

Melanie Heckel

From: Roger D. Smith [mismith@jps.net]
Sent: Thursday, May 08, 2008 8:39 AM
To: Melanie Heckel
Subject: Winery Ordinance

MELANIE...

In your Staff Report response (5/8/08) to our comments on the draft Winery Ordinance there is a misprint and an incorrect statement.

Misprint: 2nd sentence should read: "The concern expressed about air quality had to do with additional ~~traffie~~ DUST generated by wineries if
the access road is unpaved"

Incorrect Statement: "All weather surfaces can be aggregate base, chip seal, asphalt or concrete. Any of these surfaces would provide dust
control."

As a professional consultant in the area of road construction and paving, I would offer the following:

The term "all weather surface" means that a road can be passable and perform structurally in all normal weather. YES, even an unpaved surface like aggregate base (AB), with proper design, drainage provisions and maintenance can provide an all weather surface. However, the term "all weather" does not mean dust free. Roads surface with AB will be very dusty in the summer months unless treated with a dust palliative. Therefore, the ordinance should include a requirement that any unpaved access road be kept dust free with a 10mph speed limit. This is especially important where there are close neighbors that would suffer the dust.

Thank you for considering these comments.

Roger Smith
Pavement Consultant
(916)660-9321

6/17/2008

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ATTACHMENT D

From: Stephen Mischissin [mailto:mischissin@unr.edu]
Sent: Friday, June 13, 2008 12:20 PM
To: Lisa Buescher
Subject: Support of Placer County Wineries

Lisa,

I want to show my support for Placer County wineries and vineyards to allow them to have their facilities open for wine tasting. I understand that the Placer County Board of Supervisors will be deciding the fate of wine tasting at wineries in our county on July 8th. This vote would give us all an opportunity to better promote visitors and tourism to county wineries without concern for a code violation. We should promote our wineries as does El Dorado county and Amador county. Please pass on to Bruce my support for our right to enjoy our countryside and to allow wine tasting to occur.

Regards,

Stephen G. Mischissin
 227 Squaw Valley Road, Olympic Valley, CA

DATE 6/13/08
 Board of Supervisors - 5
 County Executive Office
 County Counsel
 Mike Boyle
 Planning 3080

STEPHANIE AUSTIN
P.O. BOX 602
PENRYN, CA 95663

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JUN 16 2008

CLERK OF THE
BOARD OF SUPERVISORS

June 11, 2008

Board of Supervisors
Placer County
175 Fulweiler Road
Auburn, CA 95603

Subject: Wine Tasting Ordinance

Gentlemen:

DATE 6/16/08
 Board of Supervisors - 5
 County Executive Office
 County Counsel
 Mike Boyle
 Planning Fax 3080.

I urge you to vote NO on the Wine Tasting Ordinance changes and to NOT consider any alterations until you have heard from all who may be impacted. At the very least, I urge you to comply with the California Environmental Quality Act (CEQA) which requires the preparation of an Environmental Impact Report (EIR).

Placer County's process of notifying the public may have been the legal minimum, but tens of thousands of unsuspecting residents on private lanes and drives have no idea that such drastic impacts to their lives and their neighborhoods are being considered. The county's own report acknowledges that it will affect over 1,000 people, which is a gross underestimate; this ordinance change will impact EVERY citizen who lives on a private drive. We are talking tens of thousands of people living in rural Placer County. A good-faith notice would include EVERY citizen who lives on a private road in Placer County. I urge you to make that good faith notice effort, but to vote NO on this ordinance until you do.

It is an outrage that what is being billed as a Winery Ordinance change and being slipped in under the radar is in reality a defacto zoning change for the entire county and may violate the General Plan. We can only wonder who asked staff to "draft a winery-specific ordinance" and make such an egregious zoning change from Ag to Commercial with such monumental consequences.

What is even more preposterous is the County's attempt to ignore the obvious CEQA compliance requirements and proceed straight ahead with violations. To use a Negative Declaration on such a county-wide zoning change with its many significant impacts is appalling. Where are the traffic studies? Where are the health and safety studies for neighborhood exposure to drinking drivers?

Any such drastic change, by whatever name it tries to use ("ordinance, zoning, General Plan") must include:

1. Strict road requirements (paving to keep down dust, width for two-way traffic for safety);

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2. Well-posted and vigorously enforced rural neighborhood hours-of-operation windows (1 to 5 pm, for example) and limited number of days of operation (weekends only);
3. Winery sales limited to ONLY wine produced from grapes grown ON the winery's parcel ("Placer Grown" must be upheld rather than diluted and falsified with imports);
4. Prohibition of sales of ancillary products (Ag or Farm zoning in this issue means grapes and only grapes; the processing of the grapes was a big enough stretch; it must not be expanded to selling wine from other vineyards, then to other food sales, then to gift shops, etc., which is where this is headed).
5. Strong enforcement policies for violation and discovery of such, as well as generous remedies for citizens who report/expose noncompliance.

The Board of Supervisors must stop this nonsensical ordinance/zoning change before it causes irreparable harm throughout Placer County's quiet rural neighborhoods. Wineries have plenty of opportunities to sell their goods in legitimate commercial locations. It is not the function of the county to guarantee profits for commercial enterprises.

In addition, because the CEQA violations are so obvious, the county is setting itself up for yet another lawsuit for which it will have to pay legal fees (again). If the county insists on pursuing this atrocious scheme, then at least it should follow the law and prepare an EIR so that the public will know what is coming their way and be able to respond accordingly.

Sincerely,



Stephanie Austin