Ranch, as well as B&B) to be a permitted use in the AE zone.

Request from Agricultural Advisory Committee

Your action will be a recommendation to the Board of Supervisors. You may:

1. Support the request as proposed
2. Not support the request
3. Provisionally support the request (condition or modify the request)

If an amendment to the AE zone is supported, it will still need to be initiated for processing by either the Planning Commission or the Board of Supervisors. Public hearings will need to be noticed and conducted.

The attachment contains the text of the AE Zone as it is currently being considered by the Board of Supervisors, with additional text (yellow highlights) to how the Robinson’s objective might be met most simply. This could be considered as a “similar” land use to an agricultural homestay.

If you have any questions before our meeting, please give me a call at 742-1215 or e-mail me at swilliams@marinosacounty.org. See you!
Chapter 17.40

AGRICULTURE EXCLUSIVE ZONE (AEZ)

Sections:

17.40.010 Agriculture exclusive zone (AEZ).

17.40.010 Agriculture exclusive zone (AEZ).

The Agriculture Exclusive Zone (AEZ) as designated on the Mariposa County land use map, is applied to land considered to be most desirable for agriculture use. The purpose is to preserve the agricultural industry of Mariposa County as a viable economic activity.

A. Development standards for the AEZ. Development standards for the AEZ shall be as follows, with the express provision that any agritourism or agri-nature tourism use shall comply with all federal, state and local laws and regulations. In this code, agritourism and agri-nature tourism are subject to the same standards and regulations:

1. Uses:

   a. Permitted uses: Ranching and commercial vineyards and orchards, nurseries, greenhouses, wineries, processing plants for products grown on-site (not including dairies), agritourism uses in conjunction with the primary agriculture production use of the property, seasonal sale of agricultural products grown on-site from roadside stands or produce stands, permanent facilities for sale of and/or tasting rooms for agricultural products produced or processed on-site in accordance with the standards established by Section 17.108.070, u-pick operations, collaborative sales of agricultural products in accordance with state and federal standards, agricultural homesteads in accordance with standards established by Section 17.40.010.A.4 and in conjunction with the primary agriculture production use of the property. Bed and Breakfasts and Transient Rentals which are managed by permanent on-site managers in accordance with the standards of Section 17.108.180; Collaborative AgriNature Tourism Events, horseback riding as an agritourism use, commercial row crops and other similar agricultural uses when conducted in a manner consistent with proper and accepted customs, standards, and practices, except those listed as administrative or conditional uses below; low density residential and employee housing in accordance with the density standards of this chapter; accessory buildings and accessory uses, barns, private stables, farm equipment shelters, and other out buildings; home enterprises, rural home industry, public schools, public parks and other public facilities, such as volunteer fire departments, utility transmission and distribution lines, towers, poles and substations; mining, rock and mineral processing when in compliance with the Surface Mining and Reclamation Act; private airstrips and heliports for personal use by the property owner; and agricultural activities associated with a 4-H and/or FFA project or projects; and those applicable uses listed under Chapter 17.108. Limited agritourism and agri-nature tourism uses and activities pursuant to the definitions for agritourism and agri-nature tourism and in accordance with the development standards established by Section 17.40.010.A.4 shall be permitted when conducted in compliance with all of the following:

   i. A daily use or activity is limited to no more than an average of 15 persons per day with a maximum of less than 106 in any given week (not counting employees). If averages are used, they must be on a per week basis. Special event numbers are not included in these counts.
ii. The use or activity is for groups of less than 106 persons per day (not counting employees) for special events.

iii. There are no more than 12 organized "special event days" per calendar year; this includes ag-related events and non-ag-related events; no event shall exceed 3 consecutive days in length (not more than 12 event days total);

b. Administrative Use Permit uses: Larger and more frequent agritourism and agri-nature tourism uses and activities pursuant to the definitions, and including but not limited to Collaborative AgriNature Tourism Events, petting zoos of resident animals, and hunting dog trials when no fire arms are discharged. All of the uses shall be conducted in compliance with all of the following:

i. A daily use or activity is limited to no more than an average of 35 persons per day with a maximum of 250 in any given week (not counting employees). If averages are used, they must be on a per week basis. Special event numbers are not included in these counts:

ii. The use or activity is for groups of between 106 to 250 persons (not including employees) per day for special events.

iii. The use or activity is conducted in accordance with the development standards established by Section 17.40.010.A.4.

iv. There are no more than 12 organized "special event days" per calendar year; no event shall exceed 3 consecutive days in length (not more than 12 event days total).

v. Submittal of an agritourism facility compliance form to the Mariposa County Planning Department is required annually for reporting of agritourism activities and events. In addition, a written report shall be submitted to the Planning Department within 10 calendar days following an agritourism special event. The report shall include information on the number of participants, days of activity, and hours of operation.

