

130.40.250 Public Utility Infrastructure

- A. Applicability.** Public utility infrastructure, as defined in Article 8 (Glossary), may be established as an allowed use in any zone, subject to Subsections B through D (Allowed by Right; Administrative Permit Required; Conditional Use Permit Required, respectively) below, provided that the routes and site locations of the proposed lines or facilities be submitted to the Department for a finding of consistency with the General Plan during the preliminary planning stages, prior to the adoption of the routes and site locations(s) and/or acquisition of right-of-way.
- B. Allowed by Right.** Public utility infrastructure is allowed by right when said facilities do not exceed the height limit of the zone by more than 15 feet and do not create potential safety and health hazards to adjacent property owners, present or future.
- C. Administrative Permit Required.** Notwithstanding Subsection B (Allowed by Right) above, an Administrative Permit in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver) shall be required for the following:
1. Overhead public utility infrastructure proposed to be constructed in the Airport Transportation Corridor (TCA) zone or Airport Safety (-AA) Combining Zone (See Chapter 130.38: Airport Safety (-AA) District). Said permit shall be subject to the review and approval of the Airport Land Use Commission.
 2. Public utility infrastructure that exceeds the height limitations of the zone, as set forth in Subsection B (Allowed by Right) above, but is less than 150 feet in height or does not comply with setback standards.
- D. Conditional Use Permit Required.** A Conditional Use Permit in compliance with Section 130.52.020 (Conditional and Minor Use Permits) shall be required for the following:
1. Where the construction of the public utility infrastructure creates a potential safety or health hazard to adjacent property owners, present or future, as determined by the Director.
 2. Where the construction of the public utility infrastructure exceeds 150 feet in height.

130.40.260 Ranch Marketing

- A. Applicability.** Except as provided in Subsection B (Exceptions) below, the regulations and standards of this Section shall apply to ranch marketing uses, as defined in Article 8 (Glossary), where allowed in the use matrices for the zones on lots that meet the following minimum criteria:
1. **Minimum Lot Size.** Ten gross acres.

2. **Minimum Cropland Area.** As defined in Subsection C (Definitions: See “Minimum Cropland Area”) below:
 - a. Five acres of permanent agricultural cropland in production; or
 - b. Ten acres of annual agricultural cropland in production;
 - c. The minimum cropland area shall be properly maintained and cared for to produce a commercial crop, as determined by the County Agricultural Commissioner. Failure to maintain cropland will void the ranch marketing uses of this Section.
 - d. A smaller acreage amount may qualify for Ranch Marketing if minimum production standards are met, as determined by the Agricultural Commissioner and approved by the Director.

3. Agricultural production is the primary use or function of the property. The Agricultural Commissioner may review the proposed Ranch Marketing area to ensure that the site conforms to the standards 130.40.260.D.2 (General Standards, Maximum Ranch Marketing Area). Ranching marketing activities proposed on or adjacent to land zoned Planned Agriculture (PA), Limited Agriculture (LA), Agricultural Grazing (AG), Forest Resource (FR), or Timber Production (TPZ) must be reviewed by the Director for consistency with General Plan Policy 2.2.5.2 and for new uses by the Agricultural Commissioner and Ag Commission for compatibility with surrounding agricultural land uses or on agriculturally zoned lands prior to action by the review authority.

B. Exceptions. This Section does not apply to the following uses:

1. Produce sales, as defined in Article 8 (Glossary), for the direct sale of products grown on-site.
2. Indirect sales by mail, telephone, or internet where delivery of the goods occurs off-site.
3. Direct sale of value-added agricultural products created from products grown on-site.

C. Definitions. As used in this Section, the terms below will mean the following:

“**Bake shop**” means a facility for the preparation and consumption of food items in which agriculture products grown on-site are used as a main ingredient for at least one of the baked goods (i.e. pies, turnovers, and other pastries.) Baked goods made from other ingredients may be offered for sale concurrently with goods made from produce grown on-site.

