

**17.14.190 Wineries.**

- A. **Purpose.** The purpose of this section is to provide for the development of wineries to encourage the economic development of the agricultural and tourism industries while regulating such uses to protect the public health, safety and welfare and the enjoyment of property by adjacent land owners.
- B. **Winery permitted.**
1. **Agricultural zone districts.** Wineries shall be permitted, by right, in SA-10, Select Agricultural, PA, Planned Agricultural, AE, Exclusive Agricultural, and all commercial zone districts except CPO, Professional Office Commercial. Wineries shall be permitted in AP, Agricultural Preserve districts, by special use permit. Wineries located in agricultural zone districts shall be located on parcels that contain twenty (20) acres or more and have a minimum of five (5) acres of planted wine

grapes that are properly maintained and cared for to produce a commercial crop. Should the proper maintenance and care of the required minimum wine grapes acreage cease, as determined by the El Dorado County Agricultural Commissioner, the right to operate the winery becomes void. The operation of the winery shall be conducted concurrently with the sale of wines produced from wine grapes grown on the same parcel.

2. **Residential zone districts.** Wineries shall be permitted, by special use permit, located in the RE-5, Estate Residential 5-acre, RE-10, Estate Residential 10-acre, and all RA, Residential Agricultural zone districts. Wineries located in residential zone districts shall be located on parcels that contain twenty (20) acres or more and have a minimum of five (5) acres of planted wine grapes that are properly maintained and cared for to produce a commercial crop. Should the proper maintenance and care of the required minimum wine grapes acreage cease, as determined by the El Dorado County Agricultural Commissioner, the right to operate the winery becomes void. The operation of the winery shall be conducted concurrently with the sale of wines produced from wine grapes grown on the same parcel.

C. **Tasting rooms and accessory uses.** Tasting rooms and other incidental, accessory uses may be permitted as set forth below:

1. **Commercial zone districts.** The following accessory uses shall be permitted by right at a winery located in a commercial zone district:
  - a. Wine tasting;
  - b. Winery tours;
  - c. Wholesale and retail sales of wine and grape products;
  - d. Special events, subject to available parking as set forth in subsection;
  - e. Picnic areas for winery related activities;
  - f. Outdoor amplified music until 10:00 p.m. and subject to any noise standards adopted by the County.
2. **Agricultural zone districts.** The following accessory uses shall be permitted at a winery located in the SA-10, Select Agricultural, PA, Planned Agricultural, or AE, Exclusive Agricultural zone district and permitted by special use permit in AP, Agricultural Preserve districts. Accessory uses located in agricultural zone districts shall be located on parcels that contain a minimum of twenty (20) acres and have a minimum of five (5) acres of planted wine grapes that are properly maintained and cared for to produce a commercial crop. Should the proper maintenance and care of the required minimum wine grapes acreage cease, as determined by the El Dorado County Agricultural Commissioner, the right to operate any of the following accessory uses becomes void. Such accessory uses shall be conducted concurrently with the sale of wines produced from wine grapes grown on the same parcel.
  - a. Permitted by right.
    - i. Wine tasting;
    - ii. Winery tours;
    - iii. Wholesale and retail sales of wine and grape products grown on the premises;
    - iv. Wholesale and retail sales of wine and grape products grown off the premises which are bottled on the premises and sold in conjunction with wine and grape products grown on the premises;
    - v. Special events, hosting 250 persons or less subject to available parking as set forth in subsection D(2), below;

