

## **FINDINGS**

### **Proposed Title 130 – Zoning Ordinance Amendments for the Ranch Marketing Ordinance and Winery Ordinance (OR23-0001)**

**Planning Commission/March 09, 2023**

#### **1.0 CEQA FINDINGS**

- 1.1 Pursuant to CEQA Section 15162(b), it has been determined that no subsequent mitigated negative declaration is required because there is no substantial evidence that the conditions described in Section 15162(a) have occurred, including substantial changes to the project which would require major revisions to the previous Targeted General Plan Amendment-Zoning Ordinance Update (TGPA-ZOU) Environmental Impact Report (EIR) due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects. Additionally, no substantial changes occurred with respect to the circumstances under which the project has been undertaken which would require major revisions of the previous EIR due to the involvement of new significant environmental effects; or a substantial increase in the severity of previously identified significant effects; or new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the previous EIR was adopted, shows the project will have one or more significant effects not discussed in the previous EIR.
- 1.2 Pursuant to CEQA Section 15164(b), it has been determined that there is substantial evidence requiring an addendum to the adopted EIR because minor technical changes or additions are necessary and none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR have occurred.
- 1.3 The documents and other materials which constitute the record of proceedings upon which this decision is based are in the custody of the Planning and Building Department at 2850 Fairlane Court, Placerville, California 95667.

#### **2.0 GENERAL PLAN FINDINGS**

##### **2.1 The ordinance is consistent with General Plan Policy 8.2.2.1.**

General Plan Policy 8.2.2.1 identifies that agricultural operations allowed by right on agricultural lands shall include, but not be limited to, cultivation and tillage of the soil, cultivation, growing, harvesting, irrigation, and processing of any agricultural commodity.

Rationale: The ordinance update continues to support agricultural operations allowed by right in Title 130 of the Zoning Ordinance.

**2.2 The ordinance is consistent with General Plan Policy 8.2.4.1.**

General Plan Policy 8.2.4.1 requires programs be developed that provide tax benefits and enhance competitive capabilities of farms and ranches thereby ensuring long-term conservation, enhancement, and expansion of viable agricultural lands.

Rationale: The Ranch Marketing Ordinance and Winery Ordinance updates will continue to provide support for and enhance economic and competitive capabilities for agricultural lands consistent with General Plan Policy 8.2.4.1.

**2.3 The ordinance is consistent with General Plan Policy 8.2.4.2.**

General Plan Policy 8.2.4.2 allows for visitor serving uses and facilities in the Zoning Ordinance when compatible with agricultural production of the land, are supportive to the agricultural industry, and are in full compliance with the provisions of the El Dorado County Code and compatibility requirements for contracted lands under the Williamson Act.

Rationale: The Ranch Marketing and Winery Ordinance amendments provide clarity to operators, decision makers, and staff to ensure that visitor serving uses are supportive of agricultural industry, compatible with the agricultural production and zoning of the land and enhance compliance of Ranch Marketing and Winery activities with the El Dorado County Code.

**2.4 The ordinance is consistent with General Plan Policy 8.2.4.4.**

General Plan Policy 8.2.4.4 identifies ranch marketing, winery, and visitor-serving uses (agricultural promotional uses) as being permitted on agricultural parcels, subject to a compatibility review to ensure that the establishment of the use is secondary and subordinate to the agricultural use and will have no significant adverse effect on agricultural production on surrounding properties. Such ranch marketing uses must be on parcels of 10 acres or more; the parcel must have a minimum of 5 acres of permanent agricultural crop in production or 10 acres of annual crop in production that are properly maintained. These uses cannot occupy more than 5 acres or 50 percent of the parcel, whichever is less.

Rationale: The Ranch Marketing and Winery Ordinance amendments are consistent with this General Plan Policy. Enforcement language has been added to both the Ranch Marketing Ordinance and the Winery Ordinance to ensure that provisions of the policy continue to be met.

**2.5 The ordinance is consistent with General Plan Policy 8.2.4.5.**

General Plan Policy 8.2.4.5 states that the County shall support visitor-serving ranch marketing activities on agricultural land, provided such uses to not detract from or diminish the agricultural use of said land.

Rationale: The Ranch Marketing and Winery Ordinance amendments are consistent with this General Plan Policy by providing enhanced verification and enforcement of Ranch Marketing and Winery activities to ensure compatibility with primary agricultural uses on the same property.