

ORDINANCE NO. 1881

ORDINANCE ADDING SECTION 19.08.025 REGARDING THE DEFINITION OF AGRITOURISM; ADDING SECTION 19.08.026 REGARDING THE DEFINITION OF FARM STAY; AMENDING SECTION 19.24.036(G)(9) TO ELIMINATE RESTRICTIONS ON OCCUPANCY REQUIREMENTS FOR ADDITIONAL DWELLINGS; AMENDING SECTION 19.24.036(G) FOR USES PERMITTED WITHOUT A USE PERMIT, AND 19.24.036(I) FOR USES PERMITTED UPON OBTAINING A USE PERMIT TO ADDRESS AGRITOURISM IN THE EXCLUSIVE AGRICULTURE DISTRICT; AMENDING SECTION 19.24.045(C) FOR USES PERMITTED WITHOUT A USE PERMIT AND 19.24.045(D) FOR USES PERMITTED UPON OBTAINING A USE PERMIT TO ADDRESS AGRITOURISM IN AGRITOURISM IN THE SINGLE-FAMILY RESIDENTIAL AND AGRICULTURE DISTRICT; AND ADDING SECTION 19.24.037 TO INCLUDE THE A, AGRICULTURE DISTRICT REGULATIONS AND SUBSEQUENT REMOVAL OF SAID SECTION FROM 19.24.040; AND AMENDING SECTION 19.24.037 (12) AS PROPOSED, FOR USES PERMITTED WITHOUT A USE PERMIT, AND 19.24.037(27) AS PROPOSED, FOR USES PERMITTED UPON OBTAINING A USE PERMIT TO ADDRESS AGRITOURISM IN THE A, AGRICULTURE ZONING DISTRICT

The Board of Supervisors of the County of Amador ordains as follows:

SECTION I: Legislative findings.

The Board of Supervisors finds that the agriculture and agritourism industries are a crucial economic driver for rural areas, a method for farm diversification, and a means to preserve agricultural heritage. These findings are consistent with the County General Plan guidance to promote the growth of these industries while reducing regulatory burdens.

SECTION II: Amador County Code Chapter 19.08.025 is added to read as follows:

19.08 Definitions

Add Agritourism definition 19.08.025 : “Agritourism” Means the act of visiting a working farm or ranch, or any agricultural or horticultural operation for the purpose of involvement in the ancillary activities of the farm, ranch, or agricultural operation that also adds to the economic vitality of the operation. Agritourism uses include, but are not limited to, marketing events, farm tours, facilities for the promotion of agricultural crops grown onsite, the sale of farm/ranch branded agricultural related merchandise, educational classes and lectures, U-pick produce, seasonal celebrations, and other gatherings, activities, and uses found to be appurtenant to the agricultural business.

Add Farm Stay definition 19.08.026: “Farm Stay” means the overnight residence of guests in dedicated overnight facilities intended for the purpose of participating in agritourism activities. For the purposes of this definition, a farm stay may only take place within a permitted residential structure.

Amend Section 19.24.036(G)(9) to eliminate the requirement that additional dwellings be occupied by immediate family members or employees:

“Single-family dwellings and appurtenant structures allowed in R districts and such other

structures normally associated with agricultural activities, including but not limited to barns, stables, sheds, and silos; provided, however, that only one single-family residence shall be allowed for each forty acres on any parcel or contiguous parcels subject to one California Land Conservation Act contract. One said single-family dwelling on any parcel or contiguous parcels under one such contract may be an occupied mobile home as defined in Title 19 of this code provided, a use permit is obtained as required by Section All structures or dwellings on a parcel or contiguous parcels subject to one such contract shall be directly used for the furtherance of the agricultural use of said property.

Amend Section 19.24.036(G) by adding Agritourism permitted in the AG district without a use permit being required:

“33. Commercial and noncommercial agritourism operations including but not limited to any of the following uses if found to be consistent with “agritourism” as defined in this title, and secondary to an existing agricultural use of the property and found to be a compatible accessory use under the principles of compatibility as determined by the Agriculture Advisory Committee with daily visitors limited to fifty (50) or fewer, on properties at least one (1) acre in size and with primary access off of a Public road.

- i. Hayrides, sleigh/wagon rides, pony rides;
- ii. Farm stays, guest ranches, dude ranches as defined by County Code;
- iii. Farm or barn tours;
- iv. Harvest your own and “u-pick operations”;
- v. Farmer’s markets, roadside produce stands, agricultural product tasting facilities;
- vi. Agricultural education opportunities;
- vii. Demonstration gardens;
- viii. And any other agritourism uses as determined by the Planning Commission.”

