EXHIBIT B.4

CHAPTER 28, PUBLIC ASSEMBLY USES

(Note: Red = New Language, Black = Existing language and Strikethrough = language to be deleted)

Sec.28.73.30 Public Assembly Uses

A. General Requirements.

Public assembly uses shall comply with the following general standards:

- 1. <u>General Development Standards.</u> No use of land or buildings shall be conducted except in compliance with the general development standards in Section 28.70.10.
- **2.** <u>Access.</u> Shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion.
- **3.** Encroachment Permit Required. All connections to County roads shall meet the encroachment permit requirements of the Public Works Engineering Division, Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- **4.** Exterior Lighting. Public assembly uses shall provide lighting capable of providing adequate illumination for security and safety. Lighting shall be downcast and/or directed away from adjacent properties and public rights-of-way to prevent offensive light or glare.
- **5.** Parking Screening. Parking areas shall be enclosed and screened by a minimum sixfoot high, solid board fence or a minimum six-foot high masonry wall which shall separate the parking lot from the adjoining residential uses or any R District; and shall provide traffic surfaces that are maintained in a dust-free manner.
- **6.** Roads. Shall be located on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road. All connections to County roads shall meet the encroachment permit requirements. of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.
- **7.** <u>Setbacks.</u> The minimum setback from an adjacent street shall be the same as required for the main building. All public assembly uses where liquor is served shall be located at least 200 feet from any boundary of a residential district, unless a use permit is first secured.
- 8. Incidental Retail Uses. Public assembly uses of land, buildings or structures may include

incidental retail uses customarily found at such establishments.

9. Outdoor Storage. Outdoor storage incidental to the primary use of the parcel for public assembly purposes is permitted, provided the area devoted to outdoor storage is screened from public view.

B. Specific Requirements

The specific public assembly uses listed below shall comply with the general requirements (A.1-5) above each provision of Section 28.71 and Section 28.73.30A and the following specific standards:

1. <u>Clubs, Lodges and Fraternal Organizations</u>

Clubs, lodges, and fraternal organizations shall comply with the following standards:

a. Maintain a minimum ten-foot landscaped strip on all property lines abutting residential property or any R District;

2. Entertainment Venue.

- a. General Requirements.
 - (1) <u>Roads.</u> Shall be located on a public street or road. All connections to County roads shall meet the encroachment permit requirements of the Director of Resource Management, which generally include, but shall not be limited to, paving of the connection within the County road right-of-way.

Limited Public Event

Limited public events, as permitted in the applicable zoning district, shall meet the following standards:

- **a.** <u>Duration and Frequency of Events.</u> Shall be limited to once per year and shall not be open to the public for more than 10 weeks,
- **b.** <u>No Interference with Adjacent Agricultural Operations.</u> Shall not cause significant adverse impacts to adjacent agricultural operations.
- **e.** <u>Limitations on Operation.</u> Shall not operate on land which has been utilized for crop production within the past five years (operation on grazing land is acceptable),
- **d.** <u>Outdoor Event Limitation.</u> Shall be limited to outdoor events (no fully enclosed structures or tents open to the public),
- e. <u>No Electronic Amplification of Sound.</u> Shall not utilize electric sound amplification systems, and

- **f.** <u>Limitation of Site Improvements.</u> Shall require only minimal site alterations or permanent physical improvements.
- **g.** <u>Restoration of Site.</u> Upon termination, expiration, or revocation of the use permit, the site shall be fully restored to its original condition.
- 3. Outdoor Theaters. Outdoor theaters or drive-in theaters shall be located only on a principal street; shall provide ingress and egress so designed as to avoid traffic congestion; shall be located sufficiently distant from any dwelling, barn or stable, and so screened from such buildings that any noise shall not disturb residents or farm animals; and any lighted signs and other lights shall be maintained in such a way as not to disturb neighboring residents or farm animals.

4. Public Stable with Horse Shows

a. Horse shows standards. Subject to the provisions of the applicable zoning district, public stables with horse shows shall comply with the standards in Table 28-73.B below:

b. Other standards.

Horse shows shall meet the following additional standards:

- (1) The minimum lot area upon which two or fewer horses may be kept is one acre. One additional horse may be kept for each twenty thousand square feet by which the parcel of land exceeds one acre.
- (2) Public stables shall comply with the permitting requirements for the applicable

| Table 28-73B Development Standards for PUBLIC STABLES WITH HORSE SHOWS | | | |
|--|---|--|---|
| | Minimum Distance from any Dwelling Unit | Minimum Distance from Side and Rear Property Lines | Minimum Distance from Front Property Lines* |
| Use | | | |
| Pens for no more than one horse; Barns and other similar shelters for nine horses or less | 20 feet | 20 feet | 60 feet* |
| Corrals, paddocks, riding rings and other similar horse arena arenas | 20 feet | 60 feet | 60 feet* |
| Horse Shows, barns and other similar shelters for 10 or more horses and accessory buildings and areas. | 20 feet | 200 feet | 200 feet* |
| * Where the front property line lies w | ithin a county ro | ad agramont the sath | ack shall ha |

^{*} Where the front property line lies within a county road easement, the setback shall be measured from the outer easement line.

zoning district.