Agricultural activities associated with a 4-H and/or FFA project or projects shall not be subject to an administrative use permit.

Prior to issuance of an administrative use permit, the use or activity is subject to submittal of proposed use or activity and site plans for review by County departments and State agencies as to compliance with applicable laws, policies, codes and regulations. Said County department review may determine that proposed activity or use is required to obtain a conditional use permit as defined below in this section.

c. Conditional uses: Intensive commercial agricultural uses including but not limited to the following: commercial hog ranches, livestock feed lots when confinement is for the purpose of finishing livestock for market, and commercial poultry farming; fertilizer plants or yards; animal sales yards; dairies; dairy processing plants; experimental agricultural operations determined by the planning director that the operation could impact other agricultural operations in the county, including, but not limited to, those associated with the agri-biotech industry and genetic technologies; dormitory style housing facilities for employees; slaughter houses; very large and frequent agritourism uses and activities pursuant to the definition for agritourism for groups of 36 or more persons per day for ongoing activities up to more than 250 people per week, or for more than 12 "special event days" per calendar year; no event shall exceed 3 consecutive days in length (not more than 12 "special event" days), with more than 250 people per special event and in accordance with the development standards established by Section 17.40.010.A.4; commercial hunting, hunting dog trials when fire arms are discharged, and game bird
clubs; commercial target or shooting ranges, including archery; dude or guest ranches if not permitted agritourism use as listed above, riding clubs, commercial stables or animal boarding facilities and similar activities (which are not established as part of an agritourism operation or as a Rural Home Industry operation and meeting the standards and provisions listed in Section 17.108.080 and pertinent standards in 17.108.070); private schools, except as permitted by Section 17.108.060(I); churches; and recreational camps or religious organization camps; Bed and Breakfast and Transient Rentals with no on-site manager in accordance with the standards established by Section 17.108.180; Glamping in accordance with the standards established by Section 17.108.180, except as modified by the standards herein. In addition to other conditions placed on them by the planning commission, slaughter houses shall have a minimum setback of fifteen hundred (1500) feet from state highways and adjacent higher density land use classifications or property lines. Agricultural activities associated with a 4-H and/or FFA project or projects shall not be subject to a conditional use permit. “Special events”, as defined, may also be subject to requirements established by Chapter 8.28 for Public Assemblies.

d. Prohibited uses: All other uses not listed above are prohibited, except similar uses in compliance with Section 17.08.120 and 17.108.030 of this Title.

2. Minimum parcel or lot size: No parcel of real property in the AEZ shall be divided or split into two (2) or more parcels by voluntary transfer, court action or other conveyance where any one (1) of the parcels so created will be less than one hundred sixty (160) acres or a legal quarter section in gross area.

3. Density: Two (2) single family residences per one hundred sixty (160) acres or a legal quarter section.

4. Special Development and Performance Standards for Agritourism and Agri-Nature Tourism Uses and Activities in the Agriculture Exclusive Zone:

a. Agri-Nature uses or activities are subject to the same development standards as agritourism uses or activities.

b. Except that a maximum of 12 organized “special events”, each of which may be for 3 consecutive days (12 event days total) and with fewer than 106 visitors per day are automatically deemed in compliance, an agritourism use or activity is subject to all of the following road access and maintenance requirements, if the use or activity generates more than 7.5 Average Daily Trips (ADT’s):

i. Any agritourism use or activity which is established shall have access from a road or roads which have adequate capacity for existing traffic and the traffic proposed by the agritourism activity or use as defined by the Mariposa County Road Improvement and Circulation Policy. Any and all road improvements (public and private) must be made only as allowed by the provisions of a recorded access easement. If the agritourism activity is on a non-standard county maintained road, then an agritourism activity may only occur if the non-standard county maintained road is improved by the project proponent to provide adequate capacity as described above.

ii. Any agritourism use or activity which is established shall have access from roads which are maintained. If primary access is not from a county maintained road or a State Highway, then the proponent of the agritourism use or activity shall participate in any existing active road maintenance organization for all privately maintained access roads(s). If no road maintenance organization exists, then the proponent of the agritourism use or activity shall record a road maintenance agreement which provides for maintenance of drainage and erosion control devices, fuel modification, and upkeep of road surfaces from at least the proponent’s property to the nearest County maintained road.
or State highway. The road maintenance agreement provisions shall be developed by the project proponent and shall:

- Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, other governmental entity, or a recorded private road maintenance association.

