

Letter of Authority
602 PC

EXHIBIT "E"

City of Temecula
Temecula Police Department
P. O. Box 892050
Temecula, CA 92589-2050

Date: 9.17.13

To: **Chief of Police**

I am the owner or owner's agent in lawful possession of certain real property located in the City of Temecula.

Property Name:

35455 Via Sol Vista, Temecula, CA 92592

Property Address:

We have seen an influx of undesirable trespassers in this neighborhood. I am concerned about possible theft, vandalism, drug dealing and/or drug usage caused by trespassers on the property. Because of this trespassing, we have experienced monetary loss due to vandalism and a decrease in paying tenants

I have posted all entrances, in plain view "No Trespassing" signs as well as in all carports and common areas associated with the property. I/We therefore request you and your staff enforce the trespass provisions of the California Penal Code and/or Temecula Municipal Code in respect to the listed property.

I expressly authorize your officers to arrest and/or issue citations to trespassers during the following one year period starting on: 9.17.13

I understand it is my responsibility to renew this authorization in one year from the above date. I will notify you if sometime in the future, I am no longer the owner or agent of this property.

The following information provides your department with the ability to contact me or person(s) with authority to respond in my absence.

Swan Coale

Property Owner

35455 Via Sol Vista

Owner Address

(951) 201-1074

Phone

Temecula, CA 92592

Manager/Agent Requester (print full name)

Swan Coale

Signature

Exhibit "F"

Horseback riding in the Temecula Wine Country

Friday, December 30th, 2011
Issue 52, Volume 15.

Kris Grant
Special to the Valley News

The Temecula Valley has long been horse country. Before wineries began dotting the landscape in the 1970s, ranchers raised Arabians amid the rolling hills. Now tourists are discovering a new way to pair horseback riding and wine, two pleasures of this rural countryside that are a perfect pairing.

There is one hitch: tourists can't expect to ride, taste, ride, taste. The two local horseback riding companies, Green Acres Ranch and Wine Country Tours by Horseback, say that liability insurance prohibits that possibility. But they've come up with the next best thing: packages that allow tourists to enjoy a wine country ride, with lunch and wine tasting either before or after.

Locals, however, can have their wine and equine, too. With thousands of horse lovers and horse owners living in the valley, many of the 38 wineries in the Temecula backcountry now have hitching posts for locals to slide off their mounts and saddle on up to the tasting bar.

"We have wine club members who come in regularly to taste on their horses," said Mary Knight, Wine Club coordinator of Danza del Sol winery, a winery on the De Portola Wine Trail at the southernmost trip of Temecula Wine Country. Knight often arrives on horseback herself, riding her Palomino Tennessee Walking Horse, which she boards at J Walker Ranch, owned by one of Danza del Sol's wine club members off Monte del Oro Road.

The De Portola Wine Trail borders finely manicured horse country estates and equestrian training centers; here actor Jack Klugman once owned a large chunk of land and the late actress Farrah Fawcett found solace and anonymity. The De Portola Wine Trail consists of nine boutique wineries that also includes Masia de Yabar Winery, Oak Mountain Winery, Robert Renzoni Vineyards, Cougar Vineyard & Winery, Gershon Bachus Vintners, Keyways Winery, Frangipani Estate Winery, and Leoness Cellars.

Danza del Sol, like many of the wineries along De Portola, straddles the equestrian trails and offers panoramic views of the hillsides. Motorists along the roadway will often encounter horseback riders on the paths along the sides, with many "Horseback" crossings clearly marked on the road.

Last year, the Riverside Department of Transportation installed seven upgraded horse crossings, with yield markings on the pavement and advisory signs to yield to equestrians in Temecula Valley Wine Country. Five are on De Portola Road, one is on Anza Road and one is on Glen Oaks Road. Another horse crossing with flashing lights activated by a push button is planned for Rancho California Road near Anza Road, a particularly high-traffic area.

"Safety is our number one concern," explains Roy Rich, a third generation horse trainer whose grandfather bought Green Acres Ranch at 35750 De Portola Road in 1969. Rich explains that the liability insurance for horseback riding operations is far too high to allow tasting and trotting.

And while tourists can't exactly get the horseback riding equivalent of a DUI, (riding while intoxicated), they could be cited for being drunk in public, advises the Temecula Sheriff Department's dispatch department.

Green Acres Ranch was a private operation until 2000, when Rich's mother, Margaret, took over the operation and started a boarding business. Today, the ranch boards more than 100 horses and the Rich's own about 30 of their own horses, including quarter horses, Arabians and a couple of Paints.

The stables offer horseback riding lessons and for the past six months have offered 75-minute trail rides on Fridays, Saturdays and Sundays, leaving at 10 a.m., 11:30 a.m. and 2 p.m. Each ride is limited to six guests; riders are accompanied by two guides, a leader and a "drag." Rides are \$75 for the ride alone or \$139 for a couple's ride and wine tasting (five tastes each) at nearby Robert Renzoni Vineyards and Leoness Cellars. Packages and specials vary from month to month and would-be riders are advised to call the ranch for current rates.

The trail rides at Green Acres travel up into the foothills behind the stables where riders are afforded a 360-degree view of the Temecula Valley, with its ranches, and horses in pastures. "It's spectacular," says Rich, whose five-year plan for Green Acres Ranch (he holds a degree in business management from the University of Redlands) includes planting some vineyards on the 50-acre property.

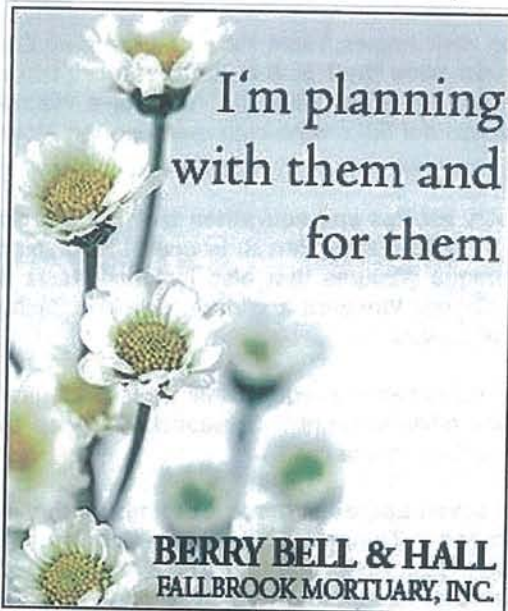
Rich says that a handful of riders who've been out on the horseback riding adventures have returned for lessons. Groups lessons are \$40 each and last about an hour and a half.

The stables also have a petting zoo with llamas, cows, ducks, geese, goats and sheep. "It's small and geared toward autistic children," said Rich, who noted that autistic children often enjoy horseback riding. "Interaction with animals often bring them out of their shells," he said, adding that while ranch personnel are not certified for work with autistic children, the ranch does have a hippo-therapist who consults with them.

Rancho California Trail Riders, a group of local horse owners, also stages their monthly rides from Green Acres Ranch.

At Wilson Creek Winery at 35960 Rancho California

ADVERTISEMENT



BERRY-BELL AND HALL MORTUARY

Rd., Diana LeFort's Wine Country Trails by Horseback has been taking tourists on trail rides for the past five years. The 90-minute rides begin at the far eastern side of Wilson Creek's property, where LeFort brings 25 or so horses by trailer Wednesdays through Sundays.

Rides leave at 10:30 a.m., 1:30 p.m. and 3:30 p.m. Each ride includes up to 16 individuals, split into groups of six, each with a leader and a drag. Prices are \$75 per rider for horseback riding alone. Horseback riding and wine tasting (five tastes) at Wilson Creek Winery is \$89. Or, for \$120 per person, you can add a full lunch at Wilson Creek's Creekside Grille, which offers indoor and outdoor dining, and wine tasting at Wilson Creek for \$120 per person. The company has also run specials on social media sites including Groupon, Travel Zoo and Living Social. "If people call the office and can cite the coupon they saw, we'll honor that rate," LeFort said.

LeFort says she began the rides as a way to support her rescue horses. Five years ago, her daughter Lauren, now a student at University of California Davis, worked for Temecu Equine, a Temecula veterinary center owned by veterinarian Chris Huth.

When the economy tanked in 2008, Huth would find himself the recipient of abandoned horses, their owners no longer able to care for them. "People would tie their horses to his fence in the middle of the night," LeFort said. "People would also abandon their horses in riverbeds and he'd find out about them."

LeFort, who grew up on a cattle and horse ranch in Kingman, Ariz., decided to take in the horses, since she lived across the street from a ranch where she could board the horses. Now she leases a ranch, about a 10-minute drive from Wilson Creek Winery. "We started with two horses and now have 47," she said.

She pats one horse, Annie, a Russian Warmblood. "Annie was once a very expensive English Eventing Horse. She tore her flexor tendon – that's like our Achilles tendon – so she couldn't jump anymore. Because she could no longer compete, her owners were going to euthanize her. A mutual friend told us about her and we convinced the trainer to let us take her. It took her close to a year to heal. She can't jump anymore but she is perfect and wonderful on trails."

LeFort's rides go straight through the vineyards at Wilson Creek. "It's really beautiful in the summer when the vines are full and green," she said. LeFort began riding her young horses along the long straight rows of Wilson Creek's vineyards, where she could "lop them out."

"I thought what a beautiful place to ride," LeFort said. "It would be a fantastic way to show people how amazing these animals are and also how beautiful the area is."

LeFort started her tours with a two-horse trailer and an old truck. She has just compiled her numbers for the past year; grand total: 4,200 riders.

But if it's not housing prices, it's something else, says Foot. "While the overall economy is sort of stabilizing, the new economic hazard is rising hay prices, and people are continuing to give up their horses because they can't afford to feed them. Last year a semi-load of hay was \$3,500. Now it's \$9,600. It's gone through the roof."

Fortunately, riders out for a day of horseback riding and wine don't have to worry about such things.

For the couples that ride at both venues, the ride-and-wine packages offer romantic adventure, an opportunity to discover new horizons together.

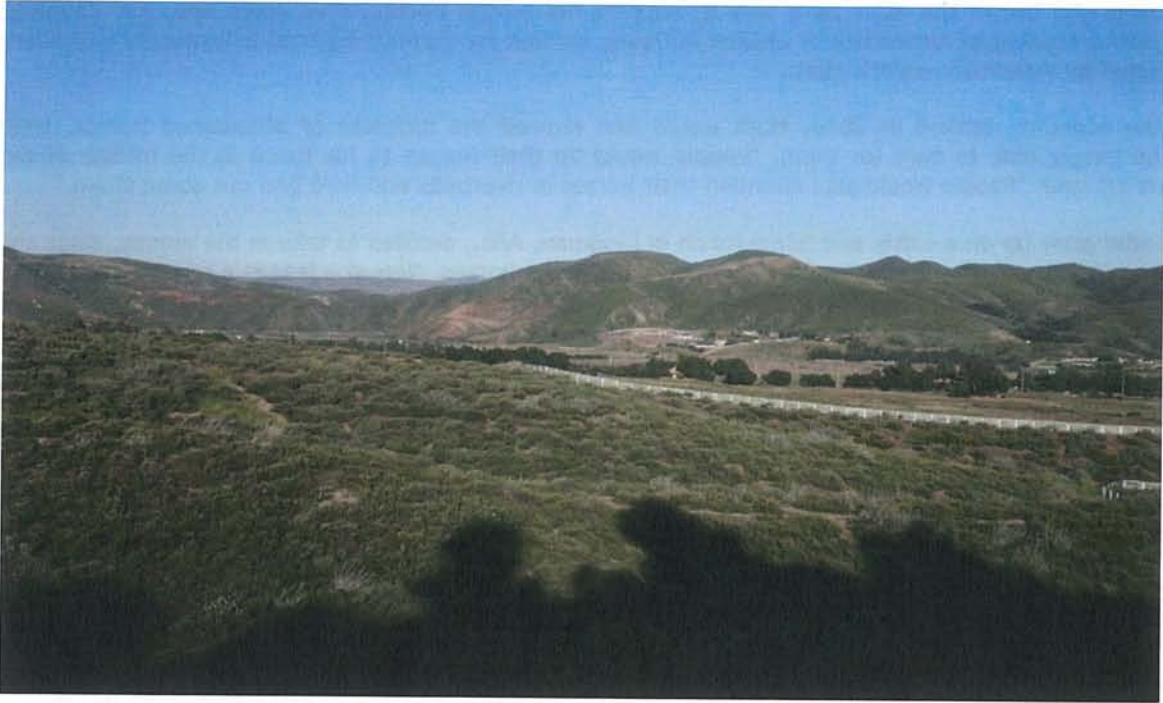
Chris and Dustine Kuczynski of Carlsbad discovered LeFort's Wilson Creek horseback tour on the social media site, "Living Social," and decided to add it to their itinerary to celebrate their wedding anniversary. The couple stayed at South Coast Winery and visited Europa Village the day before their excursion through the vineyards and beyond via horseback.

"It was a beautiful, wonderful ride," sighed Dustine. "And so fragrant as we rode through the orange and grapefruit groves. It made me want to drink...orange juice."

The Temecula Eq-"Wine" Riders, a club of experienced trail riders, most of whom stable their horses locally, hold regular rides through the vineyards, followed by a glass of wine and lunch or dinner at a Temecula winery. Rides over the past years have been hosted by "horse friendly wineries" including Keyways, South Coast, Maurice Carrie, Wiens, Cougar, Oak Mountain, Robert Renzoni, Wilson Creek, Leonesse, Danza del Sol and Frangipani.

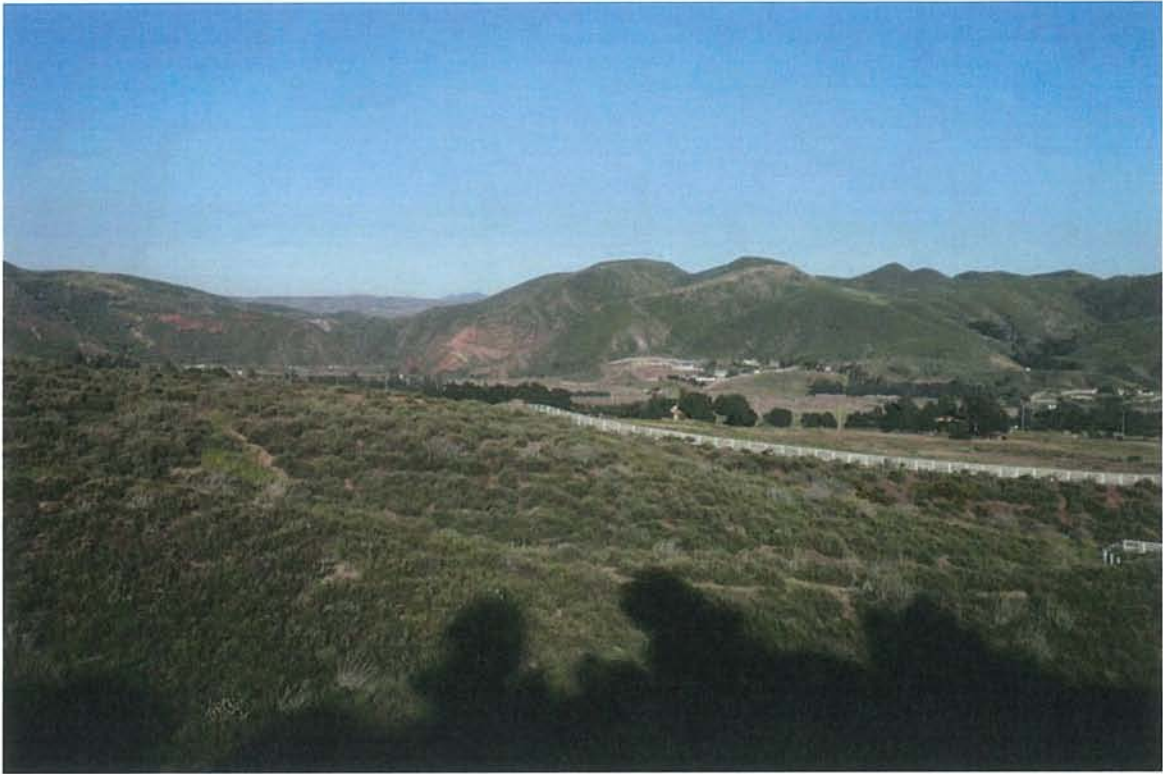
The group's website, www.temeculaeqwineriders.com, includes a list of wineries and their facilities for horses including hitching posts, watering troughs, picnic tables and policies on manure disposal. The site notes that Robert Renzoni Winery has its own paddock and tasting barn. The locations of the hitching posts and facilities, which are sometimes a distance from the wineries' front doors, are noted on the website.

For more information, go to www.greenacresranchinc.com or call (951) 302-6045, or www.winecountrytrailsbyhorseback.com, (951) 795-1444.



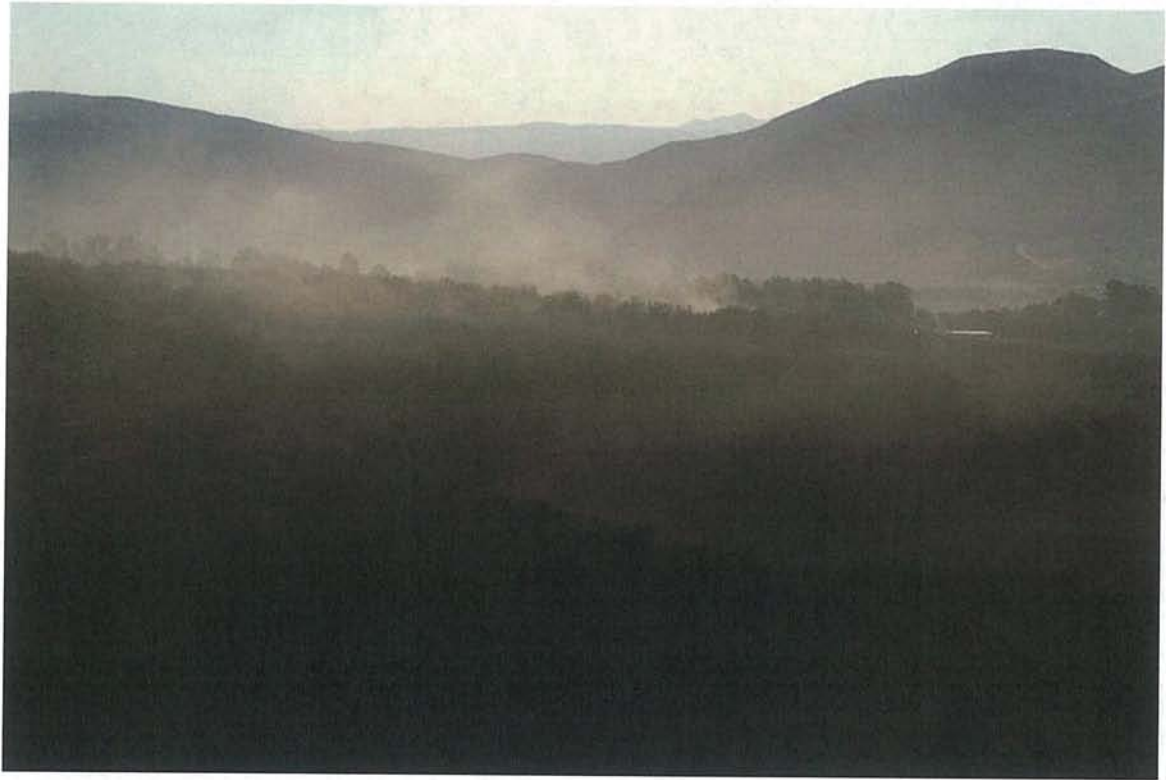
























From: Anne York <anne@starfiredesignstudio.com>
ent: Monday, September 23, 2013 2:02 PM
o: Coyle, Frank; Nanthavongdouangsy, Phayvanh
Cc: mrichgar@yahoo.com
Subject: Horse Trails

Board of Supervisors, c/o Clerk of the BOS,

I lived at the address 36662 Via Sol Vista from 1996 till 2010. It was a lovely spot and had the easement for the designated horse trails adjacent. There was never an issue or problem with equestrians riding by, be they private owners or commercial trail rides. This is an area that had been equestrian since long before we lived there, and I sincerely hope that all of the work that has gone into establishing and maintaining this trail system is not undone. I understand that the current resident has many complaints, but I would like to goon record as saying we never had one problem in 14 years of living at that spot. I have spoken with the next door neighbor recently and they assured me that they have no complaints either, and enjoy the sight of equestrian activity.

Anne York

951-662-2928

9/17/2013

Re: New proposed zoning

45115 Los Caballos Rd, Temecula

Parcel: 966-380-023

Dear Frank Coyle,

We are in escrow on a home located at the south end of Los Caballos Rd. This 20 acre parcel has 7 acres of vineyards and we were purchasing it to finish the property and turn it into a winery. At the time of doing research and opening escrow we saw that it was going to be zoned for the Winery District. It has been brought to our attention that the area has now been proposed for Equestrian District. The boundary cuts off right at the property north of the one we are purchasing and excludes ours. After contacting and speaking with the previous owners and the neighbor east of us, they are completely stunned to hear of this news and never had agreed or recommended it to be zoned for equestrian. Both parties had already pre submitted plans and permits for future winery.

The Zimmer's at the parcel we are contacting you about @ 45115 Los Caballos told us that they were under the impression that the one property north of them and other properties west of them just wanted to be able to keep their horses and asked if they were okay with that. The Zimmer's had always wanted to have a future winery and has made necessary steps towards this goal. I have also included a handwritten letter from Mr. Zimmer whom voices his anger on being misled and never wanted this area being zoned for equestrian. Even though the Zimmer's had recently sold their home they feel very strongly that they were misled and would like us to continue with the plans they had always wanted. Also, the property value is worth much more as a winery due to the existing vineyards than equestrian.

The new owner, THADCO, LLC., was also unaware of the proposed zoning for Equestrian. Mr. Thad Luyben Sr. has just recently noticed that all the other parcels

on Los Caballos, not including his, located south of Temecula Parkway are proposed for the Winery District. The zoning cuts off right at the property north of him and proposed zoning for Equestrian. Only one parcel, the one north of the property in question is the only one which boards horses. This is the only parcel on the entire Los Caballos Road that should be zoned equestrian, all other parcels at the end of the cul de sac should be included in the new zoning for winery district.

As I mentioned earlier, the parcel in which we are purchasing has existing vineyards approx. 7 acres and permits and plans for future winery. It makes no sense that anyone who has put a lot of hard work into their land would agree to equestrian zoning. The Zimmer's has dedicated their lives to their vineyards. They have a reputation in the community and has also provided for local wineries. The property is absolutely beautiful with the most amazing views! We would like to keep it that way.

My husband and I and on behalf of THADCO,LLC.,are respectfully asking that you please reconsider the zoning for 45115 Los Caballos Road. Thank you for taking the time to review our comment.

William and Melissa Barker

44906 Frogs Leap St.

Temecula, CA 92592

(714) 396-0242

Mbexpressway1@verizon.net

7-18-03

To whom it may concern:-

I Robert Zimmer never signed or requested any change of zoning on the property I owned at 45115 Los Caballeros Rd. Temecula. I was in favor of adjacent parcels keeping their properties for equestrian use. I had planted about 7 acres of vineyards and had submitted plans to the county for the construction of a ~~vineyard~~ winery. Why would I request a zoning change to equestrian use only after planting all the vineyard and submitting plans for a winery? That is assinine, I'd like to see the application and see if the signature matches mine.

Sincerely
Robert K Zimmer



Robert K. Zimmer, D.D. S.
Family Dentistry • Cosmetic Dentistry
Implant Restorations • Orthodontics

(951) 676-5607

27403 Ynez Road
Plaza Professional Bldg., Suite 105
Temecula, CA 92591

From: lorraine harrington <lfh415@yahoo.com>
Content: Thursday, September 19, 2013 4:14 PM
To: Nanthavongdouangsy, Phayvahn; Coyle, Frank
Cc: Margaret Rich; Robert Kellerhouse; Chuck Tobin; Lynn Mattocks;
matsonperformance@hotmail.com; Gil Pankonin
Subject: Document for BOS packet
Attachments: Harrington_Equestrian presentation 091913.pptx

Phayvahn and Frank

Attached is a document the equestrian group would like included in the packet going to all the Supervisors prior to the public hearing next week. This is a presentation that Commissioner John Petty had asked us to prepare for the Planning Commission hearings, and we felt it would be important for the Supervisors to see it too (updated), so everyone is on the same page about the background on the issues.

Please circulate this. Thank you.

Lorraine Harrington
Temecula CA

Equestrian Life in Wine & Horse Country



September 24, 2013

Purpose of Today's Discussion

- Portray the vitality and growth in local equestrian operations
- Illustrate the quality of life in the Equestrian Zone that residents and businesses seek to enhance
- Highlight key concerns with the Community Plan as currently written

The Horse industry in Southern California has a major impact on the local economy

The industry is large and growing:

- California has roughly 700,000 horses, the majority of which are in Southern California
- They generated \$4.1 billion in 2010
- 70% of California horses are in recreation and showing, which are growing segments
- When indirect spending (like spectator lodging, etc.) are factored in, equestrian activities generated \$63 bil for the state economy
- Temecula Valley Wine and Horse Country is responsible for an increasing share

American Horse Council 2010.

Local Equestrian Operations are Expanding

Over the past decade, several facets of the equestrian operations in the Valle De Los Caballos (VDC) have been in a state of steady growth. County support will only further accelerate growth.



Over 50% of the properties in the VDC are commercial equestrian operations

Galway Downs is the Region's Flagship Facility

- Hosts all three of the Olympic Equestrian disciplines, including eventing, dressage, and hunter jumper shows, as well as polo.
- One of only 4 facilities in the U.S. that holds recognized International Olympic-level events each spring and fall.
- Facility Manager Robert Kellerhouse also sits on the premier international governing body for equestrian 3-day eventing, raising Temecula's profile around the world.



Temecula's own "Gin n' Juice" represented us in 2012 London Olympics

• Foaled and owned by Kingsway Farm, Temecula

• Trained by Hawley Bennett-Awad, International Eventer

• Several other competitors have gone from Temecula to international competitions

Spectator appeal

The Galway Downs International events draw competitors, sponsors and spectators. They support the local economy with lodging, meals, sightseeing and wine tasting excursions, and other purchases.



Del Mar Eventing, Inc.

Reiners, Cutters, and Saddle makers are also known Nationally and Internationally

- Event facilities in "The Valley of the Horse" host special breed shows for the Arabian horse, Quarter horse, Walking horse, Appaloosa horse, and Paint horse.
- Specialty Western shows are also a huge success in the VDC hosting several working cow horse, reining horse, cutting horse, trail horse, and pleasure horse shows, enhancing our reputation.
- Renowned trainers and competitors include: Bob Avila, Donnie Bricker, Kim Christy, Tanya Jenkins, Mark Matson, Roy Rich, Tim Smith and others
- Saddle maker Dale Chavez has a worldwide brand based here.



"De Portola Road is a prestigious address in the Horse World"
Margaret Rich

Temecula Valley also boasts the "winningest" Quarter Horse Racing Trainer, Paul Jones, and provides tranquil open equestrian lands for raising Thoroughbred foals



Former Keyways Winery owner Terri Pebley Delhammer meeting the babies

Green Acres Ranch, one of the area's most established operations, is a full-function facility that continues to grow, offering boarding, lessons, training, youth camps, trail riding, and shows since 1957 ...



Green Acres' Lessons business has grown significantly in the past 5 years, even during the economic downturn

The Trail Riding business launched in 2012 is thriving!

Green Acres now also provides Therapeutic Riding for the Disabled, through its GAIT (Green Acres Interactive Therapy) Program, launched in 2010



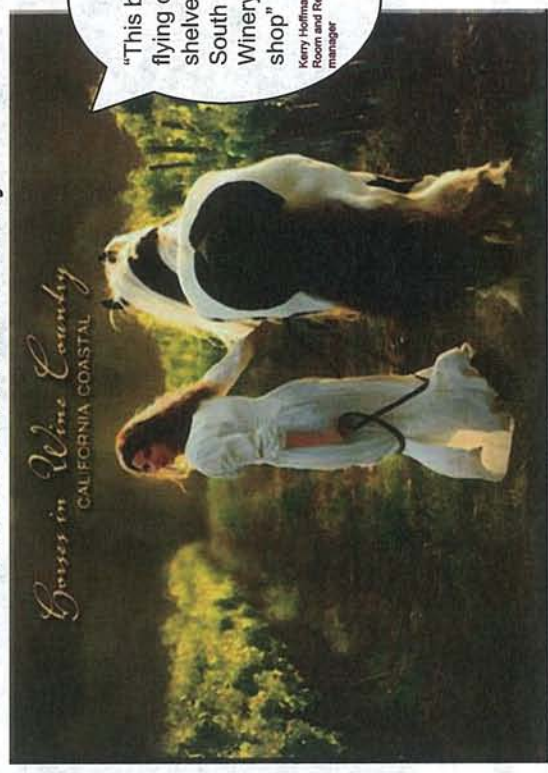
Equestrian properties contribute to the health of the local Real Estate industry



"Horse properties have continued to sell, even during the recession, and tend to be among the higher value sales" Julius Hawkins.

"The majority of my clients are looking for horse property and their #1 criterion is access to trails" Ben Good.

Temecula Wine and Horse Country is featured in the recent fast-selling book "Horses in Wine Country"



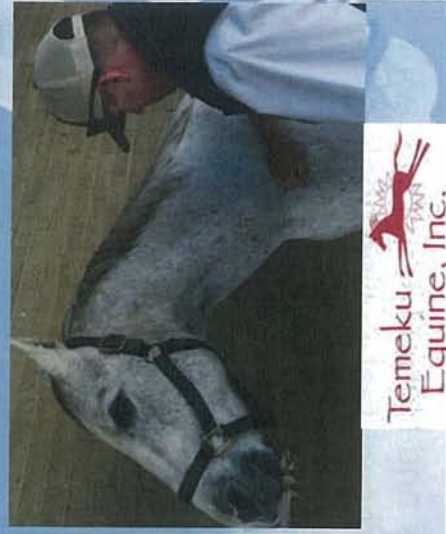
"This book is flying off the shelves at South Coast Winery gift shop" Kerry Hoffmann, Tasting Room and Retail Operations manager

Horsesinwinecountry.com

Temeku Equine is a full-service veterinary practice, complete with world-class surgery facility, which draws horsemen to the area

Temeku Equine has grown rapidly since its launch in 2009:

- From 0 to more than 1100 active clients 2009-2012
- Annual revenue over \$500,000 in 3 years
- Expanded to include second veterinarian in 2012



Temeku
Equine, Inc.

New investment has come into the area in the past 7 years

Examples of recent Equestrian investments:

- Temeku Equine Veterinary Clinic
- Kate McComas Training
- Laurel Ridge Sporthorses
- Sweet Oak Ranch
- Oak Haven Farm
- 6 Trail Riding operations serving tourists
- "Gaits in the Grapes" Trail Guide/Outfitter, serving horse owners
- Temecula Carriage Company
- Temecula Valley Polo Club



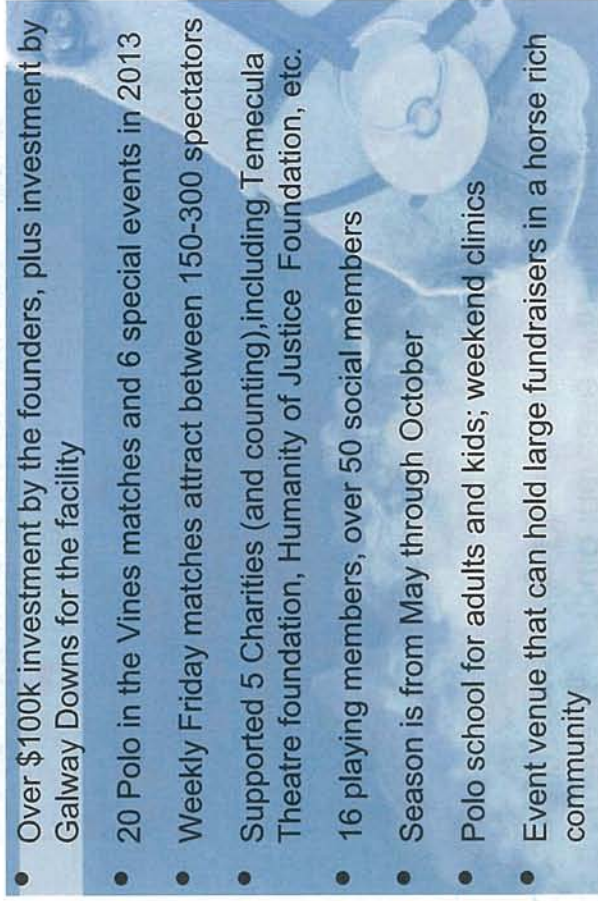
New business concepts are also appearing. For example, Temecula Carriage Company ...

