



COUNTY OF PLACER
Community Development Resource Agency

John Marin, Agency Director

**ENVIRONMENTAL
COORDINATION
SERVICES**

Gina Langford, Coordinator

NEGATIVE DECLARATION

In accordance with Placer County ordinances regarding implementation of the California Environmental Quality Act, Placer County has conducted an Initial Study to determine whether the following project may have a significant adverse effect on the environment, and on the basis of that study hereby finds:

- The proposed project will not have a significant adverse effect on the environment; therefore, it does not require the preparation of an Environmental Impact Report and this **Negative Declaration** has been prepared
- Although the proposed project could have a significant adverse effect on the environment, there will not be a significant adverse effect in this case because the project has incorporated specific provisions to reduce impacts to a less than significant level and/or the mitigation measures described herein have been added to the project. A **Mitigated Negative Declaration** has thus been prepared.

The environmental documents, which constitute the Initial Study and provide the basis and reasons for this determination are attached and/or referenced herein and are hereby made a part of this document.

PROJECT INFORMATION

Title: Winery Ordinance	
Description: The Ordinance provides winery specific regulations and addresses associated uses	
Location: Placer County	
Project Applicant: Community Development Resource Agency, Planning Department, 3091 County Center Drive, Auburn, CA 95603	
County Contact Person: Melanie Heckel	530-745-3068

PUBLIC NOTICE

The comment period for this document closes on **April 23, 2008**. A copy of the Negative Declaration is available for public review at the County's web site <http://www.placer.ca.gov/Departments/CommunityDevelopment/EnvCoordSvcs/EnvDocs/NeqDec.aspx>, Community Development Resource Agency public counter, and at the Auburn, Foreshill, Loomis, Penryn, Rocklin, and Roseville Library. Additional information may be obtained by contacting the Environmental Coordination Services, at (530)745-3075 between the hours of 8:00 am and 5:00 pm at 3091 County Center Drive, Auburn, CA 95603.

If you wish to appeal the appropriateness or adequacy of this document, address your written comments to our finding that the project will not have a significant adverse effect on the environment: (1) identify the environmental effect(s), why they would occur, and why they would be significant, and (2) suggest any mitigation measures which you believe would eliminate or reduce the effect to an acceptable level. Regarding item (1) above, explain the basis for your comments and submit any supporting data or references. Refer to Section 18.32 of the Placer County Code for important information regarding the timely filing of appeals.

Recorder's Certification

POSTED 04/04/2008
 through _____
 JIM MCCAULEY, COUNTY CLERK
 By [Signature]
 Deputy Clerk

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3091 County Center Drive, Suite 190 • Auburn • California 95603 • 530-745-3132 • fax 530-745-3003 • www.placer.ca.gov/planning

INITIAL STUDY & CHECKLIST

This Initial Study has been prepared to identify and assess the anticipated environmental impacts of the following described project application. The document may rely on previous environmental documents (see Section C) and site-specific studies (see Section I) prepared to address in detail the effects or impacts associated with the project.

This document has been prepared to satisfy the California Environmental Quality Act (CEQA) (Public Resources Code, Section 21000 et seq.) and the State CEQA Guidelines (14 CCR 15000 et seq.) CEQA requires that all state and local government agencies consider the environmental consequences of projects over which they have discretionary authority before acting on those projects

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have a significant effect on the environment. If the lead agency finds substantial evidence that any aspect of the project, either individually or cumulatively, may have a significant effect on the environment, regardless of whether the overall effect of the project is adverse or beneficial, the lead agency is required to prepare an EIR, use a previously-prepared EIR and supplement that EIR, or prepare a Subsequent EIR to analyze the project at hand. If the agency finds no substantial evidence that the project or any of its aspects may cause a significant effect on the environment, a Negative Declaration shall be prepared. If in the course of analysis, the agency recognizes that the project may have a significant impact on the environment, but that by incorporating specific mitigation measures the impact will be reduced to a less than significant effect, a Mitigated Negative Declaration shall be prepared.

A. BACKGROUND:

Project Title: WINERY ORDINANCE
Entitlements: Zoning Text Amendment
Location: Placer County is located 80 miles northeast of San Francisco. The City of Auburn and the government center of Placer County, is located 120 miles southwest of Reno. The county encompasses 1,506 square miles (including 82 square miles of water) or 964,140 acres (including 52,780 acres of water). Placer County is bounded by Nevada County to the north, the State of Nevada to the east, El Dorado and Sacramento counties to the south, and Sutter and Yuba counties to the west. The amendments to the Placer County Zoning Ordinance will apply to the entire county with the exception of the incorporated Cities of Auburn, Roseville, Rocklin, Lincoln, Loomis and Colfax, and Tahoe Basin and Squaw Valley areas separately regulated through individual General Plans and Zoning ordinances

Current Zoning Ordinance:

While the current Zoning Ordinance provides little direction about wineries, and particularly ancillary uses like on-site sales, tasting and promotional events, the County has (and continues) to regulate wineries. Wineries are currently only mentioned in three places in the Zoning Ordinance. First, the definition of "Agricultural Processing" specifically includes wineries. The Planning Department has interpreted this provision to allow wine tasting, but only if the permit process analyzes, conditions and approves such use. A Minor Use Permit is required for "agricultural processing" in each zoning district where allowed except in the Heavy Commercial (C3) and Industrial (IN) zoning districts where only Zoning Clearance is required. The second reference to wine, or wineries, is under the definition of "Roadside Stands for Agricultural Products". The definition allows for the retail sale of agricultural products, including wine made from grapes grown on-site even if the wine is not located on-site. The Planning Department interpretation of "Roadside Stands for Agricultural Products" is that this definition does not include wine tasting. Roadside stands are allowed with

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zoning clearance in a number of rural zoning districts and require a Minor Use Permit in the Resort zoning district. The third reference is within the definition of "restaurants and bars", which includes wineries with tasting rooms. "Restaurants and bars" are allowed in several commercial and industrial zoning districts with either a zoning clearance in some districts, a Minor Use Permit in others, and a Conditional Use Permit in the Commercial Planned Development district (described in detail under Project Description)

Placer County Wine Industry:

There are currently 13 approved wineries in Placer County with 230 acres of planted vineyards. Only one of the wineries has been approved for regular tasting during specified hours, and two more wineries have recently been approved for tasting by appointment with limits on the number of customers weekly. Other wineries have commenced, or wish to commence, some level of wine tasting, although their permits do not currently allow public tasting. Some of these activities have generated complaints which have led to Code Enforcement investigations and the County informing winery owners that they are not authorized to conduct tasting without a Minor Use Permit. Winery owners have indicated that they need to be able to market their wines on-site through tasting, direct sales and occasional promotional events in order to remain economically viable

Uncertainty:

With a Zoning Ordinance that does not discuss uses that are normally associated with wineries, like tasting and promotional events, both winery owners and neighbors are faced with some uncertainty as to what is or isn't allowed, and what conditions might be imposed through the Minor Use Permit process. While some neighbors argue that public tasting and promotional events do not belong in rural areas, particularly on private roads, winery owners indicate that they cannot remain in business without being allowed to market their wines on-site. Furthermore, winery owners have balked at the requirements imposed by the County through the use permit process

Ordinance Purpose

Given the fact that agriculture has and continues to be an important part of the Placer County economy and lifestyle, and that the General Plan includes numerous policies intended to support and enhance agricultural activities, the Planning Department was asked to draft a winery-specific ordinance. The purpose is to provide more certainty and some regulatory relief for winery operators in terms of the permit process and requirements, while avoiding significant impacts to neighborhoods and maintaining public health and safety. County staff, including representatives from the Planning Department, Engineering and Surveying Department, Environmental Health, Building Department, Agricultural Commissioner, and Emergency Services (Fire), met with wine industry representatives to get a better idea about concerns and objectives. After reviewing winery ordinances from a variety of jurisdictions, including nearby foothill counties, and Placer County's Winery Guidelines prepared in 2001, staff drafted an ordinance for public review in May 2007.

Public Input on First Draft Ordinance

Staff conducted three public workshops in 2007 (June and October), to provide the public the opportunity to review and comment on the Draft Winery Ordinance. Generally, winery owners and their supporters indicated that they believed the ordinance was too restrictive and that the standards were cost prohibitive. Some property owners living near existing wineries expressed concerns about access, traffic, parking and noise

On July 9, 2007, the Agricultural Commission conducted a public workshop on the proposed Winery Ordinance and similar concerns were expressed. The Agricultural Commission appointed a four-person subcommittee to work with staff on the Draft Ordinance. County staff prepared a second draft of the Winery Ordinance and then met with the Agricultural Commission subcommittee. Numerous recommendations were made by the subcommittee, and most of the suggestions were incorporated into the Draft Ordinance. A second public review of the draft Winery Ordinance was released in early October 2007.

On October 29, 2007, the Agricultural Commission conducted a public hearing on the Draft Winery Ordinance. After a lengthy public hearing, the Agricultural Commission continued its review of the Ordinance to its November 12, 2007 meeting and asked the Subcommittee to meet again to consider additional changes to the Ordinance. At the November 12, 2007 meeting, the Agricultural Commission brought forward a revised Draft Winery Ordinance and recommended its approval to the Planning Commission.

Planning Commission Direction

The Planning Commission conducted a public hearing on the proposed Winery Ordinance at its November 15, 2007 meeting. Testimony was provided by winery owners and supporters indicating support for the Agricultural Commission's Draft Ordinance. Residents living near existing wineries and other citizens expressed concern that the County's Draft Winery Ordinance needed to provide more restrictive standards, including minimum lot size and minimum vineyard

acreage requirements. At the end of the hearing, the Planning Commission provided direction to staff indicating that they liked the Agricultural Commission's Draft, but suggested that some of the provisions from the staff's Draft Ordinance be incorporated. Staff indicated that it would prepare a revised Winery Ordinance based on the comments of the Planning Commission, and bring it back to the Planning Commission for confirmation at its January 10, 2008 meeting. At the January 10, 2008 meeting, the Planning Commission indicated support for the revised Draft Ordinance prepared by staff and provided direction to make three additional changes to the Draft Winery Ordinance. These changes were as follows: 1) the requirement for promotional events in the Residential Agriculture and Residential Forest districts was changed from a Minor Use Permit to an Administrative Review Permit; 2) the requirement for wine tasting and retail sales of wine-related merchandise in the Agricultural Exclusive, Farm, Forestry and Timberland Production zoning districts was changed from an Administrative Review Permit to Zoning Clearance; and 3) the parking requirements within this section of the ordinance were eliminated, thus parking requirements in Section 17.54.060 (parking space requirements by land use) will apply.

