

Existing Winery/Tasting/Event Uses *

- Compensated or non-compensated events with up to 125 persons in attendance with no limitation on number of events per year;
- Social gatherings or weddings for up to and including 450 persons up to and including 12 events per year with no more than 4 such events per month;
- Indoor or outdoor amplified music until 10:00 p.m.

Future Winery/Tasting/Event Uses *

<200-foot setback:

Wineries with a setback less than 200 feet for all indoor and outdoor event use areas, or are not located on a major road, are allowed the following base uses:

- Tasting room hours 10am – 6pm, 7 days/week
- Participation in Amador Vintners Association events
- 12 Wine Club Events per year with up to 200 attendees (daily max)
- 6 Social Events per year with up to 60 attendees (daily max)

≥ 200-foot setback:

Wineries with a setback of 200 feet for all indoor and outdoor event use areas and are located on a major road are allowed the above base uses, and following additional uses:

- 12 Social Events per year with up to 200 attendees (daily max)

≥ 400-foot setback:

Wineries with a setback of 400 feet for all indoor and outdoor event use areas and are located on a major road are allowed the above base uses, and the following additional uses:

- 12 Social Events per year with up to 250 attendees (daily max)
- 12 Social Events per year with up to 300 attendees (daily max)

Rules Applicable to All Winery/Tasting/Event Uses:

1. 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.
2. 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.
3. 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.
4. Compliance with all required clearances from the fire, health, and building departments.
5. Wineries located on private roads shall have a road maintenance agreement with a majority of the owners of the road, or obtain a use permit, before commencing any of the above uses.
6. Indoor or outdoor amplified music until 10:00 p.m.

*** NOTE: The following permitted winery uses are not affected by the proposed amendments: Winery tours; Wholesale and retail sales of wine and grape products; Picnic areas for winery-related activities; Art galleries with sales and framing; A food preparation facility for catering on-premises indoor or outdoor functions; Agricultural-related museums; Gift display area not to exceed 500 square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or pre-packaged foods.**



MEMORANDUM

TO: Board of Supervisors
FROM: Chuck Beatty, Planning Director
DATE: December 13, 2023
RE: Proposed Resolution of Intention to establish regulations for future wineries, tasting rooms, and event locations in the A/Agricultural and R1A/Single-family Residential zoning districts, and in future enrollments into the AG/Exclusive Agricultural (Williamson Act) zoning district

The potential for wine tasting rooms and their ancillary activities to have adverse effects on the environment prompted the Land Use Committee to initiate discussions with the local wine industry and the public about ways to mitigate and minimize future impacts.

The impacts that have generated the most public concern are noise, traffic, and lighting which are often attributable to social gatherings and events with attendance numbers that exceed those of customary wine production, tasting, and marketing. Large gatherings can have a diminishing effect on the integrity of agricultural regions when they are focused more toward the event and entertainment industry than the production and marketing of wine.

The general discussion with the wine industry and the public began in 2021 following the Planning Commission's recommendation that the County reassess its practice of exempting new Williamson Act enrollments from CEQA analysis due to the potential expansion of land uses allowed by contract. This led the Board to consider amending the County Code to require full CEQA analysis for new tasting rooms through the use permit process. Ultimately, the concept was rejected in favor of a broader review of the existing codes.

The Board's Land Use Committee began review of the codes related to wineries in April, 2022, and the issue was a discussion item on ten of the Committee's meetings through November, 2023. The Committee received significant input from the public, individual winery operators, and the Amador Vintners Association. Recommendations for making change to the winery codes ranged from requests for no change to suggestions that most events be prohibited. Numerous draft ordinances were circulated to give all of the interested parties an opportunity to review and comment on the various proposals. Throughout the process, the primary concerns and discussion points were:

- Maintaining the agricultural integrity and character of the County
- Maintaining a balance between regional economic development and quality of life
- Mitigation of future winery, tasting room, and event impacts without penalizing existing facilities
- Regulations that are based on parcel size and type rather than a one-size-fits-all approach
- Property setbacks based on event intensity or frequency rather than specific on-site uses

