

County Code Chapter 19.24.040: A, Agricultural district regulations

Permitted Uses:

1. Single-family dwelling
2. General farming, including but not limited to the raising, growing and harvesting of vegetable, field, orchard, bush and berry crops; vineyards; trees
3. Nurseries, greenhouses; mushroom rooms; floriculture
4. Pasture for grazing (including supplemental feeding), raising, maintaining, breeding and training of horses, cattle, sheep and goats, hogs and similar livestock, provided there is no feeding of garbage, sewage, refuse or offal
5. Feed lots, feed yards, provided there is no feeding of refuse, garbage, sewage or offal
6. Poultry farms
7. Dairies
8. The raising, feeding, maintaining, breeding and slaughtering of livestock, chickens, turkeys, rabbits, pigeons, ducks, geese, fish, frogs and small animals or fowl in household numbers for family use
9. Wells, water storage and reservoirs, including on-site excavation or removal of materials for construction thereof
10. Storage of petroleum products for use by the occupants of the premises
11. Any structure, building, equipment or use incidental and necessary to any of the foregoing uses
12. Wineries as defined in Section [19.08.687](#)

A. Wineries for which a building permit was issued prior to (adoption date):

Wineries and the following incidental uses when located within an **A-I-A-T** or A-G General Plan designation, subject to providing off-street parking and meeting all necessary clearances from the **fire**, health, and building departments. Additionally, wineries located on private roads shall have entered into a road maintenance agreement with a majority of the owners of the road, or obtain a use permit pursuant to County Code Section 19.56 before commencing any of the following uses:

- i. Wine tasting;
- ii. Winery tours;
- iii. Wholesale and retail sales of wine and grape products

- iv. Compensated or non-compensated events with up to one hundred twenty-five persons in attendance with no limitation on number of events per year;
- v. Picnic area(s) for winery-related activities;
- vi. Art galleries with sales and framing;
- vii. A food preparation facility for catering on-premises indoor or outdoor functions;
- viii. Agricultural-related museums;
- ix. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or pre-packaged foods;
- x. Social gatherings or weddings for up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month;
- xi. Indoor or outdoor amplified music until ten p.m.

B(1). Wineries for which a building permit was issued after (adoption date): Wineries as defined in Section 19.08.687 and the following incidental uses when located within an A-T or A-G General Plan designation, subject to providing off-street parking and meeting all necessary clearances from the fire, health, and building departments. Additionally, wineries located on private roads shall have entered into a road maintenance agreement with a majority of the owners of the road, or obtain a use permit pursuant to County Code Section 19.56 before commencing any of the following uses:

- i. Winery tours**
- ii. Wholesale and retail sales of wine and grape products**
- iii. Picnic areas for winery-related activities**
- iv. Art galleries with sales and framing**
- v. A food preparation facility for catering on-premises indoor or outdoor functions**
- vi. Agricultural-related museums**
- vii. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or pre-packaged foods**
- viii. Indoor or outdoor amplified music until ten p.m.**

B(2) Additional setback related use limitations for wineries for which a building permit was issued after (adoption date):

The following setback requirements apply to the tasting rooms and other event structures. The setbacks also apply to the event gatherings taking place on the property, whether in a structure or not. Event gatherings comprise “Wine Club Events,” “Social Events,” and “Wine Club Events” (as defined in subsection (C)) as well as any similar festive events that could be considered disruptive to neighboring properties. Event gatherings do not include winery tours that do not have the attributes of an event gathering. Production facilities and other structures that will not be used for wine tasting or event gatherings are not subject to these additional setback regulations.

i. Wineries with a minimum setback of less than 200 for all indoor and outdoor event use areas, or are not located on a major road as defined herein are allowed the following uses:

1. Operating a tasting room 7 days/week between the hours of 10am to 6pm
2. Participation in Amador Vintners Association events
3. Wine Club Events: 12 per year with up to 200 attendees per day
4. Social Events: 6 per year with up to 60 attendees per day

ii. Wineries that meet a minimum setback of 200 feet for all indoor and outdoor event use areas and are located on a major road as defined herein are allowed the uses in Section B(2)(i)1 through 3 above, and following additional uses:

1. Social Events: Total 12 per year with up to 200 attendees per day

iii. Wineries that meet a minimum setback of 400 feet for all indoor and outdoor event use areas and are located on a major road as defined herein are allowed the uses in Section B(2)(i)1 through 3 above, and the following additional uses:

1. Compensated or non-compensated Social Events, as defined by Section 19.24.40.C, below: Total 12 per year with up to 250 attendees per day
2. Compensated or non-compensated Special Events, as defined by Section 19.24.40.C, below: Total 12 per year with up to 300 people per day

C. For the purposes of this section, the terms below are defined as follows:

Wine Club Events are gatherings, special tastings and dinners used to market a winery's product.