- Carriage Winery Tours serving about 80-120 people per week, and Winery Trolley Shuttle
- Clip Clop Café Horse Drawn Restaurant
- About 40 wedding rides per year
- Serves Old Town as well as Wine Country
- Participates in all local parades and charitable events



... Temecula Valley Polo Club: a new major attraction for tourists and residents alike ...

- Over \$100k investment by the founders, plus investment by Galway Downs for the facility
- 20 Polo in the Vines matches and 6 special events in 2013
- Weekly Friday matches attract between 150-300 spectators
- Supported 5 Charities (and counting), including Temecula Theatre foundation, Humanity of Justice Foundation, etc.
- 16 playing members, over 50 social members
- Season is from May through October
- Polo school for adults and kids; weekend clinics
- Event venue that can hold large fundraisers in a horse rich community



... Gaits in the Grapes Guide/Outfitter for private horse owners



Customized ride packages for horse owners, including guidance on how to find and properly use our Trails: local clients and those from as far as AZ and CO

Featured in publications such as: Trail Blazer Magazine, Hoofbeats, Rancho Santa Fe News, Press Enterprise, TVCVB, Coast News, etc.

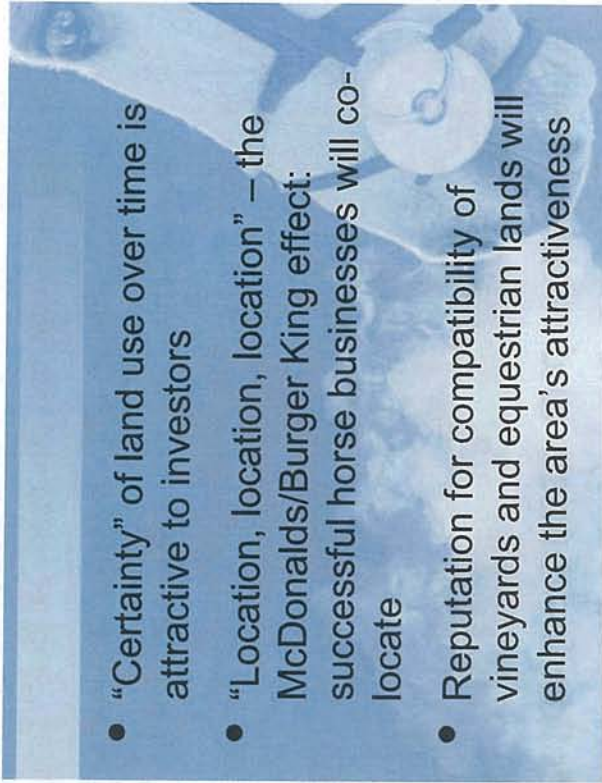
Currently in negotiations with the RFD-TV show, "Best of America By Horseback," to film a Wine Country/Valle de Los Caballos focused show in 2014 or 15. Will feature Temecula Wine Country as a whole, Old Town Temecula, Wineries, Restaurants, Galway Downs, Pechanga, our many local attractions and our EQUESTRIAN history!

Assists with guest Accommodations & Services involving numerous local businesses in order to provide the perfect "Eq-Wine Escape".


GIG Wine Country Trail Ride are the "hub" of a destination experience: guests stay overnight, dine, board a horse, shop, play, wine taste, explore Gorgeous Temecula Wine and HorseCountry

Growth trends should increase with the Wine Country Community Plan in place

- "Certainty" of land use over time is attractive to investors
- "Location, location, location" – the McDonalds/Burger King effect: successful horse businesses will co-locate
- Reputation for compatibility of vineyards and equestrian lands will enhance the area's attractiveness



Purpose of Today's Discussion

- Portray the vitality and growth in local equestrian operations
-  Illustrate the quality of life in the Equestrian Zone that residents and businesses seek to enhance
- Highlight key concerns with the Community Plan as currently written

The Valley of the Horses (Valle de los Caballos) encompasses large lots with open space to enable the equestrian lifestyle



Local Trail-riding Clubs are regular customers at the many horse-friendly wineries



Local riders make it a priority to purchase food and drink at the wineries. Many are wine club members at multiple wineries



Post-ride lunch at Keyways Winery.



Picnic at Robert Renzoni Vineyards.

Rancho California Horsemen's Association is the oldest riding club in the area, helping to preserve trails since 1969

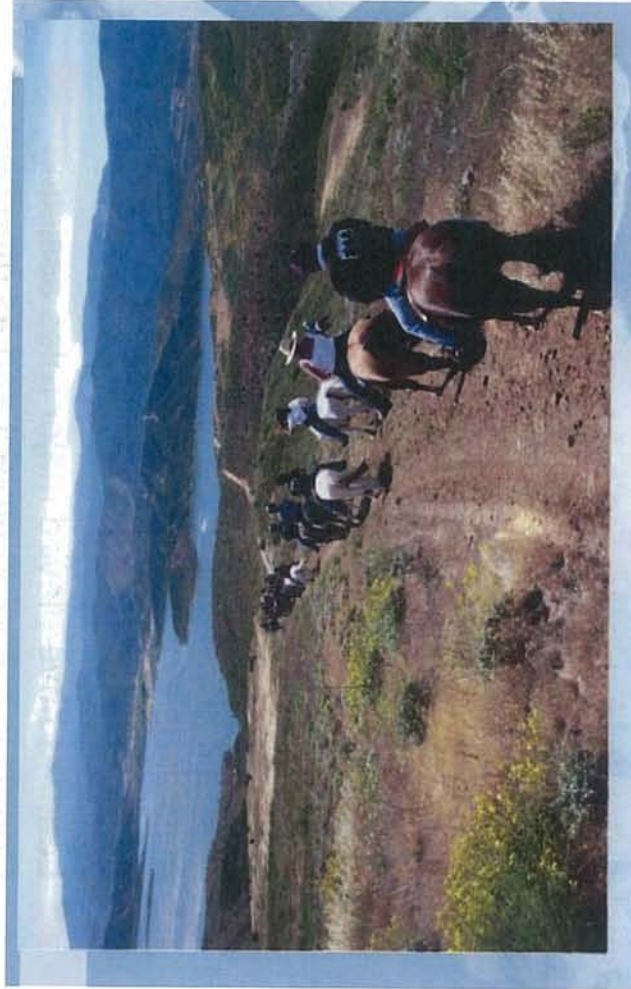


- Hundreds of members and supporters
- Mission is to establish, maintain and preserve riding trails in Temecula Valley
- Leaders have played major roles assisting County in mapping project and as members of Supervisor Stone's Wine Country Advisory Council

Temecula Eq-Wine Riders have been sponsored by local businesses in Temecula's July 4th Parade for 6 years, winning multiple times as the equestrian division grows each year



Horses in Wine Country add ambiance that makes the region unique and therefore more attractive



The area is becoming a destination site for horsepeople – riders are coming in droves!

- By summer 2012, more than 12 clubs from other regions had brought over 2000 riders to enjoy the trails and the wineries on their own horses
- The 10 wineries with hitching rails and the several with staging areas are attractive focal points for those visitors
- Highlights include 88 tastings by a large group at one winery and an after-ride party that cleaned the shelves at another
- In addition, 6 rental companies serve several hundred tourists each week

In short, the Equestrian Community is growing in strength but committed to maintaining a rural lifestyle

We favor the general plan amendment PROVIDED it will support our area's fantastic equestrians and the unmatched facilities.



Purpose of Today's Discussion

- Portray the vitality and growth in local equestrian operations
- Illustrate the quality of life in the Equestrian Zone that residents and businesses seek to enhance
- Highlight key concerns with the Community Plan as currently written



The Valle de Los Caballos was created in 1969 as a premier California equestrian community. The General Plan 2003 retained it as the VDC Policy Area

It is critical that the VDC remain as a distinct region of large parcels suitable for horse operations

VDC Policy area within new Wine Country Boundaries



The Valley of the Horses is comprised of large to very large equestrian estates. Residents and neighboring equestrians support retaining the open, natural area



The Equestrian Community's concerns with the current draft of the Community Plan

- Need to preserve the Valle de Los Caballos as the anchor area for equestrian activities
- **MUST legitimize existing equestrian businesses (there is no specific wording to enable this in the current draft).**
- **Or, County must initiate and fund the process for existing businesses to meet new requirements**
 - Retain large properties
 - Maintain quiet, "rural" lifestyle
 - Prevent sewers
- Avoid micromanagement of horsekeeping - the current draft reflects a lack of knowledge of how horses are kept
- Trails are a vital key to area growth and vitality
 - Critical for horses already here
 - Major attraction for new investment
- 11-12 segments still in dispute after unexpected map changes in Dec 2012
- Must create a process for implementing the trails map once approved

RECEIVED
SEP 23 2013
ADMINISTRATION
RIVERSIDE COUNTY
PLANNING DEPARTMENT

ROLOFF RANCH, INC.

36420 De Portola Road – Temecula, CA 92592 – 951-302-5977 – 951-303-0408 – fax – don@roloffintl.com



Proposed Trails
Slide.ppt

September 3, 2013

TO: Marc Brewer, Senior Park Planner, Riverside County and Frank Coyle, Deputy Director, Riverside County Planning Department

Re: Trails bordering and linking to Roloff Ranch, Inc.

We are writing regarding two sets of trails that have been in use historically on and around our property, and had been on the proposed Wine Country Trails Map until the December 2012 hearing at which County Staff presented a one-page set of modifications removing these trails.

These two sets of trails are circled on the aforesaid exhibit (attached). We believe it is a necessity to preserve them.

The first trail goes behind and around our ranch. We have operated our ranch on De Portola Road for over 30 years, breeding, rehabilitating, breaking/training and providing for older retired horses. It is of critical importance that we have outlets for exercising our horses outside the arenas. The trail behind the property lets us get out of our ranch and link to other area trails without the danger of riding along De Portola Road.

After we exit our ranch the major trail loops we need, and linkages that take us either across toward Galway Downs or up toward the winery district, are the second set of important "north-south" trails, including one that borders the old Hat Ranch and two others that run roughly from behind Green Acres Ranch up to Linda Rosea Road. We understand that these might appear "redundant" at first glance, but in fact these trails are quite far apart. They come out at County-designed horse crossings at least a quarter mile apart on De Portola Road. Eliminating 2 out of these 3 trails, which is what County Staff appeared to be suggesting in the attached exhibit, adds much too much time to a daily exercise ride. Additionally, having to utilize alternate routes may be dangerous for horses and riders.

Moreover, the complete set of trails is vital for the tourist trail riders who are now flocking to our area (Valle de los Caballos). If we are to keep these riders OFF of dangerous De Portola road, they must have these loops to build short, medium, and longer rides with scenic elements.

These trails were developed during the Rancho California development era and each of us landowners dedicated easements to preserve them (we thought!). Now, not only for us

and resident equestrians but for the safety of the novice tourist riders, these trails are becoming even more critical.

Please let this letter serve as documentation that we believed these trails would be protected historically.

Sincerely,

A handwritten signature in black ink, appearing to read "Don and Bonnie Roloff". The signature is highly stylized and cursive, with several loops and flourishes.

Don and Bonnie Roloff, proprietors, Roloff Ranch

Patricia Ommert
400 W. Riverside Dr. #19
Burbank, CA 91506

RECEIVED
SEP 23 2013

September 16, 2013

Frank Coyle, Deputy Director (project manager) GPA NO. 1077

County of Riverside, T&L MA P.O. Box 1409, Riverside, CA 92502-1409

RE AP 927 1600 31 – 7

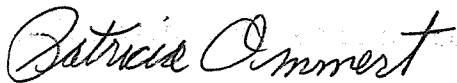
Dear Mr. Coyle:

I am asking to have my property ASMT: 927160031, APN: 927160031, grandfathered in as a veterinary hospital. This property has been in operation as a veterinary hospital since 1969. My late husband and I purchased the property in 1968. It was originally a 50 acre parcel across Los Corralitos Road from the Rancho California Track and Training Center which, since 1980, is known as Galway Downs in the Valle de Los Caballos.

The property is leased to purchase, by Chris Huth, DVM and his wife Becca. It is called Temeku Equine. The veterinary hospital has a state of the art equine surgery, stalls, exam rooms, pharmacy and lab. There is a permitted manufactured home/help house, pastures and dry paddocks plus hay and equipment sheds. On the hill above the veterinary hospital, is a 2700 sq. ft. residence. Temeku Equine is a complete and established facility with room to expand when needed.

July 6, 2010 I sent a packet to Mitra Mehta-Cooper, Principle Planner, new community plan with a complete history of our property & Tract Map 18438 should you need more information.

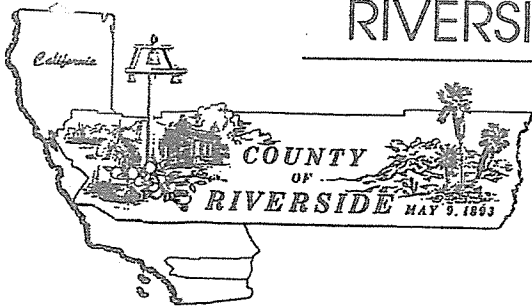
Sincerely,



Patricia Ommert

Enclosures: Riverside Planning Dept. 3/9/92 & 7/1/03





RIVERSIDE COUNTY PLANNING DEPARTMENT

Joseph A. Richards, Planning Director
Keith D. Downs, A.I.C.P., Assistant Director

COPY

March 9, 1992

Dr. Willard Ommert
38951 Pauba Road
Temecula, CA 92592

Regarding: Veterinary Hospital - APN 927-160-031

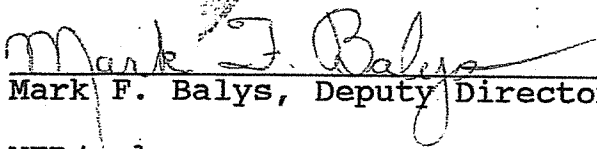
Dear Dr. Ommert:

This letter is to confirm the telephone conversation you had with Susan Lara on Thursday, March 5, 1992. You had inquired about the necessary steps to update or renew your permit for the veterinary hospital. After researching the parcel and the Land Use Ordinance, it has been determined that a use permit was not required in 1968 to operate a veterinary hospital. Therefore, as long as the facility is left exactly as is, a use permit would not be required. However, if the need arises for a building permit for any reason, a Conditional Use Permit would be required.

If you have any further questions, please feel free to contact me at (714) 275-3208.

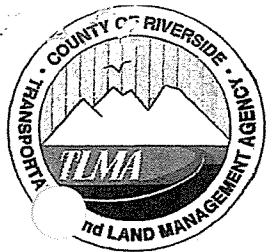
Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Joseph A. Richards, Planning Director


Mark F. Balys, Deputy Director

MFB/sml

cc: Jessie Myers



Richard K. Lashbrook
Agency Director

COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY



Ron Goldman
Interim Planning Director

Planning Department

July 1, 2003

To Whom It May Concern:

In accordance with the letter from Mark Balys dated 3/9/92, as long as the veterinary hospital remains unchanged, the County of Riverside will find that use to be a pre-existing use, and no permits relative to the hospital will be required. With regards to the proposal to establish a Second Unit Permit (SUP) on the subject property, the County finds that the SUP will not directly affect the Hospital and the County will consider the SUP to simply be an additional land use on the subject property.

Any questions regarding this letter should be directed to myself at the Murrieta address indicated below.

Sincerely,

RIVERSIDE COUNTY PLANNING DEPARTMENT

David Mares, Principal Planner

C:\Files\Word\927-160-031 letter.doc

COPY

September 23, 2013

To: Riverside County Board of Supervisors

Cc: Marc Brewer, Senior Park Planner, Parks and Recreation District
Frank Coyle, Deputy Director, Planning Department
Phayvahn Nanthavandoungsay, Urban Regional Planner III, Planning Department
Margaret Rich, Green Acres Ranch
Robert Kellerhouse, Galway Downs
Lorraine Harrington, Rancho California Horsemen's Association
Lynn Mattocks, Riverside County Trails Committee

From: Gil Pankonin, President, Rancho California Horsemen's Association

Re: Request to Restore Wine Country Trails segments deleted prior to Dec 2012 Hearing

Supervisors,

We have 2 requests for you today:

1. That you approve the proposed Trails Map that is part of the Wine Country Plan **with changes that we will recommend right now**
2. That you instruct County Staff that as implementation proceeds, that they please interact with Rancho California Horsemen's Association if/when issues arise in the implementation, as we truly believe we can help with resolution of any problems.

As members of the oldest local trails preservation group in the Wine Country (Rancho California Horsemen's Association, in existence since 1969), several of us have been helping the County since 2006 (at the County's request) to remap trails in Wine Country. Our shared objectives were threefold: 1) to ensure a safe, connected network of trails that will enable riders to tour the wine country on horseback, 2) more importantly, enable horse owners to traverse the Winery, Residential and Equestrian Districts to reach our valued local destinations of Vail Lake, Lake Skinner and eventually Diamond Valley Lake, and 3) allow local horse owners to exercise their horses on a daily basis on shorter loops within the network.

We have worked since 2006 in collaboration with Parks and Recreation, the Planning Department, winery owners, and other property owners to create the proposed trails map. At a point in mid-2012, representatives of all those groups finally agreed on a proposed map and at the end of lengthy discussions, compromises (on all sides), etc., SIGNED the map to show our agreement.

Unexpectedly, a couple of days before the final public hearing before the Planning Commission in December 2012, about a dozen or so trails segments were suddenly removed from the map without our knowledge. We understand that one of the Commissioners thought some segments appeared "redundant" because they were close to trails that ran along streets (primarily useful for bicyclists), so he erased them. From the initial days, we have always drawn the desired trails away from streets, for safety reasons. In removing these segments, the map not only becomes

more dangerous, but it removed some already legal trail segments, i.e., segments where legal easements already have been designated.

We urge you today to restore those segments.

As further support of this request, we have collected letters from landowners bordering the segments in question. County Staff asked us to do this "rework" even though we had already gotten agreement in writing in some cases. For example, a very critical trail segment that goes along the easternmost boundary of Mr. Claudio Ponte's property close to Camino del Vino, was erased. We have reconfirmed with Mr. Ponte that he has agreed to dedicate that trail. He was a participant in that lengthy meeting in mid-2012 and his is one of the signatures on the aforementioned June 2012 map. County Staff can no longer find that map, so they've asked us to collect letters again! We have done our best to do this extra work over the past few weeks, but it is harvest time at the wineries and it has been difficult to get the paperwork (which is essentially rework) completely done. Our position to you today is that we HAVE Mr. Ponte's word, which we respect. Staff has his signature, though they seem to have lost it. In short, we ask you to restore that segment onto the map and approve the map as it was in June 2012. This will reverse 11 or 12 erasures.

Finally, attached to this memo are many, many letters from landowners in the area north of De Portola Road and south of Linda Rosea Road (i.e., the area surrounding Green Acres Ranch and Roloff Ranch, among others) attesting to the easements granted for the several trails segments in their area (some of which were also erased). As you will read, these are vital for the exercise of their horses.

We urge you to approve the map today, so that we can proceed to implementation.

Finally, we request that as part of your approval you instruct County Staff to alert us and engage us in any changes contemplated for the future. We believe we have worked in a highly collaborative fashion to date, and pledge to continue to help work through problems, but we want to prevent a situation where suddenly changes are made that reverse a lot of hard negotiating!

Respectfully yours,

Gil Pankonin, President, Rancho California Horsemen's Association

From: Graham, Kerri L <kerri.graham@av.abbott.com>
Sent: Monday, September 23, 2013 4:03 PM
To: cob@rcbos.org
Cc: Coyle, Frank; Nanthavongdouangsy, Phayvanh
Subject: Letter to the Board - Save the Temecula Trails

**Board of Supervisors
c/o Clerk of the BOS**

To Whom It May Concern:

This email is to address my support of the trails map with the changes suggested by Gil Pankonin. I recently moved out to the Wine Country in Temecula and one of the main attractions was all the horse trails so that I may ride with my daughter through all the back areas in Temecula without the worry of traffic. Ranch California Horseman's Association (RCHA) has done a wonderful job at protecting the trails so that the whole community can enjoy for years to come. They also encourage safety for the riders, which is why these trails are so important. It allows for designated trails to keep horses off the main roads.

I urge the Board of Supervisors to approve the trails map with changes suggested by Gil Pankonin, President of RCHA.

Sincerely,
Kerri Graham
Member of RCHA

From: Jackie Fenaroli <stonewallsaddles@yahoo.com>
ent: Tuesday, September 24, 2013 8:11 AM
o: cob@rcbos.org
Cc: Coyle, Frank; Nanthavongdouangsy, Phayvanh
Subject: Support Trails in Wine Country Temecula

Mon, Sep 23, 2013 at 3:26 PM
SMon, 3:26 PM

il Pankonin, President of RCHA.

Supervisors,

Please support and approve the Trail Map in Wine Country.

The trails are unique to this area and that gives visitors another reason to visit us rather than go elsewhere. Visitors spend money and this provides jobs to citizens and a sales tax base to local governments.

Trails also reduce vehicle traffic which in turn reduces pollution and energy usage and provides for a cleaner green environment for our residents and wildlife.

Trails meet the Counties goal of providing recreation and an interconnected trail system to wilderness areas.

My business of making saddles for trail riding is dependant on having trails for equestrians. Supporting the trails is supporting my business and jobs directly.

Please vote yes on the trails and strongly consider the changes suggested by Gil Pankonin, President of RCHA.

Sincerely,

Jackie Fenaroli
[Stonewall Saddle Company](#)



September 19, 2013

Frank L. Coyle, REA I
Deputy Director, Advanced Planning Division
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92501
fcoyle@rctlma.org


Dear Mr. Coyle:

RE: TEMECULA VALLEY WINE COUNTRY COMMUNITY PLAN
Attachment A, Section IV (Existing Wineries)

In reading through Attachment A, Section IV of the proposed Temecula Valley Wine Country Community Plan, it came to our attention that one of our grower members, Peltzer Farms, appears to be missing from the Existing Wineries list. The Peltzer's are knee deep into the plot plan approval process and have been approved by all departments; they are simply waiting for their completed staff report and hearing date.

We respectfully request that Peltzer Farms be added to the Existing Wineries list and be included in the 'overlay'.

Best Regards,


Nicholas Palumbo
President, Temecula Valley Winegrowers Association

cc: Supervisor Jeff Stone
Supervisor John F. Tavaglione
Supervisor Kevin Jeffries

Supervisor Marion Ashley
Supervisor John Benoit
Mr. George Johnson
Ms. Olivia Barnes

LAURIE STAUDE
31 St. Michael Place
Dana Point, California 92629
(949) 496-3628
email: GrandyLSS@aol.com

Deputy Director Frank Coyle
Commissioner John Petty
Commissioner Jeff Stone
12th Floor –County Administrative Center
4080 Lemon Street
Riverside, California 92502

RECEIVED
SEP 19 2013
COUNTY OF RIVERSIDE

Re: Wine Country Proposal
Parcel 924200012-1 (north side of Camino Sierra Road) – 12 acres
My request NOT to be required to plant 75% in grapes

September 16, 2013

Dear Deputy Director Coyle, Commissioner Petty, and Commissioner Stone:

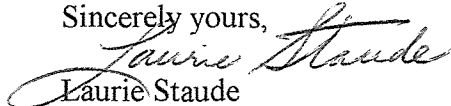
Saturday, Sept. 14, 2013, I received a notice for a public hearing on September 24, 2013. It says that if “I wish to comment on the hearing, I need to give written testimony by Sept. 19, 2013.”

I will not be present Sept. 24, nor do I wish to comment at that time. However, I want to be sure that the conditions outlined in my letter of February 26, 2013 (see enclosed copy) and the email from Phayvanh Nanthavongdouangsy on January 16, 2013 (see enclosed copy) are still in place.

I am not giving fresh testimony on the grounds that the condition that I or a future owner does not have to plant 75% grapes, even if he or I spilt the 12 acre parcel into two parcels, with a minimum parcel’s being no less than 5 Acres.

I spoke on the phone with Phayvanh today, and she assured me that my exemption from planting grapes was still in place. If there is any change in this condition, please will you notify me immediately by email or by telephone?
Thank you very much for all your help.

Sincerely yours,


Laurie Staude

Encl: Copy of January 16, 2013 e mail from Pnanthav
Copy of my Feb. 26, 2013 letter
Copy of Notice of Public Hearing for Sept. 24, 2013
Cc: Phayvanh Nanthavongdouangsy

-----Original Message-----

From: Nanthavongdouangsy, Phayvanh <PNANTHAV@rcitlma.org>

To: 'GrandyLSS@aol.com' <GrandyLSS@aol.com>

Cc: Coyle, Frank <FCOYLE@rcitlma.org>

Sent: Wed, Jan 16, 2013 11:14 am

Subject: RE: Wine Country Community Plan

Hello Ms. Laurie Staude,

Properties located within the Temecula Valley Wine Country Policy Area may be subdivided for residential purposes. The density yield for a property located within the Wine Country-Residential District is 1 dwelling unit per 5 acres (1du/5ac). For example a property of 20 acres will yield 4 units; each unit shall be on a minimum of 5 acres (see Figure 1 below). Under this scenario, the 75% vineyards/equestrian land requirement does not apply.

Proposed General Plan Policy: SWAP 1.5 Require a density of ten (10) acres minimum for tentative approval of residential tract and parcel maps after (adoption date) regardless of the underlying land use designation except in the Wine Country – Residential District where a density of five (5) acres minimum shall apply.

X (5 ac.)	X (5 ac.)
X (5 ac.)	X (5 ac.)

The Community Plan also encourages clustering when appropriate and feasible. Under the clustering scenario, the 75% vineyards/equestrian land requirement does apply. Clustering would allow the property owner to locate the 4 units on 5 acres- with each unit on a minimum of 1 acre; while the remaining 15 acres will be set aside as vineyards or equestrian land.

Proposed General Plan Policy: SWAP 1.15 Encourage tentative approval of residential tract and parcel maps to cluster development in conjunction with on-site vineyards or equestrian land provided that the overall project density yield does not exceed one dwelling unit per five (5) acres. While the lot

sizes in a clustered development may vary, require a minimum lot size of 1 acre, with at least 75% of the project area permanently set-aside as vineyards or equestrian land.

X (1.25 ac.)	X (1.25 ac.)	
X (1.25 ac.)	X (1.25 ac.)	

Only when the clustering scenario is chosen would the set aside of 75% planting of vineyards or equestrian open space be required. In our phone conversation you mentioned your property of 12 acres. If in the future you would like to subdivide it into two parcels (one 5 acre and the other 7 acres), the 75% planting requirement does not apply.

I hope this helps. Please let me know if you have any questions.

Thank you,
Phayvanh

Phayvanh Nanthavongdouangsy
Urban Regional Planner III
County of Riverside Planning Dept.
951-955-6573

Please be advised that effective July 01, 2010, our business hours will be from 7:00 AM to 5:30 PM (M-TH).

From: Coyle, Frank
Sent: Monday, September 16, 2013 2:45 PM
To: Nanthavongdouangsy, Phayvanh
Subject: FW: Public Hearing SoCal Wine Country Plan
Attachments: Letter Of Objection to Zone Change East Benton Road.pdf

Fyi...

From: Sjmanfredi@aol.com [<mailto:Sjmanfredi@aol.com>]
Sent: Monday, September 16, 2013 9:57 AM
To: Coyle, Frank
Subject: Public Hearing SoCal Wine Country Plan

Re: Temecula Valley Wine Country Plan

Dear Frank: Please see the attached letter that objects to the zone change for parcels 924-320-013-4, 924-320-014-5, 924-320-015-6, 924-320-016-7. This letter was sent by certified mail July 11, 2012 by Ronald Mostero, owner of the property.

Thank you

Stephen J. Manfredi
Property Manager

Stephen J. Manfredi
P.O. Box 890880
Temecula, Ca. 92589-0880
(951) 699-1719 Cell (951) 312-9003
Fax (951) 694-8458 SJManfredi@aol.com

**Ronald Mostero
505 Chiswick Road
Palos Verdes, Ca. 90274**

**County of Riverside
Transportation and Land Management Agency
Ms. Mitra Mehta-Cooper, AICP
Principal Planner
P.O. Box 1409
4080 Lemon Street, 12th Floor
Riverside, Ca. 92502-1409**

July 5, 2012

Re: Approximately 40 acres including Four Parcels APN 924-320-013-4, 924-320-014-5, ~~924-320-015-6, 924-320-016-7~~ at the corner of East Benton Road and Bella Vista Road, Temecula.

Wine Country Community Plan: General Plan Amendment No. 1077 Ordinance Amendment No. 348.4729 & Program Environmental Impact Report No 524 and the Planning Commission Hearing Legal Notice - July 25, 2012

Dear Ms. Mitra Mehta-Cooper:

This letter is in regard to the Wine Country Community Plan: General Plan Amendment No. 1077 Ordinance Amendment No. 348.4729 & Program Environmental Impact Report No 524 and the Planning Commission Hearing Legal Notice - July 25, 2012.

My wife Teresa and I purchased the four parcels listed above in order to develop a private rural school on the property. The present zoning of the property allows for the development of a private school.

I would like to submit that the children and families who reside in wine country will benefit from a local rural school. The benefits include decreased travel times for the students and their family members, and the ability of wine country residents to develop an increased sense of community at the school.

My wife and I have faithfully paid the property taxes on these four parcels for the past several years. We humbly ask that any future zone changes for these four parcels will continue to allow the development of a private rural school as an accepted use.

Thank you for your time and consideration.

Respectfully Submitted,



Ronald Mostero

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 0.45
Certified Fee	\$ 2.95
Return Receipt Fee (Endorsement Required)	\$ 2.35
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 5.75



Sent To
 COUNTY OF RIVERSIDE MITRA MEHTA COOPER
 Street, Apt. No. or PO Box No. **PO BOX 1409**
 City, State, ZIP+4 **RIVERSIDE CA 92502-1409**

PS Form 3800, August 2006 See Reverse for Instructions

7011 2970 0004 3751 5824

TEMECULA MAIN PO
 TEMECULA, California
 925919998
 0567760591 -0097
 (800)275-8777

07/11/2012 12:21:56 PM

Product Description	Sales Receipt Sale Qty	Unit Price	Final Price
RIVERSIDE CA 92502 Zone-1 First-Class Letter			\$0.45
0.50 oz. Expected Delivery: Thu 07/12/12			
Return Rcpt (Green Card)			\$2.35
Certified			\$2.95
Label #:	70112970000437515824		
Issue PVI:			\$5.75

Total: \$5.75

Paid by:
 MasterCard \$5.75
 Account #: XXXXXXXXXXXX3994
 Approval #: 04557Z
 Transaction #: 20
 23 903490431

BRIGHTEN SOMEONE'S MAILBOX. Greeting cards available for purchase at select Post Offices.

Order stamps at usps.com/shop or call 1-800-Stamp24. Go to usps.com/clicknship to print shipping labels with postage. For other information call 1-800-ASK-USPS.

Get your mail when and where you want it with a secure Post Office Box. Sign up for a box online at usps.com/poboxes.