- Minimizing traffic impacts by spreading events and tasting room hours throughout the week rather than limiting operating hours or event days
- Increasing public education through better dissemination of rules and regulations
- Allowing existing facilities to continue operations under current ordinances rather than creating non-conforming uses
- Prioritizing agricultural use (vineyards, wine production, wine tasting) over entertainment (special events, concerts)
- Applying the County noise ordinance to wineries, tasting rooms, and events
- Enforcement of existing and new rules

To address these issues and limit future impacts to the County's agricultural regions, the Land Use Committee is recommending changes to future winery, tasting room, and event operations based on attendance levels, setback distances, and location on major versus minor road classifications (which are still to be determined). The primary changes are listed below.

- Wineries with building permits issued prior to the adoption date of the ordinance revisions will be allowed to continue operations, including expansion, under the terms of existing ordinances which will remain in place
- Wineries with building permits issued after the adoption date of the ordinance revisions will meet the terms of the new ordinances
- Attendance levels for events at new wineries will be based on the setback distance of event use areas from adjoining properties and frontage on "major roads"
- All new wineries will be allowed the following hours of operation and event types/sizes:
 - tasting room hours of 10am to 6pm, 7 days/week
 - participation in Amador Vintners Association sanctioned events
 - 12 wine club events per year with up to 200 attendees
 - 6 social events per year with up to 60 attendees
- New wineries with a 200-foot setback for event use areas will be allowed an additional 12 social events per year with up to 200 attendees
- New wineries with a 400-foot setback for event use areas will be allowed an additional 12 social events per year with up to 250 attendees and 12 special events per year with up to 300 attendees
- Parking areas will be required to be setback 50 feet from residential properties with an occupied residence (100 feet for idling vehicles)

Items that still have to be evaluated through the amendment process include:

- Application of the County Noise Ordinance to tasting rooms and special events, which are currently exempt as commercial uses

- The extent to which the County wants to allow the event and entertainment industry to be part of agricultural operations
- Application of General Plan idling times for construction equipment (5 minutes) to vehicles visiting wineries, particularly buses and limousines
- The application of fire access codes as a case-by-case determination of the Fire Marshal or codified into the winery ordinances
- Application of the General Plan noise limits (10pm to 7am quiet hours) versus requiring an earlier end time for amplified music/sound

The first step toward a County-initiated change to the zoning code is adoption of a Resolution of Intention detailing the nature of the potential amendment. The matter would then be forwarded to staff and the Planning Commission to discuss possible text amendments, and ultimately presented to the Board for action. The Planning Commission and Board of Supervisors meetings will require public hearings.

Per the Land Use Committee's recommendation, the proposed Resolution of Intention directs staff and the Planning Commission to begin proceedings necessary to consider possible amendments to County Code Chapters 19.24.036, 19.24.040, and 19.24.045 by adding additional text for new wineries, tasting rooms, an event use areas within the A, Agricultural and R1A/Single-family Residential and Agricultural zoning districts, and in future enrollments into the AG/Exclusive Agricultural (Williamson Act) zoning district.

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION OF INTENTION TO AMEND TITLE 19)
(ZONING) OF THE AMADOR COUNTY CODE TO CONSIDER) RESOLUTION NO. 23-175
ADOPTING REGULATIONS FOR NEW WINERIES, TASTING)
ROOMS AND EVENT USE AREAS IN THE AG/EXCLUSIVE)
AGRICULTURE, A/AGRICULTURAL, AND R1A/SINGLE)
FAMILY RESIDENTIAL ZONING DISTRICTS)

WHEREAS, there are approximately 200,000 acres of agriculturally-zoned land in Amador County; and

WHEREAS, approximately half of the agriculturally zoned land in Amador County allows wineries and tasting rooms to conduct unlimited events with up to 125 attendees and 12 annual events with up to 450 attendees; and

WHEREAS, wineries, tasting rooms, and associated events have the potential to have adverse impacts on the environment that could be evaluated and mitigated through the adoption of stricted regulations for new such facilities; and

WHEREAS, the Board of Supervisors, on July 25, 2023, requested that this matter be placed on a future agenda for consideration; and

WHEREAS, County Code Section 19.68.020 requires amendments to Title 19 (Zoning) to be initiated by citizen petition or a Resolution of Intention adopted by the Planning Commission or Board of Supervisors.

