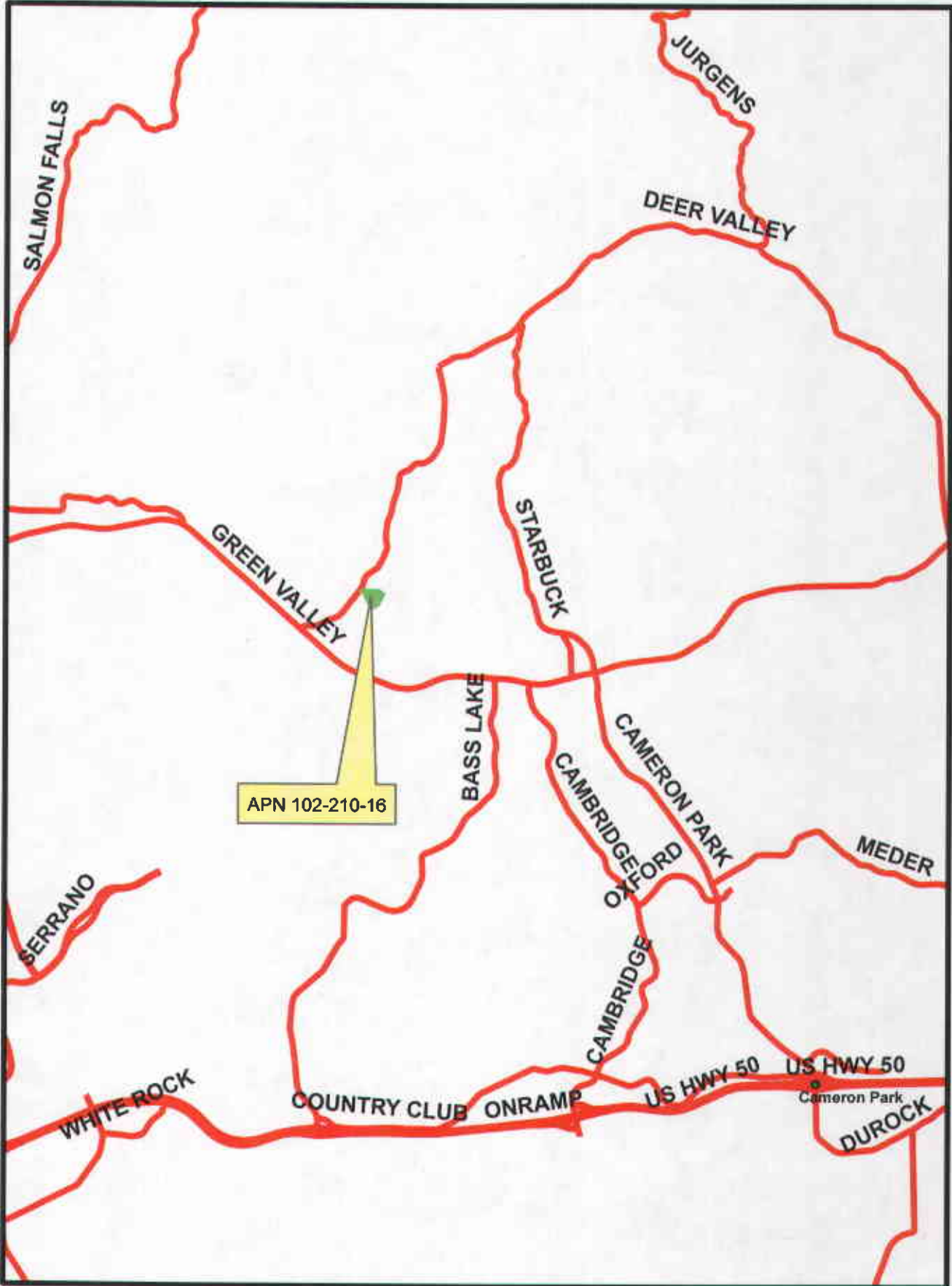


EXHIBIT A: LOCATION MAP



PERMIT # S09-0024/Petra Winery
PREPARED BY AARON MOUNT