Project Description:

The Winery Ordinance creates a new Section 17.56.330 (Wineries) within Article 17.56 (Specific Use Requirements) and includes the following elements.

- A. Purpose
- B. Definitions
- C. Winery and Accessory Uses – Permit Requirement Charts
- D. Development and Operational Standards
 - 1. General
 - 2. Access
 - 3. Potable Water
 - 4. Waste Disposal
 - 5. Tasting Rooms
 - 6. Promotional Events

Amendments to Article 17.04 (Definitions), Section 17.06.050 (Land Use and Permit Tables) and to Part 2 (Zone Districts and Allowable Uses) will also be needed to implement the Zoning Text Amendment as currently proposed. Wineries and associated uses like retail sales, wine tasting and up to six promotional events per year will be allowed in certain commercial and industrial zoning districts and in the Residential Agriculture, Residential Forest, Agricultural Exclusive, Farm, Forestry, and Timberland Production zoning districts. Most of these uses are already allowed in those same zoning districts, but it will now be clear through the new ordinance that the associated uses will be allowed in these rural zoning districts. As indicated above, the Winery Ordinance includes development and operational standards. In addition, the permit requirements would be revised by the proposed ordinance.

Commercial and Industrial Zoning Districts: In terms of the commercial and industrial zoning districts, few changes will be made by the new ordinance in that wineries with tasting rooms are included in the current definition of "restaurants and bars". "Restaurants and bars" are allowed in the Neighborhood Commercial (C1), General Commercial (C2), Heavy Commercial (C3), Highway Services (HS), Business Park (BP) and Industrial (IN) zoning districts with Zoning Clearance, with a Minor Use Permit in the Resort (RES), Airport (AP), and Industrial Park (INP) zoning districts and with a Conditional Use Permit in the Commercial Planned Development (CPD) zoning district. The proposed Winery Ordinance breaks down winery uses into small winery production (under 20,000 cases), large winery production (over 20,000 cases), wine sales, wine tasting and accessory sales, and promotional events. The changes proposed in the commercial and industrial zoning districts will allow winery production in only certain commercial districts: CPD (only small), General Commercial (only small) and Heavy Commercial (small and large). However, wine sales, tasting, and promotional events will be allowed in all the relevant commercial and industrial zoning districts, with a few changes in permit requirements. Few impacts are anticipated for the following reasons: 1) most wineries are located on rural properties where the grapes are grown; 2) the impacts of winery production in commercial and industrial zoning districts are not greater than currently allowed for similar commercial and industrial uses; 3) adequate infrastructure is typically available in commercial and industrial zoning districts to accommodate those types of uses.

Residential Zoning Districts: Agricultural processing, which includes wineries, is currently allowed in the Residential Agriculture (RA) and Residential Forest (RF) zoning districts, and requires the processing of a Minor Use Permit (MUP). The primary change with the Winery Ordinance is that all the winery use categories (production, wine sales, wine tasting), except for large winery production, will require an Administrative Review Permit (ARP), rather than an MUP. Large winery production will require an MUP. The ARP process includes discretionary review, and would thus be subject to environmental review, though to date all wineries have been found to be Categorically Exempt. The ARP process allows the applicable County Departments and agencies to review the proposal and ensure that all County

requirements and standards, as outlined in the Ordinance or in other County, state or federal regulations can be met. The ARP process also provides public noticing to surrounding neighbors, with an opportunity to comment, prior to a decision on the request by the Zoning Administrator, but no public hearing. The primary difference between the ARP and MUP process is that an MUP includes a public hearing before the Zoning Administrator.

Agricultural and Resource Zoning Districts: Agricultural processing, which includes wineries, is allowed in the Exclusive Agriculture, Farm, Forestry and Timberland Preserve zoning districts, and requires the processing of a Minor Use Permit (MUP). The Ordinance would change the permit requirements for small winery production, wine sales, and public tasting from a Minor Use Permit requirement to Zoning Clearance only. A large winery production facility would continue to require an MUP. A Zoning Clearance process is not discretionary and would not be subject to environmental review or public noticing. A Zoning Clearance would involve reviewing any winery proposal to determine whether it is in the proper zoning district, meets setback requirements, and meets the development standards provided in the proposed Winery Ordinance. Zoning Clearance is typically provided by front counter staff when reviewing building permit applications. If a winery proposes a new building, a building permit will be necessary. If a winery proposes to convert an existing building to a new use, particularly one that is open to the public, a change of occupancy permit will be required. In either case (building permit or change of occupancy), the Building Department will review the request for compliance with State and County regulations including the California Building Code and handicap accessibility, and will require clearance from the serving fire agency. The fire agency will ensure compliance with State and local Fire Safe Standards.

Promotional Events

A new definition would be created for "promotional events" associated with wineries and permit requirements and standards have been proposed as part of the Winery Ordinance. A promotional event would be one to promote the sale of Placer County wines and which is intended to allow for the sampling and direct marketing and sales of wines produced on the premises or produced elsewhere from grapes grown on site. According to the proposed Ordinance, wineries could conduct up to six promotional events/year and this would require a one-time processing of an Administrative Review Permit.

B. PREVIOUS ENVIRONMENTAL DOCUMENT:

The County has determined that an Initial Study shall be prepared in order to determine whether the potential exists for unmitigatable impacts resulting from the proposed project. Relevant analysis from the County-wide General Plan and Community Plan Certified EIRs, and other project-specific studies and reports that have been generated to date, were used as the database for the Initial Study. The decision to prepare the Initial Study utilizing the analysis contained in the General Plan and Specific Plan Certified EIRs, and project-specific analysis summarized herein, is sustained by Sections 15168 and 15183 of the CEQA Guidelines.

Section 15168 relating to Program EIRs indicates that where subsequent activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity, to determine whether the environmental effects of the operation were covered in the earlier Program EIR. A Program EIR is intended to provide the basis in an Initial Study for determining whether the later activity may have any significant effects. It will also be incorporated by reference to address regional influences, secondary effects, cumulative impacts, broad alternatives, and other factors that apply to the program as a whole.

The following documents serve as Program-level EIRs from which incorporation by reference will occur.

- ➔ Placer County General Plan EIR

Section 15183 states that "projects which are consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or site." Thus, if an impact is not peculiar to the project or site, and it has been addressed as a significant effect in the prior EIR, or will be substantially mitigated by the imposition of uniformly applied development policies or standards, then additional environmental documentation need not be prepared for the project solely on the basis of that impact.

The above stated documents are available for review Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, 3091 County Center Drive, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

C. EVALUATION OF ENVIRONMENTAL IMPACTS:

The Initial Study checklist recommended by the State of California Environmental Quality Act (CEQA) Guidelines is used to determine potential impacts of the proposed project on the physical environment. The checklist provides a list of questions concerning a comprehensive array of environmental issue areas potentially affected by the project (see CEQA Guidelines, Appendix G). Explanations to answers are provided in a discussion for each section of questions as follows.

- a) A brief explanation is required for all answers including "No Impact" answers.
- b) "Less Than Significant Impact" applies where the project's impacts are insubstantial and do not require any mitigation to reduce impacts.
- c) "Less Than Significant with Mitigation Measures" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The County, as lead agency, must describe the mitigation measures, and briefly explain how they reduce the effect to a less-than-significant level (mitigation measures from earlier analyses may be cross-referenced).
- d) "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- e) All answers must take account of the entire action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts [CEQA Guidelines, Section 15063(a)(1)].
- f) Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration [CEQA Guidelines, Section 15063(c)(3)(D)]. A brief discussion should be attached addressing the following:
 - ➔ **Earlier analyses used** – Identify earlier analyses and state where they are available for review.
 - ➔ **Impacts adequately addressed** – Identify which effects from the above checklist were within the scope of, and adequately analyzed in, an earlier document pursuant to applicable legal standards. Also, state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - ➔ **Mitigation measures** – For effects that are checked as "Less Than Significant with Mitigation Measures," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- g) References to information sources for potential impacts (i.e. General Plans/Community Plans, zoning ordinances) should be incorporated into the checklist. Reference to a previously-prepared or outside document should include a reference to the pages or chapters where the statement is substantiated. A source list should be attached and other sources used, or individuals contacted, should be cited in the discussion.

I. AESTHETICS - Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect on a scenic vista? (PLN)			X	
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (PLN)			X	
3. Substantially degrade the existing visual character or quality of the site and its surroundings? (PLN)			X	
4. Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area? (PLN)			X	

Discussion- Items I-1,2,3:

The Zoning Ordinance changes, in and of themselves, will not impact scenic resources. Although the Winery Ordinance does not allow wineries in any new residential and agricultural zoning districts, it does encourage the establishment of wineries in Placer County by simplifying the regulatory process and addressing accessory uses. While the construction of new wineries could change the scenic character of an area, such uses are permitted or conditionally permitted in the respective zoning district, and such uses would complement, and be consistent with, the surrounding uses. Currently, there are only 13 approved wineries in unincorporated Placer County. Vineyard acreage in Placer County totals only 230 acres. Even if the number of wineries were to triple due to the encouragement of the new Winery Ordinance, the amount of area dedicated to such uses would be nominal in comparison to the County's other agricultural operations. In addition, winery buildings are generally rural in character and fit appropriately in the rural settings where they would be located. Larger wineries (over 20,000 case annual production) would still require a Minor Use Permit and environmental review if such proposed facilities do not fall under a Categorical Exemption category (over 2,500 square feet for new structures). No mitigation measures are required.

Discussion- Item I-4:

As indicated above, the wine industry may expand as a result of the proposed ordinance, which could result in more wineries that could generate new light sources. As indicated above, the scale of the wine industry in Placer County is anticipated to remain relatively small, given the lack of vineyard acreage. If the number of wineries tripled from 13 to 39, that would result in only 26 new potential light sources. As facilities would be spread throughout the lower elevation portions of Placer County suitable for vineyard production, and as such facilities would generally be oriented towards daytime public uses, the impact would be less than significant. No mitigation measures are required.

II. AGRICULTURAL RESOURCE - Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (PLN)				X

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2. Conflict with General Plan or other policies regarding land use buffers for agricultural operations? (PLN)				X
3. Conflict with existing zoning for agricultural use, or a Williamson Act contract? (PLN)				X
4. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland (including livestock grazing) to non-agricultural use? (PLN)				X

Discussion- Items II-1,3,4:

Implementation of the Winery Ordinance will have a beneficial effect on expanding agricultural production in Placer County. No adverse impacts will result, and no mitigation is required.

