



COMMUNITY DEVELOPMENT/RESOURCE AGENCY
Environmental Coordination Services
County of Placer

DATE: October 17, 2017

TO: California State Clearinghouse
Responsible and Trustee Agencies
Interested Parties and Organizations

SUBJECT: **Notice of Preparation of an Environmental Impact Report for the Proposed Winery and Farm Brewery Zoning Text Amendment Project**

REVIEW PERIOD: **October 18, 2017 to November 16, 2017**

Placer County is the lead agency for the preparation of an Environmental Impact Report (EIR) for the proposed Winery and Farm Brewery Zoning Text Amendment Project (proposed project) in accordance with the California Environmental Quality Act (CEQA), Section 15082. The purpose of the Notice of Preparation (NOP) is to provide responsible agencies and interested persons with sufficient information in order to enable them to make meaningful comments regarding the scope and content of the EIR. Your timely comments will ensure an appropriate level of environmental review for the project.

Project Description: The proposed project consists of a revision to the existing Winery Ordinance that regulates wineries located in unincorporated Placer County. The existing Winery Ordinance consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. Generally, the proposed amendments include the following substantive changes: redefine the term *Events*; define the term *Farm Brewery*; modify the minimum parcel size; create a table outlining special event allowances and maximum capacity at certain types of events; clarify the hours of operation; update the standards for potable water and waste disposal; update the standards for access; and add wineries as an allowable land use by-right in the Resort zone district.

Project Location: The project location consists of the unincorporated portions of Placer County.

For more information regarding the project, please contact Nikki Streegan, Senior Planner, (530) 745-3577. A copy of the NOP is available for review at the Auburn and Lincoln libraries; Placer County Community Development Resource Agency (Auburn), and on the Placer County website:

<http://www.placer.ca.gov/departments/communitydevelopment/envcoordsvcs/eir>

NOP Scoping Meeting: In addition to the opportunity to submit written comments, a public scoping meeting will be held to inform interested parties about the proposed project and to provide agencies and the public an opportunity to provide comments on the scope and content of the EIR. The meeting will be held on November 1, 2017, at 6:00 PM, at the Community Development Resource Center, 3091 County Center Drive (Planning Commission Hearing Room).

NOP Comment Period: Written comments should be submitted at the earliest possible date, but not later than 5:00 pm on November 16, 2017 to Shirlee Herrington, Environmental Coordination Services, Community Development Resource Agency, 3091 County Center Drive, Suite 190, Auburn, CA 95603, (530) 745-3132, fax (530) 745-3080, or cdraecs@placer.ca.gov.

1.0 BACKGROUND

In the years since the County of Placer's 2008 Winery Ordinance was approved, wine industry concerns regarding the County's existing Winery Ordinance have been raised, specifically citing a lack of Promotional Events allowed without a use permit. Under today's ordinance, wineries are required to apply for an Administrative Review Permit in order to hold promotional events such as winemaker dinners. This permit allows for a maximum of six promotional events per year. Based upon the need to modify some standards in order to hold a greater number of events by right, staff determined that it was appropriate to re-examine the existing Winery Ordinance to meet the desires of the community and the winery owners.

The Placer County Planning Commission held a series of workshops between December 2013 and February 2015 in relation to the review and adoption of a Zoning Text Amendment. The workshops introduced and analyzed a variety of potential changes to the ordinance. Public comments provided by the Planning Commission, Placer County Vintners Association, Placer County Agricultural Commission, the Municipal Advisory Councils, and community members were taken into account in order to address the diversity of ideas on the subject. Subsequent to the February 26, 2015 workshop, County staff prepared a draft Zoning Text Amendment and Initial Study/Negative Declaration (IS/ND) to review the potential environmental effects associated with implementation of the changes. The IS/ND was circulated for a 30-day public review period beginning on July 11, 2015 and closing on August 10, 2015. During the public review period, the County received comments from one law firm, one public interest group, and three individuals on the adequacy of the proposed Negative Declaration. As a result of public comment, County staff brought the Zoning Text Amendment to the Planning Commission as an information item during a regularly scheduled public hearing on January 14, 2016. During this public hearing, County staff informed the Planning Commission that the County's Environmental Review Committee had determined that in light of the comments received on the IS/ND, an Environmental Impact Report must be prepared.

Subsequent to the January 2016 public hearing, a task force of internal staff members was formed in order to develop the Zoning Text Amendment. The task force included staff members from various disciplines within the Community Development Resource Agency, Department of Public Works and Facilities, Environmental Health Services, Economic Development, and Agricultural Commissioner's office. In early 2017, the task force determined that some modifications should be made to the ordinance. Based on input received from agencies and members of the public, the team proposed eight modifications to the January 14, 2016 version of the draft Winery Ordinance. The changes were presented before the Planning Commission on June 8, 2017 at a final public workshop in order to discuss the merits of the new proposal and for County staff to receive comments and direction from the Commission. The currently proposed Zoning Text Amendment is the proposed project that will be evaluated in this EIR and is attached hereto as Attachment A.

Additionally, the Zoning Text Amendment is now referred to as the Winery and Farm Brewery Zoning Text Amendment in order to regulate farm breweries. Similar to wineries, these facilities also produce adequate agriculture necessary to create a value-added agricultural product (i.e. craft beer).

2.0 PROJECT DESCRIPTION

The following discussion addresses the location, setting, and components of the proposed project.

2.1 Project Location

The proposed project amends the existing Winery Ordinance that regulates wineries in the unincorporated portions of Placer County. All of the existing wineries and current and pending farm breweries are located in the western-central portion of the County (see Figure 1).

2.2 Project Purpose and Objectives

The policy-focus of the proposed Zoning Text Amendment is to preserve and protect farmland while also supporting tenants of agri-tourism. The zoning text amendment is intended to balance the needs of various stakeholder groups and support the core principle that the primary use of the property is for the growing and processing of agriculture in order to make a value-added product.

2.3 Project Overview

The existing Winery Ordinance (the Winery Ordinance) was adopted on August 26, 2008 and consists of Section 17.56.330 (Wineries) and Section 17.04.030 (Definitions) of the Placer County Code. The draft language of the Winery and Farm Brewery Ordinance Zoning Text Amendment (Attachment A) contains County staff's proposed changes based on public comment received during the above-discussed outreach efforts.