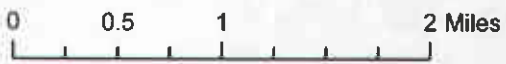
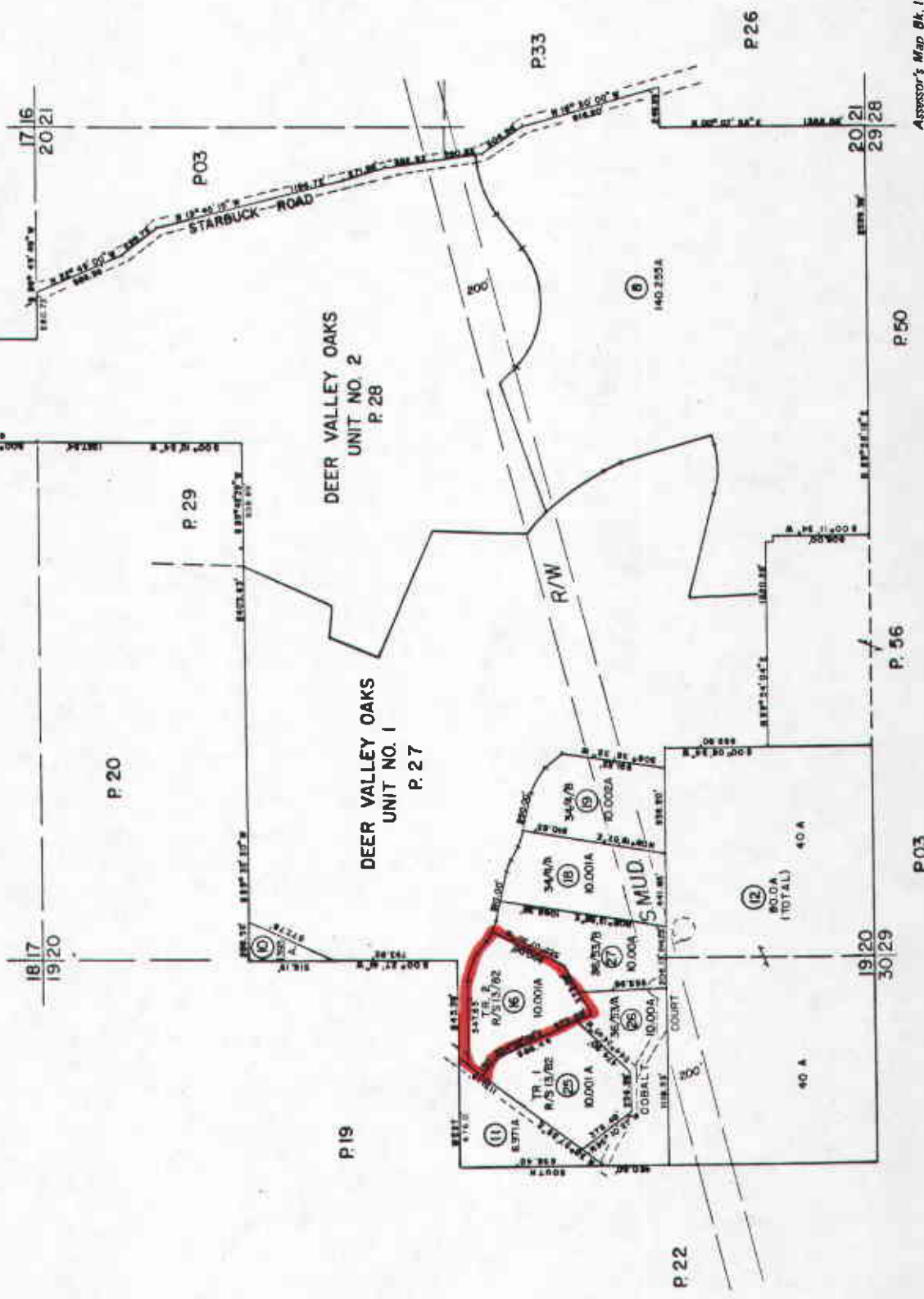


EXHIBIT B

POR. SECS. 17, 19, 20 & 21, T.10N., R.9E., M.D.M.