Bill #: 1000303819931
 Clerk: 16

All sales final on stamps and postage
 Refunds for guaranteed services only
 Thank you for your business

HELP US SERVE YOU BETTER

Go to: <https://postalexperience.com/Pos>

TELL US ABOUT YOUR RECENT POSTAL EXPERIENCE

YOUR OPINION COUNTS

Customer Copy

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Signature]* Agent Addressee

B. Received by (Printed Name) *[Signature]* Date of Delivery *7/12/12*

C. Is delivery address different from item 1? Yes No

D. Is delivery address different from item 2? Yes No

3. Service Type Certified Mail Express Mail Return Receipt for Merchandise Registered Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes No

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 COUNTY OF RIVERSIDE
 TRANSPORTATION & LAND MGT.
 MS. MITRA MEHTA - COOPER AICP
 PRINCIPAL PLANNING
 4080 LEMON ST. 12TH FLOOR
 RIVERSIDE, CA 92502-1409

2. Article Number **7011 2970 0004 3751 5824**
 (Transfer from service label)

102596-02-M-1640 Domestic Return Receipt

PS Form 3811, February 2004

April 16, 2013



Supervisor Kevin Jeffries
County of Riverside, 1st District
4080 Lemon Street, 5th Floor
Riverside, CA 92502

RE: Wine Country CV Zone

Position: OPPOSE Incompatible Uses

The Temecula Valley Convention & Visitors Bureau (TVCVB) has adopted a position OPPOSING the expansion of incompatible uses within the Temecula Valley Wine County. The mission of the TVCVB is to stimulate economic growth and tourism in our region by developing, expanding and marketing our destination to conventions, meetings and leisure travel markets. Our twenty one-person Board represents fifteen (15) member business classes, including lodging, restaurants, transportation, hot air ballooning, golf, wineries, casino, retail, arts and culture and sports. Travel spending in Temecula Valley is nearly \$600 million per year, and supports approximately 6,200 jobs. We strive to work with our members to help their businesses grow, provide jobs for our local community, and to advocate on policies that will impact that mission.

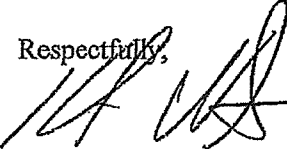
The *Wine Country is a precious and limited resource for our region* - indeed our whole county. CV zoning was established to encourage agricultural cultivation, especially vineyards and citrus groves, that would preserve the rural lifestyle of our area. Adopting specific and very limited commercial use within the zone was intentional and necessary to the economic viability of the region, specifically for vineyard and citrus production. This zoning supports the wineries that have flourished throughout the area as well as the thousands of direct and indirect jobs they provide to the region, including its substantial contribution to our tourism economy.

The expansion of incompatible uses within the current CV zoned region is both a land use and jobs issue. Limiting or eliminating acreage dedicated to CV compliance weakens the regional economy and represents loss of a resource that, once gone, can never be regained.

The spirit and integrity of the original document remains significant and extremely important to the preservation and expansion of the Temecula Valley Wine County. It has served to protect and preserve the region since its inception in the late 1980's. One has only to look at the disparity between Ag preserve land in Napa County (91%) contrasted to Riverside County (.1%) to understand why no further efforts to impinge on this precious resource should be allowed. The dissolution of the Rancho Cucamonga Wine Country should provide an additional cautionary example on the impact of incompatible uses. What was once a thriving leader in the California wine industry is now nothing more than a freeway interchange with an airport and warehouses. We don't believe that's the vision any of us have for our Wine Country.

The *Temecula Valley Convention & Visitors Bureau* strongly encourages you to avoid further weakening of the CV Zone and act to preserve the integrity, character and economic engine that is the Temecula Valley Wine Country.

Respectfully,


Ken Westmyer
TVCVB Chairman of the Board

cc: John Tavaglione, 2nd District Supervisor
Jeff Stone, 3rd District Supervisor
John Benoit, 4th District Supervisor
Marion Ashley, 5th District, Supervisor
Charissa Leach, 1st District Planning Commissioner
Ed Sloman, 2nd District Planning Commissioner
John Petty, 3rd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Jan Zupardo, 5th District Planning Commissioner

FAX

To: Planning Department **From:** Joan Sparkman

Fax: 951 955-1811 **Pages:** 12 (including cover)

Phone: **Date:** 9.20.2013

Re: Temecula Wine Country **CC:**

Urgent For Review Please Comment Please Reply Please Recycle

Comments:

Eleven letters from Temecula Valley Citizens of the Year are attached regarding the Temecula Valley Wine Country Community Plan. The Letters have been sent to the Supervisors and Planning Commissioners separately.

Please distribute to:

Carolyn Sym's Luna, Director of Planning
 Frank Coyle, Deputy Director of Planning

RECEIVED
 SEP 23 2013
 RIVERSIDE COUNTY
 PLANNING DEPARTMENT

9.20.2013

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.

Trish Shea

2012 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
John Benoit, 4th District Supervisor
Charissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Mickey Valdivia, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning
John Tavaglione, 2nd District Supervisor
Marion Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

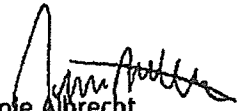
We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, ***the Wine Country Ag Preserve is working.*** As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.


Nicole Albrecht
2011 Temecula Citizen of the Year

- cc: Kevin Jeffries, 1st District Supervisor
- John Benolt, 4th District Supervisor
- Charissa Leach, 1st District Planning Commissioner
- John Petty, District Planning Commissioner
- Jan Zuppardo, 5th District Planning Commissioner
- Carolyn Syms Luna, Director of Planning

- John Tavaglione, 2nd District Supervisor
- Marlon Ashley, 5th District Supervisor
- Ed Sloman, 2nd District Planning Commissioner
- Guillermo Sanchez, 4th District Planning Commissioner
- Frank Coyle, Deputy Director of Planning



September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.

Bill Wilson
2010 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
John Benolt, 4th District Supervisor
Charissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Jan Zuppardo, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
Marion Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.



Kim Kelliher

2009 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
John Benoit, 4th District Supervisor
Charlissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Jan Zuppardo, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
Marion Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.



Terry Gilmore
2007 Temecula Citizen of the Year

c:

cc: Kevin Jeffries, 1st District Supervisor
John Benoit, 4th District Supervisor
Charissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Jan Zuppardo, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
Marlon Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Gullermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
 County of Riverside, 3rd District
 4080 Lemon Street
 Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.

Bruce Cripe

2006 Temecula Citizen of the Year

- | | |
|--|---|
| cc: Kevin Jeffries, 1 st District Supervisor | John Tavaglione, 2 nd District Supervisor |
| John Benoit, 4 th District Supervisor | Marion Ashley, 5 th District Supervisor |
| Charissa Leach, 1 st District Planning Commissioner | Ed Sloman, 2 nd District Planning Commissioner |
| John Petty, District Planning Commissioner | Guillermo Sanchez, 4 th District Planning Commissioner |
| Jan Zuppardo, 5 th District Planning Commissioner | |
| Carolyn Syms Luna, Director of Planning | Frank Coyle, Deputy Director of Planning |

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.

Bob Brown

2005 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
John Benoit, 4th District Supervisor
Charissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Jan Zupardo, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
Marion Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
 County of Riverside, 3rd District
 4080 Lemon Street
 Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

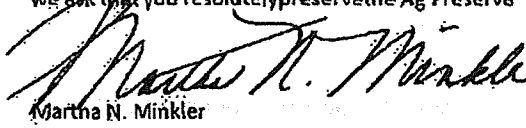
We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.



Martha N. Minkler

2004 Temecula Citizen of the Year, Resident of Temecula Valley for 39 years

- cc: Kevin Jeffries, 1st District Supervisor
- John Benoit, 4th District Supervisor
- Charissa Leach, 1st District Planning Commissioner
- John Petty, District Planning Commissioner
- Jan Zupparado, 5th District Planning Commissioner
- Carolyn Syms Luna, Director of Planning

- John Tavaglione, 2nd District Supervisor
- Marion Ashley, 5th District Supervisor
- Ed Sloman, 2nd District Planning Commissioner
- Guillermo Sanchez, 4th District Planning Commissioner
- Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
County of Riverside, 3rd District
4080 Lemon Street
Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, ***the Wine Country Ag Preserve is working***. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.

Joan Sparkman

2001 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
John Benoit, 4th District Supervisor
Charissa Leach, 1st District Planning Commissioner
John Petty, District Planning Commissioner
Mickey Valdivia, 5th District Planning Commissioner
Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
Marion Ashley, 5th District Supervisor
Ed Sloman, 2nd District Planning Commissioner
Guillermo Sanchez, 4th District Planning Commissioner
Frank Coyle, Deputy Director of Planning

September 18, 2013

Supervisor Jeff Stone
 County of Riverside, 3rd District
 4080 Lemon Street
 Riverside, CA 92502

RE: OPPOSITION TO USES WITHIN WINE COUNTRY THAT ARE INCONSISTENT WITH THE ZONE'S INTENT

The County will soon be considering changes to our Wine Country zoning that will have a significant impact on Temecula Valley's future. Our Agriculture Preserve, also known as the CV Zone, has played a crucial role in Wine Country's success as an important and growing contributor to our area's economic health, lifestyle options, and positive self-identity.

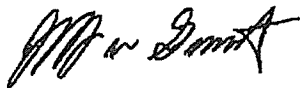
We are concerned that at a time when our leaders should be taking action to strengthen the Ag Preserve, they are instead considering the possibility of weakening it. We encourage the County to reject any changes to the CV Zone that do not support the Ag Preserve's very specific intent, as stated in the County's ordinance:

...a zone classification... that would encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization...

The present Ag Preserve accounts for only 0.1% of Riverside County, leaving ample space for other development in the remaining 99.9%. By contrast, Napa County's cherished Ag Preserves, comprised of the AG (Agriculture) and the much larger AGW (Agriculture Watershed) Zones, account for about 91% of that county, leaving only 9% for other development.

Our Winegrowers Association, our Convention and Visitors Bureau, four of our area Chambers of Commerce, and many others have indicated that any diminishment of the Ag Preserve would inhibit Temecula Valley Wine Country from reaching its full potential. This would be a disservice to the dozens of local growers and vintners who have toiled for two generations to create a world class wine region, and to the entire community who derives economic and lifestyle benefits from this irreplaceable asset.

In short, *the Wine Country Ag Preserve is working*. As concerned citizens who want the very best for our community, we ask that you resolutely preserve the Ag Preserve.



Jeff Gavitt
 1996 Temecula Citizen of the Year

cc: Kevin Jeffries, 1st District Supervisor
 John Benoit, 4th District Supervisor
 Charissa Leach, 1st District Planning Commissioner
 John Petty, District Planning Commissioner
 Jan Zuppardo, 5th District Planning Commissioner
 Carolyn Syms Luna, Director of Planning

John Tavaglione, 2nd District Supervisor
 Marion Ashley, 5th District Supervisor
 Ed Sloman, 2nd District Planning Commissioner
 Guillermo Sanchez, 4th District Planning Commissioner

Frank Coyle, Deputy Director of Planning

September 23, 2013

Honorable Jeff Stone
Riverside County Supervisor
4080 Lemon Street
Riverside, CA 92501

RE: Wine Country Specific Plan – WC-E Land Use

Dear Supervisor Stone:

I represent the ownership group of the 240 acre existing commercial equestrian establishment and events center located at 38801 Los Corralitos Way. The facility has legally operated for years under a CUP that allows for a restaurant, horse racing, training, boarding, polo club and other uses defined as "Commercial Equestrian Establishment" and "Special Occasion Facility" in the proposed Wine Country Specific Plan ("Plan"). The facility has been the cornerstone for equestrian activity in Temecula for 4 decades and it is the desire of the property owner to keep the facility operating as a "Commercial Equestrian Establishment" and "Special Occasion Facility" as defined in the Wine Country Specific Plan.

The current ownership has invested substantial capital and resources into beautifying the property the past several years. A Polo Club has been having events at the facility this past year and we have plans to continue that operation along with adding rodeo type events in 2014. In addition, other events have been held at the facility recently and throughout the 4 decades of operation with no adverse impacts to the core equestrian activities and those activities have not changed the character of the property or the community. In fact, those other activities has been a perfect complement as they use existing facilities and have added an important revenue source that will allow the facility to remain as the premiere equestrian and events center in Temecula.

After careful review, the Plan has potentially significant impacts to the facility without any apparent advantages. We are seeking to make sure that our current entitled activities that are consistent with a "Commercial Equestrian Facility" and "Special Occasion Facility" are clearly acknowledged and codified in the Plan. We request that under "Allowed Uses" in the WC-E Zone language be added that states: "Commercial Equestrian Facility and Special Occasion Facility for any existing Equestrian Establishments over 100 acres." This will ensure that the facility is clearly allowed to operate under the Plan exactly as its underlying CUP.

Thank you in advance for your time and consideration of this matter.

Sincerely,


Steven E. Rawlings

Reply To:
24910 Las Brisas Road, Suite 110
Murrieta, California 92562
Telephone: 951.600.2733
Facsimile: 951.600.4996
www.tylerbursch.com

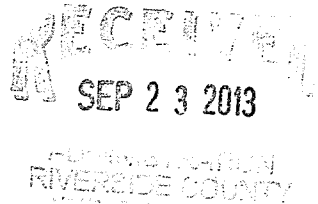
Orange County Office:
15540-B Rockfield Boulevard
Irvine, California 92618
Telephone: 949.707.2733

San Diego Office:
16870 W. Bernardo Drive, Suite 400
San Diego, California 92127
Telephone: 619.299.2733

September 17, 2013

VIA ELECTRONIC
AND U. S. MAIL

Board of Supervisors
Riverside County Administration
4080 Lemon Street
Post Office Box 1409
Riverside, California 92501
Email: ceo@rceo.org



Re: *September 24, 2013, Public Hearing on Temecula Valley Wine Country Community Plan - Calvary Chapel Bible Fellowship's Request for an Exemption From Temecula Valley Wine Country Community Plan*

Dear Board of Supervisors:

The purpose of this letter is to request a religious exemption to exclude two parcels from the Wine Country Community Plan ("WCCP") in order to allow Calvary Chapel Bible Fellowship ("CCBF") to proceed with a text amendment to permit religious assemblies in the Citrus/Vineyard Zone ("C/V") and its pending plot plan. The proposed exemption is in the best interest of the County of Riverside ("County") based on the provisions of the U.S. Constitution's First Amendment¹ and the Religious Land Use and Institutionalized Persons Act of 2000 ("RLUIPA")². In order to discuss the legal implications, I must first recap the factual historical background of CCBF's land development efforts and the County's actions relating to CCBF's project. As I will discuss more fully herein; I believe an exemption for CCBF from the WCCP is not only prudent, but is constitutionally and statutorily required under the First Amendment and the Safe Harbor Provision under RLUIPA.³

HISTORICAL BACKGROUND

In October 1996, CCBF purchased the property it currently uses to conduct its religious services and activities. At that time, the County allowed churches to be developed anywhere within the County as long as they applied for, and were granted, a Public Use Permit ("PUP"). CCBF's PUP No. 798 was approved on July 27, 1999, along with Variance No. 1665, allowing a reduction in the planting requirement from 75% to 48%. CCBF conducted services in the existing buildings on the property and subsequently built a sanctuary.

¹ U.S. CONST. amend. I.

² Religious Land Use and Institutionalized Persons Act, 42 U.S.C. 2000cc (2000).

³ 42 U.S.C. 2000cc-3(e).

On March 14, 2000, the County adopted Ordinance 348.3928 amending the C/V zone to allow restaurants, wine-tasting rooms and retail wine sales. On September 22, 2000, Congress adopted the RLUIPA; the County eliminated churches from the C/V zone. As a result of the amendment, CCBF's property use became a legal non-conforming use. Since 2000, the County has amended its zoning ordinance in the C/V zone several times to allow child day care centers, special occasion facilities, bed & breakfasts, country inns, hotels with conference rooms, day spas and cooking schools.

In 2009, the County initiated development of the Wine Country Community Plan ("WCCP") in partnership with the Temecula Valley Wine Association, who offered \$50,000 for funding the project. An Ad Hoc Group consisting of county staff and vintners began planning sessions to determine the future land use for the C/V zone. That same year, CCBF informed the County of its intention to build a church and school on property it was in escrow to purchase. The property was located adjacent to its existing church site. Numerous letters have been sent by my office expressing concerns about the legality of the County's land use actions as they relate to the church's expansion plans. For your information, I have attached some of the prior correspondence outlining the concerns of CCBF which are attached as Exhibits "A" through "G".

In 2010, the County Board of Supervisors directed staff to amend the zoning ordinance to allow churches in the C/V zone and the amendment (Ordinance 348.4702) was tentatively approved by the Planning Commission in October 2010, and later removed from its calendar in November 2010. Ordinance 348.4713 was adopted the same month (November 2010) giving the Planning Director discretion to approve projects that were substantially the same in character and intensity as uses already permitted within the zone. CCBF representative, Mike Naggar, sent a letter two weeks later requesting that the County, pursuant to Ordinance 348.4713, find CCBF's proposed project the same character and intensity so it could proceed with its expansion. The Planning Director notified CCBF via letter, attached as Exhibit "H", stating, "I hereby find that the proposed project is substantially the same in character and intensity as those listed uses requiring a plot plan." CCBF submitted a plot plan in March 2011, for processing. Two months later, on May 6, 2011, Protect Wine Country filed a lawsuit against the County which voided Ordinance 348.4713 on January 20, 2012.

During this time period, the County continued to conduct advisory meetings and public hearings wherein significant changes were made to WCCP in order to prepare it for final adoption. A Notice of Completion for the Draft Preliminary Environmental Report for the WCCP was issued in February 2012.

On May 30, 2012, CCBF applied for a text amendment to permit churches in the C/V zone along with a plot plan. Subsequently, CCBF filed for a General Plan Amendment after county officials determined a General Plan Amendment was also needed to allow religious assemblies in the C/V/Zone. At the July 2012, Planning Commission hearing on the WCCP, CCBF members were vocal about the WCCP not addressing their church's existence within the proposed specific plan or its proposed project. At the December 5, 2012, hearing, the Planning Commission considered three options to address CCBF's project and voted to exclude CCBF's project from the WCCP. Since that

time, CCBF has been working closely with county officials to process the development application and to prepare the necessary studies.

The Planning Commission has recommended a number of other properties for exclusion from the WCCP based on individual requests including Group A (located along De Portola Road and Mesa Road); Group B (located along north of Highway 79 and Anza Road); Group D (located northeast of Rancho California and Butterfield Stage Road, near CCBF); and Group E (located north of Vista Del Monte and Mize Way). Along with exclusions to the WCCP, the Planning Commission is recommending some inclusions and some changes to land designations within the WCCP based on public input from property owners. CCBF supports the Planning Commission's decision to exclude its properties from the WCCP and there is ample law to justify that position under the U.S. Constitution and RLUIPA.

FIRST AMENDMENT, FREE EXERCISE CLAUSE

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof".⁴ "[N]o law . . . prohibiting the free exercise [of religion]"⁵ is referred to as the "Free Exercise Clause" and was made applicable to the states under the Fourteenth Amendment, *Cantwell v. Connecticut*, 310 U.S. 296, 303 (1940). Under the Free Exercise Clause, a law that burdens religious practice does not need to be justified by a compelling governmental interest if it is neutral and of general applicability. *Employment Div., Dept. of Human Resources of Ore. v. Smith*, 494 U.S. 872 (1990). If a law is not neutral or of general applicability, it is invalid unless it is justified by a compelling government interest and is narrowly tailored to advance that interest. *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520 (1993) (referred to as "strict scrutiny").

In 1986, the Court ruled that when "a state [government] creates a mechanism [for exemption] its refusal to extend an exemption to an instance of religious hardship suggests a discriminatory intent". *Bowen v. Roy*, 476 U.S. 693, 708 (1986). That ruling only applied to unemployment cases until the *Smith* ruling in 1990. Under *Smith*, the court redefined a prior holding in *Sherbert v. Verner*, 83 S. Ct. 1790 (1963), referred to as the "Sherbert test", extending exemptions under the context of "individualized government assessments". The Court stated that *Sherbert* held "for the proposition that where the State has in place a system of *individual exemptions*, it may not refuse to extend that system to cases of religious hardship without compelling reason".⁶

In processing the WCCP, officials have made discretionary determinations that affect individual property owners with regard to land entitlements. By definition, those discretionary determinations are "individualized government assessments". Within the WCCP staff report, dated December 19, 2012, ten different groups have been recommended for exclusion from the WCCP, including CCBF (Group C), and two groups for inclusion. Should the County deny CCBF's

⁴ U.S. Const. amend. I.

⁵ *Id.*

⁶ *Employ. Div., Dept. of Human Resources of Oregon v. Smith*, 110 S. Ct. 1595, 1603 (1990).

exclusion from the WCCP and approve other nonsecular exclusions and inclusions, then its actions would be subject to strict scrutiny. The *Lukumi* court held, “[When] it is only conduct motivated by religious conviction that bears the weight of the governmental regulations. There can be no serious claim that those interests justify the ordinance.”⁷ Therefore, if the County Board of Supervisors allows other properties to be exempt from the WCCP, then it must exempt CCBF’s properties as well.

RELIGIOUS LAND USE AND INSTITUTIONALIZED PERSONS ACT

RLUIPA, enacted in 2000, is “a civil rights law that protects individuals and religious institutions from discriminatory and unduly burdensome land use regulations.”⁸ RLUIPA came into being after a congressional investigation discovered that zoning authorities were placing excessive and unreasonable burdens on religious assemblies in violation of the Free Exercise Clause of the U.S. Constitution. The sponsors of RLUIPA found that “zoning codes frequently *exclude churches* in places where they permit theaters, meeting halls, and other places where large groups of people assemble for secular purposes.”⁹ Additionally, the Department of Justice (“DOJ”) has authorization to enforce the provisions of RLUIPA.

RLUIPA contains five broad land use prohibitions:

- Protection against substantial burdens on religious exercise
- Protection against unequal treatment for religious assemblies
- Protection against religious discrimination
- Protection against total exclusion of religious assemblies
- Protection against unreasonable limitation of religious assemblies

This letter will address the County’s responsibility with respect to the first prohibition, noting that other prohibitions may apply.

1. Substantial Burdens on Religious Exercise – Section (a)(1)

Under Section (a) (1) of RLUIPA, “[n]o government shall impose or implement a land use regulation in a manner that imposes a substantial burden on religious exercise of a person, including a religious assembly or institution, unless government demonstrates that imposition of the burden on that person, assembly, or institution is in furtherance of a compelling government interest; and is the least restrictive means of furthering that compelling governmental interest.”

⁷ *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 547 (1993).

⁸ United States Department of Justice, *Statement of the Department of Justice on the Land Use Provisions of Religious Land Use and Institutionalized Persons Act (2010)* available at <http://www.justice.gov/crt/about/spl/documents/RLUIPA10thAnnivSPLQAs.pdf>. (Italics added).

⁹ 146 CONG. REC. S7774 (daily ed. July 27, 2000) (joint statement of Senators Hatch and Kennedy) (Italics added).

RLUIPA defines religious exercise as “the use, building, or conversion of real property for the purpose of religious exercise”.¹⁰ RLUIPA prohibits government from imposing “substantial burdens” on the exercise of religion unless “there is a compelling government interest and is the least restrictive means of satisfying the government interest.” *San Jose Christian College v. City of Morgan Hill*, 360 F.3d 1024, 1033-34 (9th Cir. 2004). The Ninth Circuit has determined that RLUIPA applies when “the County [makes] an individualized assessment.” *Guru Nanak Sikh Soc. of Yuba City v. County of Sutter*, 456 F.3d 978, 986 (9th Cir. 2006). In *San Jose Christian* the Court held that a regulation imposes a substantial burden when it is “oppressive to a significantly great extent.”¹¹

In 2011, the Ninth Circuit Court clarified that once RLUIPA is triggered by “individualized assessments”, then the substantial burden analysis involves two steps. The first step is for the plaintiff to demonstrate government imposes a substantial burden on religious exercise, and the second step is for government to show its action was “the least restrictive means” to “further the compelling government interest”. *International Church of Foursquare Gospel v. City of San Leandro*, 673 F.3d 1059, 1066 (9th Cir. 2011) (noting that while the city’s need for an industrial zone was a compelling government interest, it had not utilized the least restrictive means for accomplishing its interest).¹²

CCBF can show that it has outgrown its sanctuary and its parking capabilities; parishioners have been sitting outside in the hot sun in the summer and cold wind in the winter; numerous hours have been spent over the last four years attempting to process its development permit; and considerable funds have been expended. Under the Ninth Circuit’s substantial burden two step analysis, CCBF will be able to meet its burden of proof. The County, under step two, will need to show its actions were the least restrictive means to achieve their compelling government interest. The County does not have a legally sufficient compelling interest to deny CCBF from exercising its religious freedom. However, even if the Court were to find that the County’s interest was sufficiently compelling, the County would need to show it proceeded under the least restrictive means. Denying CCBF from exclusion from the WCCP will not withstand judicial scrutiny under the least restrictive means test because the County can vote to exempt CCBF properties. The only logical action is to exempt CCBF from the WCCP plan and ultimately approve its plot plan in order to comply with RLUIPA’s substantial burden test.

¹⁰ 42 U.S.C. §2000cc-5(7) (B).

¹¹ *San Jose Christian College v. City of Morgan Hill*, 360 F.3d 1024, 1034 (9th Cir. 2004).

¹² *International Church of Foursquare Gospel v. City of San Leandro*, 673 F.3d 1059, 1066, 1071 (9th Cir. 2011).

2. Governmental Discretion in Alleviating Burdens on Religious Exercise – Section 3(e)

Under Section 3(e) of RLUIPA, referred to as the “Safe Harbor” provision, “[a] government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise; by retaining the policy or practice and exempting the substantially burdened religious exercise; by providing exemptions from the policy or practice for applications that substantially burden religious exercise; or by any other means that eliminates the substantial burden.”

The County may utilize the statutory provisions under RLUIPA to protect itself from violating the RLUIPA. Two of the four provisions under Section 3(e) allow governments to exempt religious groups from regulations that violate their religious freedom. To avoid RLUIPA violations, government entities are allowed to revise or amend zoning ordinances. The DOJ reported that “in more than two-thirds of cases opened for investigation the local government has subsequently modified its ordinance or its actions toward the complainant to remedy the potential RLUIPA violation.”¹³ Even if the County did not agree that it would be in violation of the U.S. Constitution and RLUIPA, the U.S. Supreme Court has clearly stated that government may lawfully “accommodate religion beyond free exercise requirements”. *Cutter v. Wilkinson*, 125 S. Ct. 2113, 2117 (2005) (quoting *Waltz v. Tax Comm’n of City of New York*, 397 U.S. 664, 669 (1970)). CCBF is requesting that the County exempt CCBF from the WCCP under RLUIPA’s Safe Harbor provision.

¹³ *Report on the Tenth Anniversary of the Religious Land Use and Institutionalized Persons Act*, (Sept. 22, 2010), available at http://www.justice.gov/crt/rluipa_report_092210.pdf.

CONCLUSIONS AND RECOMMENDATIONS

In light of the First Amendment's Free Exercise Clause and RLUIPA protections, we request that the County exempt CCBF from the WCCP. This action is authorized by case law under the Free Exercise Clause and RLUIPA's "Safe Harbor Provision". On behalf of Calvary Chapel Bible Fellowship, we respectfully request the Board of Supervisors approve CCBF's proposed exemption from the WCCP as the first step towards compliance with the U.S. Constitution's Free Exercise Clause and RLUIPA. Please do not hesitate to contact me in the event you have any questions.

Kind regards,



Robert H. Tyler, Esq.

RHT/MJN:jal

Attachments:

- Exhibit A- Letter to Planning Commission, dated December 18, 2012 regarding WCCP
- Exhibit B- Letter to Planning Commission, dated December 4, 2012, regarding WCCP
- Exhibit C- Letter to Planning Commission, dated August 17, 2012, regarding WCCP
- Exhibit D- Letter to Shellie Clack, dated June 27, 2012, regarding WCCP and CEQA
- Exhibit E- Letter to Board of Supervisors and Planning Commission, dated May 28, 2010, regarding C/V zone amendment
- Exhibit F- Letter to Shellie Clack, dated September 8, 2010, regarding C/V zone amendment
- Exhibit G- Letter to Supervisor Stone, dated December 7, 2009, regarding RLUIPA
- Exhibit H- Letter to Mike Naggar, dated January 27, 2011, regarding proposed project

cc: George Johnson, Assistant Chief Operations Officer (via electronic and U. S. Mail w/attachments)
(Email: gjohnson@co.riverside.ca.us)
Shellie Clack, Office of County Counsel (via electronic and U. S. Mail w/attachments)
(Email: mclack@co.riverside.ca.us)
Carolyn Syms Luna, Planning Director (via electronic and U. S. Mail w/attachments)
(Email: cluna@rctima.org)
Clark Van Wick, Pastor of CCBF (via electronic and U. S. Mail w/attachments)
(Email: clark@ccbf.net)
Mike Naggar, Parishioner of CCBF (via electronic and U. S. Mail w/attachments)
(Email: mike@mikenaggar.com)

EXHIBIT "A"

TYLER & BURSCH, LLP
LAWYERS & ADVISORS

Reply To:

24910 Las Brisas Road, Suite 110
Murrieta, California 92562

Telephone: 951.600.2733

Facsimile: 951.600.4996

www.tylerbursch.com

Orange County Office:

15540-B Rockfield Boulevard
Irvine, California 92618

Telephone: 949.707.2733

San Diego Office:

16870 W. Bernardo Drive, Suite 400
San Diego, California 92127

Telephone: 619.299.2733

December 18, 2012

VIA ELECTRONIC
AND U. S. MAIL

Ms. Carolyn Syms Luna
Planning Director
Planning Department
Riverside County Transportation
And Land Management Agency
Post Office Box 1409
Riverside, California 92502-1409
Email: cluna@rctlma.org

Ms. Shellie Clack
Office of County Counsel
County of Riverside
3960 Orange Street, Suite 500
Riverside, California 92501
Email: mclack@co.riverside.ca.us

Mr. Matt Straite
Riverside County Planning
4080 Lemon Street 9th Floor
Post Office Box 1409
Riverside, California 92501
Email: mstraite@rctlma.org

Re: *Planning Commission Hearing on the December 19, 2012 Agenda Item 2.1: General Plan Amendment No. 1117*

Dear Planning Commission:

In light of the December 19, 2012, hearing on Calvary Chapel Bible Fellowship's ("Calvary") GPIP, we would like to address two issues. First, we must stress that Calvary's General Plan Amendment No. 1117 only seeks to permit **ancillary** religious schools in the C/V zone—not private schools generally. This distinction is key, and cannot be stressed enough. Ancillary means "of secondary importance," auxiliary, supplementary, subordinate, or subsidiary. The main point of providing this distinction is to codify Calvary's primary intent of providing religious education as part of its overall church mission and also to limit the scope of the types and number of educational institutions that will be permitted in the C/V zone. By stating that only ancillary schools are permitted, the County will ensure that private schools will not be permitted to operate throughout wine country as an independent use. Thus, any fears of educational facilities popping up throughout Wine Country are simply misplaced.

Moreover, we must stress that providing religious education is a central tenet of Calvary Chapel's sincerely held religious beliefs and, therefore, is protected under the First Amendment to

the United States Constitution. Adhering to the various mandates in the Bible, Calvary firmly believes (1) that God has given parents and the church the primary responsibility for the education of their children and (2) that this education must be based on the truth of God revealed in the Bible. See Proverbs 1:7-9, 9:10, Deuteronomy 6:6-9, Proverbs 22:6; Ephesians 6:4. Operating an ancillary educational facility is simply part of the genetic make-up of Calvary Chapel *as a church*. It is not a new and distinct operation. On the contrary, operating a religious school is simply another arm of Calvary's mission to spread the gospel of Jesus Christ and to provide discipleship to its members.

Additionally, this sincerely held religious belief of providing Christian education to its parishioners' children has become increasingly important over the last decade. Not only are public schools not permitted to teach from the Bible, but much of today's current curriculum directly opposes what the Bible teaches. Take, for example, the over-sexualization of young children and the ability of school counselors to provide counseling to young teens on abortion and contraception without parental consent or knowledge. But not only is the curriculum hostile to the rights of parents to raise their children from a Christian worldview, but the environment at large is as well. Students are increasingly using drugs and more students are engaging in sexual activities at younger and younger ages. Moreover, the public school system is growing increasingly unsafe for children. More generally, however, we are finding that teachers, administrators, and other students are becoming more and more hostile to the Christian worldview. Therefore, in order to allow Calvary to fully exercise its freedom of religion under the First Amendment to the United States Constitution, it must be permitted to operate an ancillary religious school at its church facility.

