# COUNTY OF PLACER
## NEWCASTLE/OPHIR MUNICIPAL ADVISORY COUNCIL
**175 Fulweiler Avenue**
**Auburn, CA 95603**
**County Contact: Administrative Aide (530) 889-4010**

**MINUTES OF MARCH 19, 2015 MEETING**
**OF THE**
**NEWCASTLE/OPHIR MUNICIPAL ADVISORY COUNCIL**
**Ophir Elementary School, 1373 Lozano Rd., Newcastle, CA**

| Members Present | Members Absent | County Staff Present |
|---|---|---|
| JOE IRVIN | | LEAH ROSASCO |
| LOWELL JARVIS | | |
| STEVE PALMER | | County Staff Absent |
| KAREN GREEN | | SUPERVISOR JIM HOLMES |
| ED SANDER | | |
| ELLIOT ROSE | | |
| SAM MOORE | | County Staff Absent |

**1. CALL TO ORDER**

The regular meeting of the Council was called to order at 7:05 p.m.

**2. PLEDGE OF ALLEGIANCE: Led by Sam Moore**

**3. THE MINUTES OF THE FEBRUARY 19, 2015 MEETING WERE APPROVED**

Motion made by Steve Palmer to approve the Minutes of February 19, 2015, 2nd by Karen Green, motion carried.

**4. THE MARCH 19, 2015 AGENDA WAS APPROVED**

Motion made by Joe Irvin to approve the March 19, 2015 Agenda, 2nd by Steve Palmer, motion carried.

**5. PUBLIC SAFETY REPORTS:**

**a) California Highway Patrol: No one in attendance**
**b) Newcastle Fire Department: No reports to give**
**c) Placer County Sheriff's Office: No one in attendance**
**d) Placer County Fire Department: No one in attendance**

## 6. PUBLIC COMMENTS:

Nick Udall, Newcastle resident – The repaving of Virginia Town, east of Fowler Rd. after completion of the pipeline project has left many people with concerns about the handling of the project. The City of Lincoln and the County of Placer have tried to address their concerns, but so far, there hasn't been a satisfactory answer to how the paving should be done. The repaving covers 17ft. of roadway, and it has left the surface chopped up in places. After the second meeting to address these issues, it was proposed to tee patch and slurry over the chopped up area and to repave with 2.5"in. of asphalt. It is not known yet what they are going to do.

There are also concerns about the major gouges in the pipeline. There should be testing of pressure done in the pipeline.

The gas valves along the pipeline on Virginia Town have not been installed yet. Residents need to have these concerns addressed before paving is done.

David Mackenroth, member of the Newcastle Community Association – The Newcastle Community Association is examining the traffic issue on Valley View Drive, impacting residents of Newcastle. The issue is the increase in car traffic caused by parents driving their children to the Newcastle Elementary School, which is now a Charter School. The traffic problem has been growing since the school decided to go charter. The parents do not even live in the area, but they cause a major traffic jam, with parking and idling in their vehicles, waiting to pick up their children from school.

The Department of Public Health released an analysis of students walking to and from school. On a school day, there are approx. 500 cars in/out daily. In the afternoon, between 2:00 – 3:30, there are 200 – 350 cars, so on a daily basis there are close to 1000 to 1200 cars. Traffic is backed up for hours by parents retrieving their children.

In the event of an emergency, First Responders vehicles would not be able to go through the backed up traffic. The County and School need to come up with good alternative solutions to this traffic congestion. To find out an update on the current traffic situation issue, attend the Portuguese Hall meeting.

One of the alternatives to this traffic problem would be to build an alternative route to and from the school that will have less impact on the residents.

Sue Stack, Newcastle resident: A proposed road could be made possible by a grant the Superintendent of the Newcastle School District received for air quality improvement.

Carol Rubin, Newcastle resident: The slated closures of the Loomis and Meadow Vista libraries sends a bad message to the communities, closing smaller, less affluent libraries in favor of bigger libraries.