102:21

Tax Area Code



NOTE - Assessor's District Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

Assessor's Map Bk. 102 - Pg. 21
County of El Dorado, California

APP. 8 3004

EXHIBIT C: GENERAL PLAN MAP

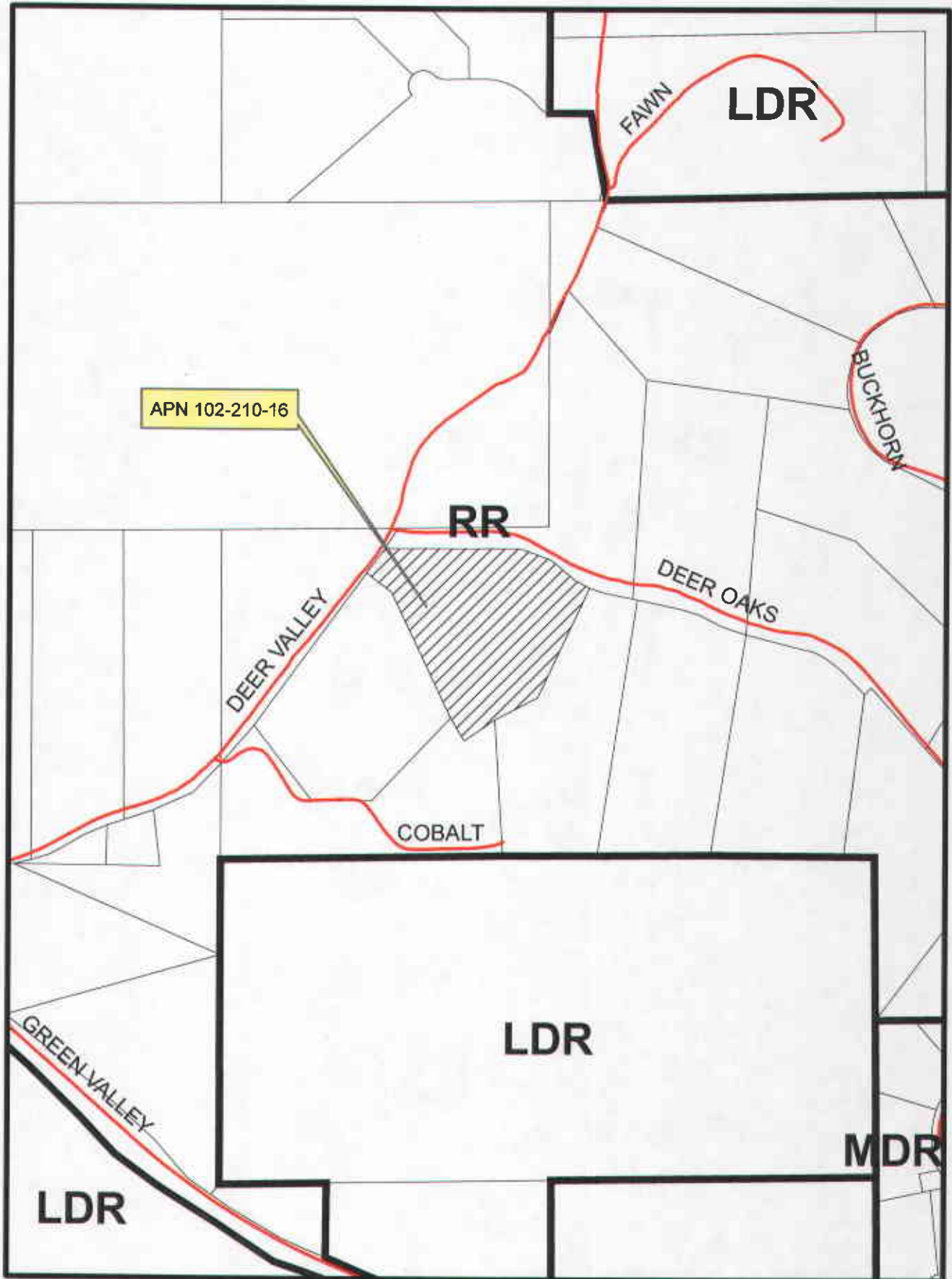
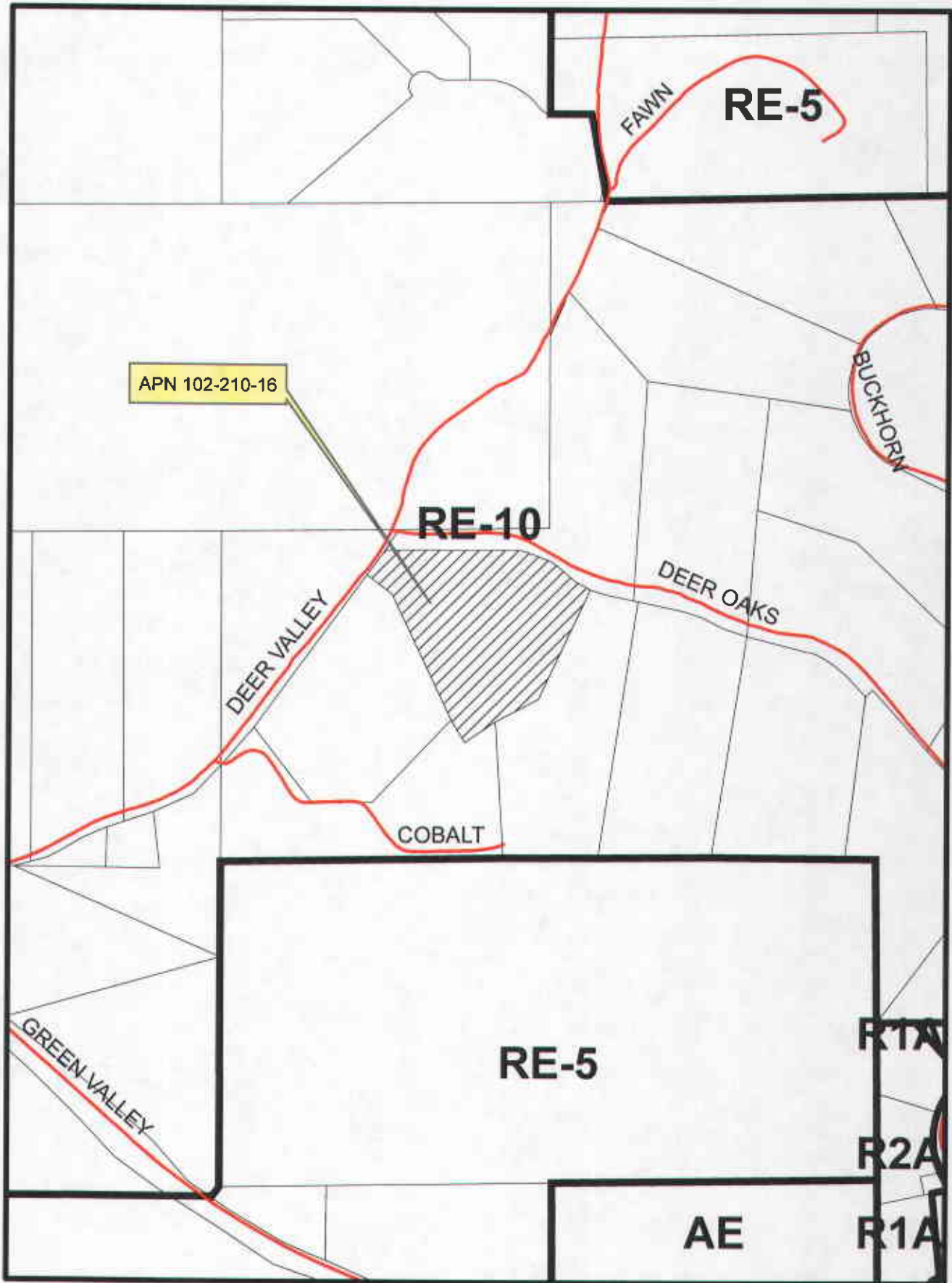