Social Events are compensated or non-compensated catered social gatherings, dinners, and small weddings.

Special Events are compensated or non-compensated events held on-site that are not considered to be tasting or marketing activities allowed under subsections (b) and (c) above, such as charitable, promotional, facility rental events, weddings, concerts, parties, or other social gatherings with more than 125 people.

Major Road is a road that can or does handle a higher volume of traffic, traffic is capable of higher speeds, the roadway is relatively straight, or already has a number of existing wineries already on it [SPECIFIC ROAD SECTIONS NEED TO BE LISTED].

Examples are: State Routes, Shenandoah Rd., Shenandoah School Rd., Lower Ridge Rd., Latrobe Rd., Willow Creek Rd., Steiner Rd.

Minor Roadway is a road that accommodates a lower volume of traffic, there are significant number of curves, traffic is subject to lower speeds, there exist fewer homes on it, currently does not have any or many existing wineries on it.

Examples: Ostrom Rd, Tyler Rd., Upton Rd., other County-maintained dead-end or gravel roads.

D. Rules applicable to all wineries:

i. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

ii. Event capacities shall be limited further by the parking accommodations on the property. All parking shall be on-site. Parking shall not encroach on roadways and shall not impede access including emergency vehicle access.

iii. Parking areas shall be setback a minimum of 50 feet from any residential property that contains an occupied residence. Idling vehicles shall

maintain a 100-foot clearance from any residential property that contains an occupied residence.

Uses Requiring a Conditional Use Permit:

13. Farm-labor camps, forestry-labor camps and farm-labor quarters as defined in this title
14. Recreation uses
15. Processing, packaging, selling, shipping of agricultural products
16. Veterinary clinics, animal hospitals, kennels
17. Auction and sales yards
18. Turkey farms, provided there is a cover crop or other dust control
19. Any garbage, sewage; refuse or offal feeding
20. Commercial small animal and fowl specialty farms, including but not limited to chinchillas, minks, foxes, rodent, aviaries, rabbits, frogs, pigeons, ducks, geese
21. Commercial slaughterhouses and stockyards for livestock, small animals, poultry and fowl
22. Rendering plants, fertilizer plants and yards
23. Oil and gas wells, drilling, mining and excavation of natural minerals
24. Logging and timber cutting
25. Any structure, building, use or equipment incidental and necessary to any of the above uses, located on the same site, and included in the use permit
26. Social gatherings or weddings held at a winery located within an A-L or A-G General Plan designation which exceed either of the limits set forth in 12a.(j) above.
27. Wine tasting may be conducted under a duplicate 02 license only if the winery with the master 02 license is located in Amador County and the following standards are met:

A. Duplicate tasting rooms for which a building permit was issued prior to adoption date):

- a. The parcel shall be a minimum of ten acres in size;
- b. The applicant shall provide the planning department with copies of their bond from the Alcohol and Tobacco Tax and Trade Bureau and their California Alcohol Beverage Control license. These licenses and bonds shall be maintained in full compliance at all times;