Discussion- Item II-2:

The Winery Ordinance will not conflict with General Plan policies calling for land use buffers between agricultural and non-agricultural uses (Pages 21 and 22 of the General Plan). These land use buffers are not intended to limit agricultural activities but rather to limit residential uses adjacent to agricultural areas. The Winery Ordinance will also implement several General Plan policies encouraging agricultural production and marketing including the following.

- 7.A.3. The County shall encourage continued and, where possible, increased agricultural activities on lands suited to agricultural uses.
- 7.B.4. The County shall continue to enforce the provisions of its Right-to-Farm Ordinance and of the existing state nuisance law.
- 7.C.1. The County shall attempt to improve the financial viability of the agricultural sector of Placer County's economy through actions that have the potential to reduce costs and increase profits.
- 7.C.4. The County shall permit a wide variety of promotional and marketing activities for county-grown products in all agricultural zone districts.
- 7.C.5. The County shall permit on-farm product handling and selling. The County shall permit stands for the sale of agricultural products in any agricultural land use designation to promote and market those agricultural products grown or processed in Placer County. Secondary and incidental sales of agricultural products grown elsewhere may be permitted subject to appropriate approvals.
- 7.C.6. The County shall ensure that land use regulations do not arbitrarily restrict potential agricultural-related enterprises which could provide supplemental sources of income for farm operators.

III. AIR QUALITY – Would the project

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Conflict with or obstruct implementation of the applicable air quality plan? (APCD)				X
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (APCD)			X	
3. Result in a cumulatively considerable net increase of any criteria for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (APCD)				X
4. Expose sensitive receptors to substantial pollutant concentrations? (APCD)			X	
5. Create objectionable odors affecting a substantial number of people? (APCD)			X	

Discussion- Items III-1,2,3:

Placer County is located within the purview of the Placer County Air Pollution Control District (District), a local governmental agency responsible for protecting the air quality in the county area. Placer County includes portions of three California air basins: Sacramento County, Mountain Counties and Lake Tahoe. Existing air quality varies substantially between these air basins. The Sacramento Valley and Mountain Counties basins are classified as non-attainment areas for the state and federal ozone standards.

Before a property owner is allowed to build, alter, replace, operate, or use machinery or equipment that may cause air pollution, that person must obtain a permit from the Air Pollution Control Officer of the District. (*California Health and Safety Code, Ch. 4, Art. 1, 42300*)

Since Placer County does not meet the air quality standards for PM-10 and ozone set forth by the United States Environmental Protection Agency or those of the California Air Resources Board, the District issues permits allowing the District to work with businesses to be sure their operations follow federal, state and local regulations and are coordinated with the District's air quality strategy. According to the Placer County Air Pollution Control District, there are no specific air pollution standards within this district for wineries, because the amount of emissions would not be a significant factor that would affect air quality.

The proposed Zoning Ordinance amendments do not significantly alter the types of uses allowable within unincorporated Placer County. The Ordinance amendments do encourage the establishment of new wineries and any new wineries would be required to comply with Air Pollution Control District standards. No mitigation measures are required.

Discussion- Item III-4:

Neither the wineries that may be established, nor the vineyards that would provide the grapes for the wineries, produce substantial pollutants that would expose sensitive receptors to significant concentrations. The storage and application of pesticides is regulated by State and Federal regulations, as well as the Placer County Agricultural Commissioner. No mitigation measures are required.

Discussion- Item III-5:

The creation of objectionable odors is not anticipated. The only way that odors could be generated would be through the improper handling of winery waste materials. The Winery Ordinance includes the following provisions for waste disposal: "Pomace, culls, lees, and stems may be recycled onsite in accordance with the Report of Waste Discharge approved for each individual winery by the Regional Water Quality Control Board. Standards for waste disposal shall be set, where applicable, by the Regional Water Quality Control Board and shall be stipulated in the Report of Waste Discharge." These State regulations would address any improper waste disposal methods that could generate odor from winery production. No mitigation measures are required.

IV. BIOLOGICAL RESOURCES – Would the project.

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish & Game or U.S. Fish & Wildlife Service? (PLN)				X
2. Substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number of or restrict the range of an endangered, rare, or threatened species? (PLN)				X
3. Have a substantial adverse effect on the environment by converting oak woodlands? (PLN)			X	
4. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of			X	

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Fish & Game or U.S. Fish & Wildlife Service? (PLN)				
5. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (PLN)				X
6. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (PLN)				X
7. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (PLN)				X
8. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (PLN)				X

Discussion- Items IV-1,2:

The adoption of the Winery Ordinance, in and of itself, will not affect biological communities. The proposed Winery Ordinance may encourage the establishment of wineries and the planting of additional vineyards due to provisions that simplify the regulatory process and address accessory uses. State and Federal regulations would remain in place and it would be the property owner's responsibility to comply with these State and Federal statutes. Large wineries (over 20,000 annual case production) would be subject to a Minor Use Permit and environmental review.

Discussion- Item IV-3:

The adoption of the Winery Ordinance in and of itself would not impact oak woodlands. The County's Tree Ordinance does not apply to agricultural uses, but significant impacts are not anticipated as vineyard production and the wine industry are likely to remain relatively small compared with other types of agriculture (i.e., orchards) and on-going commercial and residential development in Placer County. No mitigation measures are required.

Discussion- Item IV-4:

The adoption of the Winery Ordinance would have minimal impacts on sensitive habitats, including riparian areas. Although the Winery Ordinance may encourage the development of new wineries and vineyards, such uses would remain a minor segment of the Placer County landscape. In addition, tree removal for agricultural uses in riparian areas is not exempt from the County's Tree Ordinance, therefore, proposals to remove trees in riparian areas would require a Tree Permit and tree replacement prescribed by the Tree Ordinance and would be subject to Department of Fish and Game regulations. No mitigation measures are required.

Discussion- Item IV-5:

The adoption of the Winery Ordinance would have no direct effects on federally protected wetlands. Any winery and/or vineyard development that may be encouraged due to the adoption of the ordinance would be subject to federal wetland regulations.

Discussion- Item IV-6:

The adoption of the Winery Ordinance would have no direct effect on fisheries or wildlife corridors. Any new wineries that might be encouraged by the Winery Ordinance would be subject to State Department of Fish and Game Stream alteration permits and County watercourse setback requirements. County Code Section 17.54.140.D calls for a setback of 100 feet from perennial streams and 50 feet from intermittent streams, ponds and lakes. In terms of wildlife corridors, wineries are dispersed in the landscape and would thus have no potential for blocking the migration of fauna.

Discussion- Item IV-7:

The adoption of the Winery Ordinance would have no direct effect on compliance with County policies including the Tree Ordinance. Activities that are subject to County requirements related to biological resources would need to comply.

Discussion- Item IV-8:

The adoption of the Winery Ordinance would have no direct effect on habitat and there is no adopted Habitat Conservation Plan that would be impacted by any activities generated as a result of the adoption of the Winery Ordinance.

V. CULTURAL RESOURCES – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Substantially cause adverse change in the significance of a historical resource as defined in CEQA Guidelines, Section 15064.5? (PLN)			X	
2. Substantially cause adverse change in the significance of a unique archaeological resource pursuant to CEQA Guidelines, Section 15064.5? (PLN)			X	
3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (PLN)			X	
4. Have the potential to cause a physical change, which would affect unique ethnic cultural values? (PLN)			X	
5. Restrict existing religious or sacred uses within the potential impact area? (PLN)			X	
6. Disturb any human remains, including those interred outside of formal cemeteries? (PLN)			X	

Discussion- All Items:

The adoption of the Winery Ordinance will have no direct impact on cultural resources or paleontological resource sites or unique geologic features. The adoption of the Winery Ordinance may encourage the establishment of wineries and the planting of additional vineyards due to provisions that simplify the regulatory process and address accessory uses. However, significant impacts will not result from the implementation of the new ordinance. Large wineries would be subject to a Minor Use Permit and environmental review which would include cultural resources. If there are areas that have significant cultural resources on a particular site, any disturbance related to projects would have standard cultural resources conditions to mitigate impacts. No mitigation measures are required.

VI. GEOLOGY & SOILS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Expose people or structures to unstable earth conditions or changes in geologic substructures? (ESD)				X
2. Result in significant disruptions, displacements, compaction or overcrowding of the soil? (ESD)				X
3. Result in substantial change in topography or ground surface relief features? (ESD)				X
4. Result in the destruction, covering or modification of any unique geologic or physical features? (ESD)				X

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5. Result in any significant increase in wind or water erosion of soils, either on or off the site? (ESD)			X	
6. Result in changes in deposition or erosion or changes in siltation which may modify the channel of a river, stream, or lake? (ESD)			X	
7. Result in exposure of people or property to geologic and geomorphological (i.e. Avalanches) hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards? (ESD)				X
8. Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? (ESD)				X
9. Be located on expansive soils, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property? (ESD)				X

Discussion- Items VI-1,2,3,4,7:

The adoption of the Winery Ordinance will have no direct effect on geologic/soil resources. The Winery Ordinance may encourage the establishment of wineries. The construction of new winery buildings or the conversion of existing structures to new uses (like winery production and tasting areas) will require building permits. The building permit process will ensure that structures are located and designed to avoid impacts on unstable geologic features and the exposure of people to hazardous conditions. Large wineries (over 20,000 case annual production) will be subject to a Minor Use Permit and environmental review.

Discussion- Items VI-5,6:

The adoption of the Winery Ordinance will have no direct effect on erosion or siltation. The Winery Ordinance may encourage the establishment of wineries and vineyards. As required of every project considered by the County, property owners would need to comply with the County's watercourse setback requirements (outlined in Sect. on IV) and the County's NPDES Permit and Grading Ordinance standards. No mitigation measures are required.

Discussion- Items VI-8,9:

These two questions relate to specific site locations within unstable units or on expansive soils. The adoption of the Winery Ordinance does not relate to specific project sites; therefore, there will be no impact as a result of the adoption of the Winery Ordinance. When a particular winery site is developed, the building permit process will ensure safe and appropriate location of such structures.