Amend Section 19.24.036(I) by adding Agritourism permitted in the AG district subject to a use permit:

“13. Commercial and non-commercial agritourism operations including those listed under Section

19.24.036(G)(33) if found to be consistent with “agritourism” as defined in this title, secondary to an existing agricultural use of the property and found to be a compatible accessory use under the principles of compatibility as determined by the Agriculture Advisory Committee, and exceeding the daily visitation limit of fifty (50) guests, on properties at least one (1) acre in size and with primary access off of a Public road.

For use permit application submitted for an agritourism operation or use, the applicant must submit the following information as well as any other information required by the Planning Department: Duration and frequency of the agritourism activity, impacts to traffic, commercial encroachments, and roadways (public or private), parking accommodations, signage and advertising, farmland classification as determined by CA Department of Conservation, and maximum number of guests at one time.

Any such uses proposed as agritourism operations beyond those which is are explicitly listed above, which may include overnight camping and campgrounds, arena events, roping events,

horse shows, rodeos, herding competitions, and weddings, or if the property is less than one (1) acre, may be applied for as a discretionary use permit for an Agritourism Operation, subject to CEQA and approval by the Planning Commission.

Amend Section 19.24.045(C) by adding Agritourism permitted in the R1A district without a use permit being required:

“14. Commercial and non-commercial agritourism operations including but not limited to any of the following uses if found to be consistent with “agritourism” as defined in this title with daily visitors limited to fifty (50) or fewer, on properties at least one (1) acre in size and with primary access off of a Public road.

- i. Hayrides, sleigh/wagon rides, pony rides;
- ii. Farm stays, guest ranches, dude ranches;
- iii. Farm or barn tours;
- iv. Harvest your own and “u-pick operations”;
- v. Farmer’s markets, roadside produce stands, agricultural product tasting facilities;
- vi. Agricultural education opportunities;
- vii. Demonstration gardens;
- viii. And any other agritourism uses as determined by the Planning Commission.”

Amend Section 19.24.045(D) by adding Agritourism permitted in the R1A district subject to a use permit:

“12. Commercial and non-commercial agritourism operations including those listed under Section 19.24.045(C)(14) if found to be consistent with “agritourism” as defined in this title, and exceeding the daily visitation limit of fifty (50) guests, on parcels exceeding one (1) acre in size, and with primary access off of a public road.

In any use permit application submitted for an agritourism operation or use, the applicant must submit the following information as well as any other information required by the Planning Department: Duration and frequency of the agritourism activity, impacts to traffic, commercial encroachments, and roadways (public or private), parking accommodations, signage and advertising, farmland classification as determined by CA Department of Conservation, and maximum number of guests at one time.” Any such uses proposed as agritourism operations beyond those which is are explicitly listed above, which may include overnight camping and campgrounds, arena events, roping events, horse shows, rodeos, herding competitions, and weddings, or if the property is less than one (1) acre, may be applied for as a discretionary use permit for an Agritourism Operation, subject to CEQA and approval by the Planning Commission.”

Adding Section 19.24.037 to include the A, Agriculture District Regulations and addition of Section

19.24.037 (12) for Agritourism permitted in the A district without a use permit and 19.24.037(27) for Agritourism permitted in the A district subject to a use permit; and removal of the A district regulations from Section 19.24.040.

19.24.037- A District Regulations.

A. Subject to the provisions of Chapter 19.48, none but the following uses, or uses which in the opinion of the Planning Commission are similar in nature, will be allowed. Unless stated otherwise, all uses are subject to the general A District requirements specified in the table below:

Table 1: General A District Requirements										
Building Site					Yards (Setbacks) Required				Building Height Limit	Lot Area Per Residential Unit
Area		Min. Width	Min. Depth	% Coverage	Front	Rear	Side			
Interior Lot	Corner Lot						Interior Lot	Corner Lot		
10 acres - or more, as designated on the sectional district zoning map		400 ft.	400 ft.	None	20	15	5	10	None	2 acres