- vi. Wine promotional events. (For the purpose of this section, a promotional event is defined as events sponsored by the property owner, an association of agricultural property owners, or similar non-profit organization formed to assist the agricultural industry in the area, to promote the sale of El Dorado County wines, including wine tasting dinners, and which is intended to benefit the agricultural use of the site and/or the agricultural region. No single event shall exceed three (3) consecutive days.);
  - vii. Picnic areas for winery related activities;
  - viii. Agricultural-related museums;
  - ix. Gift display and sales area not to exceed a total of 500 square feet of interior floor space for the retail sale of winery related promotional items, gift items, and/or pre-packaged goods.
  - x. Agricultural Homestays, as defined under Section 113870 of the California Health and Safety Code, on parcels 10 acres or larger;
  - xi. Preparation of snack foods that are consumed while tasting wine;
  - xii. One unlighted sign, located on-site, advertising authorized activities. The sign's display area shall not exceed thirty-two (32) square feet on either sign face, with a total no greater than sixty-four (64) square feet for a double-faced sign. Freestanding signs shall not exceed twelve (12) feet in height. Grower association signs, such as Farm Trails, Apple Hill, Winery, Farm Bureau, 4-H or any other grower association representing a group of growers, shall be exempt from these provisions.
- b. Permitted subject of site plan review approval by the Planning Director, following a recommendation by the Agricultural Commission;
- i. Any use listed in subsection (C)(2)(a), above, on parcels that contain less than twenty (20) acres but ten (10) acres or more and have a minimum of five (5) acres of planted wine grapes;
  - ii. Gift display and sales area in excess of 500 square feet, but less than 1,000 square feet of interior floor space for the retail sale of winery related promotional items, gift items and/or pre-packaged goods;
  - iii. Special events where over 250 persons are in attendance, subject to available parking as set forth in subsection D(2);
  - iv. The site plan review approval may set forth limitations on the capacity of the accessory uses;
- c. Permitted subject to issuance of a special use permit:
- i. Art galleries, which may include sales and framing;
  - ii. Food preparation facilities for catering on-premises or off-premises functions, except Homestays and wine promotional wine tasting dinners;
  - iii. Gift display and sales area in excess of 1,000 square feet of interior floor space for the retail sale of winery related promotional items, gift items and/or pre-packaged goods;
  - iv. The sale of wine or grape products not covered by ABC Wine Growers License;
  - v. Agricultural Homestays, as defined under Section 113870 of the California Health and Safety Code, on parcels less than 10 acres;

3. **Residential zone districts.** The following accessory uses shall be permitted by special use permit at a winery located in the RE-5, Estate Residential 5-acre, RE-10, Estate Residential 10-acre, and all RA, Residential Agricultural zone districts. Accessory uses located in residential zone districts shall be located on parcels meeting the minimum parcel size for that residential zone district and have a minimum of five (5) acres of planted producing wine grapes that are properly maintained to produce a commercial crop. Should the proper maintenance and care of the required minimum wine grapes acreage cease, as determined by the El Dorado County Agricultural Commissioner, the right to operate any of the following accessory uses becomes void. Such accessory uses shall be conducted concurrently with the sale of wines produced from wine grapes grown on the same parcel.
- a. Wine tasting;
  - b. Winery tours;
  - c. Wholesale and retail sales of wine and grape products;
  - d. Picnic areas for winery related activities;
  - e. Gift display and sales area not to exceed a total of 500 square feet of interior floor space for the retail sale of winery related promotional items, gift items, and/or pre-packaged goods;
  - f. Agricultural Homestays, as defined under Section 113870 of the California Health and Safety Code.

D. **Development standards for wineries.** The following standards shall apply to all wine tasting facilities and accessory uses permitted in subsection (2), Agricultural zone districts, and subsection (3), Residential zone districts, above:

1. **Parking**
  - a. Permanent parking spaces, may be of dirt or gravel surface, shall be provided for all tasting room and retail sales areas pursuant to the provisions of Chapter 17.18, Parking.
  - b. Parking for special events, social gatherings or weddings may utilize temporary, overflow parking areas. Limitations on the number of guests may be based on availability of off-street parking. Overflow parking areas may be of dirt or gravel surface, provided that the parking area is fire safe;
  - c. On-street parking shall not be permitted except in commercial zone districts as provided in Chapter 17.18.
2. **Setbacks** the following setbacks shall apply for wine tasting facilities and all accessory structures and uses:
  - a. Fifty (50) feet, except as set forth below;
  - b. For wineries located outside of general plan designated Agricultural District boundaries where such facility is located adjacent to any residential zoned property where the setback shall be 200 feet.
3. **Access.**
  - a. The access to the wine tasting facility shall be connected directly to a public road, except as provided below.
  - b. Where a proposed wine tasting facility is located on a private road and is within general plan designated agricultural district boundaries, access shall be subject to the review and approval by the Planning Director under site plan review, following a recommendation by the Agricultural Commission.

- c. Where a proposed wine tasting facility is located on a private road and is outside general plan designated agricultural district boundaries, a special use permit shall be required.
  - 4. Proposed wine tasting facilities that do not meet the standards set forth above may be considered by special use permit pursuant to Chapter 17.22. (Ord. 4636 §5, 2003: Ord. 4573 (part) 2001)
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