“**Choose and Cut Tree Sales**” shall mean a commercial operation where the public is allowed on a site where evergreen trees are grown in order to personally select a specimen, cut it, and transport it off-site for their use as a Christmas tree.

“**Christmas Tree Season**” is the time period beginning November 1 and ending on Christmas Day.

“**Food Stand**” means a food-serving facility used in conjunction with a ranch marketing operation serving prepared food from products grown on-site or off-site and for which indoor seating is not provided.

“**Harvest Season**” shall mean the time period in which the primary crop(s) is harvested on-site and in which certain ranch marketing activities associated with that crop may occur. The season shall begin with the first day of the month in which the crop is harvested and conclude with the last sale of the primary crop(s) harvested that season.

“**Minimum Cropland Area**” shall mean the minimum required area planted and maintained in crop production, as defined in Article 8 (Glossary), using standard horticultural practices with regard to irrigation, plant spacing, pruning, and pest and predator control.

“**Properly Maintained**” shall mean that the planted crops are tended in a manner consistent with proper and accepted customs and standards of the Agricultural industry including but not limited to the provision of irrigation, the control of pests and diseases, and the protection against deer depredation.

“**Ranch Marketing Area**” shall mean an area used for ranch marketing activities, not including land planted in cropland, and packing and storage facilities, unless those areas are also used for accessory ranch marketing activities as set forth in Subsections D and E (General Standards, and Development Standards, respectively) below.

“**Special Events**” shall mean events such as charitable events, promotional events, and facility rental events, where more than 50 persons are in attendance, subject to the limitations set forth in Subsection F.1.e (Ranch Marketing Uses: Special Events) below. Facility rental events involve the property, or portions thereof, being rented or donated for weddings, parties, company picnics, and similar social gatherings.

D. General Standards.

- 1. Concurrency.** The uses identified in Subsections F, G, and H (Ranch Marketing Uses for Crop Production; Ranch Marketing Provisions for Christmas Tree Sales; and Ranch Marketing Provisions for Agricultural Grazing Lands (Large Animal, respectively) below, shall be conducted concurrently with the on-site sale of agricultural products grown on-site and/or value-added, except as provided below:

- a. Marketing activities, as provided in Subsection F.1.c ((Ranch Marketing Uses: Marketing Activities and Accessory Uses) below, may be allowed concurrently with the sale of off-site produce or value-added if:
 - (1) The off-site produce or value-added are, or are made from, the same type of produce grown on-site;
 - (2) All other requirements of this Section are met.
- b. Special events, as provided in Subsection F.1.e (Ranch Marketing Uses: Special Events) below may occur at any time, subject to all other provisions of this Section.

2. **Maximum Ranch Marketing Area.** The total ranch marketing area, as defined in Subsection C (Definitions: See “Ranch Marketing Area”) above, cannot occupy more than five acres or 50 percent of the lot, whichever is less. The total enclosed square footage of all ranch marketing buildings shall not exceed the square footage shown in Table 130.40.260.1 (Ranch Marketing Use Matrix) below. Any building, or group of ranch marketing and accessory buildings, exceeding the square footage in the following table shall require a Conditional Use Permit. Ranch marketing buildings do not include residential buildings, garages, outbuildings, and structures not associated with the ranch marketing operation.

Table 130.40.260.1 – Ranch Marketing Use Matrix

LOT ON WHICH THE RANCH MARKETING OPERATION IS LOCATED	MAXIMUM ALLOWABLE RANCH MARKETING BUILDING AREA
10 acres to less than 20.0 acres	10,000 square feet
20 acres to less than 40.0 acres	40,000 square feet
40.0 acres and larger	60,000 square feet

E. **Development Standards:** Ranch marketing uses shall not be allowed unless they comply with the development standards of the zone and Article 3 (Site Planning and Project Design Standards), except as provided below:

1. **Parking.**

- a. Parking spaces shall be provided on-site for all Ranch Marketing uses, in compliance with Chapter 130.35 (Parking and Loading). No on-street parking is allowed on county maintained roads.
- b. Special events may utilize temporary overflow parking areas that are mowed of dried vegetation to a maximum height of two inches.
- c. Areas for bus stop and drop off areas shall be provided for any site that has a minimum of 20 parking spaces. Bus stops and drop off areas may be waived if the parking lot is designed to provide a loop or circular path

of travel so that the bus can use the parking drive aisle as a temporary bus stop.