B. Uses Allowed without a Use Permit, include the following:

1. Single-family dwelling;
2. General farming, including but not limited to the raising, growing and harvesting of vegetables, field, orchard, bush, and berry crops; vineyards; trees;
3. Nurseries, greenhouses; mushroom rooms; floriculture;
4. Pasture for grazing (including supplemental feeding), raising, maintaining, breeding and training of horses, cattle, sheep and goats, hogs and similar livestock, provided there is no feeding of garbage, sewage, refuse or offal;
5. Feed lots, feed yards, provided there is no feeding of refuse, garbage, sewage or offal; provided that building site requirements are as specified in (A) Table 1 except that front, rear, and side setbacks are 50 ft.;
6. Poultry farms, provided that building site requirements are as specified in (A) Table 1 except that front, rear, and side setbacks are 50 ft.;
7. Dairies provided that building site requirements are as specified in (A) Table 1 except that front, rear, and side setbacks are 50 ft.;
8. The raising, feeding, maintaining, breeding and slaughtering of livestock, chickens, turkeys, rabbits, pigeons, ducks, geese, fish, frogs and small animals or fowl in household numbers for family use;
9. Wells, water storage and reservoirs, including on-site excavation or removal of materials for construction thereof, subject to requirements established by the Environmental Health Department;
10. Storage of petroleum products for use by the occupants of the premises, provided that building site requirements are as specified in (A) Table 1 except that front, rear, and side setbacks are 50 ft.;
11. Wineries as defined in Section 19.08.687 shall be permitted within an A-T or A-G General Plan designation, subject to the following provisions:

(1) Wineries Which Existed Prior to July 9, 2024.

A. Wineries which existed and met the criteria of the winery definition in Section 19.08.687 prior to July 9, 2024, shall be allowed the following incidental uses and structures regardless of whether the incidental use or structure existed prior to July 9, 2024:

- i. Wine tasting;
 - ii. Winery tours;
 - iii. Wholesale and retail sales of wine and grape products;
 - iv. Events.
- a. Compensated or non-compensated events with up to one hundred twenty- five persons in attendance with no limitation on number of events per year;
 - b. Compensated or non-compensated events with up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month;
 - v. Picnic area(s) for winery-related activities;
 - vi. Art galleries with sales and framing;
 - vii. A food preparation facility for catering on-premises indoor or outdoor functions;
 - viii. Agricultural-related museums;
 - ix. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or prepackaged foods;
 - x. Outdoor amplified sound until ten p.m.
- B. Incidental Uses for Wineries Established on or After July 9, 2024. Wineries which were established after and/or did not meet the criteria of the winery definition in Section 19.08.687 prior to July 9, 2024, shall be subject to the following allowed incidental uses.
- i. Winery tours;
 - ii. Wholesale and retail sales of wine and grape products;
 - iii. Picnic areas for winery-related activities;
 - iv. Art galleries with sales and framing;
 - v. A food preparation facility for catering on premises indoor or outdoor functions;
 - vi. Agricultural-related museums;
 - vii. Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of winery-related promotional items, gift items, and/or prepackaged foods;
 - viii. Outdoor amplified sound until ten p.m.;
 - ix. Tasting rooms and event gatherings subject to the setback limitations provided in subsection (11)(B) (2) of this section.

(2) Additional Incidental Use Limitations Based on Setbacks and Preferred Road Locations.

- a. The following setback and preferred road location requirements apply to the tasting rooms and other event structures. The setbacks also apply to the events taking place on the property, whether in a structure or not.
- b. Events comprise "special events," "social events," and "wine club events" as defined in subsection (11)(B)(2)(i) of this section, as well as any similar group events that are a nuisance pursuant to Chapter 9.44 of this code.
- c. Events do not include winery tours that do not have the attributes of a wine club, social event, or special event.
- d. Production facilities and other structures that will not be used for wine tasting or events are not subject to these additional setback and preferred

road location regulations.

i. For the purposes of this section, the terms below are defined as follows:

- "Preferred roads" are state routes, Latrobe Road, Lower Ridge Road, Shenandoah Road, Shenandoah School Road, Steiner Road, and Willow Creek Road.
- "Setback" means the horizontal distance between an event use area and the nearest property boundary which separates the event use area from property not owned or controlled by the winery owner or operator.
- "Social events" are compensated or non-compensated catered social gatherings, dinners, and small weddings under one hundred twenty-five attendees.
- "Special events" are compensated or non-compensated events held on site that are not considered to be tasting or marketing activities allowed under subsections (11)(B) and (C) of this section, such as charitable, promotional, facility rental events, weddings, concerts, parties, or other social gatherings with more than one hundred twenty-five attendees.
- "Wine club events" are gatherings, special tastings, and dinners used to market a winery's product.

ii. Wineries with a minimum setback of less than two hundred feet for all indoor and outdoor event use areas, or are not accessed from a preferred road, are allowed the following base uses:

1. Operating a tasting room seven days/week between the hours of ten a.m. to six p.m.;
2. Participation in Amador Vintners Association (or successor) events;
3. Wine club events: twelve per year with up to two hundred attendees per day;

iii. Social events: six per year with up to sixty attendees per day.

iv. Wineries that meet a minimum setback of two hundred feet for all indoor and outdoor event use areas, and are accessed from a preferred road, are allowed the uses in subsection (11)(B)(2)(ii) through (4) of this section, and the following additional uses:

1. Social events: total twelve per year with up to two hundred attendees per day.

v. Wineries that meet a minimum setback of four hundred feet for all indoor and outdoor event use areas, and are accessed from a preferred road, are allowed the uses in subsection (11)(B)(2)(ii) through (4) of this section, and the following additional uses:

1. Social events: total twelve per year with up to two hundred fifty attendees per day;
2. Special events: total twelve per year with up to three hundred people per day.