The second issue we would like to address is to simply remind the Planning Commission that the inclusion of religious places of worship and ancillary religious schools in the Citrus Vineyard Zone is necessary to ensure compliance with the Religious Land Use and Institutionalized Persons Act. In the Staff Report for General Plan Amendment No. 1117, the County did not make the finding, as we had requested, that the inclusion of churches and ancillary schools in the C/V zone was necessary to correct a violation RLUIPA.

As outlined in our previous letters, by permitting "special occasion facilities" to operate in the C/V zone completely independent of a winery, but excluding religious places of worship, the county is treating religious assemblies on less than equal terms with secular assemblies. RLUIPA's equal terms provision prohibits a government from "impos[ing] or implement[ing] a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution." 42 U.S.C. § 2000cc(b)(1). The Ninth Circuit construed the equal terms provision in *Centro Familiar Cristiano Buenas Nuevas v. City of Yuma* (9th Cir. 2011) 651 F.3d 1163 ("*Centro*"). The court held that a government may permissibly draw a distinction against a religious organization only if there is a "legitimate regulatory purpose," or, stated more specifically, a government entity may not treat a church "on a less than equal basis with a secular comparator, similarly situated with respect to an accepted zoning criteria." *Centro*, 651 F.3d at 1173 (citing *River of Life Kingdom Ministries v. Village of Hazel Crest, Ill.* (7th Cir. 2010) 611 F.3d 367, 372 ("But if religious and secular land uses that are treated the same . . . from the standpoint of an

accepted zoning criterion, such as ‘commercial district,’ or ‘residential district,’ or ‘industrial district,’ that is enough to rebut an equal-terms claim and thus, in this case, to show that River of Life is unlikely to prevail in a full litigation.”)); *see also Lighthouse Institute for Evangelism, Inc. v. City of Long Branch* (3d Cir. 2007) 510 F.3d 253, 266 (“a regulation will violate the Equal Terms provision only if it treats religious assemblies or institutions less well than secular assemblies or institutions that are similarly situated as to the regulatory purpose.”)).

Here, there is no legitimate regulatory purpose for permitting special occasion facilities to operate in the C/V Zone independent of a winery but excluding religious places of worship from doing the same. The purpose of the C/V zone is to “encourage agricultural cultivation, vineyards, and wineries, that would preserve the rural lifestyle, wine-making atmosphere and long term viability of the wine-industry where such activities are occurring and that would protect such areas from incompatible uses which could result in reduced agricultural productivity and increased urbanization within the policy area.” Ordinance 348 § 14.71. In addition to direct agricultural operations, the ordinance permits “incidental commercial uses,” such as restaurants, bed and breakfasts, hotels, “**special occasion facilities**,” and other uses—as long as such uses are “secondary, and directly related, to the agricultural operations.” *Id.* The stated purpose of allowing these incidental commercial uses is “to provide economic viability to the primary vineyard and winery operations.” *Id.* “Special occasion facilities” are defined as “[a]n outdoor facility, in conjunction with a dwelling unit or a winery, which may include a structure or building, which is used on special occasions for public assembly for a specific period of time in return for compensation. Special occasions may involve, but not be limited to, weddings, concerts, parties, spectator oriented events or other celebrations.” All special occasion facilities not built in conjunction with a winery must be located on 10 acres of land with 75% of the property planted in vineyards. Ordinance 348 § 14.72(h), 14.73.b(4)(a).

Before analyzing the statute, it is important to note that for many of the permitted special occasion facilities, the vineyard is not the “primary operation.” In fact, many, if not most, property owners in Wine Country plant vineyards simply to be able to operate a special occasion facility. This is because it is commonly known that a vineyard is not profitable operating by itself. Although there may be some vintners and agricultural production companies that have a sincere desire to harvest grapes as their primary operation, the reality is that very few business owners operate in wine country out of a humanitarian desire for grape production. Thus, despite the language of the ordinance, the special occasion facilities are in fact the primary operation in Wine Country—not the vineyards—and this is especially the case for those special occasion facilities that operate in the C/V Zone without a winery.

Moreover, it is also critical to note that Calvary Chapel Bible Fellowship is commonly known as “Calvary Wine Country.” Indeed, operating in the Wine Country is an important characteristic that is a distinguishing factor between Calvary and other churches in the area. Many people even attend Calvary simply because it is located in the Wine Country. As a result, Calvary desires to plant vineyards to enhance the character and atmosphere of the church setting. Likewise, numerous special

occasion facilities are located within Wine Country because the atmosphere is conducive to their business. To be located among the vineyards is desirable for weddings and other special occasions. Although many of the special occasion facilities plant vineyards to comply with the planting requirements, they do not do so because grapes are the primary operation. Instead, they do so because the Wine Country atmosphere is important to the business character and branding. Similarly, locating within Wine Country is equally important to Calvary.

Turning to the analysis under RLUIPA, by permitting secular assembly—such as weddings, concerts, and parties—that does not support the purpose of the C/V Zone, the County is treating religious assemblies on less than equal terms with similarly situated secular comparators. Simply stated, concerts, parties, weddings, and other secular gatherings are not directly related to agricultural operations. Indeed, many of these uses run directly contrary to encouraging agricultural cultivation. Moreover, if the stated purpose of allowing special occasion facilities is to promote the economic viability of the vineyards, religious places of worship—which are also public assembly—can equally promote the economic viability of the vineyard operation. Just as it is economically unprofitable to have a vineyard without a special occasion facility, it is equally unprofitable to have a vineyard without a church. Stated simply, a religious assembly can accomplish the same goal as a special occasion facility that is operating not in conjunction with a winery. In sum, religious assembly, such as Calvary, located on 10 acres of land with 75% planting, is absolutely no different—based on a legitimate regulatory purpose—than a “special occasion facility” on 10 acres of land with 75% planting. Therefore, the C/V zone facially violates RLUIA and must be remedied accordingly. We therefore respectfully request that the County amend its staff report to state that Calvary’s GPA is “required to conform to changes in state or federal law or applicable findings of a court of law.”

Sincerely,



Robert H. Tyler, Esq.

RHT:lam

cc: Shellie Clack

EXHIBIT "B"

TYLER & BURSCH, LLP
LAWYERS & ADVISORS

Reply To:

24910 Las Brisas Road, Suite 110
Murrieta, California 92562
Telephone: 951.600.2733
Facsimile: 951.600.4996
www.tylerbursch.com

Orange County Office:
15540-B Rockfield Boulevard
Irvine, California 92618
Telephone: 949.707.2733

San Diego Office:
16870 W. Bernardo Drive, Suite 400
San Diego, California 92127
Telephone: 619.299.2733

December 4, 2012

VIA ELECTRONIC
AND U. S. MAIL

Riverside Planning Commission
P.O.Box1409
Riverside, CA 92502-1409
cluna@rctlma.com
dabraham@rctlma.org

Re: *Planning Commission Hearing on the Wine Country Community Plan*

Dear Mr. Planning Commission:

In light of tomorrow's hearing on the Wine Country Community Plan ("WCCP"), we would like to highlight one primary issue of concern in the Staff Report. The Staff Report lists three options relating to the inclusion of churches and schools in Wine Country that all include a proposed estimate of the cost for each option. These estimates are presumably included to aid the Planning Commission in deciding which option to pursue based on what is economically feasible for the County. While we appreciate the pragmatic need of the Planning Commission to consider the actual cost of each option in making its decision, the law does not. The fact is that the current WCCP violates Calvary Chapel Bible Fellowship's rights secured under the First Amendment and the Religious Land Use and Institutionalized Persons Act. When a governmental entity violates a person or entity's rights secured under the First Amendment or RLUIPA's substantial burden provision, the government must prove that the violation is in the furtherance of a compelling government interest and is implemented in the least restrictive means to further that interest. 42 U.S.C. § 2000cc(a)(1).

Simply stated, saving money is not a compelling governmental interest. *See Shapiro v. Thompson* (1969) 394 U.S. 618, 633, *overruled in part by Edelman v. Jordan* (1974) 415 U.S. 651, ("The saving of welfare costs cannot justify an otherwise invidious classification."); *Graham v. Richardson* (1971) 403 U.S. 365 (same); *Memorial Hospital v. Maricopa County* (1974) 415 U.S. 250 ("The conservation of the taxpayer's purse is simply not a sufficient state interest . . ."); *Finley v. Nat'l Endowment for the Arts* (9th Cir. 1996) 100 F.3d 671, 683 n.23, *rev'd on other grounds*, (1998) 524 U.S. 569 ("However, neither protecting people from offensive and indecent speech nor protecting the taxpayer from unwanted expenditures is a compelling interest sufficient to justify content-based restrictions on speech."); *Cottonwood Christian Ctr. v. Cypress Redev. Agency* (C.D. Cal. 2002) 218 F. Supp. 2d 1203, 1228-29 (applying RLUIPA, the court held: "If revenue generation were a compelling state interest, municipalities could exclude all [tax-exempt] religious institutions from their cities."). Thus, we advise the Planning Commission that it cannot lawfully evaluate which Option to pursue based on what is economically feasible in light of the fact that the WCCP violates Calvary's rights under RLUIPA.

Riverside Planning Commission
September 16, 2013
Page 2 of 2

Even if the County could lawfully decide whether to include churches in the WCCP based on cost, the proposed estimates are completely inaccurate. Indeed, our estimate for pursuing Option 2, which is the option we recommend, is approximately \$125,000—not \$450,000 as stated in the Staff Report. Indeed, if the analysis were limited only the Citrus Vineyard Zone, the numbers would be much more reasonable. We also remind you that the Planning Commission itself expressed a desire to include churches and ancillary schools in Wine Country and that Calvary agreed to make a reasonable contribution on a completely voluntary basis. In any event, in light of the exorbitant estimate provided in the Staff Report for Option 2, we request the hearing be continued in order to allow Calvary more time to decide the amount of money it could potentially contribute if the County agrees to pursue Option 2. Should you have any questions, please do not hesitate to contact me.

Sincerely,

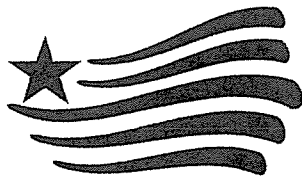


Robert H. Tyler, Esq.

RHT:lam

cc: Shellie Clack

EXHIBIT "C"



**ADVOCATES
FOR FAITH & FREEDOM**

Protecting Religious Liberty in the Courts!

August 17, 2012

VIA ELECTRONIC
AND U. S. MAIL

Ms. Mitra Mehta-Cooper, AICP
Principal Planner-Strategic Programs
Riverside County Planning Department
4080 Lemon Street, 12th Floor
Riverside, California 92502
Email: mmehta@rctlma.org

Ms. Shellie Clack
Deputy County Counsel
County of Riverside
3960 Orange Street
Riverside, California 92501
Email: mclack@co.riverside.ca.us

Ms. Carolyn Syms Luna
Planning Director
County of Riverside
Post Office Box 1409
Riverside, California 92502-1409
Email: cluna@rctlma.org

Planning Commission,

We write to express our concern that the Wine Country Community Plan, if passed in its current state, violates Calvary Chapel Bible Fellowship's rights under the Religious Land Use and Institutionalized Persons Act ("RLUIPA"), 42 U.S.C. § 2000cc, and deprives Wine Country and the County of the needed economic and social benefits that Calvary and other religious organizations provide.

FACTS

Calvary Chapel Bible Fellowship ("Calvary") has been operating in Temecula's Wine Country since 1999. After over 13 years of operation in the Wine Country, Calvary has become known as "The Barn" and "Calvary Wine Country." Due to its effective ministries and close-knit congregation, Calvary's congregation has greatly expanded over the years. Because of this increase, Calvary has been working with the County for the past three years to expand its Church, including constructing a Christian school. The County's current Wine Country plan, however, does not permit churches to operate in Wine Country and therefore continues to bar Calvary from legally being able to expand its church.

The history of the Calvary project is as follows. Immediately after Calvary obtained permission to allow churches to operate in the Citrus Vineyard Zone in 1999, the County passed

a text amendment that excluded churches in the entire zone. Since that time, Calvary has been operating in the current C/V Zone as a legal non-conforming use. As Calvary grew and required more space to accommodate its growing congregation and ministries, Calvary sought to have the C/V Zone amended to permit churches as legal uses. The County agreed, and in March of 2010, the County Board of Supervisors authorized work to commence on Ordinance 348.4702, which would allow churches, temples, and other places of religious worship to operate as permitted uses in the C/V Zone with a 18.30 plot plan. Over the next six months, the County held various planning commission hearings and conducted several environmental assessments regarding Ordinance 348.4702. On November 3, 2010, however, the County took Ordinance 348.4702 off calendar.

Six days later, on November 9, 2010, the County passed Ordinance 348.4713, which states that “any use that is not specifically listed may be considered a permitted or conditionally permitted use provided that the planning director finds that the proposed use is substantially the same in character and intensity as those listed. Such a use is subject to the permit process which governs the category in which it falls.” Pursuant to this Ordinance, Calvary sent a letter to the County on November 30, 2010 requesting a finding that the “construction of two new buildings on approximately 21 acres for the use as a sanctuary, Sunday school, private kindergarten through eighth grade school, and temporary child care facility” was the “same in character and intensity” as other uses permitted in the C/V Zone. On January 27, 2011, the County sent a letter to Calvary stating that, under Ordinance 348.4713, Calvary’s proposed project was “substantially the same in character and intensity” as other uses in the C/V Zone. Calvary then submitted a plot plan for its project on March 2011. Litigation was initiated by a third party over Ordinance 348.4713, and on January 20, 2012 the Riverside Superior Court found the Ordinance invalid for failure to follow proper procedures. Thus, on May 30, 2012, Calvary applied for a text amendment to Ordinance 348 to permit churches and other places of religious worship to operate in the C/V Zone with a planning permit.

Despite all of this, Calvary stands no closer today to expanding its church and building a school than it did in October 2009 when Calvary first contacted the County. Despite the close relationship Calvary and the County have enjoined throughout this process, the County now stands poised to pass an entirely new Wine Country Plan that excludes churches from operating in Wine Country and therefore precludes Calvary from pursuing its necessary expansion project.

LAW

Substantial Burden

At least two provisions of RLUIPA are likely violated by excluding churches from Wine Country and prohibiting Calvary from expanding on its adjacent property—the “substantial burden” provision and the “equal terms” provision. Under the substantial burden provision, governments may not impose a “substantial burden” on an institution’s “religious exercise” unless the government demonstrates that the imposition of the burden “is in furtherance of a compelling governmental interest and is the least restrictive means of furthering that compelling

governmental interest.” (42 U.S.C. § 2000cc-1(a).) This prohibition applies anytime “the substantial burden is imposed in the implementation of a . . . system of land use regulations, under which a government makes, or has in place formal or informal procedures or practices that permit the government to make, individualized assessments of the proposed uses for the property involved.” (*Id.* § 2000cc(a)(2)(C).) “Religious exercise” is broadly defined and includes the “use, building, or conversion of real property for the purpose of religious exercise” (42 U.S.C. § 2000cc-5(7)(A).) Recently, the Ninth Circuit held that a regulation that prevents a church from constructing a building large enough to accommodate all of its operations or leaves a religious organization only with alternatives that would require substantial delay, uncertainty, and expense may constitute a substantial burden. (*Int’l Church of Foursquare Gospel v. City of San Leandro* (9th Cir. 2011) 673 F.3d 1059, 1070.) The Court held that it was error for the district court to rule, as a matter of law at summary judgment, that denying a church space sufficient to house all of its ministries was not a substantial burden. Whether the implementation or imposition of a regulation constitutes a substantial burden is an issue of fact. (*Id.* at 1066); (*World Outreach Conference Cntr. v. City of Chicago* (7th Cir. 2009) 591 F.3d 531, 539); (*Adkins v. Kaspar* (5th Cir. 2004) 393 F.3d 559, 571.)

The specific facts of this case undoubtedly demonstrate that preventing Calvary from expanding its Church and constructing a religious school constitutes a substantial burden on Calvary’s religious exercise. First, Calvary’s congregation has greatly increased. Currently estimated at approximately 3,000 congregants, Calvary’s current building is utterly insufficient to seat and accommodate Calvary’s congregants. Indeed, Calvary operates four services every Sunday, 7:45 am, 9:30 am, 11:30 am, and 6:30 pm, simply to allow everyone to attend a Sunday service. More importantly, even these four services are not enough. Many of Calvary’s congregants are forced to sit outside in order to listen to the sermon because the sanctuary simply cannot house all of the congregants. In addition to the complete lack of space for Calvary’s regular Sunday services, Calvary is out of space for Sunday School classes. The classrooms are completely filled, and Calvary cannot conduct many of the classes it believes its religious beliefs require. The lack of space has also placed an incredible burden on Calvary’s parking, and therefore its overall ability to exercise its religion. Indeed, Calvary has been informed that many people have come to the church on Sunday morning and then immediately left simply because they could not find a parking space or could not enter the parking lot. To try and alleviate this problem, Calvary hires a California Highway Patrol Officer every Sunday to direct traffic. This temporary remedy, although somewhat helpful, is simply not sufficient to alleviate the severe burden placed by parking constraints. By permitting Calvary to expand on to its adjacent property, however, Calvary would be able to construct more parking and have additional entrances and exits that would significantly alleviate this problem and enable Calvary’s congregants to attend the church without fear of not finding a parking space.

In addition to the severe burden placed on Calvary’s religious exercise on Sunday mornings, the complete lack of space has substantially burdened the exercise of Calvary’s other ministries. For example, Calvary, as part of its sincerely held religious beliefs, provides counseling services for those having marital problems or others who may be struggling with certain addictions such as alcohol and gambling. Due to the growth in Calvary’s congregation,

these ministries have significantly increased. And because of the lack of space at Calvary's current facilities, Calvary simply cannot counsel all those who need counseling, and neither can it hire the additional staff needed to perform this counseling. Calvary also has insufficient space for Youth activities, such as recreation events, regular meetings, and counseling for troubled teens. Providing services to Calvary's youth is an important part of Calvary's ministry, yet it cannot effectively carry out this ministry due to the lack of space. Calvary also does not have sufficient space for its regular staff. Calvary employs 24 full-time employees and 10 part-time employees. Calvary, however, does not have sufficient space for its employees to work. Thus, Calvary is forced to set certain times each day for certain employees to work at the church, even though the employees should be working at the office the entire day in order to be able to best accomplish their tasks.

Moreover, Calvary has a significant "benevolence" ministry that is substantially burdened by the lack of space. Calvary spent approximately \$25,902 in 2011 in benevolence funds, and more than \$95,000 total in the past three years. The benevolence ministry encompasses ministries such as buying groceries or assisting in mortgage payments for congregants in need. Additionally, the benevolence ministry encompasses a food pantry for Calvary's struggling congregants, as well as some poor individuals in the community who do not attend the church. Due to the lack of space at Calvary's current facility, Calvary cannot operate a large enough food pantry to meet all of the needs of those who require the pantry's services.

Calvary also does not have space to construct a Christian school. Operating a religious school is central to Calvary's religious mission due to many changes in California education law over the last few years. Now that Calvary has sufficient funds and congregants to provide religious education, Calvary is ready to move forward in implementing this part of its mission. However, the current facilities have nowhere near sufficient space for Calvary to operate a school. The school is necessary to Calvary's ministry as it will provide religious education to many of Calvary's congregants who live in Wine Country as well as to other Wine Country residents who do not attend the Church. Thus, by permitting Calvary to operate a religious school, Calvary not only is able to fulfill its mission of providing religious education, but it will also save many parents residing in Wine Country significant amounts of time as they will not have to travel to Temecula Valley Schools, which could be anywhere from a 20-30 minute drive (and even more once Wine Country is expanded).

Finally, the mere fact that churches are permitted to operate in other zones outside of Wine Country does not render the burden placed on Calvary's religious exercise insubstantial. Indeed, requiring Calvary, who has established a reputation as "Calvary Wine Country," to sell its building, find a different location, and then move to that location in this real estate market would certainly require "substantial 'delay, uncertainty, and expense.'" (*Int'l Church of Foursquare Gospel v. City of San Leandro* (9th Cir. 2011) 673 F.3d 1059, 1068.) Moreover, Calvary has a strong religious interest in operating its church in close proximity to where many of its congregants reside. Requiring Calvary to find a different location places a severe burden on Calvary's strongly held belief of providing religious services within the geographic area within which Calvary seeks to minister.

Thus, by excluding churches from Wine Country and preventing Calvary from expanding, the County has placed a substantial burden on Calvary's religious exercise. The County therefore would have the burden of proving that the burden is in furtherance of a compelling governmental interest and is the least restrictive means of accomplishing that interest. Based on the history of this case and various other factors, the County could not assert any compelling interest in denying Calvary the right to expand its church in a manner sufficient to accommodate its growing congregation and ministries. Therefore, by denying Calvary the right to expand its church, the County is violating Calvary's rights provided under RLUIPA. If the County refuses to amend the Wine County Community plan to permit churches as legal uses, the County will be subjected to a lawsuit under RLUIPA and likely be forced to pay all of Calvary's attorneys' fees. (42 U.S.C. § 1988.)

Equal Terms

In addition to violating the substantial burden provision, the new Wine Country Plan also likely violates RLUIPA's equal terms provision. RLUIPA's equal terms provision prohibits a government from "impos[ing] or implement[ing] a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution." (42 U.S.C. § 2000cc(b)(1).) The Ninth Circuit construed the equal terms provision in *Centro Familiar Cristiano Buenas Nuevas v. City of Yuma* (9th Cir. 2011) 651 F.3d 1163 ("*Centro*"). The court held that a government may permissibly draw a distinction against a religious organization only if there is a "legitimate regulatory purpose," or, stated more specifically, a government entity may not treat a church "on a less than equal basis with a secular comparator, similarly situated with respect to an accepted zoning criteria." (*Centro, supra*, 651 F.3d at 1173 (citing *River of Life Kingdom Ministries v. Village of Hazel Crest, Ill.* (7th Cir. 2010) 611 F.3d 367, 372).)

Under the new Wine Country Community Plan special occasion facilities ("SOFs") are permitted to operate in conjunction with a winery or commercial equestrian establishment in the WC-W and WC-E zones, respectively, and to operate solely in conjunction with 10 acres of vineyard in the WC-WE zone. (§§ 14.92(b)(5), 14.93(b)(4), (5), (6), 14.94(c)(3).) SOFs are defined as follows:

An indoor or outdoor facility, which may include a gazebo, pavilion, amphitheater, auditorium, structures and buildings, which is used on special occasions such as weddings, parties, concerts, conferences, charity events and fundraiser events for a specific period of time in return for compensation. An outdoor special occasion facility may include a gazebo, pavilion, or amphitheater for wedding ceremonies, concerts or other celebrations. An indoor special occasion facility shall include a building or structure for wedding receptions, conferences or other celebrations conducted entirely within the structure or building.

(§ 14.91(t).) SOFs are characterized as “appurtenant and limited **incidental commercial uses**” to onsite wineries or Commercial Equestrian Establishments. “Incidental Commercial Use” is defined as “[a] commercial use that is **directly related and secondary** to the principal agricultural or equestrian use located on the same parcel or project site.” (§ 14.91(m).) The definition of SOFs and incidental commercial uses are inconsistent. By defining incidental and commercial uses as only those uses that are “**directly related and secondary** to the principal agriculture use,” whether it be a winery, equestrian establishment, or 10 acres of vines, SOFs should be limited to uses that actually relate to the operation of a winery or vineyard—tasting, tours, wine events, etc. However, SOFs are defined to include almost any secular gathering one could imagine, including weddings, concerts, business retreats, plays, and parties. Moreover, the SOFs, and not the agriculture uses, are the use that generates the primary income. Thus, the SOFs, in reality, are not secondary, but primary uses. These facts undercut any interest the County could assert in preserving the “rural” nature of Wine Country and encouraging agriculture.

By permitting SOFs to operate in Wine Country, but excluding similarly situated religious uses, such as a church, the County is effectively treating religious institutions on less than equal terms with secular uses. Indeed, the only difference between a wedding and a church service is the bride and groom standing in the front. Stated simply, there is no difference, with respect to any legitimate zoning criteria, between a SOF and a church. Moreover, the County has already concluded that churches and private schools are “substantially the same in character and intensity” to other uses in Wine country. It may be argued that because SOFs are only permitted in conjunction with wineries and commercial equestrian establishments, the County is not treating religious organizations on less than equal terms to non-religious organizations. However, even if Calvary built a winery it still would not be permitted to operate a church; and this is the case even though a church and SOF are not different in any manner with respect to any zoning criteria. Thus, the new Plan treats religious organizations on less than equal terms from similarly situated secular organizations.

Even if the above analysis is incorrect with respect to the WC-W and WC-E zones, it is not incorrect as to the WC-WE Zone. In that zone, 28 of the existing wineries are permitted to operate SOFs in conjunction with 10 acres of vineyards, even if there is no winery. Calvary, like the 28 wineries, is also an existing use. If Calvary plants 10 acres of vineyard, it too should be permitted to operate a “SOF” without a winery just like the 28 existing wineries. And because churches are no different from SOFs with respect to any accepted zoning criteria, Calvary should be able to operate a church in conjunction with its 10 acres of vines. By excluding churches from the WC-WE zone, however, the County is treating Calvary and other religious organizations on less than equal terms with respect to its similarly situated secular comparators.

POLICY

In addition to violating Calvary’s rights under RLUIPA, the County is also unwisely depriving the Wine Country of various economic and social benefits that Calvary and other religious organizations provide. First, Calvary invests hundreds of thousands of dollars back in to

Ms. Mitra Mehta-Cooper
Ms. Shellie Clack
Ms. Carolyn Syms Luna
August 17, 2012
Page 7 of 8

the local community every year. Through the payment of wages, hiring of services, ordering of supplies, maintenance, and other professional needs, Calvary is a significant boost to the local economy. This total investment will only increase if Calvary is permitted to expand. In addition to its economic expenditures, Calvary employs 24 full-time employees and 10 part-time employees. The proposed expansion project will add additional employment, with the school alone expected to provide 15 additional full-time jobs. Furthermore, the expansion project will provide additional significant economic benefit to the local community. The project is estimated to cost a total of \$5-6 million, with all the work to be supplied by local contractors.

In addition to the pure economic benefits, Calvary provides significant social benefits to the local community. Wine County residents have a local church they can attend, rather than having to travel great distances every Sunday morning. The Church also provides significant social services, such as counseling and the food pantry, through its benevolence fund. Moreover, the addition of a school will greatly ease the travel time of many Wine Country parents. Indeed, some of the Church's congregants live on the eastern edge of Wine Country and will be greatly benefited by the addition of a closely located school to which they can send their children. It is estimated that of the 125 children attending the school, approximately 50-65% would be residents of Wine Country.

Beyond the concrete economic and social effects that Calvary alone provides, churches in general provide significant economic and other benefits to a community, and the County would be wise to include churches in Wine Country for that reason alone. Consider for example a 2010 study by Partners for Sacred Places and the University of Pennsylvania School of Social Policy and Practice:

In 2010, Partners for Sacred Places and the University of Pennsylvania School of Social Policy and Practice concluded a pilot study of the economic impact of houses of worship. We found that 12 Philadelphia congregations contribute \$52 million in annual economic value to the city of Philadelphia, for an average of \$4.3 million per congregation. By assessing over 50 different factors, we have pioneered a new quantitative approach to understanding how congregations impact local economies. Congregations must now be understood as critical economic catalysts, suggesting an important shift in community investment policy and practice.

(Partners for Sacred Places and the University of Pennsylvania School of Social Policy and Practice, *Determining the Halo Effect of Historic Congregations*, (2010).) The Study went on to state that churches provide other invaluable resources: "Clearly congregations are important employers; purchasers of local goods and services; magnets for bringing in cash, volunteer time and other resources from outside the city; educators of pro-social values; and providers of important value through the 'invisible safety net' of programs, counseling, and other services that help individuals and families be productive workers and citizens." (*Id.*) By amending the Wine Country Plan to permit Calvary to expand its church, the County will ensure that it

Ms. Shellie Clack
Ms. Carolyn Syms Luna
August 17, 2012
Page 8 of 8

provides the Wine Country community a church that is able to completely fulfill the role that Partners for Sacred Places concluded churches can and do provide.

Based on all of the foregoing, Calvary requests that the County amend the Wine Country Community Plan to permit churches and religious schools as permitted uses.

Kind regards,



Robert H. Tyler, Esq.

RHT/EW:jal

EXHIBIT "D"

TYLER & MONK, LLP
LAWYERS & ADVISORS

Reply To:
24910 Las Brisas Road, Suite 110
Murrieta, California 92562
Telephone: (951) 600-2733
Facsimile: (951) 600-4996

www.tylermonk.net

Orange County Office:
15540-B Rockfield Boulevard
Irvine, California 92618
Telephone: (949) 707-2733
Facsimile: (951) 600-4996

June 27, 2012

VIA ELECTRONIC
AND U. S. MAIL

Ms. Shellie Clack
Deputy County Counsel
County of Riverside
3960 Orange Street
Riverside, California 92501
mclack@co.riverside.ca.us

Re: *Calvary Chapel Bible Fellowship*

Dear Ms. Klack:

We represent Calvary Chapel Bible Fellowship ("Calvary"), a church currently operating in the Citrus Vineyard Zone as a legal nonconforming use. As we discussed at the June 20, 2012 meeting, we believe that the Wine County Community plan EIR may be invalid for failing to consider Calvary's development project as well as the effects of permitting churches and other religious places of worship in wine country. While Calvary does not desire to litigate the EIR, others attorneys could use the exact same arguments Calvary could make if Calvary did decide to litigate the EIR. This is especially true if, as soon as the Wine Country Community Plan is passed, the County turns around and approves Calvary's proposed text amendment and development project. Put simply, if the County plans on approving religious places of worship as permitted uses in wine country in the future, then Calvary's project may be a "probable future project" and the effects of the wine country plan and permitting religious places of worship in wine country should be studied cumulatively.

It should be noted that the California Environmental Quality Act ("CEQA") "must be interpreted to afford the fullest possible protection to the environment within the reasonable scope of statutory language." (*Day v. City of Glendale* (1975) 51 Cal.App.3d 817, 823.) Before certification of an EIR, the lead agency is responsible for ensuring that the EIR considers all information that could have significant environmental impacts. (*Chaparral Greens v. City of Chula Vista* (1996) 50 Cal.App.4th 1134, 1150-1151.)

The CEQA guidelines for interpreting and applying CEQA require the Lead Agency to consider "past, present, and **probable future projects** producing related or cumulative impacts . . ." (Guidelines, § 15130(b)(1)(A) (emphasis added)); (see also *Environmental Protection Info. Cntr. v. California Dept. of Forestry and Fire Protection* (2008) 44 Cal.4th 459, 525 ("an EIS/EIR must reasonably include information about past projects to the extent such information is relevant to the understanding of the environmental impacts of the present project considered **cumulatively with other pending and possible future projects.**" (emphasis added)) ("EPIC").

This requirement is known as the “cumulative impact” section of an EIR. When reviewing whether an EIR’s cumulative impact section is adequate, “[t]he primary determination is whether it was reasonable and practical to include the projects and whether, without their inclusion, the severity and significance of the cumulative impacts were reflected adequately.” (*EPIC, supra*, 44 Cal.4th at 906.) Moreover, “[a]n EIR’s cumulative impact analysis should include all sources of related impacts, not simply similar sources or projects.” (*City of Long Beach v. Los Angeles Unified School Dist.* (2009) 176 Cal.App.4th 889, 907.) Appellate decisions considering these requirements consistently find that failure to include discussion of the cumulative impact of a pending or probable future project will result in the invalidation of the EIR.

For example, an EIR was set aside in *Friends of the Eel River v. Sonoma County Water Agency* because the EIR did not take into account the cumulative impact of a related pending proposal before the Federal Energy Regulatory Commission (“FERC”). (*Friends of the Eel River v. Sonoma Cnty. Water Agency* (2003) 108 Cal.App.4th 859.) In *Eel River*, the City’s water agency approved a project that would have diverted water from a certain river to another river. However, the EIR for the project failed to consider a proposal pending before FERC to curtail water diverted from the same rivers, but in the opposite manner as proposed by the City’s project. (*Id.* at 865-66.) The agency argued that the pending proposal was merely “speculative” and therefore did not need to be considered. (*Id.* at 868.)