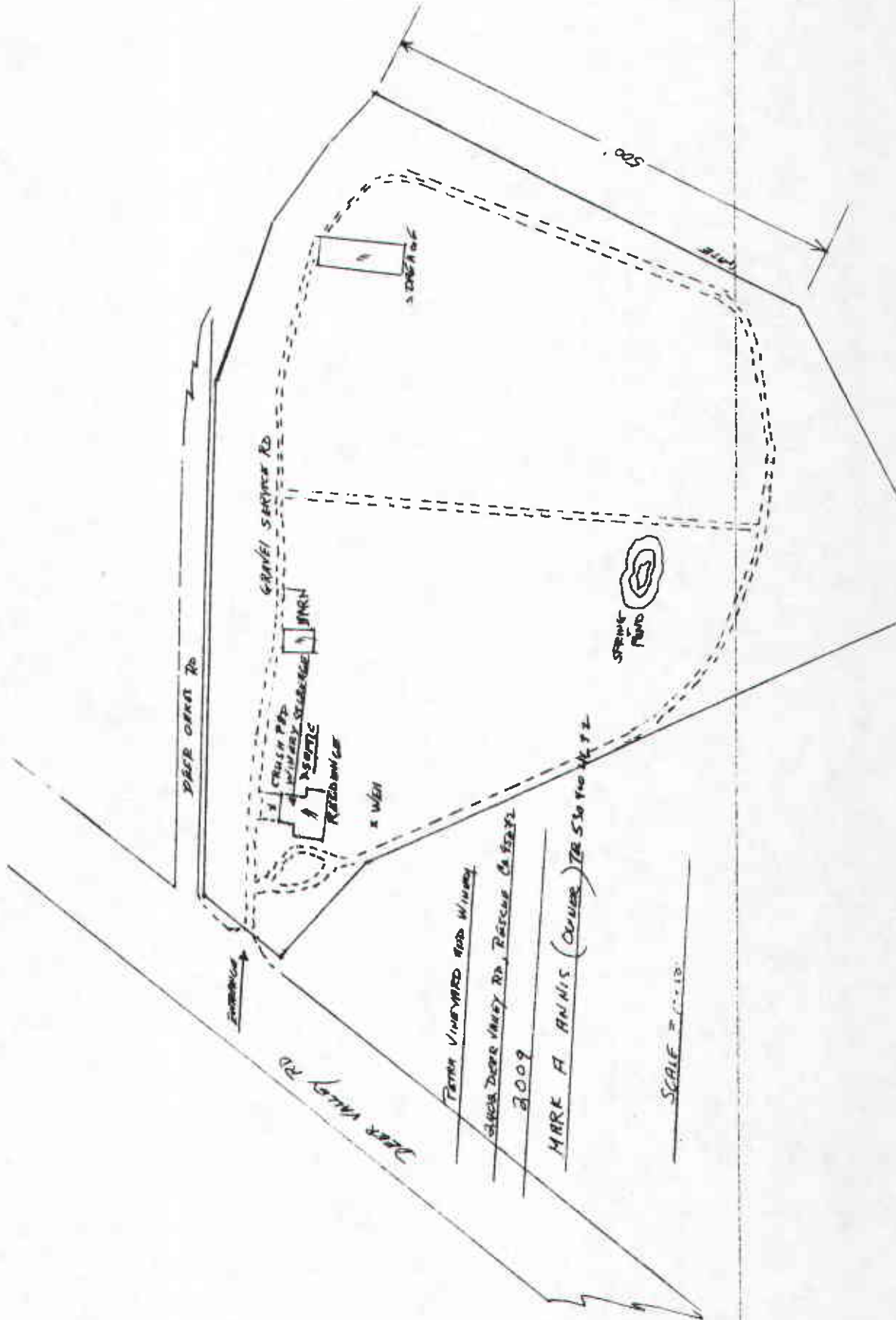
EXHIBIT D: ZONE DISTRICT MAP



PERMIT #S09-0024 Petra Winery
PREPARED BY AARON MOUNT



EXHIBIT E



DEER VALLEY RD
DEER OAK RD
GRAVEL SERVICE RD
CRUSH PIP
WATER STORAGE
WATER TOWER
WATER TANK
WATER PUMP
WATER TREATMENT
WATER DISTRIBUTION
WATER MAIN
WATER VALVE
WATER METER