NOW, THEREFORE, BE IT HEREBY RESOLVED the Board of Supervisors of the County of Amador, State of California, does hereby adopt a Resolution of Intention to direct staff and the Planning Commission to begin proceedings necessary to consider possible amendments to County Code Chapters 19.24.036, 19.24.40, and 19.24.45 to establish regulations for future wineries, tasting rooms, and event locations in the A/Agricultural and R1A/Single-family Residential zoning districts, and in future enrollments into the AG/Exclusive Agricultural (Williamson Act) zoning district.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 19th day of December, 2023, by the following vote:

AYES: Jeffrey Brown, Brian Oneto, Patrick Crew, Frank U. Axe, Richard Forster
NOES: None
ABSENT: None



Jeffrey Brown, Chairman, Board of Supervisors

ATTEST:
JENNIFER BURNS, Clerk of the
Board of Supervisors, Amador County,
California

 Deputy

(RESOLUTION 23-175)

(12/19/2023)

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.

County Code Chapter 19.24.036: AG, Exclusive Agriculture district
Permitted Uses:

G. The following agricultural and compatible uses are permitted in AG districts without a use permit being required:

1. General farming, including but not limited to the raising, growing, and harvesting of vegetable, field, forage, vine, bush, berry, tree, or other plant crop including plant nursery stock;
2. Grazing, maintaining, breeding, training, and raising of poultry and livestock of all kinds including horses, cattle, sheep, goats, hogs, and agricultural species such as fish and fur-bearing species provided there is no feeding of refuse, garbage, sewage, or offal;
3. Nurseries, greenhouses, mushroom rooms, floriculture;
4. Boarding of horses or other farm animals;
5. Growing and harvesting of timber, Christmas trees, or other plants;
6. Dairies and production of dairy products from milk produced on the premises;
7. Poultry farms;
8. 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. Single-family dwellings and appurtenant structures allowed in R districts and such other structures normally associated with agricultural activities, including but not limited to barns, stables, sheds, and silos; provided, however, that only one single-family residence shall be allowed for each forty acres on any parcel or contiguous parcels subject to one California Land Conservation Act contract. One said single-family dwelling on any parcel or contiguous parcels under one such contract may be an occupied mobile home as defined in Title 19 of this code provided, a use permit is obtained as required by Section 19.48.080. All structures or dwellings on a parcel or contiguous parcels subject to one such contract shall be directly used for the furtherance of the agricultural use of said property; and shall be limited to immediate members of the owner's family and his employees;
10. Home occupations, including any use customarily conducted entirely within a dwelling and carried on by the inhabitants thereof, which use is clearly incidental and secondary to the use of the structure for dwelling purposes and which use does not change the character thereof;

11. Wells, water storage, and reservoirs, including on-site excavation or removal of materials for construction thereof;
12. Storage of petroleum products for use by the occupants of the premises;
13. Veterinary clinics and services, animal hospitals, kennels;
15. Harvesting, curing, processing, packaging, packing, selling, and shipping of agricultural products on a parcel devoted to agricultural use and the treating of products grown or raised on and off the premises where such activity is carried on in conjunction with or as part of an agricultural use; excepting therefrom the commercial slaughtering of livestock, small animals, fish, poultry, or fowl;
16. Holding of nonproducing land for future agricultural use;
17. Maintenance of land in its natural state for the purpose of preserving open space for recreation or the creation of plant or animal preserves;
18. Apiaries and honey extraction plants;
19. Nonintensive recreation when carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation, including but not limited to fishing, hiking, hunting, rifle and pistol practice range, skeet field, archery range, or gun club when such activities do not involve the construction of any permanent structure;
20. Sale of food products produced on the premises;
21. Feed lots and feedyards, provided there is no feeding of refuse, garbage, sewage, or offal;
22. Airport or aircraft landing facilities for use of owner or tenant of the property or for agricultural service use;
23. The following uses when carried on as a clearly secondary occupation in conjunction with a bona fide agricultural operation, where no more than ten percent of the total land is used and where no more than three persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises:
 - a. Manufacturing, maintenance, repair, servicing, storage, sale or rental of agricultural machinery, implements and equipment of all kind,
 - b. Storage or sale of farm supplies of all kinds, including but not limited to fertilizers, agricultural minerals, and pesticides,

c. Transportation of agricultural products, supplies, or equipment, together with the maintenance, storage, repair and servicing of the necessary trucks and equipment therefor;