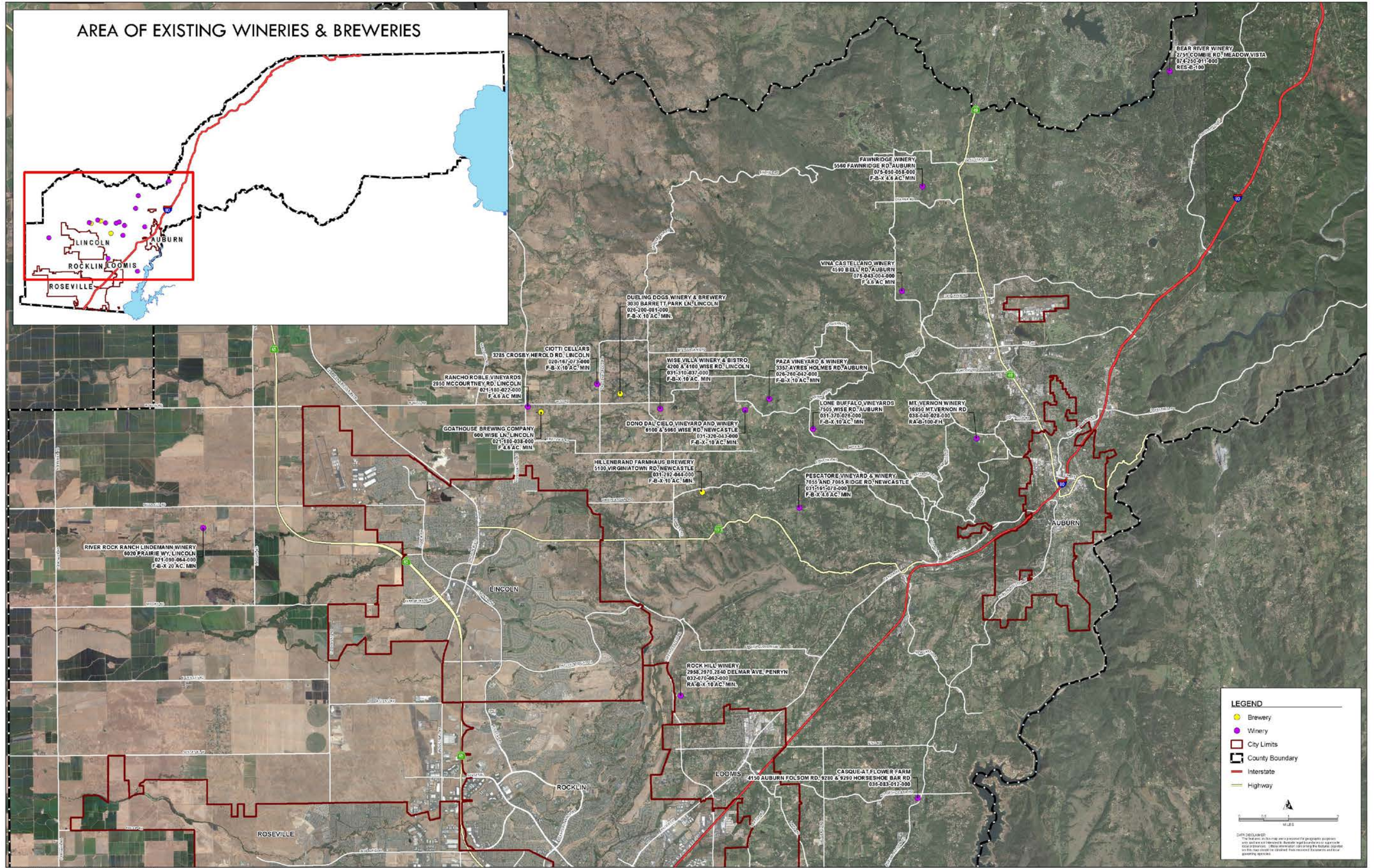
2.4 Summary of Proposed Ordinance Changes

The draft Ordinance language includes the following substantive changes to the current Winery Ordinance:

- Add Definition of Farm Brewery to the Ordinance
- Add Definition of Boutique Facility to the Ordinance
- Define New 10-Acre Minimum Parcel Size
- Modify Event Definition
- Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement
- Clarify Hours of Operation
- Update the standards for Potable Water and Waste Disposal
- Update the standards for Access Standards
- Add wineries as an allowable land use by-right in Resort zone district

Please refer to Attachment A for the full draft language of the proposed Winery and Farm Brewery Zoning Text Amendment. The following section will discuss certain, proposed text changes in further detail.

Figure 1
Placer County Boundary in Relation to Current Winery/Farm Brewery Geographic Area



Add Definition of Farm Brewery

In recent years, the Community Development Resource Agency has been asked to make a determination that farm breweries function similar to wineries. The agricultural product is grown and then processed on-site, the public may come to the site to sample and drink the product, and the venue may host promotional events to sell their product. Similar to wineries, the facility would be required to meet the same development standards, including agricultural planting minimums, parking, access, hours of operation, noise regulation, lighting, food facilities, tasting facilities, provision of water, and waste disposal. Events would be regulated under the same standards and guided under similar General Plan policy to promote agricultural operations and permit a wide variety of promotional and marketing activities for County-grown products in agricultural zone districts. For the purposes of acknowledging this niche within the growing craft beer industry, the following definitions are proposed to be added to the ordinance.

“Brewery” means a bonded brewery facility comprising the building or buildings used to convert malted barley and hops to beer, and to process, bottle, store, and distribute and sell said beer. A brewery, for the purposes of this section, includes milling, mashing, lautering, boiling, whirlpooling, cooling, fermenting, conditioning, packaging or bottling, bulk and bottle storage, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and events.

“Farm Brewery” means a facility, for the brewing and bottling of beer that produces less than 15,000 barrels of product per year and grows hops and agricultural products necessary for making the beverage.

The definition of a Farm Brewery would be added to Section B. Definitions, within Section 17.56.330. The intent of limiting the definition to this section is to acknowledge a regulatory framework needed for a Farm Brewery and distinguish this use from other brewery-type uses that are allowed in other zone districts under the “Restaurants and Bars” and “Food Products” land uses.

Add Definition of Boutique Facility

The proposed project would define *boutique facility* as “a winery with annual production less than 2,500 cases, or a farm brewery with annual production less than 200 barrels.” The proposed project specifies that boutique facilities would be allowed in Residential Agricultural and Residential Forest zone districts subject to a Minor Use Permit; and Farm, Forest, and Agricultural Exclusive zone districts without a use permit. No events shall be allowed at a boutique facility other than those afforded with a Temporary Outdoor Event Permit in compliance with County Code Section 17.56.300.

Define New 10-Acre Minimum Parcel Size

Currently, wineries are allowed without a use permit in Agricultural and Resource districts (Agricultural Exclusive (AE), Farm (F), and Forest (FOR)), the Heavy Commercial (C3) zone district, and Business Park (BP), Industrial (IN), and Industrial Park (INP) zone districts. Under the proposed project, wineries would continue to be allowed in these zones districts without a use permit. The only proposed change is that under the proposed ordinance, wineries would also be allowed without a use permit in the RES (Resort) Commercial zone district.

According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is 4.6 acres in the Agricultural and Resource (AE, F, FOR) zoning districts.¹ There is no parcel size

¹ According to Section E.1. of the current Winery Ordinance, the minimum parcel size for establishment of a winery is also 4.6 acres for RA and RF zoning districts; but wineries in these zones are currently subject to an Administrative Review Permit, and under the proposed project, would be subject to a Minor Use Permit. As wineries in these two residential zones would continue not to be permitted by right; they are not discussed further.

minimum for the other zoning districts where wineries are currently allowed without a use permit (C3, BP, IN, and INP). Under the proposed project, a minimum parcel size of 10 acres would now be required for any new winery to be established without a use permit in the AE, F, and FOR zoning districts. The intent of increasing the minimum parcel size from a 4.6-acre minimum to 10-acre minimum in these zone districts is to reduce potential for conflict between neighboring residential land uses and commercial agricultural operations. Agricultural and some rural residential land uses are afforded the right to farm in accordance with Placer County Code Section 5.24.040. At the same time, noise- and traffic-generating promotional events, such as wine club events, have the potential to negatively affect adjacent land uses. The County has identified that a greater parcel size could alleviate these adverse effects for two main reasons. First, larger parcel sizes inherently create a natural buffer for noise when the use occurs in accordance with standard setbacks on the site. Second, the shift to allow these operations by right on parcels 10 acres or greater is consistent with counties from around the state.

