



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Dave Bolster, Vice-chair – Fruit and Nut Farming Industry
Shamarie Tong – Livestock Industry
Bill Draper – Forestry/Related Industries
Tim Neilsen – Livestock Industry
Lloyd Walker – Other Agricultural Interests
Chuck Mansfield – Fruit and Nut Farming Industry

MEMORANDUM

DATE: February 9, 2023
TO: Planning Commission
Board of Supervisors
330 Fair Lane
Placerville, CA 95667
FROM: Greg Boeger, Chair

SUBJECT: Letter of Recommendation to Support an Ordinance adopting Revisions to the Ranch Marketing Ordinance and the Winery Ordinance Legistar Item # 23-0277

The El Dorado County Agricultural Commission at their regular scheduled meeting on February 8, 2023, received a report by the Agricultural Department and the Planning Department for an Ordinance adopting Revisions to the Ranch Marketing Ordinance and the Winery Ordinance.

The proposed ordinance will amend the Ranch Marketing Ordinance (EDC Ordinance Code section 130.40.260) and the Winery Ordinance (EDC Ordinance Code section 130.40.400) relating to the ability of a ranch marketing operator or a winery owner to hold special events. The results for this vote, and any recommendations, will be forwarded to the Planning Commission and the Board of Supervisors for consideration. Specifically, the proposed Ordinance would amend the Ranch Marketing Ordinance to require an operator of a ranch marketing area to comply with the County Noise standards in EDC Ordinance Code Chapter 130.37 and make confirming changes. The proposed Ordinance would revise and recast the Ranch Marketing Ordinance and would add or amend various definitions in the Winery Ordinance and the Ranch Marketing Ordinance various key terms and identify relevant actors to address ambiguous language and ensure consistency between both Ordinances. The proposed Ordinance would amend the Ranch Marketing Ordinance and the Winery Ordinance to state that a special event is defined to be any event between 1-250 persons in attendance, limited in duration to 24 hours, would require the operator of the ranch marketing area or winery owner to notify the Agriculture Commissioner no later than 14 calendar days in advance of each event, and to add additional enforcement for potential violations relating to special events. The proposed Ordinance would clarify when a conditional use permit is required for concerts held under the Ranch Marketing Ordinance and Winery Ordinance and update terminology consistent with Chapter 5.32 and Chapter 12.39. The proposed Ordinance would also clarify the scope of the

Agricultural Commissioner's review authority, and add procedures to appeal decisions, under the Ranch Marketing Ordinance and the Winery Ordinance. The proposed Ordinance would also make other clarifying and conforming changes. The proposed Ordinance would be effective 30 days after final adoption by the County Board of Supervisors.

A full and complete copy of the full text of the proposed Ordinance is available for viewing in the office of the Clerk of the Board of Supervisors at 330 Fair Lane, Placerville, California.

All persons interested were invited to write their comments to the Agricultural Commission in advance of the meeting. The Meeting had remote options, and no public comments were received on Zoom. The Department placed a Summary Ordinance in the Mountain Democrat newspaper on 1/23/2023. For a complete recording please visit the County Website [County of El Dorado - Calendar \(legistar.com\)](https://www.legistar.com/Calendar/County%20of%20El%20Dorado)

The Commission received a staff report detailing the proposed draft ordinance and received comment from the AG Commission Ad Hoc Committee and many public Comments in the Board Chambers in addition to receiving public comments that were attached to the Legistar Item #23-0277. County Counsel and Planning were available for questions and comments.

Chair Boeger brought the item back to the Commission for discussion and review of the proposed ordinance. After reviewing the Commission felt they could support the Ordinance with the following recommendations and changes as noted in the following motion.

It was moved by Commissioner Bolster and seconded by Commissioner Walker to recommend to the Planning Commission and the Board of Supervisors, APPROVAL of the Draft Ranch Marketing and Winery Ordinances with the following modifications:

Recommended Modifications:

- 1.) Code sections should be modified under Room Rental Events to allow for increased attendance. Sections to be modified: 130.40.400.E4b, Section 130.44.104.A7b, Section 130.44.105.D2, and Section 130.44.106.B9***
 - Room Rental Events - Increase in allowable persons in attendance from 20 to 40 persons in attendance***
- 2.) Special Events: An exemption should be added to allow for up to 3 charitable events for the property owner that will not count towards the maximum allowed special events or facility rentals. The charitable event shall be for a nonprofit organization under Section 501(c)(3) of the Internal Revenue Code,***

with documentation required demonstrating that proceeds are distributed to the 501(c)(3) not the event location.

3.) That the Board direct staff from the Department of Agriculture to return to the Agricultural Commission within one-year for a review of the ordinance to assess any implementation issues.

AYES: Boeger, Draper, Mansfield, Neilsen, Walker, Tong, Bolster
NOES: None
ABSENT: None