VII. HAZARDS & HAZARDOUS MATERIALS – Would the project.

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Create a significant hazard to the public or the environment through the routine handling, transport, use, or disposal of hazardous or acutely hazardous materials? (EHS)				X
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (EHS)				X
3. Emit hazardous emissions, substances, or waste within one-quarter mile of an existing or proposed school? (APCD)				X
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section			X	

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65962.5 and as a result, would it create a significant hazard to the public or the environment? (EHS)				
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (PLN)				X
6. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing in the project area? (PLN)				X
7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (PLN)				X
8. Create any health hazard or potential health hazard? (EHS)				X
9. Expose people to existing sources of potential health hazards? (EHS)			X	

Discussion- Items VII-1,2,8:

The adoption of the Winery Ordinance will have no direct impact on the risk to the public or the environment resulting from routine handling, transport, use or disposal of hazardous materials. Although wineries routinely handle hazardous materials, such as pesticides, as part of their daily agricultural and processing operation, the winery will be subject to standard handling and storage requirements as required by regulation and oversight by Placer County Environmental Health Services, and the Agricultural Commissioner. The impacts related to hazardous materials storage and potential exposure for newly proposed winery businesses will be evaluated as part of the permitting requirements where new wineries are proposed. Best management practices will be required in order to prevent accidental release into the environment through upset or accident conditions, and to prevent other general health hazards.

Discussion- Item VII-3:

The Winery Ordinance is not site specific; therefore, the adoption of the ordinance will not have a direct impact on a site that is within one-quarter mile of an existing or proposed school.

Discussion- Items VII-4,9:

The adoption of the Winery Ordinance is unlikely to cause an impact on the exposure of people to existing sources of potential hazards or result in the creation of a significant hazard to the public or the environment. For winery operations, requiring an ARP, MUP or CUP, the potential for hazards exposure due to existing hazards or the creation of hazards will be evaluated as part of the permitting process. For winery operations that do not require an ARP, MUP, or CUP, the risk of exposure is less than significant because of the size, location and nature of the business. No mitigation measures are required.

Discussion- Item VII-5:

The adoption of the Winery Ordinance will not have a direct impact on airports. Any wineries that may be established as a result of the Winery Ordinance will be subject to any applicable Airport Land Use Plan.

Discussion- Item VII-6:

The adoption of the Winery Ordinance will not result in any residential units that could be placed near private airstrips.

Discussion- Item VII-7:

The adoption of the Winery Ordinance will not in and of itself result in the placement of residential or urbanized uses in proximity to wild land fire areas. Wineries and vineyards are considered rural in nature (except where located in commercial and industrial zoning districts). According to the Winery Ordinance, all winery facilities must meet Fire Safe Standards for access as determined by the local serving fire agency. Fire agency signoff on building permits is also required.

VIII. HYDROLOGY & WATER QUALITY – Would the project

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant impact	No Impact
1. Violate any potable water quality standards? (EHS)			X	
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local groundwater supplies (i.e. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (EHS)			X	
3. Substantially alter the existing drainage pattern of the site or area? (ESD)			X	
4. Increase the rate or amount of surface runoff? (ESD)			X	
5. Create or contribute runoff water which would include substantial additional sources of polluted water? (ESD)				X
6. Otherwise substantially degrade surface water quality?(ESD)			X	
7. Otherwise substantially degrade ground water quality? (EHS)			X	
8. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard boundary or Flood Insurance Rate Map or other flood hazard delineation map? (ESD)				X
9. Place within a 100-year flood hazard area improvements which would impede or redirect flood flows? (ESD)				X
10. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (ESD)				X
11. Alter the direction or rate of flow of groundwater? (EHS)			X	
12. Impact the watershed of important surface water resources, including but not limited to Lake Tahoe, Folsom Lake, Hell Hole Reservoir, Rock Creek Reservoir, Sugar Pine Reservoir, French Meadows Reservoir, Combie Lake, and Rollins Lake? (EHS, ESD)			X	

Discussion- Item VIII-1:

The adoption of the Winery Ordinance will have not violate any potable water quality standard. Any new wineries that might be added as a result of the Winery Ordinance will be required to meet potable water quality standards. The Winery Ordinance includes the following provision for potable water. "If the winery is served by well water and there are more than 25 people on-site in a 60-day period, employees and guests shall be provided with bottled water for consumption, unless otherwise approved by the County Environmental Health Division. Well water shall meet potable water standards for the purposes of dishwashing and hand washing". No mitigation measures are required.

Discussion- Items VIII-2,11:

The adoption of the Winery Ordinance will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lessening of local

groundwater supplies. The adoption of the ordinance may encourage the establishment of wineries and the planting of additional vineyards that will utilize groundwater supplies. However, construction of new wells is subject to standard permitting requirements as provided in Placer County Code and must meet minimum production requirements of the Land Development Manual. The adoption of the Winery Ordinance will not interfere substantially with groundwater recharge, as winery operations are typically farming operations which do not typically create large areas of impervious surfaces. The demand for groundwater for wineries and typical farming operations is not large enough to disrupt the direction of flow of groundwater. No mitigation measures are required.

Discussion- Items VIII-3,4,12:

The adoption of the Winery Ordinance will have no direct impact on drainage patterns. The proposed Winery Ordinance may encourage the establishment of wineries and the planting of additional vineyards. Federal, State and local regulations will continue to apply. Such regulations include, but are not limited to, grading permits for winery development when applicable, NPDES requirements, and surface water quality standards. Large wineries (over 20,000 case production annually) would be subject to a Minor Use Permit requirements and environmental review. No mitigation measures are required.

Discussion- Items VIII-5,6,7:

The adoption of the Winery Ordinance will have no direct impact on surface and groundwater quality. With regard to new wineries that might be developed, the Winery Ordinance includes waste disposal provisions related to solid waste, production waste and on-site sewage disposal. These standards indicate that waste disposal standards shall be set, where applicable, by the Regional Water Quality Control Board and shall be stipulated in the Report of Waste Discharge. Furthermore, on-site sewage waste disposal systems shall be designed in compliance with County Code Chapter 8 24 and sized to accommodate employee, tasting room and commercial sewage flows. Such systems will be subject to review and approval of the Placer County Environmental Health Division. No mitigation measures are required.

Discussion- Item VIII-8:

The Winery Ordinance does not address residential uses, so it would not place housing within a Flood Hazard area.

Discussion- Items VIII-9,10:

The adoption of the Winery Ordinance will have no direct impact on floodwater patterns. The building permit process will ensure that winery structures are not placed within areas prone to flooding.

IX. LAND USE & PLANNING – Would the project

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Physically divide an established community? (PLN)				X
2. Conflict with General Plan/Community Plan/Specific Plan designations or zoning, or Plan policies adopted for the purpose of avoiding or mitigating an environmental effect? (EHS, ESD, PLN)				X
3. Conflict with any applicable habitat conservation plan or natural community conservation plan or other County policies plans, or regulations adopted for purposes of avoiding or mitigating environmental effects? (PLN)				X
4. Result in the development of incompatible uses and/or the creation of land use conflicts? (PLN)			X	
5. Affect agricultural and timber resources or operations (i.e impacts to soils or farmlands and timber harvest plans, or impacts from incompatible land uses)? (PLN)			X	

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6. Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)? (PLN)				X
7. Result in a substantial alteration of the present or planned land use of an area? (PLN)				X
8. Cause economic or social changes that would result in significant adverse physical changes to the environment such as urban decay or deterioration? (PLN)			X	

Discussion- Items IX-1,2,6,7:

The adoption of the Winery Ordinance will have no impact on General, Community or Specific Plans, planned land uses or divide existing communities. Wineries are typically located in rural areas on parcels that are zoned Farm, Residential Agriculture or Residential Forest. The Winery Ordinance would not change the rural districts where they are allowed, but would streamline the permit process. Therefore, although new wineries may be developed as a result of the Winery Ordinance, no impacts to communities or anticipated land uses are anticipated. The Winery Ordinance does make some changes to allowable uses in the commercial and industrial zoning districts, but a full range of commercial and industrial activities are already anticipated in those areas, many of which have greater impacts and are more intense uses than would be generated by new wineries and tasting rooms. Large wineries (greater than 20,000 case annual production) would require a Minor Use Permit and environmental review.

Discussion- Item IX-3:

There is no adopted Habitat Conservation Plan within the County and the Winery Ordinance will not conflict with County policies or regulations for purposes of avoiding environmental effects.

Discussion- Items IX-4:

The adoption of the Winery Ordinance will not directly create land use conflicts. The proposed winery Ordinance may encourage the establishment of wineries due to provisions that simplify the regulatory process and address accessory uses. Currently, all wineries are required to obtain a Minor Use Permit, so neighboring property owners receive a public hearing notice and a hearing is conducted by the Zoning Administrator. The Zoning Administrator must make findings of neighborhood compatibility before approving a use permit. Under the Winery Ordinance, small wineries and tasting rooms can be established with Zoning Clearance only, rather than a Minor Use Permit. However, significant impacts related to land use conflicts are not anticipated for the following reasons: 1. In rural areas, a 4.6 acre minimum is required in order to establish a winery. This larger minimum parcel size minimizes potential impacts to neighbors by providing a buffer between wineries and adjacent residential uses and adequate space on the winery parcel to accommodate parking and other associated winery uses. 2. If a winery wants to conduct promotional events (up to 6/year), it is necessary for the owner to obtain an Administrative Review Permit, which includes public noticing and an opportunity for neighboring property owners to comment on the project. 3. Rural zoning districts that allow the establishment of wineries and tasting rooms are Agricultural Exclusive (AE), Farm (F), Forestry (FOR), Timberland Production (TPZ), Residential Agriculture (RA) and Residential Forest (RF). The primary purpose of the AE and F zoning districts is to provide areas for the conduct of commercial agricultural operations. Wineries and accessory uses like wine tasting are elements of commercial agricultural operations and are therefore appropriate and compatible uses. Residential uses are also allowed, but at low population densities. The primary purpose of the FOR and TPZ zoning districts is to designate areas where the primary land uses will relate to the growing and harvesting of timber and other forest products. Only caretaker and employee housing is allowed, so the establishment of wineries and tasting rooms would not conflict with residential uses. The establishment of vineyards and wineries in timber areas could impact timber production, but crop production and agricultural processing are already allowed in these zoning districts, so significant impacts to timber production are not anticipated. The purpose of the RA zoning district is to stabilize and protect the rural residential characteristics of the area and to promote and encourage a suitable environment for family life, including agricultural uses. Again, agricultural uses are therefore anticipated within RA zoned areas and agricultural processing is already an allowable use, although a Minor Use Permit is currently required. The requirement for an ARP for small wineries, tasting rooms and promotional events and a requirement for an MUP for large wineries will mitigate potential land use compatibility impacts to a less than significant level. The purpose of the Residential-Forest zoning district is to provide opportunities for rural residential living in the forested, mountainous or foothill areas of Placer County. The minimum lot size is 10 acres, unless another density is provided through a combining B district. Given the large minimum lot sizes in the RF zoning district, impacts of wineries that may be developed would be less than significant. In addition, an ARP would be required for small wineries, tasting rooms and promotional events and an

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MUP would be required for large wineries, providing an opportunity for neighbors to comment on compatibility issues. No mitigation measures are required.