- Provide for annual maintenance and the immediate correction of emergency and hazard situations.

c. Any exterior activities for agritourism uses and activities shall not commence prior to seven o'clock (7:00) a.m. and shall cease by ten o'clock (10:00) p.m. The Planning Director may consider amendments to these hours of operation on a case by case basis through the Administrative Use Permit process for specific agritourism uses which are time sensitive, such as but not limited to bird-watching, when the Planning Director can make the finding that the amended hours will not have adverse impacts. The Planning Director may apply such conditions as are necessary in order to make this finding.

d. If the agritourism use or activity is immediately adjacent to a commercial poultry operation, there shall be no exterior lights for the agritourism use or activity (except as minimally necessary for public safety) and there shall be no organized agritourism activities after sunset. This requirement may be waived if the agri-nature tourism proponent obtains a signed waiver from the adjacent commercial poultry producer. This standard shall not apply if the agri-nature tourism operation is established before a poultry operation is established on the adjacent property.

e. The agritourism uses and activities shall not require more than 1 (one) employee per acre up to a maximum of the equivalent of 5 (five) full-time employees on-site at any one time. The number of employees will be in full FTE increments, with 1 (one) FTE allowed per acre allowed for agri-nature tourism development as defined in 17.40.010.A.4.i. This limit does not include family members, employees solely of the agricultural operation or employees hired only for Special Events. The Planning Director may consider amendments to the number of employees at an operation on a case by case basis through the Administrative Use Permit process for specific agritourism uses which may require more employees, when the Planning Director can make the finding that the increased number of employees will not have adverse impacts. The Planning Director may apply such conditions as are necessary in order to make this finding.

f. The owner, lessee, designated agent or a designated family member of the agritourism enterprise shall be present throughout the duration of the agritourism use or event.

g. Petting zoos of resident animals shall have a minimum of 1/3 mile buffer from adjacent properties.

h. Activities shall be limited to the on-site agritourism parcel or parcels. Parcel boundaries and no trespassing signs shall be clearly posted. The owner of an agritourism business shall be responsible for the actions, impacts and damages of his or her guests, pursuant to Civil Code Section 1714.

i. The primary use of the parcel on which the agritourism use or activity is located shall be for commercial agricultural production. Pursuant to the 52262 of the Food and Agricultural Code, this shall mean a place of agricultural production which has annual sales of agricultural products of one thousand dollars ($1,000) or more. Agritourism is permitted as a secondary use to the primary commercial agricultural production use. The amount of land permitted for permanent physical improvement (infrastructure and structural improvements) related to agritourism is limited to no more than 10% of a parcel’s acreage or 5 acres of total land area, whichever is the lesser amount.
to comply with this primary use standard. Developed infrastructure and structural improvements do not include unpaved riding or hiking trails. If there are multiple parcels involved in the agritourism use and development, the maximum amount of agritourism development shall be calculated based upon the parcel on which the improved facilities are located, using the % calculation, and there shall be no more than 5 acres cumulative agritourism development allowed on all of the parcels combined.

i. Daily or ongoing agritourism uses or activities shall have adequate provisions for sewage disposal (permanent or temporary) as determined by the Mariposa County Health Department.

k. It is appropriate that Special Events with an occupancy equal to or greater than the permitted use level or administrative use permit use level be served by temporary facilities which have adequate provisions for sewage disposal as required by the Mariposa County Health Department.

l. The agritourism use or activity shall have adequate provisions for public water as determined by the Mariposa County Health Department.

m. The agritourism use or activity shall have adequate access and on-site parking.

n. Any new exterior lighting installed related to an agritourism use or activity shall comply with the dark sky standards as described in the Mariposa County General Plan.

o. An agricultural homestay is subject to all of the following requirements:

i. The parcel on which an agricultural homestay is proposed shall be at least twenty (20) acres in size or greater;

ii. The agricultural homestay is located in a residence occupied by the property owner, an accessory dwelling or other existing dwelling. The agricultural homestay is located on property occupied by the property owner, as evidenced by a homeowners’ exemption carried on the latest equalized assessor rolls, accessory dwelling or other existing dwelling. Failure to maintain the homeowners’ exemption shall be grounds for prohibition of further occupancy as an agricultural homestay;

iii. The agricultural homestay has not more than five (5) guest rooms and accommodates not more than ten (10) adult guests; children accompanied by a guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons;

iv. The agricultural homestay serves meals only to its registered guests and serves meals at any time, and with respect to which the price of meals is included in the price of the overnight transient occupancy accommodation;