2. Access.

- a. A ranch marketing facility shall be connected directly to a county maintained road or state highway, except as provided in Subsections F.2.b (Uses Requiring an Administrative Permit), F.3.f (Uses Requiring a Use Permit), H.2.a (Uses Requiring an Administrative Permit), and H.3.e (Uses Requiring a Conditional Use Permit) below.
- b. Access to a facility shall meet the minimum fire safe standards or same practical effect, as determined by the applicable fire district.

3. Signs. See Chapter 130.16 (Signs).

4. Setbacks. The following minimum setbacks apply to all ranch marketing facilities and outdoor use areas, excluding parking lots and picnic areas:

- a. Adjacent to non-residential zones: 50 feet from all property lines.
- b. Adjacent to residential zones: 200 feet from all property lines.
- c. The 200 foot setback in 4.b above may be reduced to no less than 50 feet by a grant of administrative relief in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver).

F. Ranch Marketing Uses for Crop Production. Table 130.40.260.2 (Ranch Marketing Uses for Crop Production) identifies the allowed Ranch Marketing uses for crop production, subject to the provision below.

Table 130.40.260.2: – Ranch Marketing Uses for Crop Production

LA: Limited Agricultural	P	Permissible (allowed) use (Article 4)	
PA: Planned Agricultural	A	Administrative permit required (130.52.010)	
	TUP	Temporary use permit required (130.52.070)	
	CUP	Conditional use permit required	
	MUP	Minor use permit required (130.52.020)	
	---	Use not allowed in zone	
		PERMIT REQUIRED BY ZONE	
USE TYPE	LA (10+ acres)	PA (10+ acres)	Reference
Agricultural Museums	CUP	P	—
Art/Merchandise sales	MUP	P	—
Bake shop	CUP	P	—
Campground			—
Temporary	TUP	TUP	—
Permanent	CUP	CUP	130.40.100
Christmas Trees, choose & cut	A	P	—
Commercial Kitchen			—
Catering, off-site	MUP	P	—
Food preparation, on-site	MUP	P	—
Dining facility	CUP	CUP	—
Events			—
Marketing/promotional	MUP	P	—
Special	CUP	P/MUP/CUP/TUP	—
Food stand	CUP	P	—
Handicraft sales	MUP	P	—
Lodging			—
Agricultural homestays	See Table 130.40.170.1 (Agricultural Lodging)		
Agricultural & timber lodging	See Table 130.40.170.1 (Agricultural Lodging)		
Guest Ranch	See Table 130.40.170.1 (Agricultural Lodging)		
Mechanical rides	CUP	CUP	—
Music festivals & concerts	TUP/CUP	TUP/CUP	—
Picnic Area	A	P	—
Petting Zoo	MUP	P	—