**7. COUNTY UPDATE: Leah Rosasco, Administrative Aide**

a) **Raise 80 Project** – The best information on the Raise 80 project is at the website Caltrans has set up for the project. Please continue to check the Raise80.com website for construction schedule. The information is all up to date and current.

b) **Placer County Youth Impact Awards now Accepting Applications** – Nominate a high school-age leader, innovator, community volunteer, or against-the-odds achiever for the Placer County Youth Impact Awards to recognize Placer teens for their hard work and contributions to the community.

c) **The Board of Supervisors Prohibits Use of E-Cigarettes in County Buildings, Vehicles** – The Placer County Board of Supervisors voted March 10th to prohibit the use of electronic cigarettes in county buildings and vehicles until more is known about the potential risks created by e-cigarettes vapors. The ban on vaping will be added to a section of the Placer County Code that already prohibits smoking in buildings and vehicles owned or leased by the county.

d) **Ophir Gardens Again Has Safe Reliable Water Supply** – Late last month, PCWA put into service a 2,200-foot pipeline along Ophir Road that connects Ophir Gardens with one of the agency's existing treated water pipelines. The California Department of Public Health provided a $500K grant through its Public Water System Drought Emergency Response Program and the U.S. Department of Agriculture committed a $500K Emergency Community Water Assistance Grant. Last September, the PCWA Board of Directors approved a construction contract for the $1.1mil. pipeline extension project.

e) **County Budget 2015-16** – All departments going through budget planning. Budget workshops to take place in June.

f) **Meadow Vista and Loomis Libraries** - Recommendations to close Meadow Vista and Loomis libraries. Working with staff to find alternatives, perhaps to keep Loomis library as a community center room. Decision will be made on April 7th.

g) **Cal Fire contract** – Possible closure of Ophir Fire Station. Due to Prop. 13, all taxes were frozen and expenses were not being met. Possible consolidation of Fire Departments.

**8. Informational Non-Action Item: None**

**9. Action Items:**

**Winery Ordinance**

At its February 24th hearing, the Placer County Planning Commissioners directed Planning Staff to present the proposed winery ordinance updates to the Municipal Advisory Councils (MACs). Planning Staff will present the proposed updates to the current winery ordinance and requested changes by the Placer County Vintners' Association. The MAC is being requested to make a recommendation on each of the proposed updates. The DRAFT updated winery ordinance can be reviewed at: http://www.placer.ca.gov/-media/cdr/Planning/Ordinances/Wineries.pdf)

**Presenter: George Rosasco, Placer County Planning Services Division**

After 18 months, 5 workshops, presentations to the MACs, the Planning Commission has come up with a revised Winery Ordinance. The primary issues of the proposed Winery Ordinance by the Planning Commission were the number of events per year, tasting room regulations, noise regulations, number of temporary outdoor events per year and use of private roads.

Following are the changes to the Existing Winery Ordinance:

- Number of Events: Existing ordinance has 6. Proposed: Unlimited for 20 people or less, and for more people, an Administrative Review is required.
- Temporary Outdoor Events: Existing 2. Proposed: 6.
- Tasting Rooms: Existing: Wine Sampling. Proposed: On-site consumption by glass or bottle.
- Noise Regulations – Limits 55-70 db from 7am to 10pm and 45-60 db 10pm to 7am. Proposed: 55-70 db from 7am to 7:30pm. After 7:30pm, noise to be reduced to 20 db or less.
- Code Enforcement: Existing: Complaint Driven. Proposed: On Call-After hours Officer
- Temporary Outdoor Event Permits: Existing: Max of 2 Outdoor Events/year. Max of 3 consecutive days per event. Permit required. Proposed: Max of 6 event days per year, permit required
- Private Roads: Proposed: Winery with tasting room must provide proof of legal access and 2/3 of the property owners served by the private road must approve.

The Vintners' Association, which until now has been working without these proposed guidelines, has also submitted their proposed revisions on the same issues.