v. Lodging and meals are incidental and not the primary function of the agricultural homestay establishment;

vi. The agricultural homestay establishment is located on, and is a part of, a farm, as defined in Section 52262 of the Food and Agricultural Code, that produces agricultural products as its primary business (pursuant to the referenced section of code, this shall mean a place of agricultural production which has annual sales (income) of agricultural products of one thousand dollars ($1,000) or more);

vii. The primary purpose of the homestay establishment is the guest’s education and active participation in the on-site agricultural activities;

viii. Any activities or events that involve more than ten (10) adult guests at an agricultural homestay are prohibited; children accompanied by a
guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons;

ix. A Bed and Breakfast / Transient Rental Permit pursuant to Section 17.108.180 of the Mariposa County Code shall be obtained prior to establishing an agricultural homestay, including a valid Transient Occupancy Tax Certificate.

p. A glamping operation is subject to all of the following requirements:

i. The parcel on which glamping is proposed shall be at least twenty (20) acres in size or greater;

ii. The glamping operation is located on property occupied by the property owner, as evidenced by a homeowners’ exemption carried on the latest equalized assessor rolls, accessory dwelling or other existing dwelling. Failure to maintain the homeowners’ exemption shall be grounds for prohibition of further occupancy as a glamping operation;

iii. The glamping operation has not more than five (5) guest units and accommodates not more than ten (10) adult guests; children accompanied by a guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons;

iv. The glamping operation serves meals only to its registered guests and serves meals at any time, and with respect to which the price of meals is included in the price of the overnight transient occupancy accommodation;

v. The glamping establishment is located on, and is a part of, a farm, as defined in Section 52262 of the Food and Agricultural Code, that produces agricultural products as its primary business (pursuant to the referenced section of code, this shall mean a place of agricultural production which has annual sales (income) of agricultural products of one thousand dollars ($1,000) or more);

vi. Any activities or events that involve more than ten (10) adult guests at a glamping establishment are prohibited; children accompanied by a guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons;

vii. The glamping operation conforms to all building codes, fire codes and American Disabilities Act requirements.

viii. A Bed and Breakfast / Transient Rental Permit pursuant to Section 17.108.180 of the Mariposa County Code shall be obtained prior to establishing a glamping operation, including a valid Transient Occupancy Tax Certificate.

B. **Agricultural advisory committee.** As part of the review of an application for rezoning to place property into or remove property from the Agriculture Exclusive Zoning district, the planning director shall refer the application to the agricultural advisory committee. The committee shall review each action described above and may, if necessary, inspect the property in question to determine if the property is bona fide agricultural land appropriate for the Agriculture Exclusive Zoning district and if such action is consistent with the general plan. The committee shall forward their recommendation for action on the rezoning application to the planning commission.
Chapter 17.148
DEFINITIONS

Sections:

17.148.010 Definitions of terms and phrases.

The following terms and phrases shall be used in this title and are listed alphabetically:

(Only new or amended definitions are included. The remainder of Chapter 17.148 is unchanged by this ordinance.)

Accessory dwelling:
"Accessory dwelling" means either an attached or detached dwelling unit which provides potential living facilities for one or more persons. Included are caretaker quarters.

Agricultural homestay:
"Agricultural homestay use" means a business that provides overnight transient occupancy accommodations in five or fewer guest rooms with not more than ten (10) adult guests; (children accompanied by a guardian do not count as adult guests, but the total number of guests must not exceed fifteen (15) persons); and serves meals at any time to only registered guests, who actively participate in the guest’s education and the on-site agricultural activities. Agricultural homesteads are located in the residence of the property owner or accessory dwelling or other existing dwelling.

Agricultural product sales:
"Agricultural product sales use" means the sale of food or fiber commodities of any kind directly associated with the agricultural operation on-site. Agricultural product sales include:
A. On-farm sales of products grown, raised or manufactured on-site;
B. Road-side stands displaying products grown, raised or manufactured on-site, available for purchase;
C. U-pick operations where the public is invited to select or harvest products grown on-site.