Discussion- Items IX-5:

The adoption of the Winery Ordinance would not have any direct negative impact on agricultural and timber resources or operations. The Winery Ordinance may encourage the establishment of additional wineries and vineyards, which would have a positive impact on agricultural production in Placer County. A few additional wineries and vineyards could be established in timber production areas, but these types of uses are already allowed by the Zoning Ordinance, so no significant impacts are anticipated. No mitigation measures are required.

Discussion- Items IX-8:

The adoption of the Winery Ordinance could encourage the establishment of additional wineries and vineyards, which could create positive economic and social changes by establishing agricultural tourism that has enhanced many communities in California and other areas. The location of wineries and tasting rooms could impact rural residential areas zoned Residential Agriculture or Farm by bringing members of the public into these rural areas, but with a minimum lot size of 4.6 acres for the establishment of wineries, significant impacts are not anticipated. Large wineries (20,000 case annual production) require the processing of a Minor Use Permit and will be subject to environmental review, so neighborhood impacts can be analyzed. Even if some neighborhood compatibility issues surround certain wineries, it is highly unlikely that the nearby adjacent residences will deteriorate. Residences in rural areas are considered highly desirable, and property values will remain high for homes on acreage. No mitigation measures are required.

X. MINERAL RESOURCES – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. The loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (PLN)				X
2. The loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (PLN)				X

Discussion- All Items:

The primary mineral resource in Placer County is gravel. Mineral Reserve combining zoning has been placed on lands that may contain valuable mineral resources to protect the opportunity for the extraction and use of such resources from other incompatible land uses and to provide for the extraction of mineral resources. While the Winery Ordinance may encourage the establishment of additional wineries and vineyard acreage, no impact on mineral resources is anticipated due to the adoption of the Ordinance.

XI. NOISE – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exposure of persons to or generation of noise levels in excess of standards established in the local General Plan, Community Plan or noise ordinance, or applicable standards of other agencies? (PLN)				X
2. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)				X

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3. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (PLN)			X	
4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X
5. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (PLN)				X

Discussion- Items XI-1,2:

The Winery Ordinance would not result in the exposure of persons to excess noise levels as it does not address residential uses or other sensitive receptors. Wineries that may be established, in part due to the Winery Ordinance, do not generate high noise levels that would increase ambient noise levels. As with all land uses in the County, all wineries will be subject to the regulations set forth in the County's Noise Ordinance. Large wineries would require the processing of a Minor Use Permit and would be subject to environmental review.

Discussion- Item XI-3:

Wineries and tasting rooms are historically not high noise generators. Promotional events, however, could involve outdoor amplified music and sound. According to the Winery Ordinance, wineries would be able to conduct up to six promotional events per year, with the processing of an Administrative Review Permit process, which requires public noticing and the opportunity for public input. In addition, the Winery Ordinance indicates that promotional events must comply with the Placer County Noise Ordinance. Therefore, impacts from temporary noise sources would be less than significant as such events would be infrequent (up to six/year) and would be required to comply with the County's Noise Ordinance. No mitigation measures are required.

Discussion- Items XI-4,5:

The adoption of the Winery Ordinance does not relate to any specific project site. Therefore, there are no site impacts to analyze in proximity to airports or airstrips.

XII. POPULATION & HOUSING – Would the project

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Induce substantial population growth in an area, either directly (i.e. by proposing new homes and businesses) or indirectly (i.e. through extension of roads or other infrastructure)? (PLN)				X
2. Displace substantial numbers of existing housing necessitating the construction of replacement housing elsewhere? (PLN)				X

Discussion- All Items:

The Winery Ordinance will not impact population growth nor result in the displacement of existing housing.

XIII. PUBLIC SERVICES – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental services and/or facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services?

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Fire protection? (EHS, ESD, PLN)			X	
2. Sheriff protection? (EHS, ESD, PLN)			X	
3. Schools? (EHS, ESD, PLN)				X
4. Maintenance of public facilities, including roads? (EHS, ESD, PLN)			X	
5. Other governmental services? (EHS, ESD, PLN)				X

Discussion- Items XIII-1,2,4:

The adoption of the Winery Ordinance will not have a direct impact on fire protection, sheriff protection and other public facilities, including roads. While the proposed Winery Ordinance may encourage the establishment of wineries due to provisions that simplify the regulatory process and address accessory uses, public services for the County, public services for the County have been allocated based upon the current General Plan land uses. Accordingly, as wineries and vineyards are consistent with the General Plan, no impacts will result and the construction of new public facilities is not anticipated.

To address life safety issues, the Winery Ordinance includes a requirement that access roads to winery structures meet State and local Fire Safe Standards as determined by the serving fire agency. The use of alcohol is regulated by the State Department of Alcohol and Beverage Control. The wineries must operate under the guidelines provided by ABC which limit the number and size of the wine samples that are provided to the public. This assists in the avoidance of excess drinking and driving and other issues related to Sheriff services. Less than significant impacts to fire and sheriff services and road maintenance are anticipated. No mitigation measures are required.

Discussion- Items XIII-3,5:

The adoption of the Winery Ordinance will not impact schools or other public services.

XIV. RECREATION – Would the project result in

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? (PLN)				X
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (PLN)				X

Discussion- All Items:

The adoption of the Winery Ordinance will have no impact on existing recreational facilities or on the demand for new facilities.

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XV. TRANSPORTATION & TRAFFIC – Would the project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. An increase in traffic which may be substantial in relation to the existing and/or planned future year traffic load and capacity of the roadway system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (ESD)			X	
2. Exceeding, either individually or cumulatively, a level of service standard established by the County General Plan and/or Community Plan for roads affected by project traffic? (ESD)				X
3. Increased impacts to vehicle safety due to roadway design features (i.e. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? (ESD)			X	
4. Inadequate emergency access or access to nearby uses? (ESD)			X	
5. Insufficient parking capacity on-site or off-site? (ESD, PLN)			X	
6. Hazards or barriers for pedestrians or bicyclists? (ESD)			X	
7. Conflicts with adopted policies supporting alternative transportation (i.e. bus turnouts, bicycle racks)? (ESD)				X
8. Change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (ESD)				X

Discussion- Items XV-1,2,3,6:

The adoption of the Winery Ordinance will not have a direct impact on roads. The proposed Winery Ordinance may encourage the establishment of wineries and vineyards. To date there are 230 acres of vineyard in Placer County and 13 wineries have been approved. Even if the number of wineries were to triple, significant impacts to County roads are not anticipated. All the wineries in Placer County are very small in scale (500 to 6,000 cases annual production) and will likely continue to be small, given the limited vineyard acreage available. The Winery Ordinance requires that the primary purpose of each winery is to process wine grapes grown on the winery property or on other local agricultural lands. With the limited vineyard acreage, minimal impacts to the County roadway systems, levels of service, roadway design and pedestrian and bicyclist safety are anticipated. However, to ensure the safe design of winery entrance roads, the Winery Ordinance indicates that if a winery is accessed from a County-maintained highway, an encroachment permit may be required to address ingress, egress and sight-distance requirements. Furthermore, approval of promotional events requires an Administrative Review Permit, which allows the County to evaluate traffic impacts and apply appropriate conditions of approval. Large wineries (over 20,000 case annual production) require the processing of a Minor Use Permit and will be subject to environmental review. Less than significant impacts related to roads, level of service and safety are anticipated as a result of the adoption of the Winery Ordinance. No mitigation measures are required.

Discussion- Item XV-4:

The Winery Ordinance addresses uses accessory to wineries including wine tasting and promotional events. Since these types of activities will bring members of the public to winery sites, it is important to insure that adequate emergency access can be provided. The Winery Ordinance includes a provision that access to winery structures must meet State and local Fire Safe Standards as determined by the serving fire agency. Alternative design allowances and/or requirements may be determined on a case-by-case basis for modification to the standards, dependent upon anticipated level of use, site constraints, turnout opportunities, road length, slope and other site-

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specific issues. New winery structures or the conversion of existing structures to new uses require the processing of a building permit or change of occupancy permit. Both such building permit types require clearance from the local fire agency, so the adequacy of the access road can be evaluated at that time and any required improvements enforced as part of the building permit process. No mitigation measures are required.

Discussion- Item XV-5:

Wineries and new tasting room facilities will be required to provide adequate parking on-site in order to avoid impacts to surrounding properties. The Winery Ordinance in its current proposed form does not include parking standards; therefore, the parking space standards included in Section 17.54.060 (parking space requirements by land use) will apply. In addition, the Winery Ordinance includes the following parking requirement for promotional events: "Temporary, overflow parking may be utilized. The applicant shall demonstrate to the Development Review Committee the ability to provide safe access and parking, including providing attendants to monitor proper parking and access road clearance for emergency vehicles." With the above parking requirements, the adoption of the Winery Ordinance will have less than significant impacts on on-site and off-site parking capacity. No mitigation measures are required.

Discussion- Items XV-7,8:

The adoption of the Winery Ordinance will not have direct or indirect impacts on alternative transportation or air traffic patterns.

XVI. UTILITIES & SERVICE SYSTEMS – Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ESD)				X
2. Require or result in the construction of new water or wastewater delivery, collection or treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (EHS, ESD)			X	
3. Require or result in the construction of new on-site sewage systems? (EHS)			X	
4. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (ESD)			X	
5. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (EHS)				X
6. Require sewer service that may not be available by the area's waste water treatment provider? (EHS, ESD)				X
7. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with all applicable laws? (EHS)				X

Discussion- Item XVI-1:

The adoption of the Winery Ordinance will not impact wastewater treatment. The Winery Ordinance includes standards indicating that wineries will need to meet Regional Water Quality Control Board for winery production waste.