The court held that because the agency was seeking to increase the amount of its water supply and the FERC proposal could have resulted in a decrease in the amount of its overall supply, the pending FERC proposal was related and needed to be analyzed cumulatively. (*Id.* at 869.) The Court also went on to state that the FERC proposal should also have been included in the EIR because the “Agency ha[d] been participating actively in th[e] proceeding.” (*Id.* at 870-71.)

And in *Whitman v. Bd. of Supervisors*, the Court held “[t]he inadequacy of the cumulative impact discussion in the EIR prepared for [the project] [wa]s manifest[]” because “[i]ts only reference to related projects in the region [wa]s to ‘the two other projects in the area which are pending or have been approved and not constructed’” (*Whitman v. Bd. of Supervisors* (1979) 88 Cal.App.3d 397, 409.) The Board argued that “at the time the instant EIR was prepared it was not necessary for its cumulative impact discussion to take into account the effect of ‘probable future projects.’” (*Id.*) The court rejected this argument, noting that “Guidelines section 15142 nevertheless mandated that the EIR contain specific references to ‘both existent and planned’ related projects in the region for the purpose of analyzing possible cumulative impacts.” (*Id.*); (see also *Laurel Heights Improvement Assn. v. Regents of University of California* (1988) 47 Cal.3d 376, 397 (“At a minimum, it is clear that the future expansion and the general types of future activity at the facility are reasonably foreseeable.”)); (*San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61, 74-77 (holding that the cumulative impacts analysis in an EIR was insufficient because it did not consider certain office buildings that were not yet built but in the planning stages)); (*Kings Cnty. Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 723-24 (holding a cumulative impacts analysis insufficient for failure to consider all planned projects in the area).)

Here, this situation is analogous to the cases outlined above. Calvary's project, although merely pending, was initially given approval under an overruled ordinance. As a new application has been filed, Calvary's proposed project will have a significant, cumulative impact on the environment in wine country. Based on the extensive history of this "project," it is likely that a court will view Calvary's project as a "probable future project." This is especially true considering that the County has continually informed Calvary that the County desires to process Calvary's zone amendment and development project after the Wine County plan is adopted. If indeed the County does approve the zone amendment change shortly after the Wine Country plan is adopted, a court will almost definitely view Calvary's project and application for zone amendment change as a probable future project that should have been considered in the cumulative impact analysis.

The history, at least as we recall, is as follows. In late 2009, Calvary and the County began conducting meetings regarding amending the zoning ordinance to permit churches and other places of religious worship in the C/V Zone. In fact, our records show that on December 7, 2009, 21 days prior to the issuance of the Notice of Preparation for the Wine County Community Plan, Calvary had a meeting with the County that included Olivia Barnes, Ron Goldman, Katherine Lind, Jeff Stone, Sam Alhadeff, Mike Naggar, and Robert Tyler for the purpose of commencing a zone amendment to allow churches in the C/V Zone. The Board of Supervisors then authorized the County to begin working on the zone amendment on March 23, 2010. After various planning commission hearings and environmental assessments, the planning commission continued the zone amendment off calendar. Subsequently, a new zone amendment was passed that stated "any use that is not specifically listed may be considered a permitted or conditionally permitted use provided that the planning director finds that the proposed use is substantially the same in character and intensity as those listed such a use is subject to the permit process which governs the category in which it falls." Pursuant to this Amendment, on November 30, 2010 Calvary sent a letter to the County requesting a finding that the construction of two new buildings on approximately 21 acres for the use as a sanctuary, Sunday school, private kindergarten through eighth grade school, and temporary child care facility was the same in character and intensity as a use listed in the C/V Zone of Riverside County Ordinance 348. The County approved Calvary's project on January 27, 2011, stating in a letter that Calvary's project was "substantially the same in character and intensity" as other uses in the C/V Zone. Accordingly, Calvary submitted a plot plan on March 2011 for the project.

This text amendment was then challenged in court on the basis that the "project" required an EIR. The court agreed, and the ordinance was held invalid. Then, in May of 2012, Calvary submitted another application for zone amendment change, in conjunction with the same plot plan it previously submitted in 2009, in order to continue processing Calvary's project.

All of this began prior to the issuance of the Notice of Preparation and took place while the DEIR was being prepared and studied, yet the DEIR never even mentions Calvary's pending project or application for zone amendment change, let alone provides a cumulative impacts analysis. Moreover, Calvary's project is not speculative and the County has been actively participating in the process for the past three years. Indeed, as stated, the County already gave approval for the project under an overruled ordinance. Based on this history, a court could easily

Ms. Shellie Clack
June 27, 2012
Page 4 of 4

view Calvary's project as a probable future project that should have been considered in the EIR. Without such consideration, the EIR will likely be invalid.

Additionally, these arguments are supported by the fact that lead agencies are prohibited from considering a "project" through "piecemeal" environmental review: "CEQA mandates that environmental considerations do not become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences." (*Citizens Assn. for Sensible Development of Bishop Area v. County of Inyo* (1985) 172 Cal.App.3d 151, 165 (internal citations and quotations omitted).) The definition of "project" is construed broadly in order to give maximum protection to the environment. (*Nelson v. County of Kern* (2010) 190 Cal.App.4th 252, 271.) Admittedly, the Wine Country Community Plan "project" does not involve the inclusion of religious places of worship in Wine Country. However, if shortly after the County approves the Wine Country Community Plan the County approves a text amendment to the new zoning ordinance permitting religious places of worship, a judge may view this amendment as a part of the "overall" or "ultimate" project to amend and revamp the C/V zone. (See *Whitman v. Board of Supervisors* (1979) 88 Cal.App.3d 397, 415 ("Even if the well and pipeline were viewed as parts of a 'phased project,' Guidelines section 15069 called for the preparation of a single EIR covering the 'ultimate project.'").) If that is the case, the judge could invalidate the Wine Country EIR because it failed to consider the cumulative effects of the inclusion of religious places of worship in wine country.

On another note, the DEIR completely fails to mention the effects of the proposed project on Calvary. Although the EIR discusses "Existing Land Uses" in section 3.3 and "Land use and relevant planning" in section 4.10, Calvary is never discussed. This is another potential reason for why a court may find the EIR invalid.

Unless the County amends the DEIR to include discussion of Calvary's pending project and application for zone amendment change, we believe that the certified EIR will be challenged and found to be invalid. Calvary requests that the County perform the studies in relation to the existing church and future inclusion within the future Hospitality Zone and then process Calvary's zone amendment change and development project. Should you have any further questions, please do not hesitate to contact us.

Kind regards,



Robert H. Tyler, Esq.

RHT/EW:jal

EXHIBIT "E"



**ADVOCATES
FOR FAITH & FREEDOM**

Protecting Religious Liberty in the Courts!

May 28, 2010

VIA FACSIMILE, ELECTRONIC
AND U.S. MAIL

Board of Supervisors and Planning Commission
County of Riverside
4080 Lemon Street, 5th Floor
Riverside, CA 92501
Facsimile: (951) 955-2194
lrross@rctlma.org

RE: Ordinance Amendment No. 348.4702 - Amendment to C/V Zone
Calvary Chapel Bible Fellowship

Dear Supervisors and Commissioners,

By way of introduction, Advocates for Faith and Freedom is a nonprofit law firm based in Riverside County. We specialize in representing churches and other religious organizations in regard to religious liberty concerns, including the religious use of real property. We often assist churches in the processing land use applications with government agencies.

In this instance, we represent the interests of Calvary Chapel Bible Fellowship ("Calvary") and are writing in support of proposed Ordinance Amendment No. 348.4702. Attached to this letter is a previous letter that we wrote to Supervisor Jeff Stone on December 9, 2009, in regard to our concern relating to the exclusion of churches and temples from the C/V Zone. Although Calvary is currently located in the C/V Zone, Calvary would probably be prohibited from expanding due to the exclusionary zoning ordinance presently in place.

This letter is intended to provide a brief summary of the Religious Land Use and Institutionalized Person's Act ("RLUIPA"). It is our hope that upon review of this letter, you will recognize the necessity of adopting Ordinance Amendment No. 348.4702. Further, this letter will respectfully rebut the opposition of the Riverside County Farm Bureau and the Temecula Valley Winegrowers Association.

Religious Land Use and Institutionalized Person's Act

RLUIPA was unanimously passed on July 27, 2000, by both the United States House of Representatives and the United States Senate.¹ It became effective upon signing by President Clinton on September 22, 2000.² RLUIPA is a bipartisan law supported by a diverse coalition of civil rights and religious organizations.³ The wide support RLUIPA enjoyed was based on Congress' appreciation of the discrimination churches often face in the religious land use arena, as evidenced by a joint statement by Senator Orrin Hatch and Senator Edward Kennedy:⁴

*[Churches are] frequently discriminated against on the face of zoning codes and also in the highly individualized and discretionary processes of land use regulation. Zoning codes frequently exclude churches in places where they permit theaters, meeting halls, and other places where large groups or people assemble for secular purposes. Or the codes permit churches only with individualized permission from the zoning board, and zoning boards use that authority in discriminatory ways*⁵

RLUIPA established that strict scrutiny should be the standard of review applied in cases of religious land use and additionally requires that religious assemblies or institutions be treated on equal terms to non-religious assemblies and institutions within the land use context.⁶ Further, it "protects the rights of individuals to gather and worship by treating the use of land by religious assemblies and institutions as 'religious exercise.'"⁷ RLUIPA exists to protect the free exercise of religion by prohibiting states and local governments from imposing land use regulations that place a substantial burden upon, or act in a discriminatory manner toward, religious assemblies or institutions. Legal challenges against the constitutionality of RLUIPA have been unsuccessful in the Ninth Circuit Federal Court of Appeals and elsewhere, including one case in which we were counsel of record in defense of RLUIPA and in prosecution of a church's claim against the City of Lake Elsinore.⁸

RLUIPA's land use provisions are as follows:

¹ See 146 CONG. REC. S7, 779 (July 27, 2000); 146 CONG. REC. H7, 192 (July 27, 2000).

² See Statement by President William J. Clinton upon signing S.2869, 36 Weekly Comp. Pres. Doc. 2168, reprinted in 2000 U.S.C.C.A.N. 662.

³ 146 CONG. REC. E, 1563-01 (September 22, 2000) (Stmt. of Cong. Canady).

⁴ 146 CONG. REC. S7774-01 (July 27, 2000) (Joint Stmt. of Sens. Hatch and Kennedy).

⁵ *Id.*

⁶ See Tuttle, *supra* note 38, at 864.

⁷ Caroline R. Adams, *The Constitutional Validity of the Religious Land Use and Institutionalized Persons Act of 2000: Will RLUIPA's Strict Scrutiny Survive the Supreme Court's Strict Scrutiny?*, 70 FORDHAM L. REV. 2361, 2364-65 (2002).

⁸ See *Guru Nanak Sikh Society of Yuba City v. County of Sutter*, 456 F.3d 978, 981 (9th Cir.2006)(finding RLUIPA constitutional as applied to conditional use permits and churches based on Congress' enforcement power and the Fourteenth Amendment); *Elsinore Christian Ctr. v. City of Lake Elsinore*, 197 Fed.Appx. 718 (9th Cir. 2006) (where on interlocutory appeal, the 9th Circuit reversed the district court and held that the religious land use section of RLUIPA is constitutional); *Freedom Baptist Church v. Township of Middleton*, 204 F. Supp. 2d 857 (E.D. Pa. 2002) (holding that RLUIPA was constitutional and rejecting challenges to the Enforcement Clause, Commerce Clause, and Establishment Clause).

Protection of Land Use as Religious Exercise

(a) Substantial Burdens

(1) *General Rule.* No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution, unless the government demonstrates that imposition of the burden on that person, assembly, or institution--

(A) *is in furtherance of a compelling governmental interest; and*

(B) *is the least restrictive means of furthering that compelling governmental interest.*

(2) *Scope of application.* This subsection applies in any case in which --

(A) *the substantial burden is imposed in a program or activity that receives Federal financial assistance, even if the burden results from a rule of general applicability; or*

(B) *the substantial burden affects, or removal of that substantial burden would affect, commerce with foreign nations, among the several States, or with Indian tribes, even if the burden results from a rule of general applicability; or*

(C) *the substantial burden is imposed in the implementation of a land use regulation or system of land use regulations, under which a government makes, or has in place formal or informal procedures or practices that permit the government to make, individualized assessments of the proposed uses for the property involved.*

(b) Discrimination and Exclusion.

(1) *Equal Terms.* No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.

(2) *Nondiscrimination.* -- No government shall impose or implement a land use regulation that discriminates against any assembly or institution on the basis of religion or religious denomination.

(3) *Exclusions and Limits.* -- No government shall impose or implement a land use regulation that --

(A) *totally excludes religious assembly from a jurisdiction; or*

(B) *unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.⁹*

As the courts interpret the substantive provisions of the statute, they are required to construe RLUIPA "in favor of a broad protection of religious exercise, to the maximum extent permitted by the terms of this Act and the Constitution."¹⁰

It is my understanding that the "Wine Country" consists of over 35,000 acres in Southwest Riverside County. Only one church has been permitted to locate in the C/V Zone since 1994 -- Calvary. Immediately after Calvary was permitted, the C/V Zone was amended to exclude churches from these 35,000 acres. Although religious assemblies are excluded from the C/V zone, the zone permits the existence of wineries and "special occasion facilities". Wineries and special occasion facilities incorporate a large category of non-religious assembly uses

⁹ 42 U.S.C. 2000cc (2000).

¹⁰ 42 U.S.C. § 2000cc-3(g).

including, wedding facilities and other meeting places. Large events are regularly held indoors and outdoors at these various facilities throughout the Wine Country. Therefore, it is clear that RLUIPA Section (b) is violated by the allowance of these various meeting facilities while excluding religious assemblies and institutions.

The adoption of Ordinance Amendment No. 348.4702 simply corrects the federal violation currently existing in the existing ordinance. Because of the significant protection now afforded to religious assemblies and institutions, it is particularly appropriate for governmental agencies to take corrective action as is recommended by RLUIPA itself:

"A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden."¹¹

Proposed Assembly Bill 1721

The Riverside County Farm Bureau and the Temecula Valley Winegrowers Association have expressed concerns that their use of pesticides will be negatively impacted as a result of allowing churches in the C/V zone due to pending legislation known as AB 1721. This argument is mistaken because AB 1721 does not apply to prohibit the spraying of pesticides due to the existence of a church or "Sunday school." AB 1721 only applies to prevent the aerial spraying of pesticides at certain times due to the existence of a "schoolsite" as defined in Section 17609 of the Education Code. The definition of a schoolsite does not include a church, religious assembly or a private school facility. Therefore, adopting Ordinance Amendment No. 348.4702 will have no negative impact upon the farming community or vintners even if AB 1721 is ultimately adopted by the California Legislature.

The County understandably must be concerned with all of its constituents, including the farming community, the vintners, their children, their guests and their customers. The Farm Bureau and the Temecula Valley Winegrowers Association should consider the costs of their objections. If it were really unsafe for a church to operate in the Wine Country, it would be equally unsafe for the various public operations of the wineries and the special use facilities. A review of the website for the Temecula Valley Winegrowers Association will reveal that large events occur on a regular basis in the Wine Country such as weddings, concerts, tours, festivals and other activities. If it is unsafe for a church to exist in the Wine Country, it would be equally unsafe for South Coast Winery to host events for 800-1200 people in their courtyard or Callaway Vineyard to host 500 people on its west lawn. Therefore, the objections of Riverside County Farm Bureau and the Temecula Valley Winegrowers Association lack sufficient merit to justify recognition.

¹¹ 42 U.S.C. § 2000cc-3(e).

Board of Supervisors and Planning Commission
May 28, 2010
Page 5 of 5

Conclusion

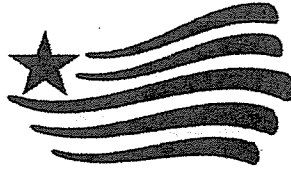
Ordinance Amendment No. 348.4702 complies with RLUIPA and should be adopted. The failure to adopt this ordinance would render the county in continued noncompliance with federal law. Therefore, we respectfully request that the county adopt Ordinance Amendment No. 348.4702. Please do not hesitate to contact me in the event you have any questions.

Kind Regards,



Robert H. Tyler
General Counsel

EXHIBIT "F"



**ADVOCATES
FOR FAITH & FREEDOM**
Protecting Religious Liberty in the Courts!

September 8, 2010

VIA ELECTRONIC
AND U.S. MAIL

Ms. Shellie Clack
Deputy County Counsel
County of Riverside
3960 Orange Street
Riverside, California 92501
mclack@co.riverside.ca.us

RE: *Ordinance Amendment No. 348.4702 - Amendment to C/V Zone
Calvary Chapel Bible Fellowship*

Dear Ms. Clack,

By way of introduction, Advocates for Faith and Freedom is a nonprofit law firm based in Riverside County. We specialize in representing churches and other religious organizations in regard to religious liberty concerns, including the religious use of real property. We often assist churches in processing land use applications with government agencies.

In this instance, I represent the interests of Calvary Chapel Bible Fellowship ("Calvary") and am writing in support of proposed Ordinance Amendment No. 348.4702. Attached to this letter is a previous letter that I wrote to Supervisor Jeff Stone on December 9, 2009, in regard to our concern relating to the exclusion of churches and temples from the C/V Zone. Also attached to this letter is a previous letter I wrote to the Board of Supervisors on May 28, 2010, concerning the same issue. I request that this letter and the two letters attached be included for the record in the Staff Report once it is amended and redistributed to the Planning Commissioners.

My previous correspondence set forth the general law as it relates the federal protection afforded to religious assemblies and institutions by the Religious Land Use and Institutionalized Person's Act ("RLUIPA")¹. Here, I would like to address two specific issues raised by Mr. Michael W. Newcomb, attorney for the Temecula Valley Winegrowers Association.

¹ 42 U.S.C. 2000cc (2000). RLUIPA's constitutionality is no longer in question. *See Guru Nanak Sikh Society of Yuba City v. County of Sutter*, 456 F.3d 978, 981 (9th Cir.2006)(finding RLUIPA constitutional as applied to conditional use permits and churches based on Congress' enforcement power and the Fourteenth Amendment);

Restrictions Imposed by ABC Laws

Mr. Mike Naggar, land use consultant for Calvary Bible Fellowship, submitted a letter to you on August 13, 2010, regarding the regulation of liquor licenses. Mr. Naggar pointed out that the licenses issued to wineries for the sale of alcohol is a Type 02 "winegrower's license" as opposed to a "retail" license. This is significant because a winegrower's license does not have a distance requirement in relation to churches and schools whereas a retail license does have significant distance requirements. Therefore, ABC laws are irrelevant to proposed Ordinance Amendment No. 348.4702.

However, even if a distance requirement did apply so as to restrict the sale of alcohol in the vicinity of the church, the burden imposed on neighboring land would not provide a basis to justify the rejection of the proposed Ordinance Amendment No. 348.4702 allowing churches, temples and other places of religious worship within the C/V Zone. A very similar issue arose in *Digrugilliers v. Consolidated City of Indianapolis*.² In that case, Indiana law prohibited the sale of liquor within 200 feet of a church. A federal judge determined that allowing a church to locate in a C-1 zone could interfere with other land uses.³ As a result, the district judge believed that the city was justified when it denied a variance application submitted by a church that would have allowed it to locate in the C-1 zone. However, the Seventh Circuit Court of Appeals reversed the district judge and held that "[g]overnment cannot, by granting churches special privileges..., furnish the [same] premise for excluding churches from otherwise suitable districts."⁴ In other words, the 200 foot distance requirement is a special privilege afforded to churches and the district court used that same privilege that is suppose to protect the church as a justification to exclude the church from a zone because it might prevent other land uses from selling alcohol. The Seventh Circuit clearly overruled that rationale and said that the distance requirement could not be used to prevent churches from locating within the C-1 zone on the basis that the existence of a church might prevent a future applicant from selling alcohol.⁵

Similarly, the Temecula Valley Winegrowers Association argues that allowing churches into the C/V zone might prevent the sale of alcohol by land uses that neighbor a church. As stated before, Mr. Naggar has proven that not to be the case based on the type of license issued to

Elsinore Christian Ctr. v. City of Lake Elsinore, 197 Fed.Appx. 718 (9th Cir. 2006) (where on interlocutory appeal, the 9th Circuit reversed the district court and held that the religious land use section of RLUIPA is constitutional); *Freedom Baptist Church v. Township of Middleton*, 204 F. Supp. 2d 857 (E.D. Pa. 2002) (holding that RLUIPA was constitutional and rejecting challenges to the Enforcement Clause, Commerce Clause, and Establishment Clause).

² 506 F.3d 612 (7th Cir. 2007).

³ *Id.* at 616.

⁴ *Id.*

⁵ It is important to note that very few cases within the Ninth Circuit have addressed the land use provisions of RLUIPA. Therefore, relevant cases from other federal circuits are particularly instructive to the applicability of RLUIPA.

wineries. However, even if it were true, the special privilege afforded to churches to prevent neighboring land uses from selling alcohol with a "retail" license cannot now be used to prevent churches from locating in the C/V zone. Therefore, the implicit rationale that wineries need protection from churches is specious.

As stated in my last letter, the County of Riverside has an obligation to correct the zoning ordinance so that the C/V zone is in compliance with RLUIPA.⁶ If the County fails to do so, a federal lawsuit could be brought to force compliance. This, of course, would seem unnecessary.

Pesticides and Fertilizers: A.B. 1721

In my last letter, I articulated the reasons why A.B. 1721 would not apply to prevent a church or private school from locating immediately next to a winery or other farming operation in the event the bill were ultimately passed as it is currently written. The Temecula Valley Winegrowers Association essentially argues that a trend exists that might make it more difficult to apply pesticides and fertilizers near a church or private school in the future. A decision based upon a hypothetical event in the future does not justify rejecting proposed Ordinance Amendment No. 348.4702.

The C/V zone consists of more than 25,000 acres and most of the acreage is not being farmed. Therefore, even if there was a legitimate threat to the health of individuals resulting from the application of pesticides or fertilizers by a farming operator or vintner, it is more probable that a church would not even locate in the immediate vicinity of a farm or winery. If, however, a church or private school desired to locate in the immediate vicinity of a farm or winery, the proper time to consider the environmental issues would be at the time the church or school submits their land use application. A blanket restriction on 25,000 acres is simply unreasonable and unlawful.

Additionally, the rationale used by the Seventh Circuit in *Digrugilliers v. Consolidated City of Indianapolis* is applicable to the vintner's argument that the existence of a church *might* prevent a farmer or vintner from operating in the future.⁷ Further, this argument is not valid because there are many locations within the 25,000 acres of the C/V zone where a church or private school could locate without threatening the right of a farmer or vintner to apply pesticides and fertilizers.

⁶ (b) **Discrimination and Exclusion.**

(1) **Equal Terms.** No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution.

....

(3) **Exclusions and Limits.** – No government shall impose or implement a land use regulation that –
(A) totally excludes religious assembly from a jurisdiction; or
(B) unreasonably limits religious assemblies, institutions, or structures within a jurisdiction.

42 U.S.C. 2000cc-(b)(1)-(3).

⁷ 506 F.3d 612 (7th Cir. 2007).

Conclusion

It is worth repeating that the adoption of Ordinance Amendment No. 348.4702 simply corrects the federal violation currently existing in the C/V zoning district. Because of the significant protection now afforded to religious assemblies and institutions, it is particularly appropriate for governmental agencies to take corrective action as is recommended by RLUIPA itself:

"A government may avoid the preemptive force of any provision of this chapter by changing the policy or practice that results in a substantial burden on religious exercise, by retaining the policy or practice and exempting the substantially burdened religious exercise, by providing exemptions from the policy or practice for applications that substantially burden religious exercise, or by any other means that eliminates the substantial burden." ⁸

On behalf of Calvary Chapel Bible Fellowship, I respectfully request that you recommend to the Planning Commission that it approve the adoption of Ordinance Amendment No. 348.4702 as a legal necessity.

Please do not hesitate to contact me in the event you have any questions.

Kind regards,

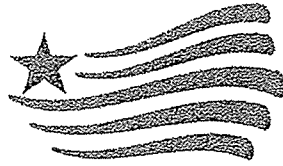


Robert H. Tyler
General Counsel

cc: *Via Electronic and U. S. Mail*
Mr. Larry Ross
LROSS@retlma.org
Mr. Mike Naggar
mike@mikenaggar.com
Mr. Mike Van Wick
clark@ccbf.net

⁸ 42 U.S.C. § 2000cc-3(e).

EXHIBIT "G"



ADVOCATES
FOR FAITH & FREEDOM
Protecting Religious Liberty in the Courts!

December 7, 2009

VIA PERSONAL DELIVERY

Supervisor Jeff Stone
County of Riverside County Counsel
4080 Lemon Street, 5th Floor
Riverside, CA 92501
Facsimile: (951) 955-2194

RE: Calvary Chapel Bible Fellowship

Dear Supervisor Stone,

This letter is intended to provide you a brief summary of federal statutory law applicable to the use of land for religious purposes by Calvary Chapel Bible Fellowship ("Calvary"). In November, 2009, the Board of Supervisors approved an ordinance amending Ordinance 348 to permit churches, temples or other places of religious worship in the Rural Residential ("R-R") Zone. Calvary Chapel Bible Fellowship is requesting the Board of Supervisors adopt a similar amendment with regard to the Citrus/Vineyard ("C/V") Zone within the next 30 days in order to assure that the C/V Zone complies with the requirements set forth in a relatively newly adopted federal statute that protects religious institutions seeking to develop land for religious purposes.

In 2000, the Religious Land Use and Institutionalized Persons Act ("RLUIPA")¹ was adopted, creating an entirely new body of federal law and seeking to codify and elaborate upon protections found in the Free Exercise Clause of the First Amendment to the United States Constitution. RLUIPA provides significantly greater protection than prior federal law had to persons or institutions using land for religious purposes, such as Calvary Chapel Bible Fellowship.

Municipalities regulate the use of land within their jurisdictions by implementing comprehensive zoning ordinances under the authority of their police power. The Supreme Court clearly stated in *Village of Euclid, Ohio v. Ambler Realty Co.*² that cities have the right to enact

¹ Religious Land Use and Institutionalized Persons Act, 42 U.S.C. § 2000cc (2000).

² 272 U.S. 365 (1926).

zoning ordinances for the general welfare of their citizens, and these zoning ordinances are generally presumed to be constitutional.³ However, a municipality's ordinance must be implemented in a fashion that does not run afoul of federal law.

RLUIPA'S SUBSTANTIAL BURDEN PROVISION

Congress sought to ensure the application of strict scrutiny in religious land use cases when it codified the substantial burden test (also known as the "compelling interest test") articulated by the U.S. Supreme Court in *Sherbert v. Verner*.⁴ Under RLUIPA, the plaintiff has the burden of showing that the government-imposed or -implemented land-use regulation places a substantial burden on the religious exercise of a person, assembly, or institution.⁵ Religious exercise is defined as "any exercise of religion, whether or not compelled by, or central to, a system of religious belief."⁶ "Religious exercise" also includes the directive that "[t]he use, building, or conversion of real property for the purpose of religious exercise shall be considered to be religious exercise of the person or entity that uses or intends to use the property for that purpose."⁷ This definition of religious exercise is especially helpful to religious land uses. Land use regulations have often been considered somewhat immune to scrutiny under free exercise because land use regulations are allegedly targeted at the regulation of land as opposed to the regulation of religion.⁸ It has also been argued that zoning regulations "rarely bear upon central tenets of religious belief" and therefore do not impose a substantial burden.⁹ RLUIPA forecloses the effectiveness of these arguments.

Once the plaintiff establishes a substantial burden under RLUIPA, the burden of persuasion shifts to the government entity.¹⁰ The government must prove that its actions are "in furtherance of a compelling governmental interest" and are "the least restrictive means of furthering that compelling governmental interest."¹¹ In order to satisfy the strict scrutiny standard as incorporated by RLUIPA, the Defendants must make more than a "showing merely of a rational relationship to some colorable state interest [I]n this highly sensitive constitutional area, 'only the gravest abuses [by religious adherents], endangering paramount interests, give occasion for permissible limitation [on the exercise of religion].'"¹² Once strict

3 *Id.*

4 *Sherbert v. Verner*, 374 U.S. 398 (1963).

5 42 U.S.C. § 2000cc(a)(1). "Government" means a State, County, Municipality, governmental entity created under the authority of the State, or any person acting under color of State law. 42 U.S.C. § 2000cc-5.

6 42 U.S.C. § 2000cc-5(7)

7 *Id.*

8 See, e.g., *Elsinore Christian Center*, 291 F. Supp. 2d 1083, 1090 (C.D. Cal. 2003) (citing *Christian Gospel Church, Inc. v. City and County of San Francisco*, 896 F.2d 1221, 1224 (9th Cir.1990); *Messiah Baptist Church v. County of Jefferson*, 859 F.2d 820, 824-25 (10th Cir.), cert. denied, 490 U.S. 1005, 109 S.Ct. 1638 (1989); *Lakewood, Ohio Congregation of Jehovah's Witnesses, Inc. v. Lakewood*, 699 F.2d 303, 306-7 (6th Cir.1983); *Grosz v. City of Miami Beach*, 721 F.2d 729 (11th Cir.1983).

9 *Elsinore Christian Center*, 291 F. Supp. 2d at 1090.

10 42 U.S.C. § 2000cc-2(b).

11 42 U.S.C. § 2000cc(a)(1).

12 *Sherbert v. Verner*, 374 U.S. 398, 406 (1963) (quoting *Thomas v. Collins*, 323 U.S. 516, 530 (1945)).

scrutiny is applied, governmental action will survive only in rare cases.¹³

In the present situation, Calvary intends to use the property at issue for purposes of developing and occupying a Church and Christian School in the C/V Zone. If the County denies Calvary's religious use of the land, the burden shifts to the County to establish a compelling governmental interest that is implemented by the least restrictive means of furthering that interest. The County's interest in regulating Calvary's development and use of the property cannot, however, overcome the strict scrutiny test. "A law that...advances legitimate governmental interests only against conduct with a religious motivation will survive strict scrutiny only in rare cases."¹⁴

RLUIPA'S EQUAL TERMS PROVISION

Section (b)(1) of RLUIPA states that, "[n]o government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a nonreligious assembly or institution."¹⁵ Section (b) "codifies parts of the Supreme Court's constitutional tests as applied to land use regulation. These provisions directly address some of the more egregious forms of land use regulation, and provide more precise standards than the substantial burden and compelling interest tests. These provisions overlap, but some cases may fall under only one section, or the elements of one section may be easier to prove than the elements of other sections."¹⁶ Section (b) is obviously distinct from the strict scrutiny standard of review set forth in section (a). In fact, no standard of review is called for in the text of section (b) or in the legislative history. Rather, the legislative history demonstrates that Congress intended that strict liability be imposed upon a violation of section (b).¹⁷

Under the present circumstances, the County must consider all uses it has allowed in the C/V Zone. Both facially and as-applied the current ordinance cannot satisfy the standard set forth in the Equal Terms provision. The applicable ordinance permits "[a]n outdoor facility, in conjunction with a dwelling unit or a winery, which may include a structure or building, which is used on special occasions for public assembly for a specific period of time in return for compensation. Special occasions may involve, but not limited to, weddings, concerts, parties, spectator oriented events or other celebrations" with a minimum acreage requirement. Furthermore, educational institutions are permitted in the C/V Zone by way of a public use permit. The County's current ordinance, both on its face and as it has been applied, is a violation of the Equal Terms provision. The ordinance permits secular assemblies, such as concerts, parties, and educational institutions, but does not permit religious assemblies in the Zone. As a result, the County is treating religious institutions on less than equal terms with nonreligious assemblies.

¹³ *Church of the Lukumi Babalu v. City of Hialeah*, 508 U.S. 520, 546 (1993).

¹⁴ *Church of the Lukumi Babalu v. City of Hialeah*, 508 U.S. 520, 546 (1993).

¹⁵ 42 U.S.C. 2000cc(b)(1) (2000).

