

Ranch Marketing and Winery Ordinance Updates



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County of El Dorado
Agricultural Department
Planning and Building Department

March 9, 2023

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Presentation Overview

- ▶ Purpose
- ▶ How We Got Here
- ▶ Key Challenges Identified and Proposed Revisions
- ▶ CEQA Compliance
- ▶ What's Next



Purpose

- ▶ Bring forward recommendations to the Board of Supervisors (BOS) to address longstanding land use conflicts
- ▶ Provide additional clarity for Ranch Marketing or Winery operators, the public, County staff, and County decision makers
- ▶ Improve compliance with Ranch Marketing and Winery Ordinances through enhanced activity tracking and enforcement

How We Got Here

- ▶ BOS Ad Hoc
 - Established September 21, 2021
 - District 3 and 4 Supervisors as representatives
 - Focused on improving Ranch Marketing and Winery Ordinances

- ▶ Agricultural Commission (Ag Commission)
Ranch Marketing and Winery Ad Hoc
 - Established September 8, 2021
 - Three (3) representatives from Ag Commission
 - Support efforts of BOS Ad Hoc

How We Got Here

- ▶ Ad Hoc Meetings Conducted
 - Including Various Stakeholders
 - January 18, 2022
 - March 1, 2022
 - June 9, 2022

- ▶ Resolution of Intent to Amend Zoning Ordinance
 - Approved by BOS on September 13, 2022
 - 130.40.260 – Ranch Marketing
 - 130.40.400 – Wineries

How We Got Here

- ▶ Joint BOS Ad Hoc/Ag Commission Ad Hoc Public Workshop Conducted
 - January 17, 2023
 - Presented draft amendments to Ranch Marketing Ordinance and Winery Ordinance
 - Presented minor amendments to other Zoning Ordinance (Title 130) sections for consistency

- ▶ Ag Commission Hearing
 - February 8, 2023
 - Presented draft amendments to Ranch Marketing Ordinance and Winery Ordinance
 - Provided recommendations to the Planning Commission and BOS

Key Challenges Identified

- ▶ Consistent Terminology
- ▶ Commercialization of Agricultural Areas
- ▶ Activity Tracking and Enforcement
- ▶ Amplified Noise and Noise Compliance

Consistent Terminology

- ▶ Ambiguity in some of the terms being used
- ▶ Lack of consistency between Ranch Marketing and Winery Ordinance terms

C. **Definitions.** As used in this Section, the terms below will mean the following:

“**Bake shop**” means a facility for the preparation and consumption of food items in which agriculture products grown on-site are used as a main ingredient for at least one of the baked goods (i.e. pies, turnovers, and other pastries.) Baked goods made from other ingredients may be offered for sale concurrently with goods made from produce grown on-site.

“**Choose and Cut Tree Sales**” shall mean a commercial operation where the public is allowed on a site where evergreen trees are grown in order to personally select a specimen, cut it, and transport it off-site for their use as a Christmas tree.

“**Christmas Tree Season**” is the time period beginning November 1 and ending on Christmas Day.

“**Food Stand**” means a food-serving facility used in conjunction with a ranch marketing operation serving prepared food from products grown on-site or off-site and for which indoor seating is not provided.

“**Harvest Season**” shall mean the time period in which the primary crop(s) is harvested on-site and in which certain ranch marketing activities associated with that crop may occur. The season shall begin with the first day of the month in which the crop is harvested and conclude with the last sale of the primary crop(s) harvested that season.

“**Minimum Cropland Area**” shall mean the minimum required area planted and maintained in crop production, as defined in Article 8 (Glossary) of this Title, using standard horticultural practices with regard to irrigation, plant spacing, pruning, and pest and predator control.

Consistent Terminology

- ▶ Definitions revised or added for clarity:
 - Commercial Vineyard
 - Commissioner
 - Live Outdoor Amplified Concerts
 - Accessory Use
 - County-maintained Road
 - Environmental Management
 - Marketing Activities
 - Operator of the Ranch Marketing Area
 - Special Events
- ▶ Revised/added terms consistent in both Ranch Marketing and Winery Ordinances

Commercialization of Agricultural Areas

- ▶ Lack of emphasis on requirement for agriculture as primary purpose
- ▶ Special event venues that do not comply with agricultural provisions
- ▶ Unclear how special events distinguished from marketing events