Agritourism use:
"Agritourism" means visitor-oriented destinations and experiences which are centered on agricultural production. The act of visiting a working farm or any agricultural, horticultural, or agribusiness operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation: an enterprise located at a working farm (as defined by Section 52262 of the California Food and Agriculture Code), ranch, or other agricultural operation or agricultural plant/facility, which is conducted for the enjoyment and education of visitors, guests or clients, and that generates income for the owner/operator. Agritourism is the act of visiting a working farm/ranch or any agricultural, horticultural or agricultural operation for the purpose of enjoyment, education or active involvement in the activities of the farm/ranch or agricultural operation that also adds to the economic viability of the agricultural operation. Agriculture must be the primary use of the land, pursuant to the standards and criteria established by Section 17.40.010.A.4.a.b.
Examples of limited agritourism uses and activities allowed as permitted uses include but are not limited to an agricultural homestay, star-gazing educational and interpretive seminars, clinics, tours, and youth exchange programs when related to an on-site agricultural operation and in accordance with agricultural homestay requirements and photography.

Examples of larger and more frequent agritourism uses permitted through an administrative use permit include, but are not limited to petting zoos, horseback riding (which may include trail riding instruction necessary for the safety of guests, if pertinent to agritourism use), and hunting dog trials in which no firearms are discharged.

Arena events such as roping competitions, horse shows, rodeos and similar commercial-for-fee sporting events are specifically excluded from the allowed uses and activities in the definition of agritourism. Weddings and concerts are specifically excluded from the allowed uses and activities in the definition of agritourism. A RV park and camping are specifically excluded from the allowed uses and facilities in the definition of agritourism.

Agri-nature tourism use:
"Agri-nature tourism use" means visitor-oriented destinations and experiences, which are centered on an agricultural and/or natural theme. The act of visiting a working farm (as defined by Section 52262 of the California Food and Agriculture Code), ranch, or any agricultural, horticultural, or agribusiness operation, for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation and/or activities and experiences taking place in natural areas that also adds to the economic viability of the agricultural operation. Agriculture must be the primary use of the land, pursuant to the standards and criteria established by Section 17.40.010.A.4.a.h.

Examples of limited agri-nature tourism uses and activities allowed as permitted uses include but are not limited to educational and interpretive seminars, clinics, walks, cross-country skiing, picnics, gold panning, hiking, tours, working dog trials, wagon rides when confined to the agritourism parcel, wildlife viewing, and photography.

Examples of larger and more frequent agri-nature tourism uses permitted through an administrative use permit include, but are not limited to petting zoos, horseback riding, and hunting dog trials, in which no firearms are discharged.

Collaborative AgriNature Tourism Events:
"Collaborative AgriNature Tourism Events" means the temporary use of multiple agricultural properties and/or facilities, for which a fee may or may not be charged, where there is a gathering of people in multiple locations to tour agricultural sites, experience agriculture in hands on workshops, and develop a respect for the natural resources of Mariposa County. These events may not exceed three (3) consecutive days per event. Event participation is determined by the total number of participants divided by the number of locations participating in the event; larger events require an Administrative Use Permit. Permits may be required, such as but not limited to Public Assembly Permit and Food Facilities Handlers Permit.

Commercial stable:
"Commercial stable use" means an equine facility, barn or stable that is used by the residents, who occupy the property and is also used by private invited clients or guests for
the purpose of raising, boarding, breeding, training and riding. Use may include lessons, professional training, educational seminars and clinics. These activities may be undertaken for equines not owned by the resident of the property and such services are limited to invited or scheduled guests and/or clients as a business or income source.

Ecotourism:
"Ecotourism use" means travel to fragile, pristine, and usually protected areas that strives to be low impact and (often) small scale. Ecotourism development helps educate the traveler; provides funds for conservation; directly benefits the economic development and political empowerment of local communities; and fosters respect for different cultures and for environmental justice and human rights. Ecotourism appeals to ecologically and socially conscious individuals. Generally speaking, ecotourism focuses on volunteering, personal growth and learning new or adaptive ways to live on the planet. Responsible ecotourism includes programs that minimize the negative aspects of conventional tourism on the environment and enhance the cultural integrity of local people.

FTE (Full Time Equivalent):
"FTE" means full time equivalent of five (5) eight (8) hour work days per week. For Agritourism and Agri-Nature Tourism activities, FTE is counted for volunteers and paid employees alike. Family members living on-site are excluded from FTE counts.

Geotourism:
"Geotourism use" means tourism that sustains the geographical character of a place—its environment, heritage, aesthetics, culture, and the well-being of its residents. Geotourism is not just about where places are, but what places are. Geotourism celebrates what makes one place different from the next. That includes not only flora and fauna, which is the realm of ecotourism, but also historic structures and archaeological sites, scenic landscapes, traditional architecture, and locally grown music, cuisine, crafts, dances, and other arts. Geotourism is environmentally responsible, committed to conserving resources and maintaining biodiversity; it is culturally responsible, committed to respecting local sensibilities and building on local heritage.

