

7955 Ferguson Rd. – Gilroy Rodeo Grounds Use Permit Project Description



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1.0 Introduction

The Gilroy Rodeo was established in 1929. It ran from 1929-1956 with the exception of the war years. After 1956 its grounds were repurposed for a school and there was no location to continue the event. In 2018 several Community minded individuals thought that this event was still badly needed in this community since it had such deep roots in the Early California cattle ranching industry.

The area was home to Henry Miller (The Cattle King of California) of Miller and Lux. Bloomfield served as Miller's home ranch. It was known as the "Center Place" Cattle pushed from the San Joaquin Valley to the San Francisco Markets during the Gold Rush and beyond stopped over at Bloomfield and were held until they were needed in San Francisco.

The area was also the birth place of the California Reined Cow Horse Association which was formed in 1949 in the Milias Hotel in Gilroy. This Organization went on to become the National Reined Cow Horse Association, and was formed with the goal of preserving and educating the public about the rich history of this traditional horsemanship. The NRCHA is responsible for promoting the sport and ensuring high standards of competition. The association has continued to celebrate the early California traditions of highly-trained working cow horses and today, 64 years after its creation, continues to work to keep the vaquero tradition alive in today's equine industry.

This area was where the California Gymkhana Association started in 1972. This Organization was patterned after the Original Gilroy Gymkhana and is now Statewide with 22 districts. This organization was founded to bring to many more young people the enjoyment of horsemanship and sportsmanship that Gymkhana can provide.

We could go on and on, but the point is this area is steeped in western tradition, it is part of our heritage. An event, a place like this where this culture can be celebrated is badly needed.

2.0 Project Location

The Gilroy Rodeo Grounds are located at 7955 Ferguson Rd. on the Furtado Dairy which is now referred to as "The Ranch". It covers about 62.5 Acres. It is currently zoned "A-40" It has been in the family for over 60 years. It is our family's honor to host the Gilroy Rodeo and other Agricultural related events on our working ranch. Our children participate in the day to day operations and enjoy the land their Great Grandfather acquired with no education, he was unable to read, he could only work hard and hope to succeed. He did so through Agriculture.



3.0 Land Use and Zoning

I think before we proceed into the Zoning issues it is important to clarify Agricultural Use vs. Commercial Agricultural Use as defined by SCC's Williamson Act Program, and Commercial Agricultural Use.

3.1 **Agricultural Use** as defined by the zoning ordinance:

3.1.1 Agriculture. (Agricultural) Raising of animals, crops, or crop trees, including horticulture, crops grown within greenhouses, vineyards, crop harvesting, livestock farming, apiaries, aviaries, worm farms, fish farms, fur farms, 4-H projects, Future Farmers of America projects, or those of similar groups, grazing, and ranching. This classification excludes uses that have the potential to result in significant off-site impacts (see Dairies, Feed Lots, Livestock Auction Yards, Mushroom Farms, Poultry & Egg Farms –Commercial). All uses within this classification shall fit within one of the following subcategories:

1. General. The raising of agricultural commodities other than livestock.
2. Livestock. The raising of livestock.

3.2 **Commercial Agricultural Use** as defined by the SCC Williamson Act Program

3.2.1 Contracted land shall be devoted to the commercial production of agricultural commodities, as defined, for sale in wholesale or direct marketing channels. Agricultural commodities shall mean an unprocessed product of farms, ranches, production nurseries and forests. Agricultural commodities include fruits, nuts and vegetables; grains, such as wheat, barley, oats, and corn; legumes, such as field beans and peas; animal feed and forage crops, such as grain hay and alfalfa; rangeland and pasture for livestock production; seed crops; fiber and oilseed crops, such as safflower and sunflower; plant products used to produce biofuels; nursery stock such as Christmas trees, ornamentals, and cut flowers; trees grown for lumber and wood products; turf grown for sod; livestock for consumption, such as cattle, sheep and swine (except horses); and poultry, such as chickens, ostriches, and emus. The boarding, training or occasional sale of horses is not considered a commercial agricultural use or an agricultural commodity. *(It should be noted that breeding horses is recognized under Williamson Act.)*

Any other uses or development of contracted lands must be compatible with and ancillary to the use of the land for the commercial production of agricultural commodities. Other compatible uses may include, but are not limited to, agricultural processing, horse stabling and training facilities, barns and other farm storage buildings. To be considered as “devoted to the commercial production of agricultural commodities”, the contracted parcel(s) must meet at least one of the following conditions:

- 1) The property is at least 10 acres of prime land, at least 60% of the property is being used for commercial agriculture² and the owner substantiates revenue³ from commercial agriculture on at least 60% of the property in 3 of the past 5 years using federal income tax documents filed in those years; or,

(1 applies in our case so I have excluded the other conditions for clarity.)