Under the proposed project, the new category of farm breweries would be allowed on a minimum 10-acre parcel without a use permit in the AE, F, and FOR zoning districts, and with a Minor Use Permit in RA and RF Residential zoning districts.

Modify Event Definition

As noted previously, a primary reason for revisiting the ordinance was to relax the requirements to hold events; predominantly the types of events that are an inherent part of the member-based business model that wineries leverage to sell their product. The County has determined that it is critical to establish a clearer definition of events for two main reasons: 1) General Plan policy cites promotion of agricultural operation and the marketing of County-grown products as key components to enhancing the economic viability of Placer County agricultural operations, as well as the preservation and protection of agricultural lands; and 2) several comments regarding the inadequacy of the “event” definition were made during the Initial Study/ND comment period for the 2016 draft ordinance.

Vintners expressed that a small part of their business model is to hold private events where the consumer is required to purchase a certain amount of wine per attendee as a requirement of utilizing the facility. The proposed definition clarifies that these events, with fewer than 50 people at one time, and where only the winemaker’s wine is sold, could be considered promotional in nature. The redefinition of “event” under the proposed amendments now distinguishes between Agricultural Promotional Events and Special Events, as follows:

An “Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less. There are limited occurrences when greater than 50 people are in attendance and those shall be regulated in the same manner as a Special Event. See Table 1.

A “Special Event” is an event of greater than 50 people where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol is allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a facility rental). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

Whereas the currently adopted ordinance restricts the number of promotional events at each facility to six per year, subject to first securing an Administrative Review Permit, the proposed project redefines “event” to distinguish between Agricultural Promotional Events and Special Events. A Special Event would continue to be limited in number, similar to the current ordinance. Agricultural Promotional Events, on the other hand, would not be limited in number, though each event must not exceed 50 attendees at any given time.

Create Table Outlining Event Allowances, Maximum Capacity, and Use Permit Requirement

Under the proposed project, maximum attendance at winery and farm brewery events is now limited based upon parcel size (see Table 1). The number of Special Events and Agricultural Promotional Events with attendance greater than 50 is also limited based upon parcel size. Based upon the data in Table 1 and Section F of the proposed Zoning Text Amendment, *Continuing Applicability of Use Permits*, it is important to understand that existing wineries on small parcels (4.6-9.9 acres) in the County would not be allowed to conduct more than six promotional events per year under the new Ordinance, unless they obtain a Minor Use Permit or modification of any pre-existing permit from the County. Given that small wineries are already allowed six events under the currently adopted Ordinance (with an Administrative Review Permit), there is no net change to the operations of wineries on small parcels associated with the proposed Winery and Farm Brewery Zoning Text Amendment. Thus, wineries on small parcels will not be evaluated in this EIR.

Table 1 Maximum Special Events Allowed Per Year^[1]			
Parcel Size (Acre)	Max Attendees (Excluding Staff)	Max Special Events / Year	Use Permit Requirement
4.6-9.9	50	6	MUP ^[2]
10-20	100	6	C
20+	200	12	C

[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.
[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.
C = Zoning Clearance (Placer County Code Section 17.06.050)
MUP = Minor Use Permit (Placer County Code Section 17.06.050)

Clarify Hours of Operation

The currently adopted Winery Ordinance does not specify allowable hours of operation. Typical tasting hours at today's wineries occur between 10am and 6pm, while special extended tasting hours or other events continue into the evening and end by 8pm Sunday-Thursday and 10pm Friday-Saturday. Codifying tasting hours is one way to regulate that the facilities are for sampling the product and typically would not operate into the evening. The Winery and Farm Brewery Zoning Text Amendment proposes the following:

All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have an Administrative Review Permit, Minor Use Permit, or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

Update Potable Water and Waste Disposal Sections

Potable Water

The currently adopted ordinance requires the facility owner to provide bottled water for consumption if more than 24 people in a 60-day period are served, unless otherwise approved by the County Environmental Health Division.

The Zoning Text Amendment proposes to clarify potable water standards in accordance with State regulations. For example, if a facility serves more than 24 people daily, 60 days or more per year, then a public water system shall be required. The type of public water system would be a Transient-Non-community water system, which includes restaurants, campgrounds, small wineries, motels and other non-residential facilities. Such a public water system requires a permit from the State Water Resources Control Board Division of Drinking Water.

Waste Disposal

The Zoning Text Amendment clarifies that winery or farm brewery process wastewater is prohibited from being discharged to a septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance if the wastewater will not be discharged into a community sewer system, but rather an alternative form of discharge would be used, such as land application.

Additionally, the Zoning Text Amendment clarifies that a separate septic system needs to be provided if a winery or farm brewery has buildings with plumbing.

Update Access Standards Section

The Zoning Text Amendment requires facilities open to the public and having access from a County-maintained road to construct to a paved commercial encroachment standard per the County Land Development Manual (LDM) engineering design plates.

For facilities that are accessed by non-County maintained roads, the owner would be required to obtain an encroachment permit from the County to update ingress, egress, and sight-distance per the County LDM engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County-maintained road, if existing conditions do not already meet standards.

Add Wineries as Allowable Use by-right in Resort Zone District

The Zoning Text Amendment would allow a winery to be developed by-right in the Resort (RES) Zone District. This zone district accommodates commercial land uses and is typically found in mountainous areas, water-oriented areas, or other areas with commercial recreation potential. The RES-zoned properties within western Placer County, where new facilities could be expected based upon factors such as elevation, soil type, etc., are limited to twenty-six parcels, five of which are vacant.

2.5 Adoption and Implementation

The proposed project will be considered by the Planning Commission with final adoption of the revised Winery and Farm Brewery Zoning Text Amendment by the County Board of Supervisors (BOS). The following actions will be required:

1. Certification of the EIR for the proposed project by the County BOS
2. Adoption of the Winery and Farm Brewery Zoning Text Amendment by the County BOS

2.6 Framework of EIR Analysis

The changes proposed to the currently adopted Winery Ordinance help inform what would be the appropriate framework of the environmental analysis contained in the EIR. The framework of the environmental analysis would be as follows:

1. The EIR will focus on the potential physical environmental impacts associated with the ability to conduct Agricultural Promotional Events, which are not limited in number by the proposed Zoning Text Amendment.

- a. The County will identify a reasonable, conservative assumption of the number of Agricultural Promotional Events that may occur at each facility over the course of one day, based upon input from stakeholders.
2. The EIR analysis regarding how the proposed ordinance would change operations at existing facilities, and potentially result in increased environmental impacts, will focus on the existing Medium (10- to 20-acre) and Large (>20 acres) parcel-sized wineries/farm breweries, where Agricultural Promotional Events would be allowed by-right. This includes the following existing facilities:

Medium Parcel Size (10- to 20-acre)

- Wise Villa Winery and Bistro
- Lone Buffalo Vineyards
- Rancho Roble Vineyards
- Vina Castellano Winery
- Rock Hill Winery
- Goathouse Brewery
- Hillenbrand Farmhaus Brewery

Large Parcel Size (>20 acres)

- Mt. Vernon Winery
- Dono Dal Cielo Vineyard and Winery

3. All future winery/farm brewery applications would be subject to the proposed Winery and Farm Brewery Zoning Text Amendment. Under the proposed project, these future facilities would now be afforded the ability to host an unlimited number of Agricultural Promotional Events and large wineries/breweries would be afforded the ability to host 12 Special Events each year (an increase of six per year). Therefore, while the Zoning Text Amendment would not be expected to directly induce the development of additional medium or large wineries/farm breweries, the proposed project would provide greater flexibility with respect to the amount of Agricultural Promotional Events and Special Events that may occur at future wineries/farm breweries. As a result, this EIR will evaluate the potential environmental effects associated with the ability to conduct Agricultural Promotional Events and Special Events at future wineries/farm breweries subject to the proposed project.
 - a. In order to perform such an evaluation, the County will identify an assumed annual rate of growth of wineries/farm breweries based upon historic winery growth in Placer County, and winery growth data from comparable counties. The forecast period for this cumulative analysis will be 20 years.
4. The EIR will evaluate the net change that would allow wineries in the RES Commercial zoning district without a use permit.
5. The EIR will evaluate the net change that would allow up to six additional Special Events (12 total) or Agricultural Promotional Events with attendance >50, at facilities on large parcels (>20 acres).