- (3) All horse shows shall provide on-site parking, loading, and vehicular turn-around space, together with ingress and egress so designed to avoid traffic hazards and congestion; shall provide an emergency response plan to address fire protection and prevention and medical and emergency response; shall not constitute a nuisance or hazard to nearby properties due to trespass, odor, dust, noise and drainage. Certain facets of the operation which are determined not to be offensive, such as grazing, storage, etc., may be granted exceptions by the authority acting on the use permit application to vary the minimum distance requirements.
- (4) Horse shows shall be located no closer than two hundred feet from any property line; shall provide adequate truck loading area as required by the Zoning Administrator or Planning Commission, together with ingress and egress designed to avoid traffic hazard and congestion; and shall show that odor, dust, noise or drainage will not constitute a nuisance or a hazard.

5. Special Event Facility.

Except as otherwise provided for in this Chapter, a special events facility shall be permitted, incidental to the principal agricultural use of the property for commercial agricultural purposes, provided the facility complies with the standards in (a) below.

a. Standards

- (1) Standards for Events. A special event facility permitted under this Chapter Must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:
 - **i.** Must meet the applicable development standards delineated in the applicable zoning district, as well as the following specific development standards:
 - **ii.** events shall be located on property with convenient access with minimum interferences to normal traffic; shall provide parking spaces as required by this Chapter; shall show that adequate measures shall be taken to control odor, dust, noise, and waste disposal so as not to constitute a nuisance.
 - **iii.** Special events shall be located on a lot on a public road or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road.
 - iv. Special events conducted in the Exclusive Agricultural (A) District shall be incidental to the commercial agricultural use of the property and shall not result in the loss of commercial agricultural use of the land.
- (1) Access. Each parcel on which a special event is conducted shall provide adequate connections to a public road, or a private road if there is a recorded maintenance

agreement executed by all lot owners served by the private road, as determined by the Director of Resource management and the applicable local fire protection agency.

- **(2) Food Vendors.** Permittee is responsible for ensuring event organizer and food vendors secure food permits with the Division of Environmental Health.
- **(3) Kitchen Facilities.** Kitchens used for the preparation, storage, handling, or service of food at temporary events shall be permitted as a food facilities by the Division of Environmental Health.
- **(4) Hours of Operation.** All authorized events shall start no sooner than 10 a.m. and end by 10 p.m. each day. Facility set up and clean up shall be allowed between the hours of 8 a.m. to 11 p.m. All guests of an Event shall be off the property by 10:30 p.m.

(5) Operational Controls.

- i. Fugitive Dust. All special events located on sites with access from unpaved dirt roads and events which proposed unpaved on- site access roads and parking areas shall require the use of water trucks, sprinkler system or other practices acceptable to the applicable Air Quality Management District, in sufficient quantities to prevent airborne dust.
- **ii. Noise.** Outdoor amplified sound may only occur on sites which demonstrate through an acoustical analysis that noise generated during proposed events will not exceed 65dB when measured at the property lines. Any Event proposing outdoor amplified sound shall only be allowed from 10 a.m. to 10 p.m.
- **iii. Light and Glare.** Any proposed outdoor lighting used during events shall be downcast and shielded so that neither the lamp nor the reflector interior surface is visible from any off-site location.
- iv. Odor. Must take steps to minimize odor on adjacent properties.
- **(6) Parking.** Must provide parking on-site to accommodate all guests. Parking shall be provided as follows, with such parking located in an open area with a slope of 10 percent or less, at a minimum ratio of 1 space per 2.5 attendees, on a lot free of combustible material.
 - i. Parking on the road. No parking shall be allowed within any road right-of-way for 1,000 feet in either direction of any access point or access located on the site.

