

Mariposa County: Zoning
Amendment 2009-87
Agritourism and Agri-Nature
Tourism Amendments to County
Code



Purpose

- ❖ Agritourism and Agri-Nature Tourism were developed as tools to assist ranchers and farmers to maintain their family operations by increasing profitability
- ❖ Agritourism is fastest growing sector of tourism. However,
- ❖ Agritourism is secondary to the agricultural operation –
- ❖ The purpose of agritourism is to protect agriculture (here in the Ag Exclusive zone) by increasing profitability of the property, NOT to introduce new businesses into AEZ



Purpose

- ❖ Agritourism an important tool for some family owned ag operations, regionally, nationally and internationally
- ❖ Mariposa County General Plan, adopted in December 2005, encourages growing ag economy through adaptive uses, e.g. agritourism
- ❖ Agritourism definitions and uses permitted by right vary widely – what is appropriate and enforceable in one county, not in another
- ❖ Lack of clearly defined uses and standards has impeded development of agritourism uses in Mariposa County



Purpose

Issues:

- ❖ Lack of clarity as to what was an allowed use
- ❖ Lack of development and performance standards
- ❖ Lack of clear definition of Agritourism
- ❖ Broad spectrum of expectations/concerns re agritourism in Mariposa County



History

- ❖ 9-2-07 Board of Supervisors discussion
 - ❖ 11-27-07 Presentation
 - ❖ 1-26-08 Public Workshop
 - ❖ 3-1-08 Public Workshop
 - ❖ 8-26-08 Workshop
-
- ❖ Lack of consensus, no clearly defined standards or definitions had been determined



History

Supervisors, Planning Department switched approaches

- ❖ 12-9-08 Workshop
- ❖ 1-27-09 Resolutions 09-43, 09-44
- ❖ 3-10-09 Ag Nature Tourism Committee appointed



Agriculture Nature Tourism Advisory Committee

- ❖ Kris Casto, Agri-Nature TrailsAssoc
- ❖ Dennis Bunning, Farm Bureau
- ❖ Jeff Hentz (Brian Bullis) Visitors and Tourism Bureau
- ❖ Ken Pulvino, Chamber of Commerce
- ❖ Mike Hubert (Jerry Progner) RCD
- ❖ Rita Kidd, Public Member at Large
- ❖ Brenda Ostrom, Chair, Public Member at Large

Ex officio members:

- ❖ Maxwell Norton, UCCE
- ❖ Cathi Boze, Ag, Weights, & Measures
- ❖ Marilyn Lidyoff, Economic Development
- ❖ Becky Crafts, Assessor and Recorder
- ❖ Sarah Williams, County Planning Department



History

- ❖ 9-2-07 Board of Supervisors discussion
- ❖ 11-27-07 Presentation
- ❖ 1-26-08 Public Workshop
- ❖ 3-1-08 Public Workshop
- ❖ 8-26-08 Workshop
- ❖ 12-9-08 Workshop
- ❖ 1-27-09 Resolutions 09-43, 09-44
- ❖ 3-10-09 Ag Nature Tourism Committee appointed



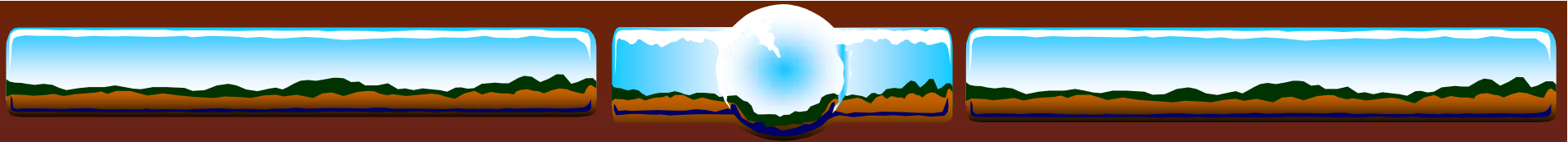
History

- ❖ 3-20-09 ANTAC first meeting
- ❖ 3-27-09 ANTAC meeting
- ❖ 4-13-09 ANTAC meeting
- ❖ 4-24-09 ANTAC meeting
- ❖ 5-15-09 ANTAC meeting
- ❖ 5-22-09 continued ANTAC meeting
- ❖ 6-16-09 Board of Supervisors, resolution 09-296
- ❖ 7-9-09 Agricultural Advisory Committee
- ❖ 8-20-09 Agricultural Advisory Committee
- ❖ 9-10-09 Agricultural Advisory Committee