3.3 Agricultural uses are not defined by the Williamson Act, they are defined by the Zoning ordinance and include uses that are not considered Commercial Agricultural Use by the SCC Williamson Act Program. Uses 3.4 and 3.5 below are Agricultural uses that are noted as (Commercial) in the County Zoning Ordinance, these are not do not meet the SCC Williamson Act Criteria for Commercial Agricultural Use, however they can be Compatible uses.

3.4 **Rodeos & Equestrian Events.** (Commercial) Any activity where spectators pay to view the exhibition or competition of the traditional skills of cowboys, such as riding of rough stock, roping and timed events, and equestrian events including handling, competition and exhibition of horses. [Criteria/Findings § 4.10.320]

3.4.1 **§ 4.10.320 Rodeos & Equestrian Event Facilities** This section refers to uses classified as Rodeos & Equestrian Event Facilities as described in § 2.10.040. Such uses shall be subject to all of the following provisions:

A. Lot Size. Minimum lot size shall be ten (10) acres.

B. Proximity to Residential Development. The use shall not be located in the immediate vicinity of residential development. For the purposes of this provision, residential development shall be generally considered to be any substantial grouping of residentially developed lots that are each less than two and one-half (2.50) acres in area. It shall be within the discretionary authority of the Planning Commission to more precisely define “residential development” and “immediate vicinity” as they may apply to a particular proposal.

I believe it is worth noting that provision A and B above are almost identical to the provisions in 4.10.110 for dairies the historical use of the property.

- 3.5 **Agriculturally Related Entertainment & Commercial Uses.** (Commercial) Visitor oriented services, sales and attractions with an agricultural theme that are conducted in conjunction with on-site agricultural uses. Such uses include but are not limited to food and retail sales, tasting rooms, reception facilities, outdoor entertainment areas. [Criteria/Findings § 4.10.050]

3.5.1 **§ 4.10.050 Agriculturally Related Entertainment & Commercial Uses**

This section refers to uses classified as Agriculturally Related Entertainment & Commercial Uses as described in § 2.10.040. Such uses shall be subject to all of the following provisions:

A. Conserving Farmland. The use should be located on marginal agricultural parcels or marginal portions of non-marginal parcels, and sited to minimize use of productive agricultural soils;

B. Non-Interference. The use shall be sited so as to not substantially interfere with existing agricultural operations; and

C. Positive Marketing. The proposed use will help to further an image of Santa Clara County as a viable agricultural area and help promote Santa Clara County agricultural products.

3.6 **Zoning District A Exclusive Agriculture.**

The purpose of the Exclusive Agriculture district, also known as the A district, is to preserve and encourage the long-term viability of agriculture and agricultural lands, recognizing the vital contributions agriculture makes to the economy and quality of life within the county. The intent of this district is to reserve those lands most suitable for agricultural production for agricultural and appropriate related uses. This zoning district will provide stability for ongoing agricultural operations and provide for new uses necessary to support a viable local agriculture industry. This district is also intended to retain in open space uses those lands which may be suitable for future urbanization until such time as they are included within a city’s urban service area and public facilities and services can be economically provided, consistent with community plans and objectives. This district is meant to apply to all portions of the county designated as Agriculture: Large-Scale, Agriculture: Medium-Scale, and Open Space Reserve in the general plan. Note that § 2.20.050 applies to this district.

3.6.1 § 2.20.050 A Districts: Agricultural Preservation Criteria

A. New Uses. Any newly proposed use in an A district must be found to be in compliance with all of the following general criteria.

1. The use must be compatible with and not substantially interfere with the continuation of any on- or off-site agricultural operation.
2. The use should not be of a sensitive nature that would itself be negatively impacted by any existing or future on-site or off-site agricultural use.
3. The use will not require public urban services or infrastructure, or establishment of special districts or similar entities.
4. The use should be consistent with the rural image of the agricultural area.
5. Any new non-agricultural use should be sited to avoid taking the most viable agricultural lands out of active agricultural production.
6. Any new use should not significantly inhibit the future development of adjacent parcels consistent with general plan land use designations of nearby cities.
7. The use must clearly enhance the long-term viability of local agriculture and agricultural lands.

B. Permitted as of Right. Uses permitted as a matter of right have been found to comply with the criteria in subsection A.

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4.0 Project Need

This facility is badly needed to promote youth programs in the area such as 4H, FFA, District 4 High School Rodeo. As evidenced by the Gilroy Rodeo's 62-year hiatus with no facility, there can be no rodeo. Not only do the kids get involved in the Rodeo, many organizations have a terrific fundraising opportunity through concessions. Many youth organizations have approached us asking to use the facility for lessons and shows. The community has embraced the return of an Iconic Gilroy event. This facility will stimulate agricultural events, and foster young people's interest and enthusiasm to engage in agricultural pursuits.