3.0 PROBABLE ENVIRONMENTAL EFFECTS AND SCOPE OF THE EIR

Based upon the Initial Study analysis conducted for the proposed project (see Attachment B to this NOP), the County anticipates that the EIR will contain the following chapters. Each chapter of the EIR will include identification of the thresholds of significance, identification of impacts, and the development of mitigation measures and monitoring strategies. The proposed EIR will incorporate by reference the Placer County General Plan and the Placer County General Plan EIR. In addition to these County documents, project-specific technical studies are being prepared by various technical sub-consultants. The following topic areas will be further evaluated in the EIR:

- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Land Use and Planning
- Noise
- Transportation and Circulation
- Utilities and Service Systems
- Alternatives
- Cumulative Impacts

The following paragraphs discuss the anticipated analyses that will be included in the EIR.

Agricultural Resources. The Agricultural Resources chapter of the EIR will focus on the existing wineries and farm breweries and the potential for increased by-right events, allowable under the proposed project, to induce conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Any conflicts with existing zoning for agricultural use or Right-to-Farm ordinances will also be identified.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the Winery and Farm Brewery Zoning Text Amendment and potential agricultural resources impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Air Quality. The air quality analysis for the proposed project will be performed utilizing the California Emissions Estimator Model (CalEEMOD) software program. Using trip generation data provided by the project traffic consultant, the air quality impact analysis will include a quantitative assessment of operational increases of criteria air pollutant emissions of primary concern (i.e., ROG, NOX, and PM10). The project's cumulative contribution to regional air quality will be discussed, based on the modeling conducted at the project level. The significance of air quality impacts will be determined in comparison to Placer County Air Pollution Control District (PCAPCD) adopted significance thresholds, which will be used to determine significance for criteria pollutants. PCAPCD-recommended mitigation measures will be incorporated to reduce any significant air quality impacts, and anticipated reductions in emissions associated with proposed mitigation measures will be quantified. *For the Greenhouse Gas Emissions Analysis, see the Cumulative Impacts and Other Statutorily Required Sections chapter below.*

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential air quality impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Biological Resources.

The Biological Resources chapter of the EIR will evaluate the existing winery/farm brewery properties to determine if sensitive habitats could be present; however, this analysis will be performed at a broad-scale given that the proposed Zoning Text Amendment would not be expected to lead to the direct physical alteration of the existing wineries and farm brewery, such that any on-site biological resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two facilities on parcels greater than 20 acres, an additional six special events per year. The chapter will evaluate the potential for increased activity to result in indirect effects to biological resources, such as the disruption of wildlife.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential indirect biological resources impacts associated with additional by-right

events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Cultural Resources. The Cultural Resources chapter of the EIR will evaluate the cultural resources sensitivity of the existing winery/farm brewery properties; however, this analysis will be performed at a broad-scale given that the proposed Zoning Text Amendment would not be expected to lead to the physical alteration of the existing wineries and farm brewery, such that any on-site, unknown cultural resources could be disturbed. Rather, the Zoning Text Amendment would allow the existing facilities to hold an unlimited number of Agricultural Promotional Events, and for the two facilities on parcels greater than 20 acres, an additional six special events per year. Such by-right allowances would not directly result in the subsurface disturbance of cultural resources.

Future by-right development of wineries or farm breweries on the limited RES-zoned properties in western Placer County could result in the disturbance of cultural resources. The Cultural Resources chapter will generally evaluate the sensitivity of these properties to contain historical, archaeological, paleontological, and/or tribal cultural resources.

Land Use and Planning. The Land Use and Planning chapter will evaluate the consistency of the proposed project with the County of Placer's adopted plans and policies, and discuss any land use compatibility issues resulting from increased by-right events allowable under the proposed project. To establish baseline information for this chapter, existing land uses on properties that are adjacent to existing wineries/farm brewery will be identified, as well as the existing zoning and General Plan land use designations for these properties. This baseline information will facilitate the EIR discussion regarding the potential for land use compatibility issues to arise from adoption and implementation of the Zoning Text Amendment.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project and potential land use and planning impacts associated with additional by-right events that would be allowable at these future facilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Noise. The Noise chapter will be based on a project-specific technical noise report. The noise report will identify all significant noise impacts to nearby sensitive receptors due to the additional by-right events allowable under the proposed project. Significant noise impacts will be identified if the project-generated traffic or on-site activities result in a significant increase in noise levels at existing noise-sensitive land uses in the project vicinity, or exceedance of the applicable noise standards. The identification of noise mitigation measures will focus on appropriate and practical recommendations for noise control aimed at reducing any identified potential noise impacts to a level of insignificance.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project, and whether additional by-right events at future wineries and farm breweries could result in noise impacts. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Transportation and Circulation. The Transportation and Circulation chapter will be based on a Traffic Impact Study (TIS) prepared specifically for the proposed project. The TIS will analyze increased traffic resulting from additional by-right events allowable under the proposed project, including impacts to study roadway and intersection capacity, as well as road safety.

The following arterial and collector streets lie in the area of the existing wineries and farm brewery:

Rural Arterial

1. Wise Road from SR 65 to Mt Vernon Road
2. Nicolaus Road from Sutter County line to Lincoln City limits
3. McCourtney Road from Wise Road to Riosa Road

4. Sierra College Blvd from Taylor Road to English Colony Road
5. Placer Hills Road from I-80 to Crother Road
6. Auburn Folsom Road from Dick Cook Road to Horseshoe Bar Road
7. Horseshoe Bar Road from Val Verde Road to Auburn Folsom Road

Rural Collectors

8. Wise Road from Ophir Road to Mt. Vernon Road
9. Bell Road from Joeger Road to Lone Star Road
10. Bald Hill Road from Lozanos Road to Mt. Vernon Road
11. Baxter Grade Road from Wise Road to Mt. Vernon Road
12. Combie Road from Placer Hill Road to end
13. Chili Hill Road from Lozanos Road to Gold Hill Road
14. Del Mar Avenue from Sierra College Blvd to English Colony Road
15. Fowler Road from SR 193 to Fruitvale Road
16. Fruitvale Road from Hungry Hollow Road to Gold Hill Road
17. Gold Hill Road from SR 193 to Wise Road
18. Millertown Road from Wise Road to Mt. Vernon Road
19. Ridge Road from Gold Hill Road to Taylor Road
20. Mt Vernon Road from Joeger Road to Wise Road
21. Mt Vernon Road from Bald Hill Road to Auburn City limits
22. Virginiatown Road from Lincoln limits to Fowler Road