Discussion- Item XVI-2:

The adoption of the Winery Ordinance will not impact new water or wastewater delivery, collection or treatment facilities. Most wineries are located in rural areas and not connected to public water or sewer systems. The Winery Ordinance does allow wineries on certain commercial and industrial zoned properties. In the standard commercial zoning districts where they are allowed (Commercial Planned Development and General Commercial) either a Minor Use Permit or a Conditional Use Permit would be required, at which time sewer and water issues could be evaluated. In the heavy commercial and industrial zoning districts (Heavy Commercial, Business Park, Industrial and Industrial Park) where allowed, a use permit is not required for small wineries, but large wineries would be subject to a Minor Use Permit. All these zoning districts, except Business Park, already allow agricultural processing, and all districts allow a wide variety of commercial and industrial uses. To date, no wineries have been established in the commercial and industrial zoning districts in unincorporated Placer County. Wineries that may be established as a result of the Winery Ordinance would have no impact or a less than significant impact on public water and sewer facilities. No mitigation measures are required.

Discussion- Item XVI-3:

The adoption of the Winery Ordinance will not have a direct impact on on-site sewage disposal. The proposed Winery Ordinance may encourage the establishment of wineries due to provisions that simplify the regulatory process and address accessory uses. Most such wineries will be in rural areas and on-site sewage systems will need to be established to accommodate such uses. The Winery Ordinance includes the following standard language related to on-site sewage disposal: "The on-site sewage disposal system shall be designed in compliance with County Code Chapter 8 24 and sized to accommodate employee, tasting room and commercial sewage flows." Therefore, less than significant impacts related to on-site sewage disposal systems are anticipated as a result of the adoption of the Winery Ordinance. No mitigation measures are required.

Discussion- Item XVI-4:

The adoption of the Winery Ordinance will not have a direct impact requiring construction of new storm water drainage facilities or expansion of existing facilities. The proposed Winery Ordinance may encourage the establishment of wineries due to provisions that simplify the regulatory process and address accessory uses. To date, the 13 wineries approved are small in size and capacity and do not require significant stormwater systems. It is likely the new wineries will be similarly small in scale. Because most wineries are located in rural locations, it is highly unlikely that significant stormwater systems that would have significant environmental effects would be necessary. Furthermore, large wineries will be required to obtain a Minor Use Permit and will be subject to environmental review at which time storm water issues can be evaluated. No mitigation measures are required.

Discussion- Items XVI-5,6,7:

The adoption of the Winery Ordinance does not directly affect any particular properties that can be analyzed in terms of water and sewer availability or landfill capacity. The Winery Ordinance includes standards for potable water and waste disposal including solid waste, winery production waste and on-site sewage disposal if sewer service is unavailable. Any new winery projects will need to address water, sewer and solid waste disposal issues during project development.

D. MANDATORY FINDINGS OF SIGNIFICANCE:

Environmental Issue	Yes	No
1. Does the project have the potential to degrade the quality of the environment, substantially impact biological resources, or eliminate important examples of the major periods of California history or prehistory?		X
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)		X
3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?		X

E. OTHER RESPONSIBLE AND TRUSTEE AGENCIES whose approval is required:

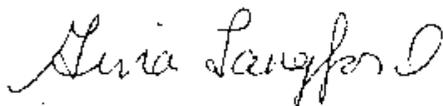
<input type="checkbox"/> California Department of Fish and Game	<input type="checkbox"/> Local Agency Formation Commission (LAFCO)
<input type="checkbox"/> California Department of Forestry	<input type="checkbox"/> National Marine Fisheries Service
<input type="checkbox"/> California Department of Health Services	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> California Department of Toxic Substances	<input type="checkbox"/> U.S. Army Corp of Engineers
<input type="checkbox"/> California Department of Transportation	<input type="checkbox"/> U.S. Fish and Wildlife Service
<input type="checkbox"/> California Integrated Waste Management Board	<input type="checkbox"/> _____
<input type="checkbox"/> California Regional Water Quality Control Board	<input type="checkbox"/> _____

F. DETERMINATION – The Environmental Review Committee finds that:

Although the proposed project **COULD NOT** have a significant effect on the environment, a **NEGATIVE DECLARATION** will be prepared.

G. ENVIRONMENTAL REVIEW COMMITTEE (Persons/Departments consulted):

Planning Department, Melanie Heckell, Chairperson
 Engineering and Surveying Department, Richard Eiri
 Environmental Health Services, Leslie Lindbo
 Air Pollution Control District, Yu-Shuo Chang
 Building Department, Bob Martino
 Agricultural Commissioner, Christine Turner
 Placer County Fire / CDF, Bob Eicholtz



Signature _____ Date April 4, 2008
 Gina Langford, Environmental Coordinator

H. SUPPORTING INFORMATION SOURCES:

The following public documents were utilized and site-specific studies prepared to evaluate in detail the effects or impacts associated with the project. This information is available for public review, Monday through Friday, 8am to 5pm, at the Placer County Community Development Resource Agency, Environmental Coordination Services, 3091 County Center Drive, Suite 190, Auburn, CA 95603. For Tahoe projects, the document will also be available in our Tahoe Division office, 565 West Lake Blvd., Tahoe City, CA 96145.

County Documents	<input type="checkbox"/> Community Plan	
	<input type="checkbox"/> Environmental Review Ordinance	
	<input checked="" type="checkbox"/> General Plan	
	<input checked="" type="checkbox"/> Grading Ordinance	
	<input checked="" type="checkbox"/> Land Development Manual	
	<input type="checkbox"/> Land Division Ordinance	
	<input type="checkbox"/> Stormwater Management Manual	
	<input checked="" type="checkbox"/> Tree Ordinance	
<input type="checkbox"/>		
Trustee Agency Documents	<input type="checkbox"/> Department of Toxic Substances Control	
	<input type="checkbox"/>	
	<input type="checkbox"/>	
Site-Specific Studies	Planning Department	<input type="checkbox"/> Biological Study
		<input type="checkbox"/> Cultural Resources Pedestrian Survey
		<input type="checkbox"/> Cultural Resources Records Search
		<input type="checkbox"/> Lighting & Photometric Plan
		<input type="checkbox"/> Paleontological Survey
		<input type="checkbox"/> Tree Survey & Arborist Report
		<input type="checkbox"/> Visual Impact Analysis
		<input type="checkbox"/> Wetland Delineation
		<input type="checkbox"/>
		<input type="checkbox"/>
	Engineering & Surveying Department, Flood Control District	<input type="checkbox"/> Phasing Plan
		<input type="checkbox"/> Preliminary Grading Plan
		<input type="checkbox"/> Preliminary Geotechnical Report
		<input type="checkbox"/> Preliminary Drainage Report
		<input type="checkbox"/> Stormwater & Surface Water Quality BMP Plan
		<input type="checkbox"/> Traffic Study
		<input type="checkbox"/> Sewer Pipeline Capacity Analysis
		<input type="checkbox"/> Placer County Commercial/Industrial Waste Survey (where public sewer is available)
		<input type="checkbox"/> Sewer Master Plan
		<input type="checkbox"/> Utility Plan
		<input type="checkbox"/>
		<input type="checkbox"/>
	Environmental Health Services	<input type="checkbox"/> Groundwater Contamination Report
		<input type="checkbox"/> Hydro-Geological Study
		<input type="checkbox"/> Acoustical Analysis

Initial Study & Checklist

		<input type="checkbox"/> Phase I Environmental Site Assessment
		<input type="checkbox"/> Soils Screening
		<input type="checkbox"/> Preliminary Endangerment Assessment
		<input type="checkbox"/> _____
		<input type="checkbox"/> _____
	Air Pollution Control District	<input type="checkbox"/> CALINE4 Carbon Monoxide Analysis
		<input type="checkbox"/> Construction emission & Dust Control Plan
		<input type="checkbox"/> Geotechnical Report (for naturally occurring asbestos)
		<input type="checkbox"/> Health Risk Assessment
		<input type="checkbox"/> URBEMIS Model Output
		<input type="checkbox"/> _____
	Fire Department	<input type="checkbox"/> Emergency Response and/or Evacuation Plan
		<input type="checkbox"/> Traffic & Circulation Plan
		<input type="checkbox"/> _____
	Mosquito Abatement District	<input type="checkbox"/> Guidelines and Standards for Vector Prevention in Proposed Developments
<input type="checkbox"/> _____		

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SUPPLEMENTAL REPORT
for the
NEGATIVE DECLARATION FOR THE PROPOSED WINERY ORDINANCE
August 15, 2008

Subsequent to the public review period on the Negative Declaration for the proposed Winery Ordinance, a number of additional comments were received that discussed the environmental documentation prepared for the ordinance. This report provides supplementary information regarding the analysis set forth in the Negative Declaration for the Winery Ordinance.

Existing Setting of the Winery Industry in Placer County and Limited Effect of New Ordinance on Growth of Vineyards and Wineries

The current provisions of the County's Zoning Ordinance allow crop production (i.e., the establishment of vineyards) by right in all zoning districts, excepting Single-Family Residential, Multi-Family Residential and Water Influence. Notwithstanding, there are a number of factors that serve to limit the establishment of new vineyards regardless of the adoption of the proposed new ordinance, including urbanization, elevation and economics.

Much of Placer County is above 4,000 feet in elevation, which severely limits the potential for growing vineyards. At the lower elevations, much of Placer County is located within the Cities/Towns of Auburn, Roseville, Rocklin, Lincoln, and Loomis, which further limits the establishment of vineyards. Vineyards have been established largely in limited areas of western Placer County, principally in the rural Auburn, Loomis, Newcastle, Lincoln, Horseshoe Bar and Granite Bay areas.

Since it was adopted in 1995, the Zoning Ordinance has defined wineries as a type of agricultural processing allowable with a Minor Use Permit in the same Residential, Agricultural, Resource and Open Space zoning districts in which wineries would be allowed under the proposed Winery Ordinance. Under the definition of agricultural processing, the County has accepted and approved Minor Use Permit applications for wine tasting along with winery production. To date, the County has approved ten wineries, with four having been approved for tasting rooms. The Winery Ordinance does not establish new uses, but only modifies the regulatory structure and in fact adds specific standards for wineries and associated uses. It is not anticipated that, given the rate of historical development of vineyards and associated wineries in Placer County that the passage of the new winery ordinance will result in a proliferation of new wineries.

While one of the objectives of the Winery Ordinance is to encourage the establishment of a viable winery industry within Placer County, it is unlikely that the rate of growth would be so substantial as to cause significant cumulative impacts due to the establishment of new vineyards. As noted above, the right to establish vineyards as a crop has always been an allowed use and yet the total acreage under production within Placer County remains quite low, somewhere in the range of 204 to 230 acres. A review of vineyard

and pesticide records has revealed that in the past as many as 290 acres of vineyards have received pesticide permits, but the 2007-08 pesticide records indicate that only 204 acres of vineyard are currently being maintained.