SCALE = 1" = 100'



AGRICULTURAL COMMISSION

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Greg Boeger, Chair – Agricultural Processing Industry
Lloyd Walker, Vice-chair – Other Agricultural Interests
Chuck Bacchi – Livestock Industry
Bill Draper, Forestry /Related Industries
Ron Mansfield – Fruit and Nut Farming Industry
John Smith – Fruit and Nut Farming Industry
Gary Ward, Livestock Industry

MEMORANDUM

DATE: February 18, 2010
TO: Aaron Mount, Development Services/Planning
FROM: Greg Boeger, Chair

RECEIVED
PLANNING DEPARTMENT
10 FEB 22 AM 11:23

SUBJECT: S 09-0024 – PETRA WINERY (MARK A. ANNIS) REQUEST FOR A SPECIAL USE PERMIT FOR A MICRO WINERY – APN: 102-210-16

During the Agricultural Commission's regularly scheduled meeting held on February 10, 2010 the following discussion and motion occurred regarding S 09-0024 – Petra Winery (Mark A. Annis): a request for a special use permit for a micro winery consistent with 17.14.200.D.10 of the zoning ordinance. Production is based on the acres of wine grapes grown with a maximum production of 1,250 cases (2,972 gallons). Micro wineries are not allowed to have onsite tasting or sales. If it is determined that the project parcel contains a minimum of five acres of commercial vineyard, the project would be processed as a winery under 17.14.200.B.2.H of the zoning ordinance. No onsite sales or tasting room are proposed at this time. The property, identified by Assessor's Parcel Number 102-210-16, consists of 10.001 acres, and is located on the east side of Deer Valley Road approximately ½ mile northeast of the intersection with Green Valley Road, in the Rescue area. (District 4)

Staff reported on the site visit. The total acreage of this property is slightly over ten acres. It is not in an Ag District and not in a Community Region or Rural Center. The Land Use Designation of this parcel and surrounding parcels is Rural Residential (RR). The current zoning is Estate Residential Ten-Acre (RE-10). The adjacent parcel zoning is the same. The property is at an approximate elevation of 1,200 feet. The Soil Type is RfC: Rescue Very Stony Sandy Loam, 3 to 15% Slopes (Capability Class VI).

The applicants have requested a Special Use Permit for a winery, to be located at 2402 Deer Valley Road. The applicant has over 5 acres of grapes planted (varieties include Merlot, Zinfandel and Primitivo) with plans to plant 500 more vines. The vineyard is protected by deer fencing, is irrigated and trellised. The applicant proposes to crush and ferment the grapes on site, store the wine in tanks under the house, bottle the wine and store the case goods on site. A tasting room and on site sales are not proposed. There would be a maximum production of 1,250 cases of wine allowed by the SUP.

Relevant General Plan Policies: Policy 8.1.3.5 states that on any parcel 10 acres or larger identified as having an existing or potential agricultural use, the Agricultural Commission must consider and provide a recommendation on the agricultural use or potential of that parcel and whether the request will diminish or impair the existing or potential use prior to any discretionary permit being approved.

Aaron Mount
Meeting Date: February 10, 2010
RE: Annis, Mark A.
Page 2

Relevant Zoning Ordinance: Section 17.14.200 El Dorado Winery Ordinance (application is consistent with 17.14.200 B.2.H – Lots zoned RE with a minimum lot size of 10 acres, a minimum of five acres of commercial vineyard, and not located within a General Plan Ag District require a Special Use Permit.)

Mark A. Annis was present for questions and review of the project.