- Unlimited Number of Routine Events.
- No permit required
- Routine Events: 10 acres or less, up 75 people. 10 acres or more, up to 100 people
- Special Events: 10 acres or less, up to 100 people. 10 acres or more, up to 200 people.
- On-site consumption by glass or bottle
- Noise: Same db and time as the Existing Winery Ordinance

Final Revisions to Proposed Winery Ordinance will be in April/May 2015.

Some of the questions/comments from the MAC and from the audience:

- What defines an event? What is the reason behind the 10 acres, or less than 10 acres?
- There is nothing specified about temporary events in the winery ordinance.
- Question: If there is non-compliance regarding the noise level, what is the process for repeat offenders: Answer: Administrative Citation process resulting in fines.
- Question: Where are the wineries located? Answer: There are 8 wineries affected by this ordinance and 2 of them are less than 10 acres.
- Parking requirements are the same as agricultural centers. 80 parking spaces needed for 200 maximum people. This is common among all jurisdictions. Parking has to be on site, on dirt fills or on all-weather surfaces as an alternative.
- Question: Were there considerations on how many bottles of wine were produced by a specific winery and that their "wine tasting" would end upon depleting their production. Answer: No, the subject never came up at any of the winery ordinance workshops.

- The process of recommendation to the Planning Commission has been saturated with dollars and cents. Instead of interfering with our agriculture, we should be kinder to farmers, instead of restricting them. Vintners are willing to compromise. We should not do away with their ability to make a living.

Phil Maddox-Lone Buffalo Vineyards owner: The process of making a living through vineyards has been going on for a long time. Wineries are not 'event centers'. There are wineries that have events. Events Centers are required to have a minimum of events. Wineries have an agricultural product and vintners are willing to comply with the existing regulations. The North Auburn MAC which covers various wineries recommended approval of the Vintners' proposal.

Marilyn Jasper, Newcastle resident, urged rejection of the vintners' proposal and insisted on enforceable language without loopholes.

Sue Stack, Newcastle resident asked that the quality of life for everybody be preserved, not just for the partygoers, but also for the community.

Miguel Albray, Newcastle resident, owns 30 acres or Ferrari ranch. He is just trying to make a living and to build his business. Wineries from this area are competing with wineries from all over the world. The vintners' goal is to sell their wines and to show people their hard work. The goal is not to party.

Tina Wilcox, Vina Castellano owner of 50 acres of which, only 20 acres are operational. From her revenue, she has donated to 22 charities and schools. Local hotels benefited from the business because of tourists. In 2014, her wine was voted best wine in the foothills and received a most prestigious award. Her company employs 7 people, preferring to hire locally. The business grew 8-20% from 2008. Local charities use her winery for fundraisers.

Carol Rubiin, Newcastle resident, is against wineries' events. She does not dispute the right of vintners to make wine, but is concerned about the wine ordinance' vague language, which invites abuse and is unenforceable. Napa County is toughening up their Wine Ordinance.

Joe Irvin: The noise ordinance makes sense. His issue is with the number of 20 people or less. The number sounds arbitrary.

Two prior motions did not pass due to lack of clarity about number of events and hours of operations.

**The MAC approved a motion made by Elliott Rose, 2nd by Steve Palmer, recommending the Planning Commission take action to approve the Winery Ordinance ZTA as presented by Planning Services Division staff with the condition the Planning Commission address the following issues:**

1. **Consider increasing to a number greater than 20 the minimum number of people that constitutes an 'event';**
2. **Ensure enforcement of noise issues and other issues to be addressed by the County's Code Enforcement Division;**
3. **Consider an increase in the number of events permitted;**
4. **Consider reduction to hours of operation in the evenings;**
5. **Ensure all parking is required to be on site.**

**7 Ayes, 0 Noes, Motion passed.**

10. **MAC Member Reports and Correspondence: None**

11. **The next scheduled MAC meeting is Thursday, April 16, 2015 at 7:00 p.m.**

12. **Meeting adjourned at 9:05 p.m.**