5.0 Project Objectives

- Promote the Agricultural and Western Heritage of the Santa Clara Valley.
- Promote Santa Clara County as a viable agricultural area and promote local agricultural products.
- Engage the Youth in the Area and provide opportunities to participate and enjoy the Western Heritage this region is steeped in.
- Provide a place for local youth organizations to engage in agricultural pursuits.
- Provide a multi-cultural venue. The traditional skills of the cowboy are deeply rooted in the Spanish/Mexican vaquero traditions. The horse itself came from Andalusia, centuries of partnership between horses and riders from all cultures brought us to where we are today. We want to acknowledge that and celebrate it.
- Provide a place where everyone in Santa Clara County can see and enjoy the Agricultural and Western Heritage of this region, and provide exposure to people who would otherwise be unaware of this lifestyle that puts food on their tables.
- Provide a venue where local agricultural producers can connect with local consumers thereby promoting the local agricultural economy.

6.0 Facilities and Improvements

6.1 Arena/Corrals

Arena's and Corrals including but not limited to the following:

- 1) 320'x150' Main Arena
- 2) 96'x57' Ranch Pen
- 3) 100'x100' Warmup Arena
- 4) Back Pens and Alleyways to facilitate storage and use of Livestock
- 5) Bucking Chutes
- 6) Roping Chutes
- 7) Water Troughs
- 8) Loading Ramp
- 9) Announcers Booth above bucking chutes
- 10) Shade Structure over back pens to keep livestock cool

6.2 Benches on grade

- 1) 17 Rows of Benches surrounding the Main Arena built into a 4:1 slope.
- 2) Retaining walls for seating areas as shown on drawings.

6.3 Parking

- 1) Up to 3000 onsite parking spaces as needed. These parking spaces will be in the Hayfields while they are fallow.

6.4 Encroachments

- 1) 1 New Encroachment on Dunlap Ave. as shown on drawings.
- 2) 1 New Encroachment on Ferguson Rd. as shown on drawings.

6.5 Amplified Sound

- 1) Speakers to serve seating area around the Main Arena
- 2) Speakers to serve the flat to the North of the pond for Dances, Awards, Etc.
- 3) Inside Barns as required.

6.6 Outdoor Lighting

- 1) 10 Poles around the Main Arena and Back Pens
- 2) Light poles at locations as shown on Lighting study drawings.
- 3) Light for Flag

6.7 Flagpoles

- 1) 20 poles around Arena, height not to Exceed 35' from Grade.

6.8 Ancillary Storage of Livestock in conjunction with events

- 1) Storage of Livestock, Horses, Cattle, etc.
- 2) Stabling of up to 100 outside horses.

6.9 Ancillary Overnight RV parking

- 1) As required for events, self-contained, no hookups. DEH will condition RV waste requirements.

6.10 Events until 11PM.

- 1) Typically, Events would finish by 10PM, however during the rodeo dance or similar event we would like to conclude at 11pm on a limited basis (6 late events per year)

6.11 Trailer Office less than 500 sq.ft. to be used in conjunction with events it will not have a restroom. It will be on wheels.

- 1) This will be an office trailer to facilitate the paperwork associated with event entries, payouts, press activities. Etc.

6.12 Portable Restrooms will be used during events. Hand washing stations will be provided.

- 6.13 Water: Bottled drinking water will be provided at the event. Onsite water source will be used only for animals and dust control. (Non Potable)
- 6.14 Food and Beverage Vendors will be responsible for their own licenses and permits, potable water, etc. Gilroy rodeo will provide the necessary portable restrooms required by DEH for TFF. GR Rodeo will be the Event coordinator per DEH requirements.
- 6.15 Tents: Tent permits will be applied for as required by SCC Fire Marshall.

7.0 Operations

7.1 The Ranch will host 2 types of special events:

7.1.1 Large

These Special Events would include Rodeos, and Agricultural or Equestrian Spectator Events. Spectators would be 6500/performance or day, Contestants 500/performance or day, and volunteers 300/day. There will be a Maximum of one (1) large event per year. Duration will be 5days.

7.1.2 Medium

These events would include large Jackpots, and shows without the large spectator draw. Spectators and contestant would be 2500/day, Volunteers 100/day. There will be one (1) medium event per year. Duration will be 3 days.

7.2 Hours of Operation

The Ranch Operates from 7am to 10pm 7days a week. Events will most likely take place on weekends, with some pre-event activities during the week. Outdoor lighting at the Arena would be used for events continuing after dark. The Arena lights will be turned off at 10pm, Ancillary ambient lighting will be turned off at 11pm.

7.3 Staff

The ranch will maintain a staff of 2-5 current employees to support ranch Operations and Maintenance



Gilroy Rodeo Grounds during event.