John Smith mentioned a letter of opposition that was submitted to the Commission. A neighbor of the applicant wrote of their concern regarding an Administrative Relief from an Agricultural Setback on this project, however, relief from an Agricultural Setback is not being requested, a winery building is not being proposed, and all winery functions will take place near or in the existing single-family dwelling.

It was moved by Mr. Smith and seconded by Mr. Walker to recommend APPROVAL of S 09-0024, a Special Use Permit request for a winery to be located at 2402 Deer Valley Road (a ten acre parcel) in the Rescue area. The property has over 5 acres of grapes, has been producing grapes for the past two years, and the proposed use will not detract from or diminish the existing agricultural use.

Motion passed

AYES: Draper, Mansfield, Smith, Walker, Boeger
NOES: None
ABSENT: Bacchi, Ward

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:na

cc: Mark A. Annis



AGRICULTURAL COMMISSION

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 Chuck Bacchi - Livestock Industry
 Bill Draper, Forestry /Related Industries
 Ron Mansfield - Fruit and Nut Farming Industry
 John Smith - Fruit and Nut Farming Industry
 Gary Ward, Livestock Industry

MEMORANDUM

DATE: April 29, 2010
TO: Aaron Mount, Development Services/Planning
FROM: Greg Boeger, Chair *GB*

RECEIVED
 PLANNING DEPARTMENT
 MAY -4 AM 11:17

SUBJECT: S 09-0024 – PETRA WINERY (MARK A. ANNIS) APN: 102-210-16

During the Agricultural Commission’s regularly scheduled meeting held on April 14, 2010 the following discussion and motion occurred regarding S 09-0024 – Petra Winery (Mark A. Annis): A request to allow a reduction in setback for a winery to be located under an existing residential structure. The house is located approximately 50 feet from the southwest property line, 100 feet from the northwest property line (Deer Valley Road) and 75 feet from the north property line (along Deer Oaks Drive). The setbacks would be a condition of the Special Use Permit. Section 17.14.200(E)(2) of the El Dorado County Winery Ordinance requires a 200 foot setback for all wineries located outside of an Agricultural District. The 200 foot setback may be reduced to no less than 50 feet on a positive recommendation by the Agricultural Commission. (District 4)

Staff reported on the site: APN 102-210-16 is located in a rural area off of Deer Valley Road. The parcel is 10 acres in size and has over 5 acres of vineyard. The property is not in an Agricultural District. The land use designation is Rural Residential (RR) and the current zoning is Estate Residential Ten-Acre (RE-10). Rural Residential land use is defined in the General Plan as an area established for residential and agricultural development. Typical uses include single-family residences, agricultural support structures and a full range of agricultural production uses. This land use is appropriate only in rural regions of the County. The purpose of the RE-10 zoning is to provide for the orderly development of land having sufficient space and natural conditions compatible to residential and accessory agricultural and horticultural pursuits and to provide for the protection from encroachment of unrelated uses (Zoning Ordinance 17.70.070). The parcel is located in a rural area with an elevation of approximately 1,200 feet and soil type of RfC: Rescue Very Stony Sandy Loam, with 3 to 15% Slopes (a soil type recognized by the Agricultural Commission as a “Soil of Local Importance to El Dorado County Vineyards).

A reduction in setback for winery operations which will be housed under an existing single-family residence is being requested as part of a Special Use Permit. After meeting with the applicant, staff suggests two setback options:

Option 1: Applicant receives a reduction in setback for the processing of his grapes, to be conducted next to and under his existing single-family residence (approximately 50 feet from the southwest property line, 100 feet from the northwest property line (Deer Valley Rd) and 140 feet from the north property line (Deer Oaks Dr).

Aaron Mount

Meeting Date: April 14, 2010

RE: Annis, Mark A.

Page 2

Option 2: Applicant uses existing barn as winery building, and receives a reduction in setback to process his grapes and store his wine. The existing barn is located approximately 230 feet from the southwest property line, 260 feet from the northwest property line (Deer Valley Rd) and 130 feet from the north property line (Deer Oaks Dr).