Glamping:
"Glamping" means a transient occupancy facility, regulated by uniform building code and uniform fire code, where guests occupy detached permanent upscale tent units or similar units but which are not conventional hotel, motel or cabin facilities and are not an agricultural homestay or camping as defined within County Code. Payment for accommodations specifically includes overnight lodging and meals, and transient occupancy tax.

Guest ranch or dude ranch:
"Guest ranch or dude ranch use" means a transient occupancy facility where guests occupy detached cabin units, bunk units or other similar type units but which are not conventional hotel or motel facilities and are not an agricultural homestay or glamping as defined within County Code. Payment for accommodations at a guest ranch or dude ranch specifically includes entertainment or participation in activities at the ranch, as well as the overnight lodging and meals.

Permanent land use:
“Permanent land use” shall mean regular or typical use of land and/or facilities on land or parcels within Mariposa County. “Permanent land use” means the use of land on a daily basis, a weekly basis, or other regular basis, or for any more than twelve (12) times (event days) per calendar year. Permanent land uses are subject to compliance with the Mariposa County Code, Zoning Ordinance.

**Petting zoo:**

“Petting zoo” means resident domestic animals and some resident wild species docile enough to touch and feed. Confined domestic livestock customary and incidental to agricultural operations shall not constitute a petting zoo.

**Private stable:**

“Private stable use” means an equine facility, barn or stable that is used for and by the residents, who occupy the property, for the purpose of raising, breeding, training and riding their own horses. The use may also include training and breeding outside horses (horses not owned by the residents); however lessons for riders (other than as needed to prepare guests for an agritourism activity) are not considered agritourism or agri-nature tourism uses. Riding lessons may be allowed as a Rural Home Industry operation in compliance with the development and performance standards in Section 17.108.080 and pertinent standards in Section 17.108.070.

**Special event:**

“Special event” means the temporary use of land and/or facilities, for which a fee may or may not be charged, for meetings, gatherings, celebrations and events, where there is a gathering of people in one geographical location within the county regardless of whether such gathering occurs on public or private property. A single “special event” may not exceed three (3) consecutive days. Excluded from the definition of “special event” are gatherings entirely composed of persons related to each other by blood or marriage. A maximum of twelve (12) “special events” (with a maximum of 3 days per event) per calendar year (not more than 12 event days) may be conducted on a parcel or group of parcels owned by the same person(s) or business beyond or above which the use or activity shall be subject to zoning ordinance compliance as a permanent land use in accordance with all applicable standards contained in Mariposa County Code. Uses which have potentially significant unmitigable impacts as determined by the Planning Director or other Department Head are prohibited as “Special events”. “Special events” may also be subject to other codes and regulations, including those established by Chapter 8.28 for public assemblages.
Attachment 3 – 9/19/10 Letter from Indian Peak Ranch
(Duane Robinson)
Indian Peak Ranch
3276 Indian Peak Road
Mariposa, California 95338

Phone: (209) 965-5259

September 19, 2010

Mariposa County Board of Supervisors
P.O. Box 794
Mariposa, CA 95338

Re: Agritourism / Agri-nature Tourism Amendments to County Code – Zoning Amendment
No. 2009-87 – County of Mariposa, Proposed Revision Consideration – 17.148 &
17.108.180

Dear Supervisors Aborn, Turpin, Bibby, Cann and Allen:

We are proposing a revision to 17.148 to allow self-catering units as an alternative to meals
being included. This change would be beneficial for grocery stores and/or restaurants in the
town of Mariposa. We would request additional wording in the definitions, chapter 17.148 as
follows (change is highlighted in red): ‘We have also added the words “with an onsite manager”
to differentiate these facilities from other transient rentals or Bed and Breakfast facilities.

Guest Ranch or Dude ranch:
“Guest ranch or dude ranch use” means a transient occupancy facility, with an onsite
manager, where guests occupy detached cabin units, bunk units or other similar type
units but which are not conventional hotel or motel facilities and are not an agricultural
homestay as defined with County Code. Payment for accommodations at a guest ranch
or dude ranch specifically includes entertainment or participation in activities at the
ranch, as well as the overnight lodging and meals and/or self-catering units.

The definition of self-catering is a European term, which is quickly catching on in this country.
Merriam-Webster’s online dictionary defines self-catering as: “provided with lodging and
cooking facilities but not meals”.

Additionally 17.108.180 should have “guest ranch or dude ranch” added as a permitted use in
the AE zone along with agricultural homestays.

Thank you for your consideration of these proposed revisions.