The applicant shall place signs along the interior access ways and at 300 foot intervals along the road right-of-way indicating the parking restriction. These signs shall be posted no earlier than the day before the event and shall be

- removed no later than the day following the event.
- **Off-site parking.** All parking for events shall be provided on the event site. Off-site parking may be allowed only through Minor Use Permit approval when a Conditional Use Permit is not otherwise required. Off-site parking must be located outside of a road right-of-way and within 1,000 walking feet of the event site or shuttles must be provided. Written consent shall be obtained from the owners of all off-site parking areas. A minimum of one parking attendant shall be present at each lot used for off-site parking to assist in parking vehicles. For each off-site parking lot containing 50 or more vehicles, one parking attendant per each 50 vehicles shall be provided. For temporary parking lots, signs and directional signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event. For events that will require off-site parking, monitors shall be provided to direct traffic at all points of ingress, egress, and forks in private access roads and to turn away vehicles when authorized parking capacity is reached. If off-site parking is proposed, it shall be considered with the review of the land use permit for the event site.
- (7) Sanitation. Permittee must provide approved sanitation facilities of adequate capacity that are accessible to attendees and food vendors including restrooms, refuse disposal receptacles, potable water and wastewater facilities.
- **(8) Setbacks.** Must be setback 100 feet from any property line and 200 feet from any residence on an adjoining parcel.
- **(9)** No Removal of Agriculture. No existing agriculture shall be removed in order to facilitate the conduct of temporary agritourism events.
- (10) Use of Existing Structures. The use of existing permanent structures temporarily during events are limited to existing structures that are permitted for commercial and public assembly occupancy and are in compliance with American Disabilities Act (ADA) where applicable. Any interior remodeling of an existing structure is limited to that needed to meet building occupancy and ADA requirements without expansion of the footprint.
- **(11)** Construction of New Structures. Event activities may only be allowed in new structures where permitted elsewhere in this Chapter. All new structures proposed for events shall not be located on prime agricultural land.
- (12) Other Permits and Licenses. Must obtain any other required permits from federal, state or local agencies.
- (13) **Traffic Control.** For any event of 500 people or greater, the applicant shall prepare a diagram of proposed traffic routing and direction signs, along with an estimate of traffic volume expected for the event. This shall be submitted with the land use permit application for the event site.

6. Churches

- a. General Requirements.
 - (1) <u>Principal Street Frontage.</u> Located on a principal street on a minimum one acre site.
 - (2) <u>Setbacks.</u> No building shall be located closer than twenty-five feet to any property line constituting the parcel boundary.
 - (3) <u>Landscaping Required.</u> The required front yard setback as determined by the zone district shall be landscaped in accordance with a landscape and irrigation plan approved by the Department of Resource Management. At least two twenty-four inch (24") box street trees are required for each 50 feet of street frontage or fraction thereof.
 - (4) <u>Parking Area Improvements.</u> Landscaping shall be provided equivalent to at least fifteen percent of the total parking area hardscape. The parking area hardscape includes parking stalls, sidewalks, and all driveways outside of the front yard setback. Such landscaping shall be located throughout the parking area and at a minimum shall include one twenty-four inch box tree for every five parking stalls.
 - (5) <u>Parking Area Lighting.</u> Parking areas shall have lighting capable of providing adequate illumination for security and safety. Any illumination shall be directed away from adjacent properties and public rights-of-way.
 - **(6) Noise Minimization.** Parking areas, including driveways and loading areas, used for primary circulation and for frequent idling of vehicle engines shall be designed and located to minimize the impact of noise on adjacent properties.
 - (7) <u>Agricultural Buffer.</u> Churches adjacent to agricultural activities—zoning districts shall provide sufficient buffer so as not to burden or interfere with normal agricultural operations.
 - The development standards set forth in subdivisions (1) through (7), inclusive, shall not apply to the review and consideration of any conditional use permit application that was filed prior to November 4, 1997. The minimum development standards for such applications are that the use shall be located on a principal street on a minimum one-half acre parcel; and in all districts, shall maintain a minimum ten-foot wide landscape strip on all property lines abutting R districts.
- **b.** <u>Specific Requirements in the R-TC Districts.</u> Churches in the R-TC Districts shall meet the following minimum development standards:
 - (1) <u>Spacing Requirements.</u> In R-TC Districts, except the R-TC-MU District, located on a site at least one-thousand five hundred feet (1,500) from any other site containing a church or museum.

7. Temporary Special Events and Large Private Special Events.

Except as otherwise provided in this Chapter, temporary special events shall be permitted, provided the event complies with the development standards within the applicable zoning district and the following standards:

- **a. Regulations.** All temporary nonprofit events, including events exempt from permit requirements, shall be conducted in compliance with the regulations provided below:
 - (1) Access. Each parcel on which a temporary special event is conducted shall provide adequate connections to a public road, or a private road if there is a recorded maintenance agreement executed by all lot owners served by the private road, as determined by the Director of Resource management and the applicable local fire protection agency.
 - **(2) Food Vendors.** Permittee is responsible for ensuring event organizer and food vendors secure food permits with the Division of Environmental Health.
 - **(3) Kitchen Facilities.** Kitchens used for the preparation, storage, handling, or service of food at temporary events shall be permitted as a food facilities by the Division of Environmental Health.
 - **(4) Hours of Operation.** All authorized events shall start no sooner than 10 a.m. and end by 10 p.m. each day. Facility set up and clean up shall be allowed between the hours of 8 a.m. to 11 p.m. All guests of an Event shall be off the property by 10:30 p.m.