1. **Ranch Marketing Uses.** The following uses shall be allowed by right during the harvest season:
 - a. **Bake Shops, and Food Stands, and Dining Facilities.** Bake shops and food stands, subject to the following standards:
 - (1) Bake shops, food stands, dining facilities and any other sale of food products shall comply with the California Health and Safety Code, subject to approval from all applicable agencies including, but not limited to El Dorado County Environmental Management Department, California Department of Public Health, and California Department of Food and Agriculture.
 - (2) A commercial kitchen established for a bake shop, food stand or dining facility can be used off-season to make value-added products from cold storage produce. The on- or off-site sale of said value-added products is not limited to its applicable harvest season.
 - b. **Handicraft Sales.** Handicraft sales subject to the following standards:
 - (1) Handicrafts shall be products that are made domestically by hand, normally sold by the person who made them, and do not include items that are mass produced by others;
 - (2) Vendors shall have a current county business license; and
 - (3) Vendors may use the site for overnight recreational vehicle camping during the time the vendor occupies the site, subject to any applicable state and county health and safety regulations.
 - c. **Marketing Activities and Accessory Uses.** Marketing activities and accessory uses such as picnic areas, public tours, hay mazes, pony rides, and tractor rides, and fishing ponds, are limited to daylight hours. Outdoor music shall meet county noise standards. Amplified music or amplified speech shall comply with Chapter 130.37 (Noise Standards). For any events with amplified sound, occurring between 7:00 PM and 10:00 PM, a noise analysis shall be submitted to the Department demonstrating that the noise standards will not be exceeded. No outdoor music will be allowed after 10:00 p.m.
 - d. **Retail Sales.** Retail sales of merchandise, art, and prepackaged food items shall be allowed within the ranch marketing area. The sale of prepackaged food items shall comply with the California Health and Safety Code and be permitted by Environmental Management. The sale of non-agricultural merchandise shall be subordinate to the sale of produce and value-added products.-Retail sale of on-site produce kept in cold storage is not limited to its harvest season.
 - e. **Special Events.** Special events, subject to the following limitations:
 - (1) Total of 24 events per calendar year.
 - (2) Maximum capacity of 250 persons at one time.

- (3) Special events shall be limited in time duration to 48 hours, and the event site shall be returned to its pre-event condition after each use, unless the next event is within two weeks, or an administrative permit is approved by the Director.
 - (4) The total number of special events shall be limited to the number provided in this Section and shall not be cumulative if a lot also qualifies for events under Section 130.40.400 (Wineries).
 - (5) Special events may be held throughout the year and are not limited to the harvest season.
- f. **Agricultural Museum.** Agriculturally related museums that primarily display items from California’s agricultural history.
2. **Uses Requiring an Administrative Permit.** The following uses are allowed by Administrative Permit in compliance with Section 130.52.010 (Administrative Permit, Relief, or Waiver):
- a. Non-ranch marketing use of an existing commercial kitchen established for a bake shop or food stand as an owner-operated or leased catering facility, subject to approval from all applicable agencies including, but not limited to El Dorado County Environmental Management Department, California Department of Public Health, and California Department of Food and Agriculture.
 - b. Ranch marketing activities that do not have direct access to a county-maintained road or state highway, provided that the operator of the facility has entered into an agreement to participate in any road maintenance entity (homeowner’s agreement, Zone of Benefit, Community Services District, or County Service Area) on roads that serve the site.
 - c. Ranch marketing uses (See Section 130.40.260: Ranch Marketing), limited to the harvest season, shall be allowed year around by Administrative Permit (See Section 130.52.010: Administrative Permit, Relief, or Waiver).
3. **Uses Requiring a Use Permit.** The following uses are allowed by use permit in compliance with Chapter 130.52 (Permit Requirements, Procedures, Decisions, and Appeals), as follows:
- a. Special events that exceed the provisions of this Section that are on-going or reoccurring. One-time special events may be authorized by Temporary Use Permit in compliance with Section 130.52.060 (Temporary Use Permit).
 - b. Campgrounds, Temporary Campgrounds and commercial stables.
 - c. Dining facility to the following standards;