Commercialization of Agricultural Areas



- ▶ Strengthened language for agriculture as the primary use of the site
- ▶ Compatibility review requirements
- ▶ Clarified timing of special events
- ▶ Special events defined to be 1 – 250 persons
- ▶ Calculation of special events – 24 hr. period
- ▶ No significant change to marketing events

Activity Tracking and Enforcement

- ▶ Currently no mechanism for:
 - Notifying the Agricultural Department or the public of upcoming special events
 - Tracking total number of special events
 - Identifying point of contact at site
- ▶ Lacking clear language regarding enforcement of special events and amplified sound

Activity Tracking and Enforcement

- ▶ Activity Tracking
 - 14-day advanced notice of special event
 - Website notification
 - Designated local contact
 - Complaint log
- ▶ Enforcement Language
 - Penalty matrix
 - Cost recovery for County
 - Repeat violations
 - Public nuisance enforcement



Source: Google Images

Amplified Noise and Noise Compliance

- ▶ Inconsistency between Ranch Marketing and Winery Ordinances and the Noise Ordinance
- ▶ Lack of compliance with Noise Standards
- ▶ Impacts of amplified music and speech to surrounding land uses

Amplified Noise and Noise Compliance

- ▶ **Modification to Noise Ordinance**
 - Clarify exceptions to use permit requirement
- ▶ **Clarify Ranch Marketing noise standard consistency**
- ▶ **Consistency between Ranch Marketing and Winery Ordinances**

CEQA Compliance

- ▶ CEQA determination based on analysis of the proposed changes to the Ranch Marketing and Winery Ordinances
- ▶ Addendum to the Targeted General Plan Amendment/Zoning Ordinance Update (TGPA/ZOU) EIR being proposed
 - Notice of Availability released on February 10, 2023
 - 14-day comment period from February 11, 2023 through February 24, 2023

Proposed Amendments/ Additional Information

- ▶ In response to public comment received at the January 17, 2023 Public Workshop
 - Developed a “Room Rental Event” use type
 - Minor grammatical errors
- ▶ Developed draft Frequently Asked Questions (FAQ) document
- ▶ Developed Ranch Marketing/Winery webpage at:
 - <https://www.edcgov.us/Government/ag/Pages/Ranch-Marketing-Winery-Ordinance-Updates.asp>

Ranch Marketing/Winery Ordinance Update Webpage

The screenshot displays the El Dorado County website interface. At the top left is the El Dorado County logo. To its right is a search bar labeled "Search El Dorado County...". Below the logo and search bar is a navigation bar with icons and labels for: Home, I Want To, Government, Doing Business, Living, Visiting, Emergency Services, Connect With Us, Phone Directory, Strategic Plan, and Transparent EDC. Below this is a "MENU Agriculture Menu" section. The main content area features a white box with the heading "Agriculture" and a breadcrumb trail "Home > Government > Agriculture". The primary heading is "Ranch Marketing & Winery Ordinance Updates", accompanied by a photograph of a wooden barn in an autumn setting. To the right of the photo, contact information is provided: "Agriculture, Weights & Measures", "LeeAnne Mila, Interim Agricultural Commissioner/ Sealer of Weights & Measures", and the phone number "(530) 621-5520". Below the photo are three expandable menu items: "Meeting Information", "Documents", and "Frequently Asked Questions". At the bottom of the white box is the text "Ranch Marketing Additional Information".

Proposed Amendments/ Additional Information

- ▶ At the Feb 8, 2023 Public Hearing the Agricultural Commission
 - Evaluated the new “Room Rental Event” use type and minor grammatical errors
 - Recommendations to the Planning Commission/BOS
 - Increase Room Rental Event type to include 40 persons
 - Allowance of three special events for 501(c)(3) non-profit
 - One-year review with the Agricultural Commission

What's Next

- ▶ Recommendations to the BOS from the Ag Commission and Planning Commission
- ▶ Continued public input at upcoming hearings
- ▶ Maintain Ranch Marketing & Winery Ordinance webpage with most current information
- ▶ Continue to refine FAQ document
- ▶ Continue to develop Ranch Marketing & Winery Ordinance Verification/Activity Tracking Form

Public Hearing Schedule

COMPLETED

January 17, 2023

BOS/Ag Ad Hoc
Public Workshop

COMPLETED

February 8, 2023

Ag Commission
Hearing

TODAY

March 9, 2023

Planning
Commission
Hearing

April 11, 2023

BOS Hearing

Questions?