While the Winery Ordinance may indirectly encourage the planting of additional vineyards, the amount of vineyard development to occur in the future is likely to be more dependent upon the cost of installing and maintaining the vineyards, the price of grapes, the price of wine, and economic and market factors rather than the ability to allow on-site tasting. In other words, the economics of vineyard development and return on that investment is likely to have a much more significant effect on vineyard development than an ordinance that clarifies the permit process for wineries.

The Winery Ordinance does not change the regulatory structure that applies to vineyards (i.e., it remains an allowed use), and therefore impacts that could occur as result of establishment of additional vineyards do not need to be addressed within this environmental document, as all crop production (i.e., vineyards, orchards, cattle raising, row crops) is an allowed use in the applicable zones.

Although the Winery Ordinance may allow easier establishment of new wineries due to streamlining the regulatory structure, based on an examination of patterns of winery growth in Placer County and the surrounding jurisdictions it is considered unlikely that such growth would be great enough to cause significant cumulative impacts. The Zoning Ordinance began allowing wineries with the approval of a Minor Use Permit in 1995, and the first winery was only established in or around 1998. During the past 10-year period, a total of only 10 wineries have been approved within the unincorporated area of the County. All of the existing wineries are very small scale in operation, ranging from 350 cases to 6,000 cases annually.

Nevada County established a very simple approval processes in 2000 for the establishment of wineries and tasting rooms, requiring only building permits and zoning compliance. Despite the simplified process of approval for these uses, to date 15 wineries have been established and only approximately 10 provide on-site tasting rooms. Similar to Placer County, the establishment of vineyards and wineries is limited due to significant areas above the 4,000 foot elevation where vineyards are difficult to establish. Although there are fewer incorporated cities in western Nevada County, rural residential type densities are common in Nevada County, as they are in Placer County.

El Dorado County, on the other hand, has 65 wineries that have been established and approximately 40 of them have tasting rooms. The difference is that El Dorado County has large areas available for agricultural uses due to its zoning of rural areas for agricultural uses with 20 to 40 acre, and greater, minimum residential densities. Furthermore, agricultural tourism has long been established there, particularly in the Apple Hill area, where orchards, pumpkins farms and vineyards co-exist in a mixed agricultural area on parcels generally 20 acres in size and larger. This contrasts with Placer County's Farm zone, which has allowed lots sizes beginning at one-acre minimums.

Although the Winery Ordinance allows wineries to be established on 4.6 acres, with a minimum of one acre of vineyard in place, larger sized parcels acreages are much more likely to be economically viable due to economies of scale. Given its varied land use, lack of identifiable agricultural tourism districts and its topographic limitations, Placer County does not have the land capacity to become a large-scale grape growing and wine making region like El Dorado County. Even the tripling in the number of wineries (to 30 wineries) in Placer County over the next 10 to 20 years would represent a relatively small cumulative impact, particularly when included with the continued urban, rural residential, commercial and industrial growth which will also be occurring in the County.

Minimal New/Additional Light Sources

Because wineries and tasting rooms, like most small home-based businesses, typically are day time uses, less than significant impacts from new light sources are anticipated. Although the Winery Ordinance does not specifically limit the hours of operation of wineries and tasting rooms, industry practice throughout California is to be open during limited hours, generally from approximately 10:00 a.m. to 5:00 p.m.

Some unsubstantiated anecdotal comment was received relating to allegations pertaining to a single winery about evening events. The owner of the particular winery in question has indicated that he did not conduct commercial weddings, but rather hosted family weddings that involved evening hours. The Winery Ordinance does not authorize the use of a winery premises for weddings, parties, or similar events involving the rental of the winery for such activities, but persons are entitled to use their properties for personal purposes in the evening regardless of whether the property also happens to be a winery.

The proposed Winery Ordinance provides that winery owners can be authorized to conduct six "promotional events" per year, but only with the processing of an Administrative Review Permit. "Promotional events" are those sponsored by the property owner or an association of property owners to promote the sale of Placer County wines allowing the sampling and sales of wine either grown or processed on the property. With such events conditioned and limited to six per year, minimal impacts are anticipated in terms of creating new light sources.

No Effect on Existing Agricultural Resources

Some of the comments received on the environmental document for the Winery Ordinance assert that the increase in commercial and visitor-serving uses may significantly interfere with other existing agricultural uses. In fact, the processing, sampling and sales of crops are considered part of overall agricultural activities. As such, wineries and tasting rooms become a part of agriculture. No evidence has been submitted that these types of uses would impact other types of agriculture. The Agricultural Commission, which includes representatives of all types of Placer County agriculture, voted unanimously to support the Winery Ordinance. If visitors are attracted to Placer County to taste wine, such visitors may also stop at roadside stands to purchase strawberries, stone fruits, mandarins, or other products.

Questions were also raised about the requirement for as little as one acre of vineyards or the "functional equivalent", stating that it may not preserve agricultural land. It should be noted that the purpose of the "functional equivalent" allowance would be to address winery locations with long-term contracts with local grape growers. The Agricultural Commissioner is charged with protecting and enhancing the viability of agriculture in Placer County and would make determinations with this in mind. Most wineries have substantially more acreage, ranging in size from 1.5 to 40 acres of grapes on the winery property or on contiguous land.

Some grape growers want to grow grapes and have their grapes custom crushed at another facility, avoiding the cost of maintaining a winery. Statements have been made that allowing the import of grapes not grown within Placer County goes beyond a policy to support local agriculture. Bringing in grapes from other areas for blending and/or to enhance the varieties that are produced is standard practice in California. Staff is unaware of any counties that prohibit the importation of grapes from other counties, although a very few well-established wine producing regions place a percentage limitation on importation.

The Winery Ordinance states that the primary purpose of any winery that is established is to process grapes grown on the winery property or on other local agricultural lands and includes a standard that the primary focus of the tasting area shall be the marketing and sale of the winery and grape products produced at the winery. These provisions encourage the protection and enhancement of agriculture in Placer County and implement policies listed in the General Plan encouraging on-site sales and marketing.

Minor Effect on Air Quality

Reactive Organic Gases (ROG) and Nitrogen Oxides (NO_x) are identified as ozone precursors which mean they will form ozone by photochemical reactions in atmosphere. According to the current emission inventory, the emissions of ROG from winery industries in Placer County are estimated as 0.001 tons per day (tons/day) approximately; NO_x and particulate matter (PM) emissions are less than 0.001 tons/day. To compare with the total ROG emissions in the County (27 tons/day), the related ratio is very minor (0.004%). Therefore, although the amended ordinance would encourage increasing the number of winery facilities, the relative air pollutant emissions would not be a significant factor affecting Placer County's ability to attain federal and state ambient air quality standards.

The related air pollutant emissions from vehicle exhaust and road dusts are associated with the daily Vehicle Miles Traveled (VMT). The additional traffic resulting from visiting cars, busses, and other vehicles on the private roads to the winery facilities may increase the ROG, NO_x, and PM emissions to the County. According to the relative traffic analysis, small wineries generate approximately 6.3 weekday trips per 1000 cases of wine produced. If a small winery produces the maximum 20,000 cases of wine, it could generate approximately 126 weekday trips. Assuming a private road to a winery facility is about 5 miles, any new small winery facility would generate an additional 630 VMT to the County. To compare with the total daily VMT in Placer County (8,965,000

VMT), the related portion is very minor (0.007%). In addition, the traffic impacts from weekend wine tasting tours on private roadways are lower due to fewer work and school related trips. Therefore, the air quality impacts associated with the wine tasting trips can be accommodated with minimal impacts to the County.

The District requires that businesses applying for a permit ensure their operations follow federal, state, and local regulations, and comply with the District's air pollution control strategies. In addition, the District also has a fugitive dust rule to require dust controls on any private property if the dust emissions exceed the District standards. A field investigation will be initiated if complaints are received at the Air Pollution Control District office. Any new winery would be required to comply with the District regulations; any rule violation would be subject to a penalty.

No New Potential Impact on Biological Resources

The issue has been raised that the possible planting of future vineyards should be thoroughly evaluated, including a discussion of where the vineyards will be sited. As discussed above, crop production is already, and will continue to be, an allowed use under the County's Zoning Ordinance, and the proposed Winery Ordinance does not itself result in any identifiable potential unexpected expansion of that use.

Although one of the intentions of the County in adopting the Winery Ordinance is to enhance local agriculture and encourage the planting of vineyards, there is no evidence of any causal effect between the ability to operate a tasting room and the establishment of new vineyards. As with any crop, economics and the interest of the farmer are likely to be the primary elements in determining when and where crops will be planted.

The County will not be relying on the Department of Fish and Game to enforce the County's Tree Ordinance riparian provisions. Tree removal in riparian areas currently requires a Tree Permit and tree replacement in accordance with the Tree Ordinance, and that requirement will continue to apply. Removal of trees within riparian areas may be in addition be subject to Department of Fish and Game oversight in accordance with their regulations. Furthermore, discretionary actions of the County that result in the significant conversion of oak woodlands will be subject to mitigation pursuant to the provisions of the State Public Resources Code Section 21083.4.

No Hazardous Materials Issues

Comments were received concerning hazardous materials handling, dispersing and disposal. The storage, use and disposal of these materials is regulated through State Law and enforced by this Department acting as Placer County's state approved Certified Unified Program Agency (CUPA). A wide variety of businesses are currently regulated by this CUPA including vineyard and winery operations. Regardless of the number of employees or visitors, they are required to follow the laws and regulations concerning the storage, use and disposal of hazardous materials. This is a ministerial matter and not a subjective matter that can be changed by local ordinances.

No Effect on Hydrology and Water Quality

Additional comments were also received concerning hydrology and water quality. Each vineyard operation is required to obtain either a waste discharge requirement or an exemption from a State Regional Water Quality Control Board. The standards are in place and used by the Regional Board to evaluate each situation based on specific individual processing operations.

The existing Placer County Code and the Land Development Manual will continue to be used to evaluate water supply quality and quantity standards for proposed projects.

No New Impacts on Land Use and Planning

The County anticipates less than significant impacts may occur as a result of the Winery Ordinance for three out of the eight initial study questions pertaining to Land use and Planning. One commenter objects to a "no impact" response to questions 1, 6 and 7 in the Initial Study indicating that "no impacts to communities and land uses are anticipated". This response related to the questions asking whether the project would disrupt or physically divide an established community and whether it would result in a substantial alteration of the present or planned land use of an area. Since this is an ordinance, rather than a specific project site, the response is by necessity more general in nature. There is no reason to believe that the establishment of wineries in areas already zoned for such uses would physically divide an established community. Furthermore, the Winery Ordinance doesn't introduce new uses that are not already allowed, but simply modifies the regulatory structure. Therefore, there is clearly no substantial alteration of the present or planned land uses of any area as agricultural production and processing are already anticipated and planned.