24. Public utility and public services, structures, uses and buildings provided such uses are clearly secondary and in conjunction with a bona fide agricultural operation;

25. Commercial radio, television, or microwave antennas and transmitters;

26. Gas, electric, water, and communication utility facilities and public service facilities of like nature operated by a public agency or mutual water company;

27. Public highways;

28. Fire protection works and facilities; flood-control works, including channel rectification and alteration; public works required for fish and wildlife enhancement and preservation; improvements for the primary benefit of the lands within the preserve; state improvements for which the site or route has been specified by the state legislature in such a manner as to make it impossible to avoid the use of subject AG zoned property;

29. Livestock auctions and sales yards;

30. Any structure, building, equipment, or use incidental and necessary to any of the foregoing uses;

31. Fruit and nut dehydrating plants;

32A. On parcels enrolled in a California Land Conservation Act contract prior to (adoption date), Wineries as defined in Section 19.08.687 and the following incidental uses subject to providing off-street parking and meeting all necessary clearances from the 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 obtained a use permit pursuant to Chapter 19.56 of this code before commencing any of the following uses:

a. Wine tasting,

b. Winery tours,

c. Wholesale and retail sales of wine and grape products,

d. Compensated or noncompensated events with up to one hundred twenty-five persons in attendance with no limitation on the number of events per year,

e. Picnic area(s) for winery-related activities,

- f. Art galleries with sales and framing,
- g. A food preparation facility for catering on-premises indoor or outdoor functions,
- h. Agricultural-related museums,
- i. Gift display 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 prepackaged foods,
- j. 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,
- k. 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 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:

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 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.

H. On parcels enrolled in a California Land Conservation Act contract prior to (adoption date), Uses described in this subsection may be granted by the planning department, without public hearing, following public notice of the application.

1. 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:
2.
 - a. A bona fide agricultural operation must be the primary use on the property;
 - b. The parcel shall be a minimum of forty acres in size;
 - c. 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;
 - d. 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;
 - e. The tasting room building shall be located a minimum of fifty feet from all property lines;
 - f. 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 noncompensated 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.

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

h. 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 the 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.

I. On parcels enrolled in a California Land Conservation Act contract after (adoption date), uses described in this subsection may be granted by the planning department, without public hearing, following public notice of the application.

1. 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:

2. a. A bona fide agricultural operation must be the primary use on the property;

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

c. 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;

d. 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;

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 I(2)(e)(1) a through c above, and following additional uses 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 the uses in Section I(2)(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

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

7. Agricultural-related museums

8. 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

9. 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. 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 the 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.

Uses Requiring a Conditional Use Permit:

- I. The following uses are permitted in AG districts upon obtaining a use permit as provided for in Chapter 19.56 of this code:
 1. Turkey farms, provided there is a cover crop or other dust control;
 2. Any garbage, sewage, refuse, or offal feeding;
 3. Commercial small animal and fowl specialty farms, including but not limited to chinchillas, minks, foxes, rodents, aviaries, rabbits, frogs, pigeons, ducks, and geese;
 4. Commercial slaughterhouses and stockyards for livestock, small animals, poultry, and fowl;
 5. Rendering plants and fertilizer plants;
 6. Commercial recreation, dude ranches, and boarding and guest facilities when carried on as a clearly secondary use in conjunction with a primary agricultural use;
 7. Oil and gas wells, including the drilling and installation, and use of such equipment, structures, and facilities as are necessary or convenient for oil-drilling and oil-producing operations customarily required or incidental to usual oil field practice, including but not limited to the initial separation of oil, gas, and water and for the storage, handling, recycling, and transportation of such oil, gas, and water to and from the premises; provided such activities are carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation;
 8. Development of natural resources including mines, open pits for extraction of minerals, borrow pits, and quarries, with necessary buildings, apparatus, or

appurtenances thereto; provided such activities are carried on as a clearly secondary activity in conjunction with a bona fide agricultural operation;