- c. Tasting rooms located on private roadways shall have entered into a road maintenance agreement with a majority of the owners of the road; or in the event a road maintenance agreement already exists, the applicant shall provide the county with proof they have renegotiated the terms of the agreement to include the new tasting room. If the majority of the owners of the road do not enter into the new or renegotiated agreement, the applicant must obtain a use permit pursuant to Chapter [19.56](#) of this code before commencing any of the uses allowed by this section;
- d. The tasting room building shall be located a minimum of fifty feet from all property lines;
- e. The primary use of the tasting room shall be the marketing and sale of wine produced in Amador County. Additional allowed uses are as follows:
 - i. Compensated or non-compensated events with up to one hundred twenty-five persons in attendance with no limitation on the number of events per year;
 - ii. Picnic area(s) for wine tasting-related activities;
 - iii. Art galleries with sales and framing;
 - iv. A food preparation facility for catering on-premises indoor or outdoor functions;
 - v. Agricultural-related museums;
 - vi. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of wine-related promotional items, gift items, and/or prepackaged foods;
 - vii. Social gatherings or weddings for up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month;
 - viii. Indoor or outdoor amplified music until ten p.m.;
- f. The applicant must obtain all applicable permits from the environmental health department, building department, and department of transportation and public works;
- g. Uses described in this subsection 27 may be granted by the planning department, without public hearing, following public notice of the application. Public notice of such application shall be given in the manner described in Chapter [19.56](#) of this code, Use Permits. Such notice shall indicate the intent of the planning department to grant the use permit without a hearing unless sufficient reasons are provided not to grant the use permit. A description of the appeals process (Chapter [19.64](#) of this code) shall be contained within the notice. The planning department shall decide upon the use permit application within ten days after the notice is mailed. If the planning department finds sufficient cause to approve the application and the application meets standards outlined in this subsection, the planning department shall approve the use permit and the use permit shall become valid following the ten-day appeal period if no appeals are filed.

B. Duplicate tasting rooms for which a building permit was issued after (adoption date):

a. The parcel shall be a minimum of ten acres in size;

b. The applicant shall provide the planning department with copies of their bond from the Alcohol and Tobacco Tax and Trade Bureau and their California Alcohol Beverage Control license. These licenses and bonds shall be maintained in full compliance at all times;

c. Tasting rooms located on private roadways shall have entered into a road maintenance agreement with a majority of the owners of the road; or in the event a road maintenance agreement already exists, the applicant shall provide the county with proof they have renegotiated the terms of the agreement to include the new tasting room. If the majority of the owners of the road do not enter into the new or renegotiated agreement, the applicant must obtain a use permit pursuant to Chapter 19.56 of this code before commencing any of the uses allowed by this section;

d. The fire code official is authorized to require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.

e. The primary use of the tasting room shall be the marketing and sale of wine produced in Amador County. Additional allowed uses are as follows:

1. Wineries with a minimum setback of less than 200 feet for all indoor and outdoor event use areas, or are not located on a major road as defined herein are allowed the following uses:

a. Operating a tasting room 7 days/week between the hours of 10am to 6pm

b. Participation in Amador Vintners Association events

c. Wine Club Events: 12 per year with to 200 attendees per day

d. Compensated or non-compensated Social Events: 6 per year with up to 60 attendees per day

2. Wineries that meet a minimum setback of 200 feet for all indoor and outdoor event use areas and are located on a major road as defined herein are allowed the uses in Section B (e)(1) a through c above, and the following additional uses:

a. Social Events: 12 per year and of up to 200 attendees per day

3. Wineries that meet a minimum setback of 400 feet for all indoor and outdoor event use areas and are located on a major road as defined herein are allowed uses in Section B (e)(1) a through c above, and the following additional uses:

a. Compensated or non-compensated Social Events, as defined by Section 19.24.40.C, below: 12 per year with up to 250 attendees per day

b. Compensated or non-compensated Special Events, as defined by Section 19.24.40.C, below: 12 per year with up to 300 people per day

4. Picnic areas for winery-related activities

5. Art galleries with sales and framing

vi. A food preparation facility for catering on-premises indoor or outdoor functions

6. Agricultural-related museums

7. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or pre-packaged foods

8. Indoor or outdoor amplified music until ten p.m.

f. The applicant must obtain all applicable permits from the fire department, environmental health department, building department, and department of transportation and public works;

g. Uses described in this subsection 27 may be granted by the planning department, without public hearing, following public notice of the application. Public notice of such application shall be given in the manner described in Chapter 19.56 of this code, Use Permits. Such notice shall indicate the intent of the planning department to grant the use permit without a hearing unless sufficient reasons are provided not to grant the use permit. A description of the appeals process (Chapter 19.64 of this code) shall be contained within the notice. The planning department shall decide upon the use permit application within ten days after the notice is mailed. If the planning department finds sufficient cause to approve the application and the application meets standards outlined in this subsection, the planning department shall approve the use permit and the use

permit shall become valid following the ten-day appeal period if no appeals are filed.