Complaints from neighbors of a single winery are cited as evidence that the Winery Ordinance will have significant impacts on communities. Again, as mentioned above under the issue of light and glare, such complaints represent anecdotal evidence regarding one winery and these complaints appear to have been associated with private activities rather than legitimate winery operations.

Concerns have been raised by neighbors about the effect of a winery on property values in the vicinity of wineries and tasting rooms, and objection was made to the statement that residences in rural areas are desirable and that property values are anticipated to remain high for homes on acreage. The environmental document is not intended to analyze overall property values as an environmental impact, nor does the County regulate land uses solely on the basis of maintaining property values. It is important to note that the initial study response about property values remaining high in rural areas relates to the initial study question asking whether the project would result in urban decay or deterioration. Therefore, staff's response referenced high values for residences in rural areas, such that it was unlikely that rural residences would be abandoned and/or deteriorate as a result of the adoption of the Winery Ordinance.

The experience of neighboring counties in terms of wineries and tasting rooms can assist in determining potential impacts, in terms of neighborhood compatibility. Staff has discussed winery issues with both Nevada County and El Dorado County Planning Department representatives. There are 56 wineries in El Dorado County, and approximately 40 of them have tasting rooms.

According to Roger Trout of the El Dorado County Planning Department, the winery production and regular tasting room operations have not caused traffic or other significant impacts, although occasional large special events can create impacts in the area. Unlike the proposed Winery Ordinance, El Dorado County currently allows on parcels larger than 20 acres an unlimited number of special events with less than 250 persons attending and promotional events as permitted uses. A similar discussion with then Nevada County Planning Director Randy Wilson revealed that most of Nevada County's wineries and tasting rooms operate without problems, with two wineries creating neighborhood impacts only when conducting unauthorized special events.

The County's proposed Winery Ordinance does not authorize special events and allows only six promotional events per year, subject to the discretionary approval of an Administrative Review Permit. Therefore, the type of usage that has apparently caused impacts in other jurisdictions would be limited by number and through discretionary review on each property to address site specific issues. These factors have led to the determination that land use compatibility impacts associated with wineries established pursuant to the Winery Ordinance will be less than significant.

No Evidence of Substantial New Noise-Generating Sources

A statement has been made that a quantitative analysis of noise needs to be prepared analyzing background noise and anticipated noise generated by the operation of a winery, expansion of vineyard operations or visitor-serving uses within the area. No evidence has been presented that the operation of a tasting room generates significant new noise. Staff disagrees that this is appropriate or feasible for the adoption of an ordinance, where no specific project site is being evaluated.

The proposed Winery Ordinance does not introduce new noise generating uses to the County or into any zoning districts. The potential noise levels associated with wineries, tasting rooms, promotional events, as well as vehicular traffic, is similar in nature to other activities already allowed within the affected zoning districts, which include a wide range of activities such as crop production, agricultural processing, equestrian facilities, mining, houses of worship, kennels and animal boarding.

Moreover, the proposed Winery Ordinance does not authorize the use of a winery premises for weddings, parties, or similar events at a winery that might generate noise. Instead, the Winery Ordinance indicates that winery owners can be authorized to conduct six "promotional events" per year through the processing of an Administrative Review Permit. Furthermore, the Winery Ordinance provides that all activities must comply with the County's Noise Ordinance. With only six such events allowed per year, and discretionary review, significant noise impacts are not anticipated.

Minimal Effects on County Roads

Those commenting have suggested that the Negative Declaration relies on the small size of wineries to determine a less than significant impact. The proposed Ordinance requires that a winery that produces greater than 20,000 cases of wine a year would need to obtain a Minor Use Permit which would include a separate analysis of the traffic impacts of the winery, regardless of whether the wineries are open to the public and allow wine tasting. Impacts of a larger winery could include delivery trucks and employees, as well as visitors.

If a winery (or wineries), regardless of size, propose to have "promotional events" that winery would need to obtain an Administrative Review Permit which would include an analysis and mitigation of traffic impacts from these types of events. Because there is in essence no change in the regulatory structure for these activities, and individualized mitigations may include providing advance message boards describing the event and road impacts (closures or detours) and providing personnel or traffic control devices to direct traffic, traffic impacts from these types of activities are unaffected by the adoption of the proposed Winery Ordinance.

Small wineries (those producing less than 20,000 cases) were included within the analytical scope of the Negative Declaration. The County has a Countywide Traffic Impact Fee program which has evaluated the impacts of growth on local roads and has established fees to generate funds to pay for construction of identified improvements. When a winery applies for a building permit, the winery would be required to pay the appropriate mitigation fees, regardless of the size of winery operation.

Impacts to County road are determined by analyzing the amount of additional trips that will be generated by a specific use and examining whether these additional trips will affect the current Level of Service on local roads or by creating impacts at a specific location or intersection. When looking at impacts to County roads, the current definition of Level of Service is based on number of vehicles at the PM (4 to 6 pm) peak hours, Monday through Friday.

There are no current restrictions on the hours of operations of wine tasting rooms, but the industry practice, based on conversations with County staff in Napa County and Sonoma County, is for tasting rooms to close no later than 5 pm. None of the current Placer County wineries are open later than 4 pm and would therefore not provide any peak hour trips.

Trip generation studies prepared in Napa and Sonoma Counties show that at the specific locations studied, small wineries generate approximately 6.3 weekday trips per 1,000 cases of wine produced. Since generally 10 percent of trips are in the PM peak, this would result in .63 trips/1,000 cases of wine in PM peak hours which accounts for employee and delivery trips.

Per the County General Plan, a Rural, two-lane Collector Road can accommodate 8,000 vehicles a day. If a small winery produced the maximum 20,000 cases of wine, that winery could produce approximately 12.6 pm peak hour trips. Traffic counts on several of the roads where existing wineries are located have traffic counts of between 500 and 4,000 vehicles per day. The addition of 12.6 peak hour trips is deemed to have minimal impact on the flow and operations of these types of roads.

As to traffic impacts from weekend wine tasting hours, vehicular counts on the roadways are lower due to fewer work and school related trips, therefore the wine tasting trips can be accommodated with minimal impacts to County roads.

Less Than Significant Effect on Traffic, Pedestrian and Bicycle Safety

One comment indicated that the Winery Ordinance may impact the level of service on County roads and that increased traffic may have potential safety impacts for pedestrians and cyclists. As indicated above, staff finds that any new wineries and/or tasting rooms will have minimal impacts on County roads, particularly when compared to the other types of uses that are allowed by the County's Zoning Ordinance and continue to develop.

Furthermore, the Traffic Impact Fees paid by the wineries would be used to make improvements to County roads. These improvements typically include widening shoulders, improving curves or adding turn lanes, all of which would facilitate and accommodate pedestrians, cyclists and residents. In addition, wineries are required to improve their encroachment (entrance) onto the County roads to meet current standards for sight distance and roadway dimensions. This work may entail widening the County Road to meet minimum lane and shoulder widths or providing turn pockets.

No Significant Cumulative Traffic Impacts

One comment indicated that winery uses may conflict with other commercial and agricultural operations. The County has conducted, and continues to update, traffic counts on many County roads. If specific counts are required, the County can perform a traffic count, or the County maintains an on-call contract with a local firm that can perform a count within a week's time. For example, traffic counts were last updated in 2006 on Mount Vernon Road (4,043 Average Daily Traffic volumes).

Based on a map produced by Placer County Agriculture Marketing Program, the majority of current wineries are not located adjacent to, or in proximity, to other existing fruit, vegetable or "commercial" uses and, given the relatively low trip generation rate for these uses, it doesn't appear that traffic would be congested in the vicinity of either use.

The County has no record of complaints about traffic congestion or impacts from either of these uses anywhere in the County. While no current studies have been identified, given the complementary nature of these types of uses, it appears reasonable to expect that customers would be drawn to the area because of both types of agricultural sampling and sales rather than one or the other, and customers would visit both facilities. There is only one special tour event currently sponsored by the local farms and orchards in October and a weekend event in November sponsored by the mandarin farms.

Use of Private Roads

Comments have been received expressing concern about the use of private roads for wineries and tasting rooms. It should be noted, however, that the County does not now regulate use simply on the basis of public or private road access, and a winery can be (and some now are) operated on a private road under the current Zoning Ordinance.

The County Zoning Ordinance does not currently prohibit the use of private roads for any particular type of use and, therefore, the Winery Ordinance itself makes no changes with regard to this issue. If a winery proposes to use a private road to provide access to their facility, the winery will need to demonstrate that it has access rights to the roadway. Moreover, private access roads will need to be designed to meet State and local Fire Safe Standards which regulate width, road length, turn outs, construction materials and structural adequacy/section.

A comment was also made that impacts of generating dust from dirt roads caused by increase visitor traffic should be further examined. Review by the County will involve obtaining the serving fire district's approval. Fire Safe Standards require six inches of compacted base rock and does not allow dirt roads. Although there may be some dust generated from traffic on compacted gravel roads, there is no evidence that this generation of dust will be increased by the establishment of a winery, and the County staff does not expect that impact will be significant.

Parking Needs and Impacts

One comment letter suggested that the Winery Ordinance should not rely on Countywide parking standards (Section 17.54.060) to meet parking standards and should include more specific requirements. Specific parking standards have in fact been included within the Winery Ordinance as proposed for adoption. These standards require five permanent parking spaces for small wineries with tasting rooms and parking requirements based on square footage of particular uses for large wineries.

Another comment suggests that there may be effects due to parking and crude grading of roads bordering riparian areas on watersheds and salmon habitat. As indicated above, tree removal in riparian areas is subject to the processing of a Tree Permit. In addition, if the proposed work triggers the requirement of a Grading Permit, additional best practice measures and enforcement inspections will be implemented to ensure no impacts to adjacent or downstream areas will occur. Finally, all applicants are subject to the State's NPDES program (either under an Agricultural permit, County permit, or both) as well a State Department of Fish and Game Streambed Alteration Agreement and a Federal 404 permit for impact to Waters of the United States. These County, State and Federal requirements are already in place and are enforced above and beyond Winery Ordinance requirements.