¹⁶ 146 CONG. REC. E1563-01 (2000) (Stmt. of Rep. Canady)

¹⁷ *Id.*

Supervisor Jeff Stone
December 7, 2009
Page 4 of 4

CONCLUSION

This letter provides only a brief analysis of RLUIPA. Certainly, the federal constitution, as well as the state constitution, provides significant protection under the Free Exercise Clause and the Equal Protection Clause for the religious use of land. We would be happy to discuss the application of RLUIPA in greater detail should the County so desire.

Please do not hesitate to contact me if you have any questions.

Kind regards,



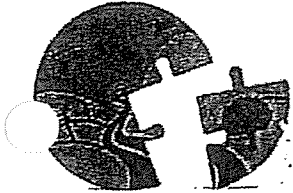
Robert H. Tyler, Esq.

JLM:lkj

cc: Mr. Clark Van Wick

EXHIBIT "H"

RIVERSIDE COUNTY
PLANNING DEPARTMENT



Carolyn Syms Luna
Director

January 27, 2011

Mr. Mike Naggar
445 S. D Street
Perris, CA 92570

Re: Proposed project for sanctuary, Sunday school, private kindergarten through eighth grade school, temporary child care, hospitality and storage space

Dear Mr. Naggar:

This letter is in response to your November 30, 2010, letter requesting a finding that the construction of two (2) new buildings totaling 37,936 square feet on approximately 21 acres to be used as a sanctuary, Sunday school, private kindergarten through eighth grade school, temporary child care, hospitality and storage space ("the proposed project") is the same in character and intensity as a use listed in the Citrus Vineyard Zone of Riverside County Ordinance ("RCO") No. 348.

Section 14.73, subsection d. of RCO No. 348 provides in pertinent part:

"Any use that is not specifically listed...maybe considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed...such a use is subject to the permit process which governs the category in which it falls."

Pursuant to the power vested in me by this provision, I hereby find that the proposed project is substantially the same in character and intensity as those listed uses requiring a plot plan. The CV Zone permits such uses as the following with a plot plan: special occasion facilities, bed and breakfast inns, country inns, cooking schools in conjunction with bed and breakfast inns and country inns, and wineries, with an established on-site vineyard and a minimum gross parcel size of 20 acres, in conjunction with sampling rooms, retail wine/gift sales, special occasion facilities, hotels and restaurants.

These uses are commercial in nature and not entirely contained within one building. Most operate seven days a week during the morning, afternoon and evening. Additionally, these uses generate large events that are held indoors and outdoors which may result in traffic, visual and noise impacts. As the proposed project has similar attributes, its character and intensity may be appropriately characterized as substantially the same as the uses allowed with a plot plan. Therefore, the applicant will need to submit a plot plan application to the Planning Department for the proposed project.

Additionally, please note that this letter and finding pertains only to the proposed project to be located on the recently acquired 21 acres. It does not pertain in any way to the existing Calvary Chapel Bible Fellowship operating under Public Use Permit No. 798.

Riverside Office • 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 • Fax (951) 955-3157

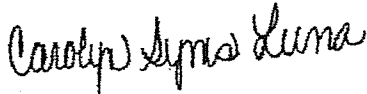
Desert Office • 38686 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 • Fax (760) 863-7555

Mr. Mike Naggar
January 27, 2011
Page 2

If you have any questions or concerns regarding this letter, please contact me at (951) 955-6097 at your convenience.

Sincerely,

PLANNING DEPARTMENT



Carolyn Syms Luna
Director

CSL:SC:kh



September 18, 2013

To: Members of the Temecula Valley Winegrowers Association

Re: *New Requirement for "On-Site" Grape Use and Production*

Dear Members:

The proposed revision to the County Code, Section 14.96 (Development Standards), Subsection (e)(6), would require wineries to actually "grow" at least 50 percent of all wine "produced" and "sold" on-site. This requirement would fundamentally destroy the ability of a winery to sell more than twice what it grows "on site." Moreover, this requirement would artificially limit and restrict grape growers from selling fruit to wineries because a winery could not "produce" wine from more fruit than it grows. The language provides as follows:

14.96 Development Standards

a. *General Standards. The following standards shall apply to all uses and development in the WC-E, WC-R, WC-W and WC-WE zones:*

e. *Commercial Winery Standards. In addition to the General Standards, the following standards shall apply to all Commercial Wineries in the WC zones:*

(6) *The grapes utilized in wine production and retail wine sales shall meet the following minimum requirements: fifty percent (50%) shall be grown or raised on site and twenty-five percent (25%) shall be grown or raised in Riverside County ...*

Under basic statutory construction rules, the above language means (1) that all retail wine sales (i.e. a sale wherein sales tax is collected), which includes wine clubs, tasting room bottles and tastings, restaurants, etc., are restricted to bottles of wine, 50% of which were produced from grapes "on-site" and (2) production is also severely restricted in that a winery cannot produce wine in excess of one-half of what it grows "on-site."

The term "on-site" necessarily excludes leased land or contracted vineyards. Indeed, even contiguous parcels that are not expressly included within the approved "Plot Plan" and/or bonded/licensed premises under the TTB and ABC would not be considered "on-site."

Because the rule would apply to both WC-W and WC-WE zoned wineries – everybody is affected. Thus, a winery with 20 acres and 15 acres planted that on average produces 3 tons per acres, would produce approximately 6,750 gallons or 2,838 cases. That winery would be restricted from producing and selling at retail (again any transaction where sales tax is collected), any wine in excess of 5,676 cases. Likewise, a winery with 10 acres and 7.5 acres planted (3 tons average), is limited to producing no more than 2,838 cases of wine.

In addition to essentially devaluing every winery in the valley, the proposed rule would also limit the ability of grape growers to sell fruit because Temecula wineries could not purchase more fruit than what they grow on site. I respectfully urge the membership to oppose the above rule in the most vocal and aggressive means within the law.

Sincerely,

Michael W. Newcomb
Attorney at Law

1 units (density yield) are placed in close proximity with the purpose of creating the
2 largest potential development envelope for vineyards or equestrian uses.

3 c. COMMERCIAL EQUESTRIAN ESTABLISHMENT. An equestrian facility
4 with one or more incidental commercial uses, such as a petting zoo, polo-grounds,
5 ~~western style store, restaurant, rodeo arena or special occasion facility that~~
6 contains a minimum of twenty (20) enclosed stalls for that is used to boarding
7 horses in return for compensation.

Comment [SPC1]: Clarification by the Planning Department

8 d. COMMERCIAL WINERY. An agricultural facility designed and used to crush,
9 ferment and process grapes into wine. Such facility operates appurtenant and
10 incidental commercial uses such as wine sampling room, retail wine sales, gift
11 sales, delicatessen, restaurant, lodging facilities and special occasion facilities.

12 e. COTTAGE INDUSTRY. A home-based occupation or service carried on by a
13 resident within his dwelling in return for compensation, provided such use,
14 occupation or service is incidental and secondary to the principal use of a dwelling
15 as a residence. Such activity is conducted in a manner not to give an outward
16 appearance or manifest any characteristics of a business. Cottage industry may
17 include, but not limited to, knitting, sewing, quilting, pottery, accounting, scrap
18 booking and cooking.

19 f. COTTAGE INN. A dwelling unit with five (5) or fewer guest rooms, which
20 provides lodging and breakfast for temporary overnight occupants in return for
21 compensation and is solely owned and operated by the property owner. In addition
22 to ~~the~~ a main kitchen, a Cottage Inn may contain one kitchenette. Cooking
23 provisions, such as a stove, microwave or grill, are prohibited in the guest rooms.

Comment [MC2]: Clarification by the Planning Department

Comment [MC3]: Clarification by the Planning Department

24 g. COUNTRY INN. A facility, which may be an extension of the main dwelling
25 unit, with 11 to 20 guest rooms that provides lodging and breakfast for temporary
26 overnight occupants in return for compensation. In addition to a main kitchen, a
27 Country Inn may contain one kitchenette per guest room. Cooking provisions, such
28 as a stove, microwave or grill, are prohibited in the guest rooms.

- 1 h. DELICATESSEN. A small facility that offers such food items as, but not limited
2 to, made to order sandwiches, salads, cheese plates and a variety of beverages in
3 return for compensation.
- 4 i. EQUESTRIAN ESTABLISHMENT. An equestrian facility where horses, donkeys,
5 mules and ponies are kept, sheltered, trained, nursed, or boarded in return for
6 compensation. An equestrian establishment may include enclosed stalls, shelters,
7 arenas, paddocks, pens, as well as associated appurtenant structures or buildings,
8 including but not limited to, barns, tack sheds, washing stations, hot walkers or
9 other equestrian exercise equipment storage areas, equestrian training schools,
10 small-scale animal hospitals, feed storage facilities, covered forage/hay storage
11 areas, equestrian trail riding areas and equestrian trailer parking areas.
- 12 j. EQUESTRIAN LAND. A fenced-in open area that is actively managed to
13 control weeds and used for, but not limited to, grazing of equestrians or other
14 livestock, equestrian holding areas, open corrals, exercise areas, riding area, or
15 equestrian racing rings. Buildings shall not be allowed in such open area.
- 16 k. EQUESTRIAN SHOW FACILITY. A facility that holds a maximum of one
17 hundred (100) people, which provides a venue for judged exhibition events,
18 training events, competition of horses or equestrian sport activities.
- 19 l. GUEST ROOM. A lodging room with bathroom access, which accommodates
20 one or two persons and contains basic furniture, such as one or two beds,
21 nightstands, dresser, desk, chair, wardrobe or built in closet and a television.
- 22 m. GUEST SUITES. A guest room with only one access that accommodates a
23 maximum of four persons and contains one bedroom, additional living space,
24 luxury bathroom, closet and may include a kitchenette per guest room. Cooking
25 provisions such as a stove, microwave or grill, are prohibited in the guest suite.
- 26 n. HOTEL. A lodging facility with more than 20 guest rooms or guest suites, which
27 provides lodging and breakfast for temporary overnight occupants, in return for
28 compensation. In addition to a main kitchen, a hotel may have one kitchenette per

Comment [MC4]: Clarification by the Planning Department

1 guest room or guest suite. Cooking provisions, such as a stove, microwave or grill,
2 are prohibited in guest rooms and guest suites.

3 o. INCIDENTAL COMMERCIAL USE. A commercial use that is directly
4 related and secondary to the principal agricultural or equestrian use located on the
5 same parcel or project site.

6 p. KITCHENETTE. An area that may include a small counter, cabinets and mini
7 refrigerator used for providing food and drinks for non-monetary consumption to
8 guests. Cooking provisions such as a stove, microwave or grill, are prohibited in
9 the Kitchenette.

Comment [MC5]: Clarification by the Planning
Department

10 q. LODGING FACILITIES. Bed and Breakfast Inns, Country-inns, Hotels and
11 Resorts.

12 r. NET PROJECT AREA. The portion of a site that can actually be built upon.
13 The following are not included in the net project area: public or private road rights-
14 of-way, public open-space, and flood ways

15 s. PRODUCTION LOT. A legal lot of twenty (20) gross acres or more that is set-
16 aside for planting vineyards through a deed restriction or other conservation
17 mechanism.

18 t. PRODUCTION WINERY. An agricultural facility solely designed and used to
19 crush, ferment and process grapes into wine. The facility may also bottle and
20 distribute such wine. Such facility does not operate any appurtenant or incidental
21 commercial uses.

22 u. RESORT. A full-service hotel with guest rooms, guest suites, or free standing
23 villas or casitas, which provides lodging and meals for visitors, in return for
24 compensation. Such facility may provide additional commercial and recreational
25 uses such as spas, amphitheaters, conference rooms, golf-courses and banquet-halls
26 operated by one entity for the convenience of the resort guests.

27 v. SET ASIDE AREA. An area that is restricted for the specific use of planting
28 vineyards or equestrian lands.

1 w. SPECIAL OCCASION FACILITY. An indoor or outdoor facility, which may
2 include a gazebo, pavilion, amphitheater, auditorium, structures and buildings,
3 which is used on special occasions such as weddings, parties, concerts,
4 conferences, charity events and fundraiser events for a specific period of time in
5 return for compensation. An outdoor special occasion facility may include a
6 gazebo, pavilion, or amphitheater for wedding ceremonies, concerts or other
7 celebrations. An indoor special occasion facility shall include a building or other
8 structure for wedding receptions, conferences or other celebrations conducted
9 entirely within the structure or building.

10 x. TEMECULA VALLEY WINEGROWERS ASSOCIATION EVENT. A
11 fundraising effort conducted at a winery by one or several member wineries of the
12 Temecula Valley Winegrowers Association, including but not limited to, region-
13 wide barrel tastings, where food and wine samplings are provided to participants.
14 Such events shall not include crushing events and shall be limited to eight (8)
15 events per year.

Comment [SPC6]: Clarification by the Planning Department

16 y. VINEYARD. A farm where grapevines are planted, grown, raised or cultivated for
17 the purpose of producing grape wine.

18 z. WINE CLUB ACTIVITY. A social gathering held at a Commercial Winery where
19 its wine club members receive their membership wine and may participate in wine
20 tasting and purchase additional wine products. Attendance is limited to wine club
21 members and their guests.

Comment [SPC7]: Planning Commission recommendation

22 z-aa. WINE CLUB EVENT. A social gathering promoted by a Commercial Winery held
23 in its facility exclusively for its wine club members and their guests.

Comment [MC8]: Planning Commission recommendation

24 aa-bb. WINE SAMPLING ROOM. A permanent building use located within a
25 commercial winery where visitors taste wine in return for monetary compensation.

Comment [MC9]: Clarification by the Planning Department

26 bb-cc. -

27 SECTION 14.92. AUTHORIZED USES. WINE COUNTRY – WINERY (WC-W)

28 ZONE. The following provisions shall apply to the WC-W Zone:

1 a. ALLOWED USES:

- 2 (1) One-family dwelling.
- 3 (2) Cottage Inn.
- 4 (3) Cottage Industry.
- 5 (4) Temecula Valley Winegrowers Association Event.
- 6 (5) Vineyards; groves; equestrian lands; field crops; flower, vegetable,
7 and herb gardening; orchards; apiaries; the drying, processing and
8 packing (other than canning) of fruits, nuts, vegetables and other
9 horticultural products where such drying, processing or packing is in
10 conjunction with an agricultural operation or an incidental
11 commercial use as defined in this ordinance.
- 12 (6) The grazing of sheep, goats or cattle where such grazing operation
13 is conducted on fields for the purpose of clearing stubble or
14 unharvested crops, without limit as to the number of animals per
15 acre, for a period of not more than 30 days within any six-month
16 period.
- 17 (7) The non-commercial keeping, raising or boarding of horses, cattle,
18 sheep and goats on lots 20,000 square feet or larger and 100 feet in
19 width, provided they are kept not less than 50 feet from any
20 dwelling units other than a dwelling unit located on the same lot.
21 The number of such animals is not to exceed two (2) animals per
22 gross acre of all the land available; provided however, the
23 systematic rotation of animals with more than two (2) animals per
24 gross acre is permitted so long as the total number of permitted
25 animals is not exceeded.
- 26 (8) Future Farmers of America or 4-H projects.
- 27 (9) The on-site outside storage of materials used in conjunction with a
28 farm or equestrian land including irrigation equipment and farming

1 machinery is allowed as an accessory use to the farm or equestrian
2 land.

- 3 (10) The on-site outside storage of materials is allowed as an accessory
4 use on lots from one-half acre to one acre provided the amount is
5 limited to one hundred (100) square feet with a maximum height of
6 six feet (6') and is allowed as an accessory use on lots one acre or
7 larger provided the amount is limited to two hundred (200) square
8 feet with a maximum height of six feet (6').

9 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. Any
10 permit that is granted shall be subject to such conditions as shall be necessary to
11 protect the health, safety or general welfare of the community. The following uses
12 are permitted provided a plot plan has been approved pursuant to Section 18.30 of
13 this ordinance.

- 14 (1) In addition to the principal dwelling, a one-family dwelling may be
15 permitted for each ten (10) acres of a farm in accordance with
16 Section 14.96.a.(11) herein, ~~including mobile homes on permanent~~
17 ~~foundations. The total number of such additional dwellings for any~~
18 ~~farm shall not exceed four.~~

Comment [MC10]: Clarification by the Planning Department.

- 19 (2) A temporary stand for the display and sale of agricultural products of
20 any authorized use that are produced on contiguous lots owned or
21 leased by the owner or occupant of the premises. The duration of
22 sales from the temporary stand shall not exceed a period of three
23 continuous months or a total of six months during any calendar year.
24 The stand shall not exceed 300 square feet and shall not include any
25 permanent building or structure. Off-street parking shall be
26 provided as required in Section 18.12 of Ordinance No. 348, except
27 that no paving shall be required.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (3) Production Winery only in conjunction with an established on-site vineyard and on a parcel no less than five (5) acres but no more than ten (10) gross acres.
- (4) Commercial Winery, only in conjunction with an established on-site vineyard and a minimum parcel size of ten (10) gross acres.
- (5) The following appurtenant and incidental commercial uses, only in conjunction with a Commercial Winery, an established on-site vineyard, and a minimum gross parcel size of ten (10) acres:
 - a. Wine sampling room;
 - b. Wine Club Activities;
 - ~~b.c.~~ Four (4) Wine Club Events per year with a maximum of one hundred (100) guests per event;
 - e.d. Retail wine sales;
 - d.e. Gift sales; and
 - e.f. Delicatessen
- (6) The following appurtenant and incidental commercial uses, only in conjunction with a Commercial Winery, an established on-site vineyard, and a minimum gross parcel size of twenty (20) acre:
 - a. Wine sampling room;
 - b. Retail wine sales;
 - c. Gift sales;
 - d. Wine Club Activities;
 - e. Four (4) Wine Club Events per year with a maximum of one hundred (100) guests per event;
 - d.f. Special occasion facility;
 - e.g. Bed and Breakfast Inn;
 - f.h. Country Inn;
 - g.i. Hotel;

Comment [MC11]: Planning Commission recommendation

Comment [MC12]: Planning Commission recommendation

Comment [SPC13]: Planning Commission recommendation

1 h-j. Spa or professional culinary academy in conjunction with
2 hotel; and

3 h-k. Delicatessen or restaurant; drive-thru restaurants shall not be
4 permitted.

5 c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE**
6 **PERMIT.** Any permit that is granted shall be subject to such conditions as
7 shall be necessary to protect the health, safety or general welfare of the community.
8 The following uses are permitted provided a conditional use permit has been
9 approved pursuant to Section 18.28 of this ordinance:

10 (1) Farm employee housing.

11 (2) The following appurtenant and incidental commercial uses, only in
12 conjunction with a Commercial Winery, an established on-site
13 vineyard, and a minimum parcel size of forty (40) gross acres:

14 a. Wine sampling room;

15 b. Retail wine sales;

16 c. Gift sales;

17 d. Wine Club Activities;

18 e. Four (4) Wine Club Events per year with a maximum of one
19 hundred (100) guests per event.

20 d-f. Special occasion facility;

21 e-g. Resort;

22 f-h. Golf course in conjunction with resorts;

23 g-i. Spa or professional culinary academy in conjunction with
24 resorts; and

25 h-j. Delicatessen or restaurant; drive-thru restaurants shall not be
26 permitted.

27 d. Clustered single family dwelling subdivision that complies with Ordinance
28 No. 460 and the development standards set forth in section 14.96.c. herein.

Comment [MC14]: Planning Commission
recommendation

1 SECTION 14.93. AUTHORIZED USES. WINE COUNTRY - WINERY EXISTING
2 (WC-WE) ZONE.

3 a. ALLOWED USES for the ~~twenty-nine thirty twenty-eight 28 (2930)~~
4 existing wineries as set forth in Figure 4a of the Wine Country Policy Area
5 attached hereto:

Comment [MC15]: Clarification by the Planning Department

- 6 (1) One-family dwelling.
- 7 (2) Cottage Inn.
- 8 (3) Cottage Industry.
- 9 (4) Temecula Valley Winegrowers Association Event.
- 10 (5) Vineyards; groves; equestrian lands; field crops; flower, vegetable,
11 and herb gardening; orchards; apiaries; the drying, processing and
12 packing (other than canning) of fruits, nuts, vegetables and other
13 horticultural products where such drying, processing or packing is in
14 conjunction with an agricultural operation or an incidental
15 commercial use as defined in this ordinance.
- 16 (6) The grazing of sheep, goats and cattle where such grazing operation
17 is conducted on fields for the purpose of clearing stubble or
18 unharvested crops, without limit as to the number of animals per
19 acre, for a period of not more than 30 days within any six-month.
- 20 (7) The non-commercial keeping, raising or boarding of horses, cattle,
21 sheep, and goats on lots 20,000 square feet or larger and 100 feet in
22 width, provided they are kept not less than 50 feet from any
23 dwelling units other than a dwelling unit located on the same lot.
24 The number of such animals is not to exceed two (2) animals per
25 gross acre of all the land available; provided however, the
26 systematic rotation of animals with more than two (2) animals per
27 gross acre is permitted so long as the total number of permitted
28 animals is not exceeded.

- 1 (8) Future Farmers of America or 4-H projects.
- 2 (9) The on-site outside storage of materials used in conjunction with a
- 3 farm or equestrian land including irrigation equipment and farming
- 4 machinery is allowed as an accessory use to the farm or equestrian
- 5 land.
- 6 (10) The on-site outside storage of material is allowed as an accessory
- 7 use on lots from one-half acre to one acre provided the amount is
- 8 limited to one hundred (100) square feet with a maximum height of
- 9 six feet (6') and is allowed as an accessory use on lots one acre or
- 10 larger provided the amount is limited to two hundred (200) square
- 11 feet with a maximum height of six feet (6').

12 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. Any

13 permit that is granted shall be subject to such conditions as shall be necessary to

14 protect the health, safety or general welfare of the community. The following uses

15 are permitted provided a plot plan has first been approved pursuant to Section

16 18.30 of this ordinance.

17 (1) In addition to the principal dwelling, a one-family dwelling may

18 be permitted for dwelling for each ten (10) acres of a farm in

19 accordance with Section 14.96.a (11) herein.

20 ~~(1)~~(2) A temporary stand for the display and sale of agricultural products

21 of any authorized use that are produced on the lot where such stand

22 is located or are produced on contiguous lots owned or leased by the

23 owner or occupant of the premises. The duration of sales from the

24 temporary stand shall not exceed a period of three continuous

25 months or a total of six months during any calendar year. The stand

26 shall not exceed 300 square feet and shall not include any permanent

27 building or structure. Off-street parking shall be provided as

28

Comment [MC16]: Clarification by the Planning Department

1 required in Section 18.12 of Ordinance No. 348, except that no
2 paving shall be required.

3 ~~(2)~~(3) Production Winery only in conjunction with an established on-site
4 vineyard and on a parcel no less than five (5) acres but no more than
5 then (10) gross acres.

Comment [MC17]: Planning Commission
recommendation

6 ~~(3)~~(4) The following appurtenant and limited incidental commercial uses,
7 only in conjunction with an established on-site vineyard and a
8 minimum parcel size of five (5) gross acres:

9 a. Bed and Breakfast Inn; and

10 b. Spa and cooking school only in conjunction with a Bed and
11 Breakfast Inn; and

12 b.c. Cooking school in conjunction with a Bed and Breakfast Inn.

Comment [MC18]: Clarification by the Planning
Department

13 ~~(4)~~(5) The following appurtenant and limited incidental commercial uses,
14 only in conjunction with an established on-site vineyard and a
15 minimum parcel size of ten (10) gross acres:

16 a. Special Occasion Facility; or

17 b. Country Inn; and

18 c. Spa only in and cooking school in conjunction with a
19 Country Inn; and.

20 d. Cooking school only in conjunction with Country Inn.

Comment [SPC19]: Clarification by the
Planning Department

21 ~~(5)~~(6) The following appurtenant and incidental commercial uses, only in
22 conjunction with a Commercial Winery, an established on-site
23 vineyard, and a minimum parcel size of ten (10) gross acre:

24 a. Wine sampling room;

25 b. Retail wine sales;

26 c. Gift sales;

27 d. Wine Club Activities;

28

1 e. Four (4) Wine Club Events per year with a maximum of one
2 hundred (100) guests per event.

Comment [MC20]: Planning Commission
recommendation

3 d.f. Special occasion facility; and

4 e.g. Bed and breakfast inns; or

5 f.h. Restaurant; however, drive-thru restaurants shall not be
6 permitted.

7 ~~(6)~~(7) The following appurtenant and incidental commercial uses, only in
8 conjunction with a Commercial Winery, an established on-site
9 vineyard, and a minimum parcel size of fifteen (15) gross acre:

10 a. Wine sampling room;

11 b. Retail wine sales;

12 c. Gift sales;

13 d. Wine Club Activities;

14 e. Four (4) Wine Club Events per year with a maximum of one
15 hundred (100) guests per event.

Comment [MC21]: Planning Commission
recommendation

16 d.f. Special occasion facility; and

17 e.g. Country-inn; or

18 f.h. Restaurant; however, drive-thru restaurants shall not be
19 permitted.

20 ~~(7)~~(8) Farm employee housing

21 c. Clustered single family dwelling subdivision that complies with Ordinance
22 No. 460 and the development standards set forth in section 14.96.c. herein

23 SECTION 14.94. AUTHORIZED USES, WINE COUNTRY – EQUESTRIAN (WC-E)

24 ZONE.

25 a. ALLOWED USES:

26 (1) One-family dwelling.

27 (2) Cottage Inn.

28 (3) Cottage Industry.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (4) Equestrian Establishment.
- (5) Vineyards; groves; equestrian lands; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing is in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance.
- (6) The grazing of sheep, goats or cattle where such grazing operation is conducted on fields for the purpose of clearing stubble or unharvested crops, without limit as to the number of animals per acre, for a period of not more than 30 days within any six-month period.
- (7) The noncommercial keeping, raising or boarding of horses, cattle, sheep, goats on lots 20,000 square feet or larger and 100 feet in width, provided they are not less than 50 feet from any dwelling unit other than a dwelling unit located on the same lot. ~~Such animals may be kept on each 20,000 square foot up to one acre and two such animals for each additional acre. The number of such animals is not~~ to exceed five (5) animals per gross acre of all the land available; provided however, the systematic rotation of animals with more than five (5) animals per gross acre is permitted so long as the total number of permitted animals is not exceeded.
- (8) Farms or facilities for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in subsection a.(7) herein.
- (9) Future Farmers of America or 4-H projects.
- (10) The on-site outside storage of materials used in conjunction with a farm or equestrian land including irrigation equipment and farming

Comment [SPC22]: Clarification by the Planning Department

1 machinery is allowed as an accessory use to the farm or equestrian
2 use.

- 3 (11) The on-site outside storage of materials is allowed as an accessory
4 use to the agricultural operations on lots from one-half acre to one
5 acre provided the amount is limited to one hundred (100) square feet
6 with a maximum height of six feet (6') and is also allowed as an
7 accessory use on lots one acre or larger provided the amount is
8 limited to two hundred (200) square feet with a maximum height of
9 six feet (6'). ~~for parcels on one-half (1/2) acre or more.~~

Comment [SPC23]: Clarification by the
Planning Department

10 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. Any
11 permit that is granted shall be subject to such conditions as shall be necessary to
12 protect the health, safety or general welfare of the community. The following uses
13 are permitted provided a plot plan has first been approved pursuant to Section
14 18.30 of this ordinance.

- 15 (1) In addition to the principal dwelling, a one-family dwelling ~~for each~~
16 may be permitted for each ten (10) acres of a farm in accordance
17 with Section 14.96.a (11) herein. ~~including mobile homes on~~
18 ~~permanent foundations. The total number of such additional~~
19 ~~dwellings for any farm shall not exceed four.~~

Comment [SPC24]: Clarification by the
Planning Department

- 20 (2) A temporary stand for the display and sale of agricultural products
21 of any authorized use that are produced on contiguous lots owned or
22 leased by the owner or occupant of the premises. The duration of
23 sales from the temporary stand shall not exceed a period of three
24 continuous months or a total of six months during any calendar year.
25 The stand shall not exceed 300 square feet and shall not include any
26 permanent building or structure. Off-street parking shall be
27 provided as required in section 18.12 of Ordinance No. 348, except
28 that no paving shall be required.

- 1 (3) Commercial Winery only in conjunction with an established on-site
 2 vineyard and a minimum parcel size of ten (10) gross acres.
- 3 (4) The following appurtenant and incidental commercial uses, only in
 4 conjunction with a Commercial Winery, an established on-site
 5 vineyard, and a minimum parcel size of ten (10) gross acres:
 6 a. Wine sampling room;
 7 b. Retail wine sales;
 8 c. Gift sales; and
 9 d. Delicatessen
- 10 (5) ~~Commercial Equestrian Establishment, only in conjunction with an~~
 11 ~~established on-site equestrian land and a minimum parcel size of ten~~
 12 ~~(10) gross acres~~
- 13 (6) A Commercial Equestrian Establishment that includes one or more
 14 of the The following appurtenant and incidental equestrian uses only
 15 in conjunction with a ~~Commercial Equestrian Establishment~~, an
 16 established on-site equestrian land, and a minimum parcel size of ten
 17 (10) gross acres:
 18 a. Petting Zoo; and
 19 b. Polo-grounds; ~~and~~
 20 c. ~~Horse~~ Equestrian show facility
- 21 (7) A Commercial Equestrian Establishment that includes one or more
 22 of the The following appurtenant and incidental equestrian uses only
 23 in conjunction with a ~~Commercial Equestrian Establishment~~, an
 24 established on-site equestrian land, and a minimum parcel size of
 25 twenty (20) gross acres:
 26 a. Western style store, such as but not limited to, saddle and
 27 harness shop, tack shop, feed and grain store, custom-crafted
 28 equestrian goods shop, horse rental facility, and

Comment [MC25]: Clarification by the Planning Department

Comment [SPC26]: Clarification by the Planning Department

Comment [MC27]: Clarification by the Planning Department

Comment [SPC28]: Clarification by the Planning Department

1 b. Delicatessen or restaurant; drive thru restaurants shall not be
2 permitted.

3 c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE**
4 **PERMIT.** Any permit that is granted shall be subject to such conditions as shall be
5 necessary to protect the health, safety or general welfare of the community. The
6 following uses are permitted provided that a conditional use permit has first been
7 approved pursuant to Section 18.28 of this ordinance.

8 (1) Farm employee housing.

9 (2) ~~A Commercial Equestrian Establishment that includes a Special~~
10 ~~Occasion Facility only~~ —in conjunction with a ~~Commercial~~
11 ~~Equestrian Establishment~~, an established on-site equestrian land, and
12 a minimum parcel size of hundred (100) gross acres.

Comment [SPC29]: Clarification by the
Planning Department

13 (3) ~~A Commercial Equestrian Establishment that includes one or more~~
14 ~~of the The following appurtenant and incidental equestrian uses only~~
15 in conjunction with a ~~Commercial Equestrian Establishment~~, an
16 established on-site equestrian land, and a minimum parcel size of
17 fifty (50) gross acres:

Comment [SPC30]: Clarification by the
Planning Department

18 a. Horse racing track or rodeo arena; and

19 b. ~~Large scale animal hospital that provides that temporary~~
20 boarding facilities ~~are established~~ for the purposes of
21 boarding sick or injured animals.

Comment [MC31]: Clarification by the Planning
Department

22 **SECTION 14.95. AUTHORIZED USES. WINE COUNTRY – RESIDENTIAL (WC-R)**

23 **ZONE.**

24 a. **ALLOWED USES:**

25 (1) One-family dwelling.

26 (2) Cottage Inn.

27 (3) Cottage Industry.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (4) Vineyards; groves; equestrian lands; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance.
- (5) The grazing of sheep, goats or cattle where such grazing operation is conducted on fields for the purpose of clearing stubble or unharvested crops, without limit as to the number of animals per acre, for a period of not more than 30 days within any six-month period.
- (6) The noncommercial keeping, raising or boarding of horses, cattle, sheep, and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling unit other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available; provided however, the systematic rotation of animals with more than five (5) animals per gross acre is permitted so long as the total number of permitted animals is not exceeded.
- (7) Farms or establishments for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in section 14.95.a. (7) herein.
- (8) Future Farmers of America or 4-H projects.
- (9) The on-site outside storage of materials used in conjunction with a farm or equestrian land including irrigation equipment and farming machinery is allowed as an accessory use to the farm or equestrian land.