(5) Operational Controls.

- v. Fugitive Dust. All temporary events located on sites with access from unpaved dirt roads and events which proposed unpaved on- site access roads and parking areas shall require the use of water trucks, sprinkler system or other practices acceptable to the applicable Air Quality Management District, in sufficient quantities to prevent airborne dust.
- vi. Noise. Outdoor amplified sound may only occur on sites which demonstrate through an acoustical analysis that noise generated during proposed events will not exceed 65dB when measured at the property lines. Any Event proposing outdoor amplified sound shall only be allowed from 10 a.m. to 10 p.m.
- vii. Light and Glare. Any proposed outdoor lighting used during events shall be downcast and shielded so that neither the lamp nor the reflector interior surface is visible from any off-site location.
- viii. Odor. Must take steps to minimize odor on adjacent properties.

- **(6) Parking.** Must provide parking on-site to accommodate all guests. Parking shall be provided as follows, with such parking located in an open area with a slope of 10 percent or less, at a minimum ratio of 1 space per 2.5 attendees, on a lot free of combustible material.
 - i. **Off-site parking.** All parking for events shall be provided on the event site. Off-site parking may be allowed only through Minor Use Permit approval when a Conditional Use Permit is not otherwise required. Off-site parking must be located outside of a road right-of-way and within 1,000 walking feet of the event site or shuttles must be provided. Written consent shall be obtained from the owners of all off-site parking areas. A minimum of one parking attendant shall be present at each lot used for off-site parking to assist in parking vehicles. For each off-site parking lot containing 50 or more vehicles, one parking attendant per each 50 vehicles shall be provided. For temporary parking lots, signs and directional signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event. For events that will require off-site parking, monitors shall be provided to direct traffic at all points of ingress, egress, and forks in private access roads and to turn away vehicles when authorized parking capacity is reached. If off-site parking is proposed, it shall be considered with the review of the land use permit for the event site.
- (7) Sanitation. Permittee must provide approved sanitation facilities of adequate capacity that are accessible to attendees and food vendors including restrooms, refuse disposal receptacles, potable water and wastewater facilities.
- **(8) Setbacks.** Must be setback 100 feet from any property line and 200 feet from any residence on an adjoining parcel.
- **(9)** No Removal of Agriculture. No existing agriculture shall be removed in order to facilitate the conduct of temporary agritourism events.
- (10) Use of Existing Structures. The use of existing permanent structures temporarily during events are limited to existing structures that are permitted for commercial and public assembly occupancy and are in compliance with American Disabilities Act (ADA) where applicable. Any interior remodeling of an existing structure is limited to that needed to meet building occupancy and ADA requirements without expansion of the footprint.
- **(11) Construction of New Structures.** Event activities may only be allowed in new structures where permitted elsewhere in this Chapter. All new structures proposed for events shall not be located on prime agricultural land.
- **(12) Duration.** A Temporary Event Permit is valid for only one event at a time, and lapses if the event is not conducted on the specified date and time.

- **(13) Notification to Neighbors.** All temporary events shall provide notification to owners of property within a minimum of 1,000 feet of the exterior boundaries of the proposed site delivered at least 30 days prior to each event occurrence. The following information shall be provided:
 - i. A complete listing of all scheduled events including dates, times and number of attendees.
 - **ii.** 24-hour contact information for the operator, including e-mail and phone number, to be used to notify the operator of issues with the operation.
 - **iii.** Contact information for County Code Enforcement to be used if members of the public have complaints about the operation.

A copy of the notification shall be provided to the Department of Resource Management, the Sheriff's Department and the Fire District of jurisdiction 30 days prior to the event.

- **b.** Other Permits and Licenses. Must obtain any other required permits from federal, state or local agencies.
- **c. Traffic Control.** For any event of 500 people or greater, the applicant shall prepare a diagram of proposed traffic routing and direction signs, along with an estimate of traffic volume expected for the event. This shall be submitted with the land use permit application for the event site.
- **d.** Limitation on Number of Events Per Year. Temporary special events may not be conducted more than 6 times per year on the same parcel or contiguous parcels.