- i. Dining facilities and any other sale of food products shall comply with the California Health and Safety Code, subject to approval from all applicable agencies including, but not limited to Environmental Management, California Department of Public Health, and California Department of Food and Agriculture.
 - ii. A commercial kitchen established for a bake shop, food stand or dining facility can be used off-season to make value-added products from cold storage produce. The on- or off-site sale of said value added products is not limited to its harvest season.
 - d. Mechanical amusement rides, helicopter rides, and similar non-agricultural activities.
 - e. Concerts or other live, outdoor amplified music where the music is the primary attraction.
 - f. Ranch marketing activities that do not have direct access onto a county-maintained road or state highway and do not participate in a road maintenance agreement.
 - g. In addition to the findings required under Subsection 130.52.021.C (Specific Findings for Conditional Use Permits), the following findings shall be made by the review authority prior to approving a Conditional Use Permit under this Section:
 - (1) The site meets the minimum acreage and planting standards
 - (2) The use is secondary and subordinate to the agricultural use.
 - (3) The use does not detract from or diminish the on-site agricultural uses.
 - (4) There is no adverse effect on agricultural production on surrounding properties.
 - (5) For lands under Williamson Act contract, the use is compatible with the provisions of California Government Code Section 51200 et seq.
- G. Ranch Marketing Provisions for Christmas Tree Sales.** The provisions of this Subsection apply only to operations whose primary product are Christmas trees and are not in addition to other uses allowed by this Section. The following ranch marketing provisions shall be allowed where Christmas trees are grown on sites that meet the minimum acreage and planting standards of Subsection A (Applicability) above:
- 1. Choose and cut tree sales, as defined in Subsection C (Definitions: See “Choose and Cut Tree Sales”) above.
 - 2. Retail sales in compliance with Subsection F.1.d (Ranch Marketing Uses: Retail Sales) above.

3. The sale of pre-cut Christmas trees grown off-site provided they are sold concurrently with Christmas trees grown on-site and the primary crop (greater than 51 percent) is grown on-site.
4. Special events outside of the Christmas tree season on lots of 10 acres or more, subject to the following minimum standards:
 - a. Two events on lots with five acres or more of planted Christmas trees.
 - b. Five events on lots with ten acres or more of planted Christmas trees.

H. Ranch Marketing Provisions for Agricultural Grazing Lands (Large Animal). The provisions of this Subsection apply only to cattle grazing operations and are not in addition to other uses allowed by this Section. The following ranch marketing provisions shall provide a ranch atmosphere and natural environment for Guest Ranches, as allowed for in 130.40.170 (Lodging Facilities) and as defined in Article 8 (Glossary), and other events and activities defined in this ordinance and shall be allowed on land zoned Agricultural Grazing (AG). Table 130.40.260.3 (Ranch Marketing Uses for Agricultural Grazing Lands) identifies the allowed Ranch Marketing uses for Agricultural Grazing Lands with large animal operations, subject to the provision below.

Table 130.40.260.3 – Ranch Marketing Uses for Agricultural Grazing Lands

USE TYPE	AG: Agricultural Grazing			Reference
	AG (160+ acres)	AG (40 to 160 acres)	AG (less than 40 acres)	
	P	Permissible (allowed) use (Article 4)		
	A	Administrative permit required (130.52.010)		
	T	Temporary use permit required (130.52.070)		
	CUP	Conditional use permit required		
	MUP	Minor use permit required (130.52.020)		
	---	Use not allowed in zone		
Agricultural Museums	P	P	MUP	---
Art/Merchandise sales	P	P	MUP	---
Campground				---
Temporary	P	P	A	
Permanent	CUP	CUP	CUP	130.40.100
Commercial Kitchen				---
Catering, off site	P	P	MUP	---
Food preparation, on-site	P	P	MUP	---
Dining facility	CUP	CUP	CUP	---
Events				---
Marketing/promotional	P	P	CUP	---
Special	P	A	CUP	---
Fishing & Hunting	P	P	A	---
Food stand or chuck wagon	P	A	CUP	---
Handicraft sales	P	A	MUP	---
Lodging				---
Ag Homestays	See Table 130.40.170.1 (Agricultural Lodging)			130.40.170
Agricultural & timber lodging	See Table 130.40.170.1 (Agricultural Lodging)			130.40.170
Guest ranches	See Table 130.40.170.1 (Agricultural Lodging)			130.40.170
Mechanical rides	CUP	CUP	CUP	
Music festivals & concerts	T/CUP	T/CUP	T/CUP	---
Petting zoo	P	P	MUP	---
Picnic Area	P	P	A	---
Round-ups, rodeos, etc.	P	A	CUP	---
Stables, commercial	P	A	MUP	---
Trail rides	P	A	MUP	---