Sincerely,

Duane Robinson
Indian Peak Ranch

Cc: Mariposa County Planning Department – Sarah Williams and Karen Robb
Attachment 4– Draft Minute Excerpt from Agricultural Advisory Committee Meeting on 9/30/10
Agricultural Advisory Committee
Draft Meeting Minutes EXCERPT
DRAFT September 30, 2010
10:30a.m. - Government Center 1st floor Conference Room, Mariposa

Agenda Item 1 - Call to Order, Roll Call and Introductions

Meeting was called to order at 10:31 a.m. by Chairman Dennis Bunning.

Voting Members present: Dennis Bunning, Chairman, representing the Farm Bureau; Linda Meyer, at large member and Jerry Progner, at large member. Excused: Mike Hubert, representing Resource Conservation District; Tony Tosco, representing Mariposa/Merced Cattlemen's Association.

Staff and County representatives present: Sarah Williams, Alvaro Arias, Damon Golubics, Carol Suggs, Mariposa County Planning Department; Cathi Boze, Ag Commissioner; Dawn Afman, Resource Conservation District; Maxwell Norton, Farm Advisor; Norm Ross, Planning Commissioner; Lyle Turpin, District 2 Supervisor.

Members of the public present: Mary (Kathy) Copeland, Mary Darlene Theodore, Duane Robinson, James Devine.

Agenda Item 5 - Review and possible recommendation to the Planning Commission and the Board of Supervisors regarding Self-Catering Units in the AE zone (Transient Rentals with on-site manager).

Williams stated that this item was a referral from the Board of Supervisors (BOS). She stated that last Tuesday, during the agritourism meeting, a letter was received from Mr. Robinson of Indian Peak Ranch. Williams explained that any recommendation that the committee has on this matter would then go back to the BOS.

Williams went over the Robinson's request which was to change the definition of Dude/Guest Ranch to include an on site manager and to include self-catering units, and to allow Dude/Guest Ranches as permitted in the Agriculture Exclusive Zone (AE), instead of having it be a conditional use in the AE Zone.

Williams described Indian Peak Ranch's facility. Williams stated that the Robinson's are essentially requesting that a Transient Rental facility with an on-site manager be listed as a permitted use in the AE zone. She explained that this could be more simply accomplished with a text modification to code. She explained that when an on-site manager is available that renters typically create less of an impact to neighbors.

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.
Williams said that there is a simple way to accomplish this without opening it up the AE Zone to dude/guest ranches as “permitted uses”. The text to do this is included as an attachment to the memo.

Robinson stated that he sent an email relative to their attempts to get this changed through agritourism and the process was very laborious. He stated that he received Williams’ packet and it seemed to provide a simple solution. Robinson said that their Transient Rental has been operating since 1985 without any complaints and that the ranch is on less than 160 acres. He stated that although they do have some cattle, the topography is not appropriate for livestock or agriculture production but it offers great views and open space. Robinson felt that is was important to bring this to the County to try and fix this for people who might be under a similar situation, those that are zoned AE but that may have non useable ag land. He concluded that to be able to use this non prime land for Transient Rental would provide fees for the County and keep the property as open space.

Bunning asked Robinson if it was his goal to allow others to operate and he expressed concern with Transient Rentals cropping up on AE land.

Robinson replied that he is simply trying to promote tourism for people who may have non useable AE land.

Bunning remarked that he only had a brief time to present this item to the Farm Bureau and that it was the general consensus not to have this activity as a permitted use as it does not relate to agriculture. Bunning mentioned that visitors could come under agritourism. He noted that anything that is related to agriculture that the Farm Bureau supports, but when the outside public comes in they need to be able to review for impacts. Bunning concluded that he is still not comfortable with this as it is not related to agriculture.

Robinson stated that as far as he knows that over the last 15 years they are the only ones operating a Transient Rental on AE zoned property. He stated that ag home stay has an ag component. He doesn’t have that same ag component with the exception of the open space and enjoying the land. Robinson went on to state that most everyone who has ag property has some other activity that they do for another source of income. Although they do graze some cattle it doesn’t generate the $1000 a year income.

Bunning stated that Robinson is already operating as a transient rental and did not understand why he is pursuing this when he is already operating.

Meyer asked Williams what the average cost of a Conditional Use Permit.

Williams replied that an application like this could be exempt from an environmental review, however it would need to go through an Ag Advisory Meeting and a Planning Commission meeting and she estimated that cost might be $1,000-$2,000. The fees are estimated and based on the actual time spent processing the application.
Robinson stated that he had already spoken to three supervisors regarding this concept and that Turpin had spoken positively of the open space aspect for tourists. He also stated that the property could not be realistically rezoned because of its location being surrounded by AE zoned properties.