C. Additional Restrictions Applicable to All Wineries.

1. The fire code official may require more than one fire apparatus access road based on the potential for impairment of a single road by vehicle congestion, condition of terrain, climatic conditions or other factors that could limit access.
2. Event capacities shall be limited further by the parking accommodations on the property. All parking shall be on site. Parking shall not encroach on roadways and shall not impede access, including emergency vehicle access.
3. Parking areas shall be set back a minimum of fifty feet from any existing residence not on property owned by the winery operator. Idling vehicles shall maintain a one-hundred-foot clearance from any existing residence not on property owned by the winery operator.
4. Wineries located on private roads shall have entered into a road maintenance agreement

- with a majority of the owners of the road or shall obtain a use permit pursuant to Chapter 19.56 of this code before commencing any of the permitted incidental uses.
5. All permitted uses specified in this subsection 12 shall be subject to providing off-street parking and meeting all necessary clearances from the fire, health, and building departments.
 12. Commercial and noncommercial agritourism operations including but not limited to any of the following uses if found to be consistent with “agritourism” as defined in this title with daily visitors limited to fifty (50) or fewer:
 - i. Hayrides, sleigh/wagon rides, pony rides;
 - ii. Farm stays, guest ranches, dude ranches;
 - iii. Farm or barn tours;
 - iv. Harvest your own and “u-pick operations”;
 - v. Farmer’s markets, roadside produce stands, agricultural product tasting facilities;
 - vi. Agricultural education opportunities;
 - vii. Demonstration gardens;
 - viii. And any other agritourism uses as determined by the Planning Commission.
 13. Any structure, building, equipment or use incidental and necessary to any of the foregoing uses.
 - D. Uses requiring a Use Permit, subject to Staff Approval and in some cases as deemed necessary by the Planning Department, requiring approval of the Planning Commission, pursuant to Chapter 19.56- Use Permits, are allowed in the “A,” zoning district.
 14. Farm-labor camps, forestry-labor camps and farm-labor quarters as defined in this title, provided that that the minimum building site area is 2 acres, minimum building site width is 100 ft., and minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 15. Recreation uses provided that that the minimum building site area is 20,000 sq. ft., minimum building site width is 100 ft., and minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 16. Processing, packaging, selling, shipping of agricultural products provided that that the minimum building site area is 20,000 sq. ft., minimum building site width is 100 ft., and minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 17. Veterinary clinics, animal hospitals, kennels provided that that the minimum building site area is 10,000 sq. ft., minimum building site width and depth is 75 ft.. All other building site requirements are as specified in the applicable use permit.
 18. Auction and sales yards provided that that the minimum building site area is 20,000 sq. ft., minimum building site width is 100 ft., and minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 19. Turkey farms, provided there is a cover crop or other dust control. The minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.
 20. Any garbage, sewage; refuse or offal feeding. The minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.