Up to twenty-two (22) 24-hour traffic counts will be conducted on arterial and collector streets to supplement available data. Additional counts on local roads may be needed given their provision of access to specific wineries, as follows:

1. Maverick Lane south of Nicolaus Road
2. Fleming Road from Gladding Road to McCourtney Road
3. Ayers Holmes Road from Mt. Vernon Road to Wise Road
4. Cramer Road from Bell Road to SR 49
5. Crosby Road from Wise Road to Mt. Pleasant Road

Peak hour intersection turning movement data will be collected at key intersections, including but not necessarily limited to:

1. Joeger Road/Bell Road
2. SR 49 / Cramer Road
3. Placer Hills Road / Combie Road
4. Sierra College Blvd. / Delmar Road
5. Wise Road / Crosby Herold Road
6. Mt. Vernon Road / Atwood Road
7. Wise Road / McCourtney Road
8. Wise Road / Garden Bar Road
9. SR 193 / Fowler Road
10. SR 193 / Gold Hill Road
11. Lozanos Road / Wise Road

The TIS will evaluate the following scenarios: Existing, Existing Plus Project, Cumulative, and Cumulative Plus Project. The cumulative analysis will address long-term (20-year) conditions that reflect an assumed annual growth of wineries and farm breweries, as well as other reasonably foreseeable development that may contribute related traffic to the study intersections and roadways. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Utilities and Service Systems. The Utilities and Service Systems chapter will summarize setting information for water, sewer, and solid waste services. The chapter will address the proposed water and sewer demand

associated with additional by-right events allowable under the proposed project at existing facilities and whether the existing service providers can accommodate this demand within their existing systems.

The chapter will also include a programmatic discussion of future wineries and farm breweries subject to the proposed project, and whether additional by-right events at future wineries and farm breweries could result in impacts to utilities. The ability to locate new facilities by-right in the RES zone, and potential associated impacts, will also be addressed.

Alternatives. In accordance with Section 15126.6(a) of the CEQA Guidelines, the EIR will include an analysis of a range of alternatives, including the No Project Alternative. The Alternatives will be selected when more information related to project impacts is available, so the alternatives can be designed to reduce significant project impacts. The Alternatives chapter will describe the alternatives and identify the environmentally superior alternative. The alternatives will be analyzed at a level of detail less than that of the proposed project; however, the analyses will include sufficient detail to allow a meaningful comparison of the impacts. The Alternatives chapter will also include a section of alternatives considered but dismissed.

Cumulative Impacts and Other Statutorily Required Sections. In accordance with Section 15130 of the CEQA Guidelines, the EIR will include an analysis of the cumulative impacts for each CEQA topic evaluated at a project-level in the EIR. In addition, pursuant to CEQA Guidelines Section 21100(B)(5), the analysis will address the potential for growth-inducing impacts of the proposed project, focusing on whether removal of any impediments to growth would occur with the project. The chapter will also include a discussion of the project's energy efficiency per Appendix F of the CEQA guidelines. Included in the cumulative impacts analysis for the proposed project will be a discussion of global climate change/greenhouse gas emissions (GHG). The analysis will include a quantitative estimate of operational GHG emissions attributable to the additional by-right events that would be allowable under the proposed project. The thresholds for the GHG analysis will be consistent with PCAPCD's recently adopted thresholds.

ATTACHMENTS

- Attachment A: Proposed Zoning Text Amendment
- Attachment B: Initial Study & Checklist

ATTACHMENT A

17.56.330 Wineries and Farm Breweries.

A. Purpose. The purpose of this section is to provide for the orderly development of wineries and farm breweries within agricultural zoning districts and certain commercial, industrial and residential zoning districts, and to encourage the economic development of the local agricultural industry, provide for the sampling and sales of value-added products, and protect the agricultural character and long-term agricultural production viability of agricultural lands.

B. Definitions.

~~“Administrative review permit” See Zoning Ordinance Section 17.58.100.~~

An “Agricultural Promotional Event” is directly related to the education and marketing of wine and craft beer to consumers including but not limited to winemaker/brewmaster dinners, release parties, membership club parties, and private parties where the only alcohol served is produced by the winery/farm brewery. An Agricultural Promotional Event accommodates 50 people or less. There are limited occurrences when greater than 50 people are in attendance and those shall be regulated in the same manner as a Special Event. See Table 1.

“Boutique Facility” is a winery with annual production less than 2,500 cases, or a farm brewery with annual production less than 200 barrels.

~~“Conditional use permit” See Zoning Ordinance Section 17.58.130.~~

“Farm Brewery” is a facility, for the brewing and bottling of beer that produces less than 15,000 barrels of product per year and grows hops and agricultural products necessary for making the beverage on-site.

“Large winery” refers to a winery with annual production of twenty thousand (20,000) cases or greater.

~~“Minor use permit” See Zoning Ordinance Section 17.58.120.~~

~~“Promotional event” means an event, sponsored by the property owner, an association of agricultural property owners, or similar organizations formed to assist the agricultural industry in the area, to promote the sale of Placer County wines, and which is intended to allow for the sampling and direct marketing and sales of wines produced on the premises or produced elsewhere from grapes grown on site. Such events include “winemaker’s dinners.”~~

“Public tasting” refers to wine sampling by the general public.

“Small winery” refers to a winery with annual production less than twenty thousand (20,000) cases.

“Special Event” is an event of greater than 50 people where the agricultural-related component is subordinate to the primary purpose of the event. Included in this definition are events such as private parties, fundraisers, social or educational gatherings where outside alcohol is allowed, and events where the property owner is compensated in exchange for the use of the site and facility (referred to as a *facility rental*). Special Events do not include industry-wide events, the normal patronage of a tasting room, and private gatherings of the owner where the general public does not attend.

“Temporary outdoor events” are events that are of limited duration and located primarily outdoors. If any buildings are used for the event, such use shall not exceed the occupancy load. ~~Two events per year~~ Events can be authorized on any given site

through the Temporary Outdoor Event Permit process as described in Section 17.56.300(B)(1)(b). Any such authorization would be in addition to the promotional events authorized by this section.

“Wine case” contains twelve (12) standard wine bottles (750 milliliters each).

“Winery” means a bonded winery facility comprising the building or buildings used to convert fruit juices (all or part of which are produced on the property) to wine, and to age, bottle, store, distribute and sell said wine. A winery, for the purposes of this section, includes crushing, fermenting and refermenting, bottling, blending, bulk and bottle storage, aging, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and promotional events.

- C. **Permit Requirements for Wineries and Farm Breweries.** The permit requirements for wineries these facilities and accessory uses are set forth below.