9. Any use determined by the planning commission after recommendations by the agricultural advisory committee to be compatible with the purposes of the California Land Conservation Act and which do not significantly adversely affect agricultural operations;

10. 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;

11. Farm-labor camps and farm-labor quarters as defined in this title;

12. Social gatherings or weddings at winery facilities which exceed either of the limits set forth in subsection G(32)(j) of this section. (Ord. 1708 §3, 2011; Ord. 1320 §§3,4, 1993; Ord. 1262 §§1--6, 1991; Ord. 1208 §2, 1989; Ord. 1139 §§3, 4, 1987; Ord. 934 §3, 1983; Ord. 883 §3, 1982; Ord. 773 §12, 1981; Ord. 743 §1, 1981; Ord. 600 §2, 1977).

County Code Chapter 19.24.045: R1-A, Single-family residential-agricultural district.

A. Intent--Applicability. This district classification is intended to be applied to areas presently zoned as U, unclassified district, and suited to residential and agricultural land uses, subject to such regulations as necessary to protect the public health, safety, convenience, and general welfare within the district and adjacent districts.

B. Limitations--Conditions. All activities allowed in the R1-A district shall be subject to the following limitations of their external effects and such limitations shall be a condition of all uses permitted in the district: water supply, sewage disposal, drainage, encroachments, and structures shall conform to the applicable codes and standards of Amador County.

C. Uses Permitted:

1. Single-family dwelling;
2. Home occupations as defined by Section [19.28.010](#);
3. Crop and tree farming;
4. General farming, including but not limited to, the raising, growing, and harvesting of vegetable, field orchard, bush, and berry crops; vineyards; silviculture;
5. Wholesale operation of nurseries; greenhouses; mushroom rooms; floriculture; and uses of a similar nature;
6. 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, and subject to any limitations in number of animals in Chapter [19.48](#), General Provisions and Exceptions of the Amador County Code;
7. Feed lots, feed yards, provided there is no feeding of refuse, garbage, sewage, or offal;
8. Poultry farms;
9. Dairies;

10. The raising, feeding, maintaining, breeding, and slaughtering of livestock, chickens, turkeys, rabbits, pigeons, ducks, geese, fish, frogs, and small animals or fowl;
11. Processing, packing, selling, shipping of agricultural products not done on an on-site retail sales basis; wells, water storage and reservoirs, including on site excavation or removal of materials for construction thereof;
12. Storage of petroleum products for use by the occupants of the premises;
13. Any structure, building, equipment, or use incidental and necessary to any of the foregoing uses.

D. Uses Permitted Subject to First Securing an Approved Use Permit:

1. Guest house;
2. Farm and forestry labor camps;
3. Recreation uses;
4. a. Processing, packing, selling, shipping of agricultural products for on-site retail purposes. This includes but is not limited to tasting rooms in conjunction with an on-site winery as defined in Section [19.08.687](#).

b. Wine tasting rooms operated subject to a duplicate 02 license from the California Department of Alcohol Beverage Control may also be permitted subject to at least meeting the standards outlined in Section [19.24.040](#), District regulations--Generally, subsections 27**B**(a) through **(g)** of the "A" agricultural zone district.
5. Veterinary clinics, animal hospitals, kennels, commercial stabling of horses for public recreation purposes;
6. Auction and sales yards;
7. Turkey farms, provided there is a cover crop or other dust control;
8. Any garbage, sewage, refuse, or offal feeding;
9. Commercial slaughterhouses and stockyards for livestock, small animals, poultry, and fowl;

10. Rendering plants, fertilizer plants and yards;
11. Oil and gas wells, drilling, mining, and excavation of natural minerals;
12. 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.