21. Commercial small animal and fowl specialty farms, including but not limited to chinchillas, minks, foxes, rodent, aviaries, rabbits, frogs, pigeons, ducks, and geese. The minimum building site area is 2 acres, the minimum building site width is 100 ft. and the minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 22. Commercial slaughterhouses and stockyards for livestock, small animals, poultry and fowl. The minimum building site area is 2 acres, the minimum building site width is 100 ft. and the minimum building site depth is 200 ft. All other building site requirements are as specified in the applicable use permit.
 23. Rendering plants, fertilizer plants and yards, provided that the minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.
 24. Oil and gas wells, drilling, mining and excavation of natural minerals, provided that the minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.
 25. Logging and timber cutting, provided that the minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.
 26. Social gatherings or weddings held at a winery located within an AT or AG General Plan designation which exceed the limits set forth in (11)(B)(2) above.
- A. Duplicate Tasting Rooms for Which a Valid ABC Type-02 Winegrower License Was Issued on or Prior to July 9, 2024.
- a. The parcel shall be a minimum of ten acres in size;
 - b. The applicant shall provide the Planning Department with copies of their bond from the Alcohol and Tobacco Tax and Trade Bureau and their California Alcohol Beverage Control license. These licenses and bonds shall be maintained in full compliance at all times; The applicant shall provide the planning department with copies of their bond from the Alcohol and Tobacco Tax and Trade Bureau and their California Alcohol Beverage Control license. These licenses and bonds shall be maintained in full compliance at all times;
 - c. Tasting rooms located on private roadways shall have entered into a road maintenance agreement with a majority of the owners of the road; or in the event a road maintenance agreement already exists, the applicant shall provide the county with proof they have renegotiated the terms of the agreement to include the new tasting room. If the majority of the owners of the road do not enter into the new or renegotiated agreement, the applicant must obtain a use permit pursuant to Chapter 19.56 of this code before commencing any of the uses allowed by this section;
 - d. The tasting room building shall be located a minimum of fifty feet from all property lines;
 - e. The primary use of the tasting room shall be the marketing and sale of wine produced in Amador County. Additional allowed uses are as follows:
 - i. Compensated or non-compensated events with up to one hundred twenty-five persons in

- attendance with no limitation on the number of events per year;
- ii Picnic area(s) for wine tasting-related activities;
- iii Art galleries with sales and framing;
- iv A food preparation facility for catering on premises indoor or outdoor functions;
- v Agricultural-related museums;
- vi Gift display area not to exceed a total of five hundred square feet in interior footprint area for the retail sale of wine-related promotional items, gift items, and/or prepackaged foods;
- vii Social gatherings or weddings for up to and including four hundred fifty persons up to and including twelve events per year with no more than four such events per month;
- viii Indoor or outdoor amplified music until ten p.m.
- f. The applicant must obtain all applicable permits from the environmental health department, building department, and department of transportation and public works;
- g. Uses described in this subsection 27 may be granted by the planning department, without public hearing, following public notice of the application. Public notice of such application shall be given in the manner described in Chapter 19.56 of this code, Use Permits. Such notice shall indicate the intent of the planning department to grant the use permit without a hearing unless sufficient reasons are provided not to grant the use permit. A description of the appeals process (Chapter 19.64 of this code) shall be contained within the notice. The Planning Department shall decide upon the use permit application within ten days after the notice is mailed. If the planning department finds sufficient cause to approve the application and the application meets standards outlined in this subsection, the Planning Department shall approve the use permit and the use permit shall become valid following the ten-day appeal period if no appeals are filed. B. Duplicate tasting rooms for which a valid Type-02 winegrower license was issued after July 9, 2024, shall be regulated by subsections (11)(B) through (11)(C) of this section.

Duplicate tasting rooms for which a valid Type-02 winegrower license was issued after July 9, 2024, shall be regulated by subsections (11)(B) through (11)(C) of this section.

- 27. Commercial and noncommercial agritourism operations including those listed under Section 19.24.037(B)(11) if found to be consistent with “agritourism” as defined in this title, and secondary to an existing agricultural use of the property and found to be a compatible accessory use under the principles of compatibility as determined by the Agriculture Advisory Committee, and exceeding the daily visitation limit of fifty (50) guests. Any such uses proposed as agritourism operations beyond those which are explicitly listed above, which may include overnight camping and campgrounds, arena events, roping events, horse shows, rodeos, herding competitions, and weddings, or if the property is less than one (1) acre, may be applied for as a discretionary use permit for an Agritourism Operation, subject to CEQA and approval by the Planning Commission.”
 - In any use permit application submitted for an agritourism operation or use, the applicant must submit the following information as well as any other information required by the Planning Department: Duration and frequency of the agritourism activity, impacts to traffic, commercial encroachments, and roadways (public or private), parking accommodations, signage and advertising, farmland classification as determined by CA Department of Conservation, and maximum number of guests at one time.”

28. Any structure, building, use or equipment incidental and necessary to any of the above uses, located on the same site, and included in the use permit, provided that the minimum building site area is 10 acres and all other building site requirements are as specified in the applicable use permit.

SECTION III: A summary of this ordinance shall be published within fifteen days after the date hereof in a newspaper of general circulation printed and published in the County of Amador, State of California, and shall become effective thirty days after the date hereof.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 11th day of August 2026, by the following vote:

AYES:	Patrick Crew, Logan Carnell, Dan Epperson, Brian Oneto, Jeff Brown
NOES:	None
ABSENT:	None



Patrick Crew, Chairman, Board of Supervisors

ATTEST:

HEATHER PEEK, Clerk of the Board of Supervisors
Amador County, California