History

- ❖ 3-5-10 Planning Commission Workshop
- ❖ 4-23-10 Planning Commission Public Hearing
- ❖ 8-10-10 Board of Supervisors
- ❖ 9-21-10 Board of Supervisors, cont'd to
- ❖ 10-5-10 Board of Supervisors
- ❖ 10-22-10 Planning Commission
- ❖ 11-9-10 Board of Supervisors adopted
resolution



Agri-Nature Tourism Permitted Uses Based on Intensity and Impacts

Board of Supervisors directed consideration of four levels of uses:

- ❖ Low impact uses permitted by right (no permit required from Planning Department)
- ❖ Moderately intense uses permitted by an “over-the-counter” permit from the Planning Department (AUP)
- ❖ Intense uses permitted by Conditional Use Permit (from the Planning Commission)
- ❖ Prohibited uses



Agri-Nature Tourism Impact Evaluations

–How did we get here?

- ❖ Utilized Calaveras County code as starting model
 - ❖ Traffic and road maintenance
- ❖ Environmental Consequences considered
- ❖ Impact measures included
 - ❖ Accountability
 - ❖ Adjustments for property size
 - ❖ Road capacity
 - ❖ Road maintenance
 - ❖ Safety
 - ❖ Impacts on neighbors and other ag operations





Proposed Definitions: Agritourism

Previous definition was ambiguous, lacking info or stds

- ❖ “Agritourism” means an enterprise located at a working farm, ranch or other ag operation or ag plant/facility, which is conducted for the enjoyment and education of visitors, guests or clients, and that generates an income for the owner/operator.

Agritourism is the act of visiting a working farm/ranch or any ag, hort or ag operation for the purpose of enjoyment, education or active involvement in the activities of the farm/ranch or ag op that also adds to the economic viability of the operation.

Fee for experience





Proposed: Agri-nature tourism use

- ❖ “Agri-nature tourism use” means visitor-oriented destinations which are centered on an ag and/or natural theme. The act of visiting a working farm, ranch or any ag, hort, or ag business operation for the purpose of enjoyment, education or active involvement in the activities of the farm or op and/or activities and experiences taking place in natural areas that also adds to the economic viability of the ag operation. Ag must be the primary use of the land.





Additional Definitions:

- ❖ Accessory Dwelling
- ❖ Agricultural Homestay
- ❖ Agricultural Product Sales
- ❖ Collaborative Agri-Nature Tourism Event
- ❖ Commercial Stable
- ❖ Ecotourism
- ❖ Geotourism
- ❖ Glamping
- ❖ Guest Ranch or Dude Ranch
- ❖ Permanent Land Use
- ❖ Petting Zoo
- ❖ Private Stable





Permitted Uses In AEZ



- ❖ Agriculture
- ❖ Ag Product Sales
 - ❖ On-farm
 - ❖ Road Side
 - ❖ U-Pick
- ❖ Home Enterprise
- ❖ Rural Home Industry
- ❖ Agritourism, Agri-Nature Tourism

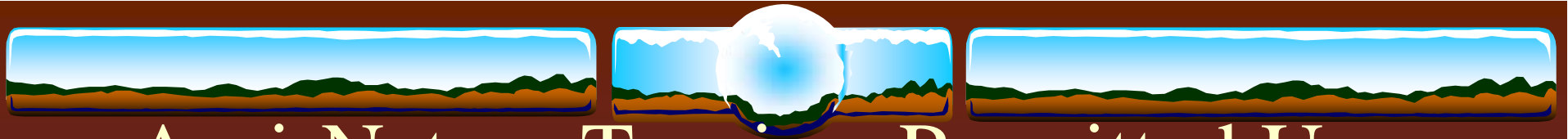
Note: Agri-Nature Tourism doesn't alter, restrict or replace what is already permitted in AEZ