Relevant Zoning Ordinance: Section 17.14.200 El Dorado County Winery Ordinance Section E.2.b. & c. (Setbacks: The following setbacks apply to all wineries, tasting facilities, and outdoor use areas, excluding parking lots and picnic areas: (b.) Outside a General Plan Agricultural District a minimum of 200 feet from all property lines (c.) The 200 foot setback in Subsection E.2.b. may be reduced to no less than 50 feet by the Agricultural Commission approval of "Administrative Relief" based on forms and criteria established by the Agricultural Commission and subject to fees adopted by the Board of Supervisors.)

Referring to a photo in Staff's report, Commission Member Smith noted that the applicant was using a substantial 2,600 liter press. Mark Annis, the applicant, stated that it makes his wine production easier than his previous smaller press. Mr. Annis told the Commission members that although he was willing to consider both setback options proposed by staff, he would prefer to conduct his winery operations at his house, due to the cost of moving the operation (the barn would need to be insulated, electricity would have to be installed and a concrete slab would have to be poured). He mentioned that a neighbor had sent in a letter of opposition to the location of the winery. Mr. Annis stated that prior to his application for a Special Use Permit, he was unaware of any complaints regarding his agricultural operation (he has been harvesting grapes and making his own wine for over two years). Mr. Annis also stated that he has support from the majority of his neighbors and pointed out that his house would act as a buffer from the noise of the press.

Evonne Norgire, who also resides on this property, explained that they were simply looking for an adjustment in the setback. She pointed out that with a winery this size, the production days are limited to only a few days per year. She said they do not have plans for a tasting room nor public access at this point and may never have one. She reminded the Commission that the property is in a rural agricultural area and they are engaged in an agricultural venture. She feels they are minimizing production just by the nature of the size of the parcel. It will be a small winery with a limited production and asked the Commission to please take this under consideration.

It was mentioned that five acres of grapes is considered a winery and theoretically a winery could crush three or four hundred tons of grapes. There was concern raised by some Commission members that if the setback was reduced to allow production at the house, there may be increased impact on the neighbors if the applicants were allowed to process an unlimited amount of grapes or custom crush for others.

Bill Stephans added that the Winery Ordinance would require an amendment to the Special Use Permit, if the operation grows beyond the specifications approved by Planning.

Mr. Bacchi empathized with the applicant, stating that he had been in a similar position at one time, starting a business with very little capital. He mentioned that the applicant has a basement for wine storage and an existing crush pad, and by requiring him to move his operation out to the barn would add a considerable amount of up-front costs.

Aaron Mount
Meeting Date: April 14, 2010
RE: Annis, Mark A.
Page 3

John Stelzmilller stated that although he attended the meeting for another item, he supports the request for a reduction in setback because El Dorado County needs small businesses to succeed.

Discussion took place as to which option would best be suited for the applicant. If the setback reduction was approved for the winery co-located with the residence, limitations on case production could be made part of the Special Use Permit to further reduce impacts. To allow the applicant to consider which option may be best, the following motion was made:

It was moved by Mr. Smith and seconded by Mr. Bacchi to recommend the following:

Option 1: Applicant receives a reduction in setback for the processing of his grapes, to be conducted next to and under his existing single-family residence (approximately 50 feet from the southwest property line, 100 feet from the northwest property line (Deer Valley Rd) and 140 feet from the north property line (Deer Oaks Dr) with a maximum limit of 2,500 cases of wine produced per year, or

Option 2: Applicant uses the existing barn as a winery building, and receives a reduction in setback of 130 feet from the north property line (Deer Oaks Drive), to process his grapes and store his wine, with no limitation on case production.

Motion passed.

AYES: Bacchi, Draper, Mansfield, Smith, Walker, Boeger
NOES: None
ABSENT: Ward

If you have any questions regarding the Agricultural Commission's actions, please contact the Agriculture Department at (530) 621-5520.

GB:na

cc: Mark A. Annis



10210019

DEER CREEK RD

DEER OAKS

1021714

DEER CREEK RD

1022025

10221025

10221027

10221635

EXHIBIT H