Progner referred to staff's comments and posed a question to Williams regarding the email from her to Robinson regarding a simpler way to achieve what Robinson is seeking without involving dude/guest ranches.

Williams explained that instead of making dude/guest ranches as a permitted use, an alternative is to make transient rentals with an on site manager as a permitted use on AE zoned land as this would achieve the Robinson's objective.

Robinson concurred.

Progner asked if this would allow Bed and Breakfasts in the AE zone?

Williams stated that Bed and Breakfast facilities already have someone there to oversee the guests, the difference is in the Transient Rentals, in that they normally do not have someone on site. They would only have someone on-site if there was a second residence on the parcel.

Bunning then read both Hubert's comments on this issue and Toso's comments on this issue aloud. Both were not to support the request.

Progner stated that if Hubert and Toso would have had the information such as what they were discussing today, (leaving the dude/guest ranches as a conditional use and allowing Transient Rentals with an on site manager) that they may had come back with different comments.

Bunning agreed.

Further discussion occurred between the committee and Robinson about how many parties rent the facility, that Bed and Breakfast is more intensive that a Transit Rental and that a Transit Rental is even less impact than an ag home stay.

Aftman asked Bunning if his reservations were that current ag people would then build second residences so that they could use this to supplement income.

Bunning responded, no, that he is concerned that we are moving this to a different level as this doesn't have any ag activity going on.

Norton inquired if there are many complaints on Bed & Breakfast facilities that are operated on a Conditional Use Permit?

Williams didn't recall any.
Boze stated that she agrees with Robinson and the alternative that Williams came up with. Boze stated that this is an educational opportunity for people to stay on the land.

Williams discussed Fish Camp complaints on Transient Rentals. She stated that the Bed and Breakfast facilities don’t seem to get complaints because of the on site management. Residents have complained on Transient Rentals that do not have a on site manager when guests “knock on their doors” for help with various issues associated with the rental. They are pushing for additional restrictions for Transient Rentals. She stated this is similar to issues in Yosemite West.

Norton commented that there are similar issues with Transient Rentals in the coastal communities.

Williams commented that the Robinsons have an on site manager so this wouldn’t be an issue.

Meyer asked if this was a unique situation and one that seems not to be a big impact.

Williams discussed the history of allowing transient rentals in Mariposa County. Some people have second residences and this is a way to make those second residences “pay for themselves” by offering them up as a Transient Rental when they are not using them.

Williams stated that Robinsons are already at maximum density with their property and that no more houses could be built.

Bunning stated concern that if this is allowed that it could grow if people have more than one parcel they could put two houses on each parcel.

Williams stated that people could put two houses on each parcel now but that this is not intended to allow a guest ranch in disguise.

Progner stated that in Robinson’s letter he wanted 17,108 to allow dude ranches to be permitted in AE zone.

Robinson replied that he wanted that with an on site manager.

Progner agreed that having an on site manager is the big differential. He stated that there was no way that they want to allow dude/guest ranches as a permitted use, and that he agrees with the yellow highlighted suggestions in the staff report. He is ok with having Bed and Breakfast or Transient Rental with on site manager.

Bunning asked Williams if this was something that is doable from Planning’s standpoint.

Williams replied, yes, with agritourism the door is open for additional uses in the AE Zone and although this isn’t true agriculture, it is exposing visitors to open space. She also suggested if they weren’t comfortable with the impacts that the Bed and
Breakfasts, which now allow 5 bedrooms, they could recommend to the Board of Supervisors to only allow Transient Rentals with an on site manager.

Bunning asked about the review standards that these would have to go through and whether or not they take into consideration road length in the evaluation process.

Williams stated that if the house is new, that items such as the road/driveway would be reviewed through the normal building permit process as a single family residence. She did say that if the house exists that there would only be the review to see if it passes for general health and safety regulations. She went on to explain the reviews that Building, Planning and Fire does on the Transient Rentals.

Prognor made a motion that the Ag Advisory Committee recommend to the Board of Supervisors that they amend 17.40.010 as per the yellow highlights as presented in the staff report for this issue.

Before the vote was called Williams reminded the committee that this was a recommendation that would go to the Board of Supervisors, then to the Planning Commission, then back to the Board of Supervisors and that it would have public noticing and review.

Meyer seconded the motion. Motion passed.

Vote:

Ayes: 3 (Bunning, Meyer, Prognor)
Noes: 0
Excused: 2 (Hubert, Toso)