	Zone districts									
	Commercial					Industrial				
	CPD	C2	C3	HS	C1	RES	AP	BP	IN	INP
Winery Production < 20,000 Cases	CUP	MUP	€	-	-	-	-	€	€	€
Winery Production > 20,000 Cases	-	-	MUP	-	-	-	-	MUP	MUP	MUP
Wholesale and Retail Sales of Wine and Grape Products	CUP	€	€	€	€	€	MUP	€	€	€
Wine Tasting and Retail Sales of Wine-related Merchandise	CUP	€	€	€	€	€	MUP	€	€	€
Promotional Events up to 6/year	CUP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP	ARP

Residential Zoning Districts (Residential Agriculture and Residential Forest only)	
Winery Production < 20,000 Cases	ARP
Winery Production > 20,000 Cases	MUP
Wholesale and Retail Sales of Wine	ARP
Wine Tasting and Retail Sales of Wine-related merchandise	ARP
Promotional Events Up to 6/year	ARP

Agricultural and Resource Districts (Agricultural Exclusive, Farm, Forestry, Timberland Production only)	
Winery Production <20,000 Cases	C
Winery Production >20,000 Cases	MUP
Wholesale and Retail Sales of Wine Grown or Produced on Premises	C
Wine Tasting and Retail Sales of Wine-Related Merchandise	C
Promotional Events Up to 6/year	ARP

	<u>Commercial</u>						<u>Industrial</u>				<u>Residential</u>		<u>Agriculture and Resource^[1]</u>		
	<u>CPD</u>	<u>C2</u>	<u>C3</u>	<u>HS</u>	<u>C1</u>	<u>RES</u>	<u>AP</u>	<u>BP</u>	<u>IN</u>	<u>INP</u>	<u>RA</u>	<u>RF</u>	<u>AE</u>	<u>F</u>	<u>FOR</u>
<u>Small Winery</u> <u>0-20,000 cases</u>	<u>CUP</u>	<u>MUP</u>	<u>C</u>			<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Large Winery</u> <u>20,000+ cases</u>			<u>MUP</u>					<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>
<u>Boutique Facility</u>											<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Farm Brewery</u> <u>0-15,000 barrels</u>											<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Wholesale and Retail Sales of Wine, Grape or Beer Products On-Site</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Tasting Room and Retail Sales of Wine- or Beer - Related Merchandise</u>	<u>CUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>MUP</u>	<u>MUP</u>	<u>C</u>	<u>C</u>	<u>C</u>

[1] Minor Use Permit required for facility proposed on 4.6-9.9 acres.

KEY TO PERMIT REQUIREMENTS	
Zoning Clearance required (Section 17.06.050)	C

Administrative Review Permit required (Section 17.06.050)	ARP
Minor Use Permit required (Section 17.06.050)	MUP
Conditional Use Permit required (Section 17.06.050)	CUP
Use not allowed	

D. **Winery and Farm Brewery Uses:** The following provisions apply to all wineries and farm breweries, accessory structures, and accessory uses:

1. General Provisions.

The primary purpose of the winery or farm brewery shall be to process wine grapes and hops grown on the property.

- a. **Minimum Parcel Size.** The minimum parcel size for establishment of a winery or farm brewery is ten acres in the Farm, Forest, and Agricultural Exclusive, Residential Agricultural, and Residential Forest zone districts. Wineries proposed in Forest, Farm, and Agricultural Exclusive zone districts shall also be allowed on a minimum 4.6 acre parcel subject to a Minor Use Permit.
 - (i) A Minor Use Permit may be waived if a minimum of ten contiguous acres is under the same ownership and deed restricted to preclude their separate sale, and if the structures related to the use meet the standards for the base zone district.
 - (ii) A Minor Use Permit may be waived if only processing as a small winery is proposed in Forest, Farm, and Agricultural Exclusive zone districts for parcels 4.6-9.9 acres. Minimum agricultural requirements must still be met. No on-site sales, tasting, or public access shall be allowed either directly or by appointment.
- b. **Minimum Agricultural Requirement.** In the Residential, Resource and Agricultural zoning districts where wineries and farm breweries are allowed, at least two acres on-site of planted vineyard, hop yard, or other agriculture related to beverage production is required. Planting densities should be consistent with what is found in the Sierra Nevada Foothills.

2. Tasting Facilities.

- a. **Wine and Beer Sales.** The tasting facility is primarily for the marketing and sale of the agricultural products produced at the facility. Wine products shall be limited to those produced, vinted, cellared or bottled by the operator or grown on the premises, and custom crushed at another facility for the operator. Tasting shall be in accordance with the current winery Liquor License issued by the California Alcohol Beverage Control Agency. Incidental sales of wine and beer-related merchandise and food shall be allowed subject to the requirements of California State Law.
- b. **Agricultural Promotion.** Tasting facilities may include agricultural promotional activities sponsored by a winery or farm brewery, and intended

for the promotion and sale of the facility's product. These include Agricultural Promotional Events, as defined in Subsection B. above.

3. Special Events. Special Events, as defined in Subsection B. above, are allowed in accordance with the following standards.

a. Number allowed. The number of Special Events allowed and capacity limitations shall be subject to the following table.

Table 1: Maximum Special Events Allowed Per Year^[1]

<u>Parcel Size (Acres)</u>	<u>Max Attendees (excluding staff)</u>	<u>Max Special Events/Year</u>	<u>Use Permit Requirement</u>
<u>4.6-9.9</u>	<u>50</u>	<u>6</u>	<u>MUP^[2]</u>
<u>10-20</u>	<u>100</u>	<u>6</u>	<u>C</u>
<u>20+</u>	<u>200</u>	<u>12</u>	<u>C</u>

[1] Agricultural Promotional Events with attendance greater than 50 are limited per this Table.

[2] A Minor Use Permit is required for a Winery or Farm Brewery for parcels 4.6-9.9 acres in size in Zone Districts where allowed by the Land Use and Permit Table (Section 17.06.050). This use permit will consider conditions for events as limited by this table.

b. Temporary Outdoor Event. Special Events, industry-wide events, or other functions where the number of attendees will exceed the allowances in Table 1 above and are held no more than six times per calendar year, may be allowed as required by Section 17.56.300 B. (Temporary Uses and Events).

E. Development and Operational Standards. The following development and operational standards shall apply to all wineries and farm breweries, and expansions of existing lawfully operating facilities. If a winery or farm brewery is required to have a Use Permit by this ordinance, those standards will be applied in accordance with the conditions placed on those entitlements. These standards will be applied with flexibility to encourage activities for the protection and preservation of agriculture wine grape growing, consistent with the agricultural use of the property. For wineries on commercially and industrially-zoned parcels, commercial standards will apply. Wineries established prior to the adoption date of this ordinance will be afforded maximum flexibility in establishing reasonable standards when adding new uses.

~~1. General.~~

~~a. The primary purpose of the winery shall be to process wine grapes grown on the winery property or on other local agricultural lands as delineated in the Food and Agriculture Code as grape pricing District 10. District 10 encompasses Placer, Nevada, El Dorado, Amador, Tuolumne and Mariposa Counties. In the Residential, Resource and Agricultural zoning districts where wineries are allowed, at least one acre of planted vineyard on site is required, unless the Agricultural Commissioner makes a~~

determination that a functional equivalent occurs (i.e. winery is contracted to receive a substantial portion of the winery production capacity from locally produced vineyards).

b. Retail sales of wine fruit products shall be limited to those produced, vinted, cellared or bottled by the winery operator or grown on the winery premises, and custom crushed at another facility for the winery operator.

c. The minimum parcel size for establishment of a winery is 4.6 acres in the Residential, Resource and Agricultural zoning districts where wineries are allowed.

2.1. **Parking.** The following parking standards shall apply to wineries:

a. ~~Small Wineries.~~ If public tasting is proposed, a minimum of five permanent parking spaces shall be provided.

b. ~~Large Wineries.~~ The minimum number of required parking spaces as indicated below shall be provided.