Agritourism vs Ag Product Sales

- ❖ Agricultural sales are already permitted
 - ❖ On-farm
 - ❖ Road Side
 - ❖ U-Pick
 - ❖ Farmers Markets
- ❖ Agritourism charges a fee for the experience
 - ❖ Tours
 - ❖ Seminars
 - ❖ Activities





Agri-Nature Tourism Permitted Uses

Based on Intensity and Impacts

To be considered a permitted use or an AUP use, essential that the use would qualify for an exemption from environmental review (CEQA)

- ❖ Amendments intended to be ‘self-mitigating’ for permitted and AUP uses
- ❖ If a permitted use is developed in compliance with all established development standards, there should be no significant impacts resulting from that use
- ❖ Levels of intensity were based on types of activities and numbers of persons participating in the activities



Use permits based on impacts of people

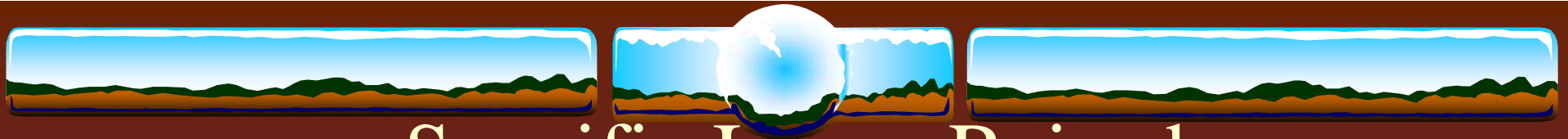


- ❖ Traffic and existing Public Assemblage Permit used as guides in setting levels



- ❖ Averages based on weekly averages





Specific Issues Raised

An educational instrument needed to help potential operators and their neighbors know what is permitted and what to expect

- ❖ Unanimous concern throughout the process
- ❖ Include clarification of Agritourism, Agri-Nature Tourism, Home Enterprise, Rural Home Industry and Direct Ag Sales



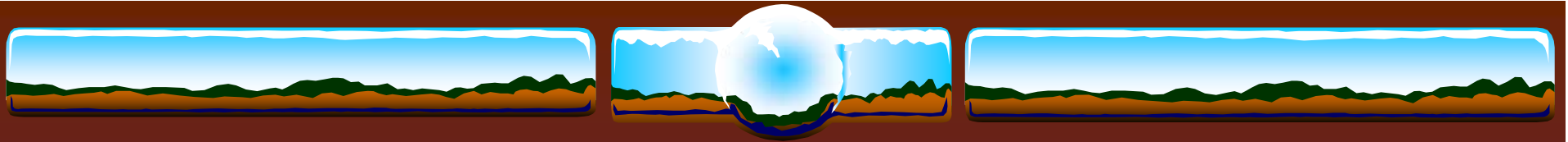
Specific Issues Raised

Noticing of neighbors:

- ❖ Following project approval through an AUP, the project approval action will be noticed in the newspaper and in at least 3 locations, also written notice sent to residents within 300 feet of activity upon receipt of an AUP application
- ❖ No noticing of activities permitted by right

Special Events

- ❖ Numbers allowed
- ❖ Types of events allowed (whether permitted in zone or not)



Next Steps

- ❖ Development of Agri-Nature Tourism Permit Manual
- ❖ Development of voluntary Agri-Nature Tourism Program for Mariposa County
- ❖ Development of amendments for remaining zones appropriate for Agri-Nature Tourism, e.g. Mountain Home Zone, Mountain Transition Zone, etc.



What Have We Accomplished?

Amendments:

- ❖ Allows neighbors on both sides of the fence to know what to expect
- ❖ Clarifies rules and procedures on both sides of the planning department window
- ❖ No one is completely happy with amendments
- ❖ Voluntary program to monitor Agritourism impacts
- ❖ Process in place to evaluate amendments, limits in 2 years – tweak if appropriate



What Have We Accomplished?

Amendments:

- ❖ Give structure and certainty to ag operators and their neighbors regarding Agri-Nature Tourism uses and activities
- ❖ Clarify the procedures associated with Permitted, Administrative Use Permitted, and Conditionally Permitted Agri-Nature Tourism uses for the benefit of an applicant, staff and the decision-maker
- ❖ Implement the General Plan as relates to Agritourism
- ❖ Phase I applied only to AEZ, although some may be utilized in the future for other zones