Comment [SPC32]: Clarification by the Planning Department

1 (10) The on-site outside storage of materials is allowed as an accessory
2 use on lots from one-half acre to one acre provided the amount is
3 limited to one hundred (100) square feet with a maximum height of
4 six feet (6'). ~~The on-site outside storage and is allowed as an~~
5 accessory use on lots one acre or larger provided the amount is
6 limited to two hundred (200) square feet with a maximum height of
7 six feet (6').

Comment [MC33]: Clarification by the Planning Department

8 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. Any
9 permit that is granted shall be subject to such conditions as shall be necessary to
10 protect the health, safety or general welfare of the community. The following uses
11 are permitted provided a plot plan has first been approved pursuant to Section
12 18.30 of this ordinance.

13 (1) In addition to the principal dwelling, ~~a one~~ one-family dwelling
14 ~~may be permitted for each ten (10) acres of a farm in accordance~~
15 ~~with Section 14.96.a (11) herein. including mobile homes on~~
16 ~~permanent foundations for each ten (10) acres of a farm. The total~~
17 ~~number of such additional dwellings for any farm shall not exceed~~
18 ~~four.~~

Comment [MC34]: Clarification by the Planning Department

19 (2) A temporary stand for the display and sale of agricultural products
20 of any authorized use that are produced on the lot where such stand
21 is located or are produced on contiguous lots owned or leased by
22 the owner or occupant of the premises. The duration of sales from
23 the temporary stand shall not exceed a period of three continuous
24 months or a total of six months during any calendar year. The stand
25 shall not exceed 300 square feet and shall not include any permanent
26 building or structure. Off-street parking shall be provided as
27 required in Section 18.12 of Ordinance No. 348, except that no
28 paving shall be required.

1 (3) Commercial Winery, only in conjunction with an established on-site
2 vineyard and a ~~minimum parcel~~ minimum parcel size of ten (10)
3 gross acres.

4 (4) The following appurtenant and incidental commercial uses, only in
5 conjunction with a Commercial Winery, an established on-site
6 vineyard, and a minimum parcel size of ten (10) gross acres:

- 7 a. Wine sampling room;
- 8 b. Retail wine sales; and
- 9 c. Gift sales

10 c. Clustered single family dwelling subdivision that complies with Ordinance
11 No. 460 and the development standards set forth in ~~section~~ Section 14.96.c
12 herein.

Comment [MC95]: Clarification by the Planning Department

13 **14.96. DEVELOPMENT STANDARDS.**

14 a. General Standards. The following standards shall apply to all uses and development
15 in the WC-E, WC-R, WC-W and WC-WE zones:

- 16 (1) Lots shall have a minimum average width of two hundred feet (200').
- 17 (2) Site layouts and building designs shall minimize noise impacts on
18 surrounding properties and comply with Ordinance No. 847.
- 19 (3) Drainage channels shall be constructed to avoid undermining or eroding the
20 roadbed.
- 21 (4) Curbs, gutters and streetlights shall be constructed in accordance with
22 Temecula Valley Wine Country Design Guidelines.
- 23 (5) Site layout and design shall be consistent with existing and planned
24 recreational trails and bike paths set forth in the Riverside County General
25 Plan and ~~the Temecula~~ the Temecula Valley Wine Country Design
26 Guidelines.
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (6) All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.
- (7) All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.
- (8) All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining property.
- (9) On-site advertising signs shall be compatible with the rural atmosphere of the area and comply with all applicable County signage requirements.
- (10) Permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be located not less than fifty feet (50') from the boundaries of the property line except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').
- (11) Additional one-family farm employee dwellings shall comply with all of the following:
 - a. Dwelling shall be located on a lot being farmed and may be occupied by the owner, operator or employ e of the farming operation.
 - b. Dwelling shall not be rented or offered for lease
 - c. Dwelling shall be located not less than fifty feet (50') from any property line, except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road,

1 Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield
2 Stage Road, Calle Contento Road, Camino Del Vino Road, and
3 Highway 79 South where the minimum setback requirement shall be
4 one hundred feet (100').

5 d. Dwelling shall be screened from view at the front property line by
6 shrubs or trees.

7 e. Dwelling, sanitary facilities and utilities shall conform with all
8 requirements of law including the County Public Health Department
9 and Building and Safety Department.

10 b. Residential Standards. In addition to the General Standards, the following
11 standards shall apply to all residential developments in the WC Zones. The
12 following standards shall not apply to residential tract and parcel maps tentatively
13 approved prior to the effective date of this ordinance nor shall they apply to final
14 maps recorded prior to the effective date of this ordinance. Such maps shall
15 comply with the development standards of their respective zoning classifications in
16 Ordinance No. 348.

17 ~~(1) The minimum lot size shall be ten (10) gross acres in the WC-E Zone.~~

18 ~~(2) Except for clustered subdivisions, the minimum lot size shall be twenty~~

19 ~~(20) gross acres in the in the WC-W, and WC-WE and WC-R Zones.~~

20 ~~(1) —~~

21 ~~(2)(3) Except for clustered subdivision, the minimum lot size shall be five (5)~~
22 ~~gross acres in the WC-R Zone.~~

23 ~~(3)(4) The minimum setback requirement for all buildings shall be fifty feet (50')~~
24 ~~from the road right of way, except when the site is located next to Rancho~~
25 ~~California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba~~
26 ~~Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road,~~
27 ~~Calle Contento Road, Camino Del Vino Road, and Highway 79 South~~
28 ~~where the minimum setback requirement shall be three hundred feet (300').~~

Comment [MC36]: Planning Commission
recommendation

Comment [MC37]: Planning Commission
recommendation

1 The minimum three hundred feet (300') setback requirement does not apply
2 when it makes a single lot undevelopable for a one family dwelling. In such
3 event, the minimum setback requirement shall be one-third of the residential
4 lot.

Comment [MC38]: Planning Commission recommendation

5 ~~(4)~~(5) The rear and side setback shall be at a minimum equal to the building height
6 ~~yard in all WC Zones, shall not be less than ten (10) feet.~~

Comment [MC39]: Planning Commission recommendation

7 ~~(5)~~(6) The maximum height for a dwelling unit shall be thirty feet (30') except
8 where the project design incorporates terraced ~~lots~~ pads, then the maximum
9 height of the dwelling unit shall not exceed forty feet (40') when measured
10 from the lowest finished ~~graded pad~~ floor level.

Comment [MC40]: Planning Commission recommendation

11 ~~(6)~~(7) All residential developments shall record a Right-to-Farm covenant,
12 pursuant to Ordinance No. 625 to protect the vineyard uses from residential
13 encroachment and conflicting land uses.

14 c. Clustered Subdivision Development Standards

15 In addition to the General Standards and Residential Standards, the following standards
16 shall apply to clustered residential developments in the WC Zones:

17 (1) Site layout and design shall maximize unique site characteristics including,
18 but not limited to, the natural topography, scenic vistas, soil quality and
19 drainage patterns.

20 ~~(2) One (1) dwelling unit shall be allowed for every five (5) gross acres in the~~
21 ~~WC-R zone and ten (10) gross acres in the WC-W and WC-WE zones.~~

22 ~~(3)~~(2) The minimum lot size shall be one (1) gross acre.

Comment [SPC41]: This was moved by Planning Department to be included in the Temecula Valley Wine Country Policy Area per the Planning Department

23 (4)(3) Prior to tentative approval of an applicable subdivision map, at least seventy
24 five percent (75%) of net project area shall be set-aside for planting
25 vineyards through production lots or deed restriction.

26 ~~(5)~~(4) Fifty percent (50%) of the set-aside area shall be planted prior to issuance of
27 the building permit for the first dwelling unit and twenty five percent (25%)
28 prior to issuance of certificate of occupancy for the first dwelling unit.

1 ~~(6)~~(5) A clustered development consisting of forty (40) acres or more shall
2 provide at least one (1) production lot

3 ~~(7)~~(6) A production lot that provides 25 gross acres or more shall be allowed only
4 a Production Winery. Incidental commercial uses such as eating, living,
5 ~~lodging, lodging~~ or special occasion facilities shall not be allowed in
6 conjunction with the winery.

7 ~~(8)~~(7) The set-aside areas shall be maintained for production of grapes in
8 perpetuity by any of the following: property owner, home owners
9 association or County Service Area.

10 ~~(9)~~(8) On-site improvements for clustered lots including, but not limited to, roads,
11 signage, parking, street furniture and exterior lighting shall be compatible
12 with the rural atmosphere of the area and comply with all applicable County
13 signage requirements.

14 ~~(10)~~(9) On-site improvements for production lots and deed ~~restrictions~~
15 ~~including restrictions including~~, but not limited to, lighting, ingress and
16 egress shall be limited to improvements necessary to maintain the
17 production lots and deed restrictions.

18 ~~(11)~~(10) Clustered subdivisions shall include an established on-site vineyard
19 and comply with Ordinance No. 460.

20 d. ~~d.~~ Production Winery Standards. In addition to the General Standards, the
21 following standards shall apply to all Production Wineries in the WC zones:

22 (1) The minimum lot size shall be five (5) gross acres.

23 (2) The rear and side setback shall be a minimum equal to four (4) times the
24 building height.

25 (3) The Production Winery shall be less than 1,500 square feet in size.

26 (4) A total of seventy-five percent (75%) of the net project area shall be planted in
27 vineyards prior to issuance of certificate of occupancy or final inspection,
28 whichever occurs first.

Comment [MC42]: Planning Commission
recommendation

1 e. Commercial Winery Standards. In addition to the General Standards, the following
2 standards shall _____ apply to all Commercial Wineries in the WC zones:

- 3 (1) The minimum lot size shall be ten (10) gross acres.
- 4 (2) A total of seventy-five percent (75%) of the net project area shall be planted
5 in vineyards prior to issuance of certificate of occupancy or final inspection,
6 whichever occurs first. Fifty percent (50%) of the vineyard requirement
7 shall be planted prior to issuance of building permit for the winery. The
8 remaining twenty-five percent (25%) of the vineyard shall be planted prior
9 to issuance of certificate of occupancy or final inspection of the winery,
10 whichever occurs first.
- 11 (3) To achieve the seventy-five percent (75%) planting requirement, ten percent
12 (10%) of the net project area may include the planting of olive trees and
13 sixty-five percent (65%) of the net project area shall be planted in
14 vineyards.
- 15 (4) The seventy-five (75%) planting requirement shall not include water
16 features, natural or manmade lakes or the planting of grapevines in parking
17 lots, but may include planting in the road right of way as may be approved
18 by the Director of Transportation or his designee.
- 19 (5) ~~Prior to obtaining Certificate of Occupancy,~~ A Commercial Winery shall
20 obtain all applicable permits or licenses required by the California
21 Department of Alcoholic Beverage Control.
- 22 (6) ~~The grapes utilized in wine production and retail wine sales shall meet the~~
23 ~~following minimum requirements: fifty percent (50%) shall be grown or~~
24 ~~raised on site and twenty-five percent (25%) shall be grown or raised in the~~
25 ~~Temecula Valley wine area/Riverside County, except when:~~
- 26 a An exemption from this requirement may be requested for the first
27 three years from the permit's effective date.
28

Comment [MC43]: Clarification by the Planning Department.

Comment [MC44]: Planning Commission recommendation

- 1 b. An exemption from this requirement may be requested when the
2 Board of Supervisors has declared an Agricultural Emergency for
3 the Temecula Valley Wine Country Area. Such request shall be for
4 a specific period of time and any winery within the Temecula Valley
5 Wine Country Area Policy Area may apply.
- 6 c. Exemption requests shall be made on forms provided by the County
7 Planning Department and shall be filed with the Planning Director,
8 accompanied by the fee set forth in Ordinance No. 671.

9 ~~(8)~~ A Commercial Winery shall produce at least fifty percent (50%) of its wine
10 sold on-site.

Comment [MC45]: Planning Commission recommendation

11 ~~(7)(9)~~ A Commercial Winery shall be at least fifteen hundred (1,500) square feet
12 in size and with a capacity to produce at least 3,500 gallons of wine
13 annually as determined by the County Agricultural Commissioner.

Comment [MC46]: Planning Commission recommendation

14 ~~(8)(10)~~ A Commercial Winery with one or more high intensity commercial uses,
15 including, but not limited to, a Special Occasion Facility, restaurant or in
16 conjunction with lodging facilities on twenty (20) to less than forty (40)
17 gross acres shall be at least three thousand five hundred (3,500) square
18 feet and shall have the capacity to produce at least 7,000 gallons of wine
19 annually as determined by the County Agricultural Commissioner.

Comment [MC47]: Clarification by the Planning Department

Comment [MC48]: Planning Commission recommendation

20 ~~(9)(11)~~ A Commercial Winery with one or more high intensity commercial uses,
21 including, but not limited to, a Special Occasion Facility, restaurant or
22 lodging in conjunction with lodging facilities on forty (40) gross acres or
23 more shall be at least six thousand five hundred (6,500) square feet and
24 shall have the capacity to produce at least fourteen thousand (14,000)
25 gallons of wine annually as determined by the County Agricultural
26 Commissioner.

Comment [MC49]: Clarification by the Planning Department

Comment [MC50]: Planning Commission recommendation

27 ~~(10)(12)~~ Prior to issuance of the building permit for any incidental
28 commercial uses, the Commercial Winery shall be constructed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~(11)~~(13) Prior to issuance of certificate of occupancy for any incidental commercial uses, the Commercial Winery shall be operational.

~~(12)~~(14) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

~~(13)~~(15) The minimum setback requirement for all buildings shall be fifty feet (50') from the road right of way; except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where ~~the~~ the minimum setback requirement shall be equal to four (4) times the building height measured from the lowest finished graded pad ~~one hundred feet (100')~~.

Comment [SPC51]: Planning Commission recommendation

~~(14)~~(16) The rear and side setback shall be at a minimum equal to four (4) times the building height.

Comment [MC52]: Planning Commission recommendation

~~(15)~~(17) No building or structure shall exceed forty five feet (45') in height, except where the project design incorporates terraced pads/lots, then the maximum height shall be fifty feet (50') when measured from the lowest finished graded pad. Such height limitation does not include architectural elements such as spires, minarets, chimneys or similar structures. Additionally, no building shall exceed two (2) habitable stories. ~~spires, minarets, chimneys or similar structures.~~

Comment [MC53]: Planning Commission recommendation

Comment [MC54]: Planning Commission recommendation

~~(16)~~(18) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

1 ~~(17)~~(19) Loading, trash, and service areas shall be screened by structures or
2 landscaping and shall be located and designed in such a manner as to
3 minimize noise and odor impacts to adjacent properties.

4 ~~(18)~~(20) Outside storage areas shall be screened from view by structures or
5 landscaping.

6 ~~(19)~~(21) All roof mounted mechanical equipment shall be screened from the
7 ground elevation view to a minimum sight distance of thirteen hundred
8 twenty feet (1,320').

9 e. Special Occasion Facility Standards. In addition to the General Standards, the following
10 standards shall apply to all special occasion facilities in the WC zones:

11 (1) The minimum lot size for special occasion facilities in conjunction with a
12 winery shall be twenty (20) gross acres in the WC-W zone and ten (10)
13 gross acres in the WC-WE.

14 (2) The minimum lot size for special occasion facilities in conjunction with a
15 commercial equestrian establishment shall be hundred (100) gross acres in
16 the WC-E zone.

17 (3) The minimum setback requirement for all buildings shall be one hundred
18 feet (100') from the road right of way; except when the site is located next
19 to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks
20 Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield
21 Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79
22 South where the minimum setback shall be equal to four (4) times the
23 building height measured from the lowest graded pad. ~~three hundred feet~~
24 ~~(300')~~

25 (4) The maximum height for a special occasion facility shall be thirty feet (30')
26 except where the project design incorporates terraced lots, then the
27 maximum height of the special occasion facility shall be forty feet (40')
28 when measured from the lowest finished graded pad, floor level. ~~Such~~

Comment [SPC55]: Planning Commission recommendation

Comment [SPC56]: Planning Commission recommendation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

height limitation does not include architectural elements such as spires, minarets, chimneys or similar structures.

Comment [MC57]: Planning Commission recommendation

- (5) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (6) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (7) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
- (8) All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may deny or require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.
- (9) Outside storage areas and the material therein shall be screened with structures or landscaping.
- (10) All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

f. Lodging Facility Standards. In addition to the General Standards, the following standards shall apply to all lodging facilities as defined in this ordinance in the WC zones:

- (1) The minimum lot size for a Bed and Breakfast Inn, Country Inn and Hotel in conjunction with a winery and established on-site vineyard in the WC-W zone shall be twenty (20) gross acres.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (2) The minimum lot size for a Bed and Breakfast in conjunction with an established on-site vineyard in the WC-WE zone shall be five (5) gross acres and ten (10) gross acres with a winery and established on-site vineyard.
- (3) The minimum lot size for a Country Inn in conjunction with an established on-site vineyard in the WC-WE zone shall be ten (10) gross acres and fifteen (15) gross acres with a winery and established on-site vineyard.
- (4) The minimum lot size for resorts in conjunction with a winery and established on-site vineyard in the WC-W zone shall be forty (40) gross acres.
- (5) A maximum of two (2) guest rooms per gross acre shall be permitted for a lodging facility.
- (6) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (7) The minimum setback requirement for all buildings shall be fifty feet (50'); from the road right of way, except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be equal to four (4) times the building height measured from the lowest graded pad. ~~one hundred feet (100')~~
- (8) The maximum height for Country-Inns, Hotels and Bed and Breakfasts shall be thirty feet (30') except where the project design incorporates terraced lots, then the maximum height shall be forty feet (40') when measured from the lowest finished graded pad floor level. ~~Such height limitation does not~~

Comment [SPCS8]: Planning Commission recommendation

Comment [MC59]: Planning Commission recommendation

1 include architectural elements such as spires, minarets, chimneys or similar
2 structures.

Comment [MC60]: Planning Commission recommendation

- 3 (9) Resorts shall be a maximum of two (2) habitable -stories high and shall not
4 exceed forty feet (40') in height, ~~except~~ except where the project design
5 incorporates terraced lots, then the maximum height shall be fifty feet (50')
6 in height when measured from the lowest finished floor level graded pad.
7 Such height limitation does not include architectural elements such as
8 spires, minarets, chimneys or similar structures.

Comment [MC61]: Planning Department Clarification

Comment [MC62]: Planning Commission recommendation

Comment [MC63]: Planning Commission recommendation

- 9 (10) Loading, trash, and service areas shall be screened by structures or
10 landscaping and shall be located and designed in such a manner as to
11 minimize noise and odor impacts to adjacent properties.
- 12 (11) Automobile parking spaces shall comply with Section 18.12 of
13 ~~Ordinance of~~ Ordinance No. 348 and shall be consistent with the rural
14 standards of the Temecula Valley Wine Country Policy Area of the
15 Riverside County General Plan and the Temecula Valley Wine Country
16 Design Guidelines.
- 17 (12) Outside storage areas and the material therein shall be screened with
18 structures or landscaping.
- 19 (13) All roof mounted mechanical equipment shall be screened from the ground
20 elevation view to a minimum sight distance of thirteen hundred twenty feet
21 (1,320').

22 g. Commercial Equestrian Establishment Standards. In addition to the General Standards,
23 the following standards shall apply to all Commercial Equestrian Establishments in the

24 WC-E zone:

- 25 (1) The minimum lot size for a commercial equestrian establishment shall be
26 ten (10) gross acres.
- 27 (2) A commercial equestrian establishment shall have a minimum of twenty
28 (20) enclosed stalls.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (3) At least seventy-five percent (75%) of the net project area shall be set-aside for permanent equestrian lands prior to issuance of certificate of occupancy for the commercial equestrian establishment.
- (4) The minimum setback requirement for all buildings shall be fifty feet (50'); from the road right of way, except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be equal to four (4) times the building height measured from the lowest finished graded pad. ~~one hundred feet (100').~~
- (5) The maximum height of a building or structure shall be thirty feet (30') except where the project design incorporates terraced lots, then the maximum height shall be forty feet (40') when measured from the lowest finished graded pad floor level. Such height limitation does not include architectural elements such as spires, minarets, chimneys or similar structures.
- (6) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines and in a manner that provides a sanitary and healthful environment for the horses.
- (7) Enclosed commercial stalls shall provide a minimum of 12'x12' space per horse.
- (8) Outdoor corrals shall provide a minimum of 12'x12' space per horse or animal and may be partially covered.
- (9) Automobile parking spaces shall comply with Section 18.12 of this ordinance and shall be consistent with the rural standards of the Temecula

Comment [SPC64]: Planning Commission recommendation

Comment [SPC65]: Planning Commission recommendation

Comment [MC66]: Planning Commission recommendation

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

- (10) Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.
- (11) Manure disposal shall be managed to discourage breeding grounds for flies and pests.
- (12) If on-site composting can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from existing residential dwelling(s) or adjacent lot."

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days

after its adoption.



**Rancho
Water**

September 18, 2013

VIA EMAIL TRANSMISSION AND REGULAR MAIL

Frank Coyle, Deputy Director
County of Riverside
Transportation and Land Management Agency
4080 Lemon Street, 12th Floor
Riverside, CA 92501

**SUBJECT: WINE COUNTRY COMMUNITY PLAN FINAL
PROGRAM EIR NO. 524 – NOTICE OF INTENT TO
CERTIFY AN ENVIRONMENTAL IMPACT REPORT**

Dear Mr. Coyle:

Rancho California Water District (RCWD/District) appreciates the opportunity to provide written comments on the proposed Temecula Valley Wine Country Community Plan. The District recognizes the value this plan has placed on water quality and the efforts the County of Riverside has put forth in assisting RCWD with its mission to provide reliable water service and to protect the community's water supply. RCWD's comments are as follows:

1. Final Environmental Impact Report (EIR), Public Services, Recreation and Utilities – Mitigation Measure PSU Water-3

Mitigation Measure PSU Water-3, which partially reads:

"All implementing projects shall be required to use graywater advanced water conservation pursuant to the intent of Riverside County Policy OS 2.5 through implementation of at least the following best management practices:"

RCWD requests to revise Mitigation Measure PSU Water-3, as follows:

"All implementing projects shall be required to use ~~graywater~~ advanced water conservation pursuant to the intent of Riverside County Policy OS 2.5 through implementation of at least the following best management practices:"

Please note that Mitigation Measure PSU Water-3 is for advanced water conservation regardless of the type of water supply used; therefore, the word "graywater" should be deleted.

Board of Directors

Ben R. Drake
President

Stephen J. Corona
Sr. Vice President

Lisa D. Herrman

John E. Hoagland

William E. Plummer

Roland C. Skumawitz

James "Stew" Stewart

Officers

Matthew G. Stone
General Manager

Richard S. Williamson, P.E.
Assistant General Manager

Jeffrey D. Armstrong
CFO/Treasurer

N. Craig Elitzarp, P.E.
Director of Operations &
Maintenance

Andrew L. Webster, P.E.
Chief Engineer

Kelli E. Garcia
District Secretary

James B. Gilpin
Best Best & Krieger LLP
General Counsel

2. Final EIR, Public Services, Recreation and Utilities – Mitigation Measure PSU Sewer-1

Mitigation Measure PSU Sewer-1 is noted as follows:

“Interim to sewer services in this region, all implementing projects proposed for construction in the Project Area shall provide onsite wastewater treatment to meet compliance with the Basin Plan Groundwater Quality Objectives, as well as, additional conditions for salinity management to the satisfaction of the County Department of Environmental Health and the San Diego Regional Water Quality Control Board (SDRWQCB).”

RCWD requests to revise Mitigation Measure PSU Sewer-1, as follows:

*“Interim to sewer services in this region, all implementing projects proposed for construction in the Project Area shall provide onsite wastewater treatment **which does not exceed a wastewater discharge of 1,200 gpd** and to meet compliance with the Basin Plan Groundwater Quality Objectives, as well as additional conditions for salinity management to the satisfaction of the County Department of Environmental Health, the Rancho California Water District, and the San Diego Regional Water Quality Control Board (SDRWQCB).”*

The request to modify Mitigation Measure PSU Sewer-1 is to clarify that the analysis used in the Final EIR was based upon the implementation of Eastern Municipal Water District sewer facilities for parcels that will exceed a wastewater discharge of 1,200 gpd. RCWD's request is for this limit to remain in effect for the entire Wine Country Community Plan until a Local Agency Management Program is adopted and the San Diego Regional Water Quality Control Board's Basin Plan is modified, per the requirements of the State Water Resources Control Board's Onsite Wastewater Treatment System Policy, and RCWD adopts its Salt and Nutrient Management Plan.

3. Final EIR, Public Services, Recreation and Utilities – Mitigation Measure PSU Sewer-2


The Temecula Valley Wine Country (TVWC) Draft Conditions of Approval incorporated in the last sentence of the revised mitigation measure was adopted by the Board of Supervisors on April 24, 2012, not February 14, 2012 (as currently written).



Thank you again for the opportunity to provide written comments on the proposed Temecula Valley Wine Country Community Plan. If you should have any questions or need additional information, please contact me at this office at (951) 296-6900.

Sincerely,

RANCHO CALIFORNIA WATER DISTRICT


for Andrew L. Webster, P.E.
Chief Engineer

cc: Matt Stone, General Manager
Rich Williamson, Assistant General Manager
Warren Back, Engineering Manager-Planning



September 18, 2013

Attn: Frank Coyle, Deputy Planner, Project Manager
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409



Re: Final Program EIR 524 and Temecula Valley Wine Country Community Plan (TVWCCP)- General Plan Amendment No. 1077

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to known village sites and is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. **Government to Government** consultation in accordance to SB 18. Including the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. Soboba Band of Luiseño Indians continue to be a lead consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

The Soboba Band of Luiseno Indians is requesting a face-to-face meeting between the County of Riverside and the Soboba Cultural Resource Department. Please contact me at your earliest convenience either by email or phone in order to make arrangements.

Sincerely,

Joseph Ontiveros
Director of Cultural Resources
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. When appropriate and agreed upon in advance, the Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact.

September 23, 2013

The Honorable Jeff Stone
County of Riverside Supervisor, Third District
4080 Lemon Street Riverside
Post Office Box 1486
Riverside, CA 92502

Supervisor Stone:

I am writing to express my concerns with the following items outlined in the *Temecula Valley Wine Country Community Plan*:

Wine Club Activities: Four (4) Wine Club Events per year with a maximum of one hundred (100) guests per event. This will restrict winery owners from maximizing potential revenue from their established, loyal customer base. For example, the South Coast Winery Resort & Spa Wine Club has close to 8,000 members, and we hold approximately twelve events per year that are exclusive to our Wine Club members. These members-only events range from appreciation events and early wine release parties to our annual holiday party. All of these events receive RSVP's of well over 100 of our members. Making this limitation a "conditional use" of the *Temecula Valley Wine Country Community Plan* will restrict potential business growth for any future wineries that endeavor to have their Wine Club reach South Coast Winery Resort & Spa's levels and maintain member satisfaction levels consistent within the industry. I suggest that this item be reevaluated to encourage business growth, instead of limiting it, for any future wineries.

Commercial Winery Standards: The grapes utilized in wine production and retail wine sales shall meet the following requirements: fifty percent (50%) shall be grown or raised onsite and twenty-five (25%) shall be grown or raised in Riverside County. I respectfully request that this be reevaluated. Requiring 50% of the grapes used in wine production to be grown onsite may become a limitation to the types of wines that are produced at any given winery. For example, at South Coast Winery Resort & Spa we can have up to 54 different wines for sale at any given time. The reason that I am able to do that is by maintaining vineyards throughout Temecula Valley Wine Country. More acreage of planted vineyards = more potential to diversify the types of wines that can be produced in Temecula Valley Wine Country.

Thank you for your time and consideration.

Sincerely,

James A. Carter
Owner/Vintner, South Coast Winery Resort & Spa
California State Winery of the Year 2008, 2009 & 2013

From: Coyle, Frank
Sent: Friday, September 20, 2013 11:00 AM
To: Nanthavongdouangsy, Phayvanh
Subject: Fwd: Public Hearing Notice

FYI....

Sent from my iPhone

Begin forwarded message:

From: A Abot <temecula30@gmail.com>
Date: September 20, 2013, 8:13:11 AM PDT
To: <fcoble@rctlma.org>
Subject: Public Hearing Notice

Mr. Frank Coyle,

We would like this response to your public hearing notice to be placed into record and viewed by the supervisors. We would also like a copy of the entire record reviewed by the supervisors on the 24 of September showing this objection, in its entirety listed within that document.

Thank you,

Wine Country Residents

Adrian McGregor

Sep 18, 2013

To: Riverside County Board of Supervisors, Planning Commissioners, Mr. Frank Coyle
Planning Director and Staff.

We wish to put into record that we do not support any of your proposed changes; 1)General Plan Amendment No. 1077 2)Ordinance amendment No. 348.4729 3) replacement of the Citrus Vineyard Policy Area and all changes proposed therein.

We have been long term residents of Temecula Valley Wine Country for more than 26 years. We have lived here before most who currently reside in the proposed plan area and most

of the current vintners/winemakers and before most who have decided the "vision" to this area were even aware of this area. We have watched this area and Temecula develop from a 1 stop sign town into the area we now call Wine Country.

Over the past 26 years we as long term residents have attended road meetings, planning meetings, community meetings and more. We have seen the way the wind has been blowing for many years. More precisely we have seen the favors doled out to residents who support local politicians....dirt roads being paved that just so happened to have the CSA presidents or members living on it. Bonds put in place to pay for things like roads and road maintenance that in 26+ years have never come. We have seen winery projects fly through construction while spec homes get hassled at the county offices.

We have watched while the powers that be, plan and do as they like with no regard to what the residents wish. We personally know of handfuls of residents that have been handpicked to sit on committee boards because they are friends, neighbors or stakeholders in projects within the project boundary area. For the past several years there has been AD HOC meetings that were held in SECRET from the majority of the public and held at times that make it virtually impossible to attend (during normal business hours 9am-5pm) . The members of a AD HOC committee by definition should be residents of an affected area who can provide a diverse perspective with ought having a monetary or other gain for their part in the decision process. The very members of the AD HOC committee who provided you the planning commission and staff with planning and vision crafting information are invalid members at best. Any Vintner should be excluded, hotel owner, land developer etc. It should be the residents who live and reside in the affected policy area who should have the lion's share of the say. Your HOC members started off solely as vintners and in a community meeting held in 2011 at Palomar Winery Bill Wilson of Wilson creek admitted that for several years this was a violation of ethical practice and petitioned for more members to be added to the panel... and more were added, more vintners...it was not until the final year that there was a voice for the residents...but that was too little too late.

A further violation is that each AD HOC meeting was by mailed invitation only (though public could attend if they could find out about the secret time and location) this invitation was facilitated by Dan Stephenson of Rancon Real Estate and a member of the Hoc committee. His personal secretary sent out the invitations..... How was this list derived? I believe that it is an ethical if not a legal violation to run meetings this way that will affect residents land rights, uses, future values, bonds and taxes that are being proposed. We feel that a mailing should have been sent to each and every resident allowing them to attend such meetings...just like this public hearing notice was sent out. To get a chance to voice our opinions after all is said and done is ridiculous and shows contempt for the residents. And we have heard over my many years from previous and current sitting members the statement, "well where were you when we were having meetings over the past few years" "why are you just speaking out now after time and money has been spent to arrive at this decision" We will tell you where all the residents were..... At home, right where you wanted us, so you could be left to do what you wanted.

We feel that the work of the HOC committee should be ignored and the process started over fairly and ethically, with no bias.

Previous general plan amendments have been submitted with inaccurate information in order to achieve a planned purpose. For example.....one of the first community meetings held in 2008 at the St. Jean de lustinac Catholic school off Butterfield Stage rd. Was held to discuss code enforcement, sewers in wine country and changes to the C/V zone like "special occasion" facilities. In the staff report included in the general plan amendment is clearly describes this

meeting and what was discussed in order to lend support to eliminating special occasion facilities from properties that do not have vineyards and wineries. It stated that the community members were overwhelmingly against the special occasion facilities. We have submitted requests for the minutes of this meeting and been informed that there were no minutes taken and no recordings made from your staff. Yet you have specific information from the meeting in your staff report.... Was this information derived from some bodies memory? The point we are getting to is that we were at this meeting and like most we have a very good recording of this meeting that has great audio and video and completely contradicts the "specific" information included in the staff report that led to the banning of these "special occasion facilities". At that time it was a hot topic in the papers and there was one place in litigation with the county for the right to run their business.