Table 2: Minimum Parking Requirements

<u>Use Type</u>	<u>Parking Required</u>
Areas for use by or for patrons, including tasting rooms and reception areas	One space per 300 square feet
Offices or administration areas	One space per 300 square feet
Production, storage or warehousing areas	One space per 1,500 square feet
Promotional Event parking ^[1]	One space per 2.5 persons

[1] Event size is limited to the number of available on-site parking spaces as required by the parking standards below.

a. On-site parking space sizes and drive aisles shall be designed in accordance with Section 17.54.070 Design and Improvement of Parking.

b. On-site parking may be an aggregate base all weather surface that can support a 75,000 pound vehicle.

a.—c. Temporary overflow parking may be utilized in conjunction with Temporary Outdoor Events as described in Section 17.56.300(B) (1) (b).

~~3.~~ **2. Access Standards.**

~~a. Access roads to winery structures shall meet state and local fire safe standards as determined by the serving fire agency. Alternative design allowances and/or requirements may be determined on a case-by-case basis for modification to the standards, dependent upon anticipated level of use, site constraints, turnout opportunities, road length, slope, and other site-specific issues.~~

~~b. Access—County-Maintained Roads. If a winery is accessed from a county-maintained highway, an encroachment permit may be required to address ingress, egress and sight-distance requirements.~~

~~c. Access—Non-County Maintained Roads. If a winery is accessed by a private road, the applicant shall provide reasonable proof of access rights as determined by the engineering and surveying division.~~

a. **County-Maintained Roads**

(i) A paved commercial standard encroachment shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements.

b. **Non-County Maintained Roads**

(i) An encroachment permit shall be required to address County Land Development Manual ingress, egress, and sight-distance engineering design standards and serving Fire District requirements where the non-County maintained road connects to a County maintained road, and if the applicable standards are not already met.

(ii) If a winery or farm brewery has public tasting and is accessed by a private road, the applicant shall provide proof of access rights as determined by the County and an affirmative written statement of the legal right to access and use said road for the purposes of the requested facility. The owner must also obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If no governing body or association exists, written approval from a majority of the individuals who have access rights to the road shall be required. The owner shall include with said statement the proposal for road maintenance or provide evidence of an existing road maintenance agreement. The owner shall be required to indemnify the County for any claims resulting from said road access.

(iii) The facility must obtain written approval of the governing board of the applicable road maintenance association or homeowners association. If none exists, written approval from a majority of the individuals who have access rights to the road shall be required.

c. Driveway shall have a minimum access width of 20 feet to the facility structure, provide adequate turnaround, and be either paved or surfaced with an approved alternative all-weather material, or as required by the serving Fire District. Access roads to a winery or farm brewery shall comply with County Code, State and local Fire Safe Standards as determined by the County and the serving Fire District.

d. A Design Exception Request prepared by a Professional Civil Engineer registered in the State of California may be submitted and reviewed by the ESD

and DPWF on a case-by-case basis for modification to the County standards, dependent upon justification for a deviation to the standard(s), a review of alternatives, and meeting minimum safety requirements.

3. Hours of Operation.

- a. All facilities shall be allowed to conduct normal tasting hours from 10am-6pm. Events shall be allowed from 10am to 10pm on Friday and Saturday and from 10am to 8pm Sunday through Thursday. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, limits on hours of operation will be in accordance with the conditions placed on those entitlements.

4. Noise Regulations.

- a. All winery and farm brewery facilities shall be subject to Placer County Code Article 9.36 (Noise Ordinance).

5. Lighting.

- a. All lighting for wineries and farm breweries shall be consistent with the Rural Design Guidelines for Placer County and shall be Dark-Sky compliant as specified by the International Dark-Sky Association.

6. Food Regulations.

- a. Service and/or preparation of food in an existing or new tasting room shall be subject to prior approval and applicable permitting by Environmental Health. If food is prepared on-site, wineries shall have a commercial kitchen. The kitchen shall only be used in conjunction with on-site events and shall comply with all conditions for a commercial kitchen as specified by the Environmental Health Division. If a winery or farm brewery is required to have a Minor Use Permit or Conditional Use Permit by this ordinance or has an existing permit and is lawfully operating, food regulations will be in accordance with those entitlements. Restaurants are not allowed as part of the winery or farm brewery, unless otherwise allowed in accordance with Section 17.06.050 Land Use and Permit Tables.

Depending on site conditions and resources, options for food service may include a self-contained mobile food facility (food truck); food prepared by a caterer at their approved facility and then plated at facility; a food booth operated by the facility at a temporary outdoor event; a market to sell pre-packaged foods from approved sources; and a commercial kitchen.

- ~~3. Potable Water. If the winery is served by well water and there are more than twenty-five (25) people on-site in a sixty (60) day period, employees and guests shall be provided with bottled water for consumption, unless otherwise approved by the County Environmental Health Division. Well water shall meet potable water standards for the purposes of dishwashing and hand washing.~~

7. Potable Water.

- a. A public well and small public water system annual permit shall be required if the facility serves more than 24 people, 60 days or more per year, as required by California Code of Regulations Title 17 and Title 22 of the California Safe Drinking Water Act. The public well shall be required for tasting facilities that allow unlimited Agricultural Promotional Events with 50 persons and fewer. For any tasting facility with occupancy of 25 or more, or if food is prepared at the facility, the standard shall automatically apply.

Alternatively, an approved domestic well can be used under the following conditions:

- i. Environmental Health has documentation that the well has a 20 foot annular seal installed under permit (Department of Water Resources Drilling Report).
- ii. Environmental Health conducts a sanitary inspection and the water is tested to demonstrate potability.
- iii. The facility owner certifies that the well will not serve more than 24 people, 60-days or more per year.

Note: Residential (Class I) wells cannot be converted into a public well (Class II) due to State construction standards.

~~5. Waste Disposal:~~

- ~~a. Solid Waste. All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled, onsite in accordance with the report of waste discharge approved for each individual winery by the regional water quality control board.~~
- ~~b. Winery Production Waste. Standards for waste disposal shall be set, where applicable, by the regional water quality control board and shall be stipulated in the report of waste discharge.~~
- ~~c. On-site Sewage Disposal. If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the county environmental health division for temporary and promotional events.~~

8. Waste Disposal.

- a. Septic Systems. If a winery or farm brewery has buildings with plumbing, the buildings must be served by an individual septic system sized and designed for the intended use. Occupancy and use of the building determines the size of the septic system. The minimum size of a septic system is 300 gallons per day. Food preparation and dishwashing may increase the septic system size and require a grease interceptor.

- b. **Solid Waste.** All solid waste shall be stored in a manner that prevents the propagation, harborage, or attraction of flies, rodents, vector, or other nuisance conditions. Pomace, culls, lees, and stems may be recycled on-site in accordance with the Report of Waste Discharge approved for each individual winery by the Regional Water Quality Control Board.
- c. **Winery/Farm Brewery wastewater** is prohibited from being discharged to the septic system. A Waste Discharge Permit or Waiver of Waste Discharge issued by the Regional Water Quality Control Board is required prior to building permit issuance.
- d. **On-site Sewage Disposal.** If public sanitary sewer is not available, then the on-site sewage disposal system shall be designed in compliance with County Code Chapter 8.24 and sized to accommodate employee, tasting room and commercial sewage flows. Portable toilets may be approved by the County Environmental Health Division for temporary.

