

ORDINANCE NO. 1851

ORDINANCE AMENDING CHAPTER 19.24.036, AG DISTRICT - USE REGULATIONS, TO ESTABLISH REGULATIONS FOR FARM BREWERIES, TASTING ROOMS, AND EVENT LOCATIONS IN THE AG/EXCLUSIVE AGRICULTURAL (WILLIAMSON ACT) ZONING DISTRICT

The Board of Supervisors of the County of Amador ordains as follows:

SECTION I. Recitals of facts:

WHEREAS, the Amador County Board of Supervisors desires to provide opportunities for farm breweries, beer tasting rooms, and ancillary events in the Exclusive Agricultural areas of Amador County while promoting and protecting the rural, agricultural character of the County; and

WHEREAS, the Board of Supervisors determined that the existing regulations regarding tasting rooms and ancillary events associated with alcohol-related agricultural production warrants amending to more adequately meet the needs and desires of the County; and

WHEREAS, the Board of Supervisors adopts this ordinance to amend Title 19 (Zoning) of the Amador County Code with findings contained in the pertinent Board minutes and because the public necessity, convenience, and general welfare support such an amendment.

SECTION II. County Code Chapter 19.08, is hereby amended by adding as follows:

19.08.245 Farm brewery. "Farm brewery" means a facility for the manufacturing and packaging of beer that produces less than 5,000 barrels of product per year and grows on site a minimum of three acres of hops or other agricultural products necessary for beverage production. Planting densities should be consistent with what is found in the Sierra Nevada foothills and shall be properly maintained as a requirement of the facility's continued operation. A farm brewery is bonded by the Alcohol and Tobacco Tax and Trade Bureau and has a current California Alcohol Beverage Control Type 23-Small Beer Manufacturer master license.

SECTION III. County Code Chapter 19.24.036(G)(32), is hereby amended by adding as follows:

32A. On parcels enrolled in a California Land Conservation Act contract prior to July 9, 2024, wineries as defined in Section 19.08.687 farm breweries as defined in Section 19.08.245, and the following incidental uses subject to providing off-street parking and meeting all necessary clearances from the health and building departments. Additionally, wineries and farm breweries 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 and beer tasting,
- b. Winery and farm brewery tours,

- c. Wholesale and retail sales of beer, wine and grape products,
 - d. Events:
 - 1. 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,
 - 2. Compensated or non-compensated events 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,
 - e. Picnic area(s) for winery- and brewery-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- and brewery-related promotional items, gift items, and/or prepackaged foods,
 - j. Outdoor amplified sound until ten p.m.
- B. Incidental uses for wineries and farm breweries on parcels enrolled in a California Land Conservation Act contract after July 09, 2024: Wineries as defined in Section 19.08.687, and farm breweries as defined in Section 19.08.245, 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 and farm breweries 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 incidental uses:

(1) Allowed incidental uses:

- i. Winery and farm brewery tours
- ii. Wholesale and retail sales of beer, wine, and grape products
- iii. Picnic areas for winery- and brewery-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- and brewery-related promotional items, gift items, and/or pre-packaged foods
- viii. Outdoor amplified sound until 10:00 p.m.
- ix. Tasting rooms and event gatherings subject to the setback and preferred road location limitations provided in Section 19.24.036(32)(B)(2)

(2) Additional incidental use limitations based on setbacks and preferred road locations:

The following setback and preferred road location requirements apply to tasting rooms and other event structures. The setbacks also apply to events taking place on the property, whether in a structure or not. Event gatherings comprise “Wine or Beer Club Events,” “Social Events,” and “Special Events” (as defined in subsection (C) below) as well as any similar group events that are a nuisance pursuant to Section 9.44 of the Amador County Code. Events do not include winery or farm brewery tours that do not have the attributes of a Wine or Beer Club, Social Event, or Special Event. Production facilities and other structures that will not be used for wine or beer tasting or events are not subject to these additional setback and preferred road location regulations.

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

“Wine and Beer Club Events” are gatherings, special tastings, and dinners used to market a winery’s or farm brewery’s products.

“Social Events” are compensated or non-compensated catered social gatherings, dinners, and small weddings under one hundred twenty-five (125) attendees.

“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 one hundred twenty-five (125) attendees.

“Setback” means the horizontal distance between an event use area and the nearest property boundary which separates the event use area from property not owned or controlled by the winery or farm brewery owner or operator.

“Preferred Roads” are State Routes, Latrobe Road, Lower Ridge Road, Shenandoah Road, Shenandoah School Road, Steiner Road, and Willow Creek Road.

ii. Wineries and farm breweries with a minimum setback of less than two hundred (200) feet for all indoor and outdoor event use areas, or not accessed from a preferred road, are allowed the following base uses:

1. Operating a tasting room seven (7) days/week between the hours of 10am to 6pm
2. Participation in Amador Vintners Association (or successor) events
3. Wine and Beer Club Events: Twelve (12) per year with up to two hundred (200) attendees per day
4. Social Events: Six (6) per year with up to sixty (60) attendees per day

iii. Wineries and farm breweries that meet a minimum setback of two hundred (200) feet for all indoor and outdoor event use areas, and are accessed from a preferred road, are allowed the uses in Section B(2)(ii)1 through 4 above, and following additional uses:

- a. Social Events: Twelve (12) per year with up to two hundred (200) attendees per day

iv. Wineries and farm breweries that meet a minimum setback of four hundred (400) feet for all indoor and outdoor event use areas, and are accessed from a preferred road, are allowed the uses in Section B(2)(ii)1 through 4 above, and the following

additional uses:

- a. Social Events: Total twelve 12 per year with up to two hundred fifty (250) attendees per day
- b. Special Events: Total twelve 12 per year with up to three hundred (300) people per day

C. Additional restrictions applicable to all Wineries and Farm Breweries:

- (1.)The fire code official may 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 fifty (50) feet from any existing residence not on property owned by the winery or farm brewery operator. Idling vehicles shall maintain a one hundred (100-) foot clearance from any existing residence not on property owned by the winery or farm brewery operator.
- (4.)Wineries and farm breweries located on private roads shall have entered into a road maintenance agreement with a majority of the owners of the road or shall obtain a use permit pursuant to County Code Section 19.56 before commencing any of the permitted incidental uses.
- (5.)All permitted uses specified in this subsection shall be subject to providing off-street parking and meeting all necessary clearances from the fire, health, and building departments.

SECTION IV. A summary of this ordinance shall be published within fifteen days after the date hereof in a newspaper of general circulation printed and published in the County of Amador, State of California, and shall become effective thirty days after the date hereof.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 30th day of July, 2024, by the following vote:

AYES: Brian Oneto, Patrick Crew, Frank Axe, Richard Forster, Jeff Brown
NOES: None
ABSENT: None



Brian Oneto, Chairman, Board of Supervisors

ATTEST:

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