1. Ranch Marketing Uses on Grazing Lands.

- a. Round-ups, rodeos, or other similar activities;
- b. Camping, fishing, hunting, horseback riding;
- c. Marketing Activities and Accessory Uses in compliance with Subsection F.1.c (Ranch Marketing Uses: Marketing Activities and Accessory Uses) above;
- d. Food Stands or Chuck Wagons in compliance with Subsection F.1.a (Ranch Marketing Uses: Bake Shops, and Food Stands, and Dining Facilities) above;

- e. Retail sales in compliance with Subsection F.1.d (Ranch Marketing Uses: Retail Sales) above;
- f. Special Events in compliance with Subsection F.1.e (Ranch Marketing Uses: Special Events) above;
- g. Museum as defined in Subsection F.1.f (Ranch Marketing Uses: Agricultural Museum) above.

2. Uses Requiring an Administrative Permit.

- a. Ranch marketing activities that do not have direct access to a county-maintained road or state highway, provided that the operator of the facility has entered into an agreement to participate in any road maintenance entity (homeowner's agreement, Zone of Benefit, Community Services District, or County Service Area) on roads that serve the site.
- b. Use of existing permanent structures and/or temporary structures;
- c. Other uses found compatible with grazing operations

3. Uses Requiring a Conditional Use Permit.

- a. Concerts or other live, outdoor amplified music where the music is the primary attraction, unless a one-time event, in which case, a Temporary Use Permit would apply;
- b. Special events that exceed the provisions of this Section that are ongoing or reoccurring. One-time special events may be authorized by Temporary Use Permit in compliance with Section 130.52.060 (Temporary Use Permit);
- c. Dining facility;
- d. Ranch marketing activities that do not have direct access onto a county-maintained road or state highway and do not participate in a road maintenance agreement;
- e. In addition to the findings required under Subsection 130.52.020.C (Special Findings for Conditional Use Permits), the following findings shall be made by the review authority prior to approving a Conditional Use Permit under this Section:
 - (1) The use is secondary and subordinate to the agricultural use.
 - (2) The use does not detract from or diminish the on-site agricultural uses.
 - (3) There is no adverse effect on agricultural operations on surrounding properties.

- (4) For lands under Williamson Act contract, the use is compatible with the provisions of California Government Code Section 51200 et seq.

Parcels that do not meet the above acreage criteria, but have over 40 acres of grazing land and have agricultural zoning, may qualify for Ranch Marketing activities with an Administrative Permit. For those parcels under 40 acres with agricultural zoning, a Minor or Conditional Use Permit shall be required. (See Table 130.40.260.3: Ranch Marketing Uses for Agricultural Grazing Lands)

K. Ranch Marketing Provisions for Small Livestock Operations: *Reserved*

130.40.270 *Reserved*

130.40.280 Recycling Facilities

- A.** This Section is to facilitate the placement of recycling facilities to enhance waste stream reduction, while providing standards to ensure appropriate location, noise attenuation, and hazardous material handling to protect the public health, safety, and welfare.
- B. Recycled Oil Collection Facilities.** Used oil may be collected for recycling, subject to the following standards:
1. In all zones where automotive and equipment service, gasoline sales, small engine repair, and aircraft service and repair use types are allowed, the collection of used oil may be allowed by right, provided the use conforms to all applicable state laws and county requirements.
 2. Recycled oil collection facilities located as a part of any use other than those listed in B.1 above in this Section shall be subject to an Administrative Permit based on the findings under Subsection C.2 (Recycling Collection Facilities) below, as well as all applicable state and county requirements.
- C. Recycling Collection Facilities.** Recycling collection facilities as defined in Paragraph 1 below, shall be allowed as a secondary use in Commercial (C), General Commercial (CG) and Industrial (I) zones by Administrative Permit. Approval from the Director shall be granted if the proposed use and site plan are in compliance with the findings required in Subsection C.2 below.
1. "Recycling collection facilities" shall be defined for the purposes of this Section as:
 - a. Reverse vending machines, which are mechanical devices that accept one or more types of empty beverage containers and issue a cash refund or redeemable coupon. Some machines will also dispense coupons and