9. Boutique Facility

- a. **Zone District.** The operation shall be allowed as set forth in Section C. of this ordinance.
- b. **Agricultural Promotion.** No events are allowed other than those afforded with a Temporary Outdoor Event Permit in compliance with Section 17.56.300 B. (Temporary Uses and Events).

~~— 6. — Tasting Facilities. The primary focus of the tasting area shall be the marketing and sale of the wine and grape products produced at the winery. Incidental sales of wine-related merchandise and food shall be allowed subject to the requirements of the California Retail Food Code.~~

~~— 7. — Promotional Events.~~

~~— a. — Application Requirements. The application shall include the following information:~~

- ~~— i. — Number of annual events,~~
- ~~— ii. — Estimated number of participants,~~
- ~~— iii. — Description of parking and circulation, and~~
- ~~— iv. — Sanitation provisions.~~

~~— b. — Standards.~~

~~— i. — Duration. No single promotional event shall exceed more than two consecutive days.~~

~~— ii. — Parking Requirements. Temporary, overflow parking may be utilized. The applicant shall demonstrate to the development review committee the ability to provide safe access and parking, including providing attendants to monitor proper parking and access road clearance for emergency vehicles.~~

~~— iii. — Noise Standards. Any promotional event proposing outdoor amplified music shall be subject to Placer County Code Article 9.36 (Noise Ordinance).~~

E. F. Continuing Applicability of Minor Use Permits and Existing Legal Operations. To the extent a minor use permit or administrative review permit was approved for uses on a parcel or parcels as required under the provisions of this Zoning Ordinance in effect as of ~~September 23, 2008~~[hearing date 2018], and to the extent that use would be required to obtain a ~~minor use permit or an administrative review permit~~ under the provisions of this Zoning Ordinance in effect after ~~October 22, 2008~~[adoption date 2018], the conditions of the ~~minor use permit~~ shall continue to apply in full force and effect. Any proposed new or additional use shall be subject to compliance with the provisions of this Zoning Ordinance in accordance with Section 17.02.030 herein and all other applicable provisions of the Placer County Code.

For those legal uses established under the provisions of the Zoning Ordinance in effect prior to [adoption date 2018], uses limited to production and tasting shall be allowed in accordance with current developments standards as determined by the County. At such time any proposed new or additional use is proposed, the project would be reviewed under the provisions of the current ordinance.

F. G. Special Notice Requirements. For all applications for a winery or farm brewery activity that is requested for property which is accessed by a private road and which requires the issuance of an ~~administrative review~~ a use permit pursuant to this section, in addition to any other notice required by Section 17.58.100(A), notice shall be provided to all property owners identified pursuant to Section 17.58.030(F). Failure of a property owner who shares access rights with an applicant to a private road to receive notice shall not invalidate the issuance of the permit.

G. H. Notice of Decision. A copy of any decision on an application for a winery or farm brewery activity that is requested for property which is accessed by a private road and which involves the issuance of an ~~administrative review~~ a use permit pursuant to this section shall be provided to all property owners identified pursuant to Section 17.58.030(F), in addition to any other person who may otherwise be entitled to notice of the decision. Failure of a property owner who shares access rights with an applicant to a private road to receive a copy of the decision shall not invalidate the issuance of the permit.

H. I. Waiver of Appeal Fee. Notwithstanding subsection (C)(1) of Section 17.60.110, the requirement of the submission of an appeal fee shall be waived for a property owner who appeals the determination of the zoning administrator to approve an ~~administrative review~~ a use permit and who owns property that shares access rights to a private road with the applicant who has received a permit. This waiver shall not apply to any appeal of a decision of the planning commission to the board of supervisors. (Ord. 5688-B § 9, 2012; Ord. 5526-B § 19, 2008)

CHAPTER 17: PLANNING AND ZONING

Definitions

17.04.030

“Agricultural processing” (land use) means the processing of crops after harvest, to prepare them for on-site marketing or processing and packaging elsewhere, including, but not limited to, the following; provided, that any of the activities performed in the field with mobile equipment not involving permanent buildings are included under “Crop production.” Agricultural processing does not include the process of composting or the processing of Cannabis sativa L.

1. Alcohol fuel production;
2. Alfalfa cubing;
3. Corn shelling;
4. Cotton ginning;
5. Custom grist mills;
6. Custom milling of flour, feed and grain;
7. Dairies (but not feedlots, see instead “Animal sales yards, feedlots, stockyards”);
8. Drying of corn, rice, hay, fruits and vegetables;
9. Grain cleaning and custom grinding;
10. Hay baling and cubing;
11. Pre-cooling and packaging of fresh or farm-dried fruits and vegetables;
12. Sorting, grading and packing of fruits and vegetables;
13. Taxidermy;
14. Tree nut hulling and shelling;
15. Wineries, farm breweries, and associated uses. See definition for “Wineries and Farm Breweries” and Section 17.56.330 for specific use requirements ~~applicable to wineries~~ and associated uses.

“Brewery” means a bonded brewery facility comprising the building or buildings used to convert malted barley and hops to beer, and to process, bottle, store, and distribute and sell said beer. A brewery, for the purposes of this section, includes milling, mashing, lautering, boiling, whirlpooling, cooling, fermenting, conditioning, packaging or bottling, bulk and bottle storage, shipping, receiving, laboratory equipment and maintenance facilities, sales, and administrative office functions, and may include tasting and events.

“Outdoor retail sales” (land use) means the outdoor display of products by a permanent business establishment (see Section 17.56.160(F)) and temporary retail operations including: farmer’s markets; sidewalk sales; seasonal sales of Christmas trees, pumpkins or other seasonal items; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; and retail sales of various products from individual vehicles. Does not include flea markets or swap meets ~~which that~~ occupy more than two acres of land, which are considered in “Storage yards and sales lots.” (See Sections 17.56.160 (Outdoor retail sales) and 17.56.190 (Restaurants—Outdoor eating areas) for specific use requirements applicable to outdoor retail sales.

"Restaurants and bars" (land use) means ~~restaurants, bars and other establishments selling prepared foods, and drinks, or alcoholic beverages for on-premise consumption, and providing regular counter or table service to patrons. Ordering food, including from a menu, from a service counter or server, is a normal function at the establishment, as well as facilities~~ The facility may be used for dancing and other entertainment that are secondary and subordinate to the principal use of the establishment as an eating and drinking place. ~~Also~~ This definition also includes drive-in restaurants, lunch counters, brew pubs, outdoor eating areas, stand-alone tasting rooms, wine tasting rooms not on winery premises and refreshment stands selling prepared goods and drinks for either immediate or off-premises consumption. Restaurants, lunch counters, and drinking places operated as subordinate service facilities within other establishments are not included here unless they are operated as leased departments by outside operators, includes catering services incidental to food preparation for on-site consumption. See Section 17.56.190 for specific use requirements applicable to restaurants with outdoor eating areas. (SIC: Group 58)

"Roadside stands for agricultural products" (land use) means structures for the retail sale of agricultural products (except hay, grain and feed sales-included under "Farm equipment and supplies"), located on the site or in the area of the property where the products being sold were grown, including products whose primary ingredients were grown on site and were later modified (e.g., apple cider, cherry pies, fruit preserves, wine made from grapes grown on-site even if the wine is not ~~located~~ produced on site, etc.). Does not include field sales or agricultural products, which is included under "Crop production-," nor wine or beer tastings, which are included under "Wineries and Farm Breweries."