At that meeting planning commissioner Petty was asked 2 times for clarification about sewers and who would pay for them and the infrastructure and if it would be paid in part or in full by taxes or bonds to the residents...he stated, "only the affected properties along Rancho California road would who choose to be a part of the sewer network would be subject to its cost". The second question asked for clarification and made the point that if a resident lived a mile down an intersection road from Rancho California road in the C/V zone would they or could they be levied for the cost of the sewers and commissioner Petty answered, "no they would not be affected and would only be subject to fees if they choose to hook up to the sewers". The board of supervisors just approver 2 million dollars for the sewers/infrastructure and as reported in the press enterprise and Californian the wineries along Rancho Cal road could kick in as much as 5 million for this project.... 7 million is not nearly enough for the sewer system..... this leads the residents to assume that bonds "new taxes" will be imposed to all in the planning area to pay for sewers to only the wineries. Why would we want to pay for sewers for the wineries? To keep our ground water clean? If they are polluting it with their septic, fertilizers and pesticides they should be responsible for it in its entirety. South Coast specifically has septic leaching problems that spill out RAW into the ground behind them every major event or concert and the smell can be smelt for quite a distance. With the new Ponte hotel and South Coast Winery and similar projects approved before sewers were approved leads the residents to assume that it was a done deal with the county with no public input (notice sent to all residents).

We understand that change comes and development.... we want to make clear that we are not against vintners or more wineries opening in wine country. We do want to make very clear that we are against residents loosing property rights and value to their property due to these changes. We believe that businesses should be considered of every size and taken on a case by case process. We think that you as the board of Supervisors and planning commission need to bring back into your vocabulary the term, "grandfathering" and "pre-existing non-conforming use". Many residents have different uses for their properties that have been in existence well before many of your ordinances and plan amendments existed. It is unethical to not consider them.

The business term, "barriers to entry", is one that seems to be prevalent in this area. It seems according to the reading of the plan amendments that a lot is being asked of a resident who wishes to utilize the full potential of his/her property. To have a business in the winery area, one must have at least 20 acres.... 5 acres, 10 acres 40 acres separation is really not the issue. It has been in many staff reports that sound studies show that music coming from wineries interferes with residents.... we all know sound travels for 2+miles even at a low decibel level in wine country. So the size of the lot really is not an issue and will not reduce the sound problems. Next is the requirement of vineyards being planted at 75%. Well the area was C/V....that's Citrus Vineyard, with citrus coming first..... now that the "vision" is wine I feel it is an undue hardship to only consider, "incidental commercial uses" if we only plant grape

vines....many have a variety of citrus planted and planted for years..... Again the term grandfathering comes into play and should be considered as a equal substitute to vineyards if they were in existence prior to your plan changes. Next the 75% part of that..... well most of the current vineyards do not have 75% of their property planted in grapes or at some point during operation and good standing with the county. So this should be a negotiable % as well. I understand that 75% is a good starting line, but take out right of ways, parking lots, buildings and it is hard to get a full 75% planted and have a winery or business worth having on 10 acres. Next is the production of 3,500 gallons of wine annually. Really..... You are forcing us to make alcohol to have a business??? Did you consider that it could be strictly against an owner's religion to drink, purchase, consume and produce alcohol? It seems that this part of the plan amendment would violate many ethics laws at the federal and state level. This might want to be reviewed before religious and other lobbies get wind of this.

The Eastern Bypass Highway... this is something that supposedly does not exist, yet I have maps, billing and hundreds of pages of accounting and meetings for this, "secret" project. This is the connection of the 15 fry near the Pechanga reservation and following Anza rd all the way toward the 10 fry in Beaumont/Banning. This project will affect property values and cause loss of property through "eminent domain" use for street widening. We think that residents should have proper county notice well in advance of this project so that they have the opportunity to sell before they are offered pennies on the dollar for their land. Further, for years this project's existence has been denied by the county, city of Temecula, city of Hemet yet there are maps, and current surveys done each year for this project. Either it is being hidden for a reason or the spending should stop for a project that according to the county does not exist as an option currently.

Each of these parts of SWAP 1.3-1.6 are barriers to entry that put an undue financial pressure to enter into a business that might not be what the land owner wishes to enter into, in order to pursue a business that the land was intended to be used for. The barriers to entry into the, "incidental business" as you call it only benefit the existing wineries, who mainly helped craft these policies.....does this not seem a bit self serving??

On top of that California is in and has been in a drought for several years and at the state and federal level we are mandated to conserve water, plant drought tolerant plants, remove lawns and plants that use too much water....in Temecula over watering can earn you a ticket from code enforcement and water rates have been going up per Rancho water and EMWD. With this well known to you planning commissioners, and supervisor Stone..... Why would you force a person who wants to have some sort of business like B&B, boutique shop, special occasion facility etc to plant 75% of their property in grapes. Draining our already low water reserves and to produce a luxury item..... WINE. These crops are not food crops...they are for the production of alcohol. We think this further lends to allowing citrus back into the definition and with equal value and property rights, or other FOOD crops.

We may seem harsh in some of our wording but we really want to implore you to reevaluate some of these SWAP points to make more practical and ethical sense. We just don't see how you can justify and truthfully state that in order to run a business in the affected areas you must produce 3,500 gallons of alcohol a year and waste all that water.....how much water would be wasted? It is proposed that up to 144 wineries could have residence in this policy area...at 3,500 gallons annually = 504,000 gallons of alcohol....or water wasted and we know it is probably many more times that number in actual water used to grow this crop.

We are not in favor of the listed changes specifically and indirectly associated in the notice and also the points brought up in this letter.

Sincerely,

Wine Country Residents;

Adrian MCGregor, Gamal Rashwan, Alexandria Abbot, Ray & Patty Nardeau, Jose Contreras,
Bobbi Vanente, Laura & Carlos Reyes, Tina & Hugo Vechi

From: Coyle, Frank
Sent: Monday, September 23, 2013 6:46 AM
To: Nanthavongdouangsy, Phayvanh
Subject: FW: submitted testimony for Tues. 1:30pm Wine Country Hearing

For your files..

From: Adrian McGregor [mailto:macsgarden2004@yahoo.com]
Sent: Monday, September 23, 2013 12:25 AM
To: Coyle, Frank; Clerk of the County of Riverside Kecia Harper-Ihem
Subject: submitted testimony for Tues. 1:30pm Wine Country Hearing

I would like to remind you that I presubmitted a package to be given to each supervisor at the EIR General Plan and SW RCIP Master Plan, and the Temecula Wine Country EIR. It was done over four months ago.

My Name is Adrian J. McGregor
P.O. Box 894108
Temecula, CA 92589
(Residence: 34555 Madera de Playa Temecula, CA 92592
Phone: 951.2940786
e-mail address: macsgarden2004@yahoo.com

Date Sept. 28th, 2013

- I did NOT receive an electronic e-mail notification as requested since May 2008 on record that a Wine Country or RCIP hearing was to occurred.
- NO one received the LEGAL allotted PRIO TIME Notification of the legal documentation as completed for the 20-20 Plan until a mailed letter with the postage stamp of Sept. 13th, 2013 was delivered on the 17th of September...(Asked neighbors)
- I was mailed an electronic CD to my home with a stamped postage of Sept. 13th, 2013...left on my door step..for us to step upon.
- NO LEGAL Documentation was made available 60 days prior to this hearing.
- **AT no time did Petty or the other planning commissioners discuss or state at the two EIR hearings HELD IN TMECULA that you plan to take residential lands away from residents or property owners upon 12 roads 300 feet on each side of the road.**
- **NOR did you state that our property constitutional rights would be violated by giving the rights to an elite group whom you call vintners as "**

These are conservation easements. These easements will give the land to an environmental group. Its in their plan. They just don't get it.

They call it an "Agricultural Preservation Easement". Its all Sustainable Development. Give your property to us and we decide what to do with it.

http://www.utsandiego.com/uniontrib/20050907/news_1b7wine.html

Temecula Agricultural Conservancy[edit source]

Concurrently, Temecula Agricultural Conservancy (TAC), a 501 (c) (3) non profit public benefit corporation, was formed with the primary mission of preserving vineyards, and open space suitable for vineyards. TAC will work with the County Supervisors as it implements the new zoning ordinance by holding open space, vineyards and/or conservation easements, ensuring that the land remains in vineyards in perpetuity.

TAC also works with vineyard owners who wish to voluntarily protect their vineyards with conservation easements in an effort to ensure that the vineyards remain. Conservation easements are used to preserve farmland and open space throughout the United States. An agricultural conservation easement recorded on vineyard land limits the future use of that land to vineyards in perpetuity, but the vineyard owner continues to own and farm the land. By donating a conservation easement to TAC, a vineyard owner can receive a charitable tax deduction. Grants provided by the California Farmland Conservancy Program are available to organizations like TAC.^[11] These grants can be used to purchase conservation easements from vineyard owners.

Temecula Valley Winegrowers Association[edit source"]

- **The government...Supervisors are going to give the Vintners monies to take their neighbors' LANDS. THIS was never presented at the two Temecula EIR Planning Commissioners Hearings. THIS may break Penal Code 115 I think....in that you are illegally by resolution are giving our Constituional RIGHTS away to use our deeded property rights to an elite group....Vintners and Supervisors and City....against the RESIDENTS.**
- **You have VIOLATED our legal rights by ignoring that Stateholder Meetings were held in 2006 and 2007 giving the Southern Section of the Eastern Bypass Expressway Designing to Highpoint, Inc. and to Dan Stephenson's Rancon, with documented statements that the Parsons Mapping and full funding for the Anza RD. connection to the I-15 (not fully funded) IS OMITTED FROM THIS 2014 TO 2024.**
- **C. Luna did not even attend and speak the information**
- **Sewers would not have been discussed and their payment NEVER had held Propostion 218 voter election.**

- ****IMPORTANT: Another breaking of Constitutional Laws I believe, you are stripping 120 or 119 properties of my parcel track 6410 and the track to the West of us and Calle Contento of OUR DEEDED PROPERTY RIGHTS to have rural businesses. AND giving the right exclusively ONLY to Wine Makers...their hotel restrauants and who own planted vineyards.**

YOU have no legal rights to give ONLY FREE Franchise to the Vintners over 9,000 residents, etc.

Most importantly of ALL, Ranchso CA Water District since 2007 does not issure agricultural water metors.

- **2008 MWD spokesperson stated IT never has had as part of its charter to supply agri waters: ONLY give service to URBAN Areas**

EIR of 2003-2013 at its Hemet EIR Hearing, Planning Commissioner Weber CLEARLY stated to County Staff summary of the RCIP General Plan and the SW Master Plan...."The Plan will run out of water before it is COMPLETED. Weber then stated, "When do you plan to tell the farmers (which are VINTNERS) that THEY WILL STOP FARMING!!!!!"

Now, with the federal and global forecasting that all areas of the US will be at least eleven degrees warmer, and that due to Global Warming WATER will be in VERY SHORT SUPPLY. IN 2013 electrical generation will cease at HOOVER DAM due to NOT ENOUGH WATER TO GO THROUGH THE GENERATOR TURBINES.

All water users in the TEMECULA Valleys will PAY FULL domestic pricing per EACH and Every Gallon. With the wine crops in danger from lack of water, TOO MANY salts and chemicals from regenerated water, AND massive SHRINKING NORTHERN CA WATERS to give the NEEDED 1% variance formula Napa and the northern wine countries must have....using cleaner snow pack waters....GRAPE VINES DIE.

- **Summation: I wish to place into Public Record that the above STATEMENTS I believe to be true without the advise of an attorney; that I am a private citizen. THAT government WOULD take our constitional property rights and give them to a small selected group, who will not have enough water to grow grapes due to 1/ Lack of Water and Unable to have the Napa Wine Grape Growing 1% clear Sierra cleaner waters to blend with their recycled salt ladden waters of LIMITED GROUNDWATERS of 30% verses the growing population.**
- **That the Supervisors have NOT possibly been told that THE MWD IMPORTED WATER FORMULA WAS PUT INTO PUBLIC INFORMATION TO THE COUNTY OF RIVERSIDE AND TO JEFF E. STONE AS A CITY OF TEMECULA COUNCILMAN IN 2002 IN LETTER FORM BY COUNCILMAN ALBERT SAMUEL PRATT. VERSES THE PRESENT INCREASING WORLD DROUGHT.**
- **YOU ARE ALSO IGNORING POSSIBLY COMPLETE FACTS THAT THE Percie's Disease Sharp Shooter moves from one plant of any type....to domestic trees/landscaping....when it is not feeding on grapes, its favorite.**

The pollution along the Anza Rd. connection to the I-15 is NOTED by the County of Riverside Staff to the City of Temecula Staffing and to Jeff E. Stone as a Councilman in 2005 in the City of Temecula's 20 Year Growth Plan in Letter No. 10 for the EIR for the City of Temecula. THE COMPLETED Eastern Bypass from the I-10 at Banning/Beaumont on ramp to the I-15, WILL

CAUSE IN ALL LOW LAYING VALLEYS 6% Hot Spot Carbon Monoxide Soot Partile Contamination.

It is of interest that ...the City of Temecula owns property along the new Butterfield Stage Rd. improvement extension, and that EMWD will be running the sewer right by those properties...purchased as 179 acres in 2001, which Jeff E. Stone knows of, but, that the County GPS does not show, nor the County Assessor's Offices have no listings of any of the City of Temecula Holdings. I asked why to the assessors offices? They told me that once a city buys land, THEY PAY ZERO Taxes Yearly.

It seems that the ethics of Government with the United Nations Act 21 that the City of Temecula signed up to be within in...could be interpeted to be...or might be thought to be "a differential judgment of the law vs....against the rights of we citizens.

THERE IS NO WATER TO SUPPORT THIS.....
AND, PUTTING WRAP AROUND TAXATION TO THE INDIVIDUAL FOR AN ELEITE GROUP OF BUSINESS MEN...AND THEIR INVESTORS IS AGAINST ALL FREE INTERPRISE LAWS, THE AMERICAN DREAM...AND CONSTITUTIONAL RIGHTS.

- 2002 Federal Supreme Court Judges Rulings, Clearly STATES, "You may not take an individual's or and established Community's Water Rights and give them away as PAPER WATER RIGHTS to a Developer's new wants to new concept of community....OVER the established community's water rights and to exist. This was given to Jeff E. Stone as a Councilman of the City of Temecula, the night I presented him and all of the councilmen with their Mr. Pottie's Liter of Water. I told him then, that to wish to push us into the Charle Heston film, "Sylvonent Green", would be criminal....when it is a vanishing industry of FARMERS per MWD statement..."We give water to URBAN areas, NOT to farmers."... RCWD told we farmers that all discounted water rates END in 2013.
- Where will the Water come to put into the new vintners' sewer system that will cost at least \$55 Million Dollars...?

Respectfully submitted,

Mrs. A. McGregor
macsgarden2004@yahoo.com



MEMORANDUM

TO: Patrick Richardson, Director of Planning/Redevelopment
FROM: Amer Attar, Acting City Engineer
DATE: September 19, 2013
SUBJECT: Wine Country Community Plan - Final Program Environmental Impact Report

Prepared By: Jerry Gonzalez, Associate Engineer – Traffic

The City of Temecula's Traffic Engineering Division has reviewed the Final Program Environmental Impact Report (PEIR) document's response to comments. Prior to the City's acceptance of the Final PEIR document the following items will need to be addressed or clarified:

1. Response No. 10.11 – The Traffic Impact Study (TIS) indicates the proposed project, under Existing Plus Project Conditions, will have a direct impact at several intersections located in the City of Temecula. It is not unreasonable to require the project to mitigate the impact by constructing or providing a "fair share" contribution, equal to the impact, to construct the improvements needed to mitigate the impact. Please revise response.
2. Please revise Response No. 10.24 as shown:

Winchester Road at Ynez Road – The first paragraph is confusing and should be revised. For example: "This intersection operates at an unacceptable LOS E with the proposed project. However, due to the proposed project's decreased land use density, the intersection operation is expected to improve to acceptable levels as compared to the No Project condition."

Please add the following at the end of second paragraph: "Project shall provide a fair share contribution through the project TIF toward the implementation of revised Adaptive Traffic Signal Timing Program."

Margarita Road at Rancho California Road – Please explain why proposed roadway improvements were deleted at this intersection.

Margarita Road at Rancho Vista Road – Please explain why proposed roadway improvements were deleted at this intersection. Also, the first paragraph is confusing and should be clarified. For example: "This intersection operates at an unacceptable LOS E with the proposed project. However, due to the proposed project's decreased land use density, the intersection operation is expected to improve to acceptable levels as compared to the No Project condition."

Please add the following at the end of second paragraph: "Project shall provide a fair share contribution through the project TIF toward the implementation of revised Adaptive Traffic Signal Timing Program."

Margarita Road at Pauba Road - The first paragraph is confusing and should be clarified. For example: "This intersection operates at an unacceptable LOS E with the proposed project. However, due to the proposed project's decreased land use density, the intersection operation is expected to improve to acceptable levels as compared to the No Project condition."

Please add the following at the end of second paragraph: "Project shall also provide a fair share contribution through the project TIF toward the implementation of revised Adaptive Traffic Signal Timing Program."

We would appreciate the opportunity to review the response to our comments. We look forward to working with the County of Riverside to develop a mitigation funding program and Memorandum of Understanding for the implementation of the identified roadway and network improvements.

If you have any questions, please contact Jerry Gonzalez, Associate Engineer – Traffic or me.

Cc: Dale West, Associate Planner

*Daniel J. & Joyce D. McGinley
39693 Calle Cabernet
Temecula, CA 92591*

September 21, 2013

Riverside County Board of Supervisors
4080 Lemon Street, 5th Floor
Riverside, CA 92501

Dear Board Members:

For starters, please forgive me for not being able to present this letter to you personally but due to my teaching schedule at San Diego State University I am unable to attend this meeting. Thank you in advance for your willingness to hear this request with hope that you will consider the regulation of private residential homes being rented as vacation homes within Wine Country.

We, the neighbors on Calle Cabernet (Street in Temecula Wine Country) are encouraged with the continued growth of our Wine Country community. Very impressive! The Board has done a tremendous job of demonstrating their leadership in the Strategic Planning of this very important part of Riverside County.

We have watched the Board set high standards with the Wine Country business partners to maintain the quality of life for all of us who live here. We also commend you for taking tough action in the past on those businesses that had not previously met the standards that preserve the integrity of Wine Country. I believe the respect of these standards by the business owners and their willingness to incorporate them in their business practices not only make us good neighbors... it also makes us "friends"!

One of the more impressive areas of growth is that of the "Wine Country Hotels"... i.e. Ponte, South Coast, Wilson to mention a few. They're great! They're classy and they're beautiful! And we are confident that these responsible owners manage the hotels with the highest of standards as it relates to the behaviors of their guest... with no need for any further regulation by the Wine Country Leaders.

As pleased as we are with the hotel growth, we are discouraged with the unregulated growth of private residences being converted to rental properties within Wine Country. We specifically call out a beautiful property on our street located at 39895 Calle Cabernet. This property that we commonly refer to as the "Party House" is a beautiful home equipped with all the amenities for a fun filled weekend in Wine Country. The home advertises a pool, spa, high-tech entertainment equipment, outside barbeque kitchen to name a few. The view is gorgeous and the setting is tranquil; at least until the renters arrive. The owner does not live in this home; she has lived out of state for multiple years.

The home is rented online by the owner via a web site called "Vacation Rental by Owners" (www.vrbo.com). The property with the identification number of 13104572469 advertises the home to sleeps 24 people and rents for \$625.00 per night. It's Gorgeous! It has a rental history that includes Wedding Type Ceremonies with Choir Singers, Graduation Parties, Company Parties, After Wedding Parties, Girl's Get Away Weekends, Birthday Parties, and San Diego Retreats to Wine Country. This list of rental history is not only stated in their rental comments, we personally witnessed and experienced all their fun times throughout the summer.

It all sounds fun, except if you are the neighbors who has to forfeit your quality of life for all these parties... weekend after weekend. Actually, renting this place is a real deal; \$625.00 / 24 people = a cost of \$26.04 per person, per night... LET'S PARTY!! I would suspect there is much louder partying in our neighborhood than you could get away with at South Coast or Ponte hotels! These "real resort properties" maintain Wine Country Standards. Just wait until the word gets out "on-line" about this "cheap rent" for a Wine Country Party House... we'll never sleep! And you think the limos are bad... limos don't usually carry 24 happy people!

Obviously we call the police when it gets "over the top" and parties continue late into the night. But realistically it's not fun to keep calling the police... these officers have better things to do then chase down a bunch of partiers. We really do not enjoy calling the police on these renters. On a selected occasion when the police had been called... there was even a verbal confrontation between the renters and Police. On another occasion there were words exchanged with renters and my neighbors; not the tranquility we came here to enjoy. And when the police leave, the music volume usually goes back up within 10 minutes... what a hassle! What a terrible way to live in Beautiful Temecula Wine Country! All this so an unregulated, non-resident property owner can make a few bucks on the hard work of all of us here in Wine Country. We ask for your help to regulate this growing Wine Country issue.

Our request to the Board: Please commission a special task force to investigate the practice of residential property being converted to Rental Properties (exclusively in Wine Country). Please bring back the safety to our community along with the quality of life we have moved to Wine Country to enjoy!

Thanks for your attention! Thanks again for all you do for us in Wine Country!

Sincerely,

Dan

Daniel J. McGinley

From: Coyle, Frank
Sent: Tuesday, September 24, 2013 6:48 AM
To: Nanthavongdouangsy, Phayvanh
Subject: FW: Wine Country Community Plan

They keep coming...

From: All of the Above (1) [<mailto:alloftheabove1@verizon.net>]
Sent: Tuesday, September 24, 2013 5:10 AM
To: Coyle, Frank
Cc: kteasda1@verizon.net
Subject: Wine Country Community Plan

I am a wine country resident, an active member of the winegrower's association, and I count several winery owners as friends and/or neighbors. I am, however, writing to protest the favoritism shown by certain provisions of the proposed ordinance. Specifically, I am protesting those sections which limit lodging facilities and associated uses on 5 acres to existing wineries only, rather than to existing vineyards and other properties. The apparent assumption is that only wineries have detrimentally relied upon prior law.

We are owners of 5.04 gross acres in the heart of wine country, which we purchased over 20 years ago, with the intent of opening a three-to-ten-room bed and breakfast inn. Seventy-five percent of the plantable land was immediately planted in winegrapes, as the then-proposed ordinance permitted inns only in conjunction with "producing" vineyards, and it took several years for a new vineyard to produce grapes. We relocated an historic home to the property, and graded for future expansion and parking.

After many years of following the changing laws and huge expense involved with development in wine country --even small development-- and the distractions of raising a family, we decided to postpone a wine country business. We still followed the changing laws, however, and I was repeatedly assured that a bed-and-breakfast or country inn (2 guest rooms per acre originally) with a cooking school (a later addition) would continue to be allowed on five acres. Almost two years ago, Mitra Mehta Cooper suggested that I await the adoption of the new plan, since it would be more favorable to small home-based businesses. Further, at least three winery owners told me that it was very difficult, if not impossible, for small operations to succeed in wine country; one told me to "make money in town and bring it back to wine country."

So, in 2010, rather than open a gluten-free bed-and-breakfast inn and cooking school at home, we opened a gluten-free bakery in downtown Temecula. We have been considering the possibility of remodeling at home to build a "hotel suite" (or one-suite bed-and-breakfast inn) and small cooking school in the next few years. With the demands of running a business, however, I did not follow the latest changes in the community plan. In fact, I only learned in the last few hours of the changes to the ordinance that would prevent our original or subsequent plans. I was able to get very little information from the head librarian at the Grace Mellman Library (despite the legal notice, and her best attempts.) An on-line search a few hours ago, revealed that, although we are directly across the street from an existing winery, we are not zoned the same. An inn on five acres with a cooking school, would only be allowed for existing wineries, which is a recent change and favorable treatment for the wineries. (Wilson Creek Manor and the Inn at Europa Village are the only wine country inns that I can think of, and neither was built as a winery inn.)

I am asking that you reconsider the inn/hotel suite/ cooking school/day spa provisions, that were, until recently, permitted on five acre vineyards.

Lorilyn Teasdale

September 24, 2013

Frank Coyle
Deputy Director
Planning Department
Transportation Land Management Agency
County of Riverside
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409

Subject: Wine Country Community Plan
Item 16.3 Board Agenda 9/24/13
Request for Boundary Modification
Adobe Land, LLC MDMG, Inc. Job #1516
APN 927-280-037, 039 & 040
DePortola Road at Oak Mountain Road

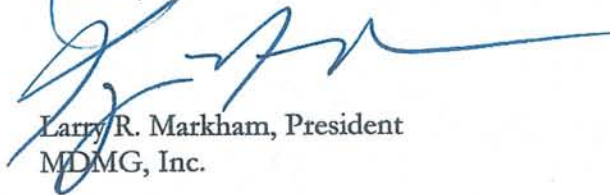
Dear Mr. Coyle,

As previously discussed with you and Ms. Barnes, we hereby request the subject parcels be moved from the Wine Country-Equestrian designation to the Wine Country-Winery designation. Portions of parcels 039 & 040 are already planted in vineyard, in addition to a plant nursery use. Parcel 037 has been purchased, to achieve a total of 20 gross acres, to provide for a future winery use.

The subject parcels are not suitable for equestrian uses but do provide land suitable for additional vineyard plantings and a future winery.

Attached you will find exhibits depicting the existing parcels and proposed boundary changes.

Sincerely,



Larry R. Markham, President
MDMG, Inc.

Cc: Olivia Barnes, 3rd District Staff

Attachments:

41635 Enterprise Circle North, Suite B

Temecula, CA 92590-5614

(951) 296-3466

Fax: (951) 296-3476

www.markhamdmg.com



Site

EQUESTRIAN DISTRICT

WINERY DISTRICT

BUTTERFIELD COUNTRY RV-PARK

Map labels include: VILES RD, GLENDORA, CRUZWAY, MILDOR RIDGE RD, WYRTE, VIA EL, SAN ANITA RD, VENDA ORTEGA, CALLE CANORA, ANCHO RD, CALLE VERDE, CIRCLEWAY, ALTAMIRA CT, CIRCLEWAY, DAY MOUNTAIN RD, RINGGREEN RD, BASEO DEL TRUZA, LOS CABALLOS RD, PAUBA RD, LOS CORRALITOS RD, WOODCHUCK RD, JAMES DR, ANCHA AVE, MONTE VERDE RD, and WOODCHUCK RD.

ADOBE LAND



Selected parcel(s):
927-280-037 927-280-039 927-280-040

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Sep 24 09:10:21 PDT 2013

Version 130826

2011 AERIAL



MARKHAM DEVELOPMENT MANAGEMENT GROUP, INC.

September 24, 2013

Frank Coyle
Deputy Director
Planning Department
Transportation Land Management Agency
County of Riverside
4080 Lemon Street, 12th Floor
Riverside, CA 92502-1409

Subject: Wine Country Community Plan
Item 16.3 Board Agenda 9/24/13
Request for Boundary Modification
Haddad MDMG, Inc. Job #1509
APN 943-140-009 & 010
Calle Contento & Vista Del Monte Road

Dear Mr. Coyle,

As previously discussed with you and Ms. Barnes, we hereby request the subject parcels be removed from the Wine Country Policy designation.


The subject property is not presently in the C/V Policy Area and is currently designated Rural Community-Estate Density Residential (2 acre minimum) and is zoned R-A-5 and is surrounded by existing and proposed residences in the City of Temecula and the County, zoned R-1, R-A-2 and R-A-5.

The parcels immediately to the west are recommended for removal from the WC Plan by the Planning Commission and we would request the same consideration.

The subject parcels are greatly impacted by the headwaters of a major tributary of Santa Gertrudis Creek, making the majority of the site unsuitable for vineyards and wineries.

Attached you will find exhibits depicting the existing parcels and proposed boundary changes.

Sincerely,


Larry R. Markham, President
MDMG, Inc.

Cc: Olivia Barnes, 3rd District Staff

Attachments:

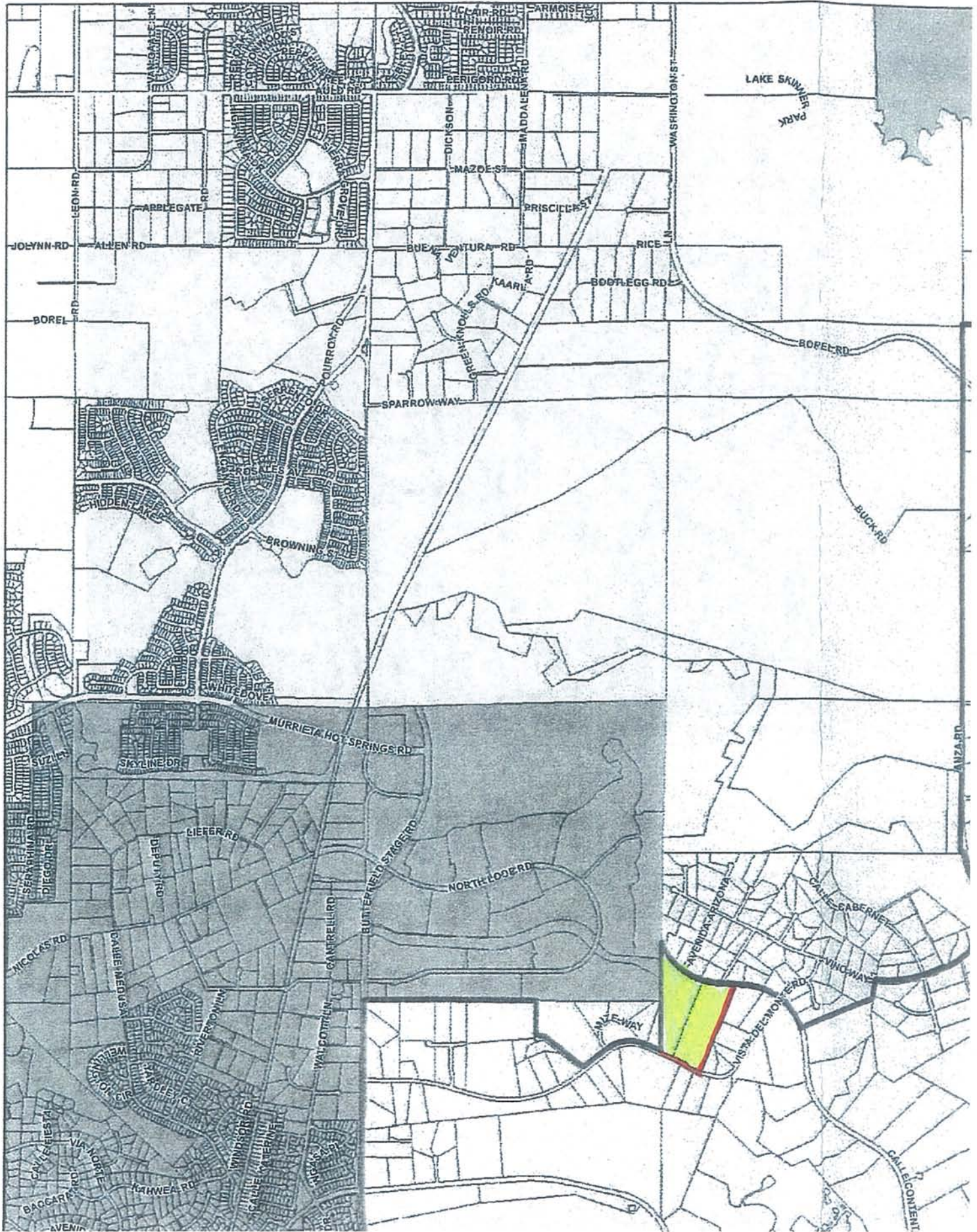
41635 Enterprise Circle North, Suite B

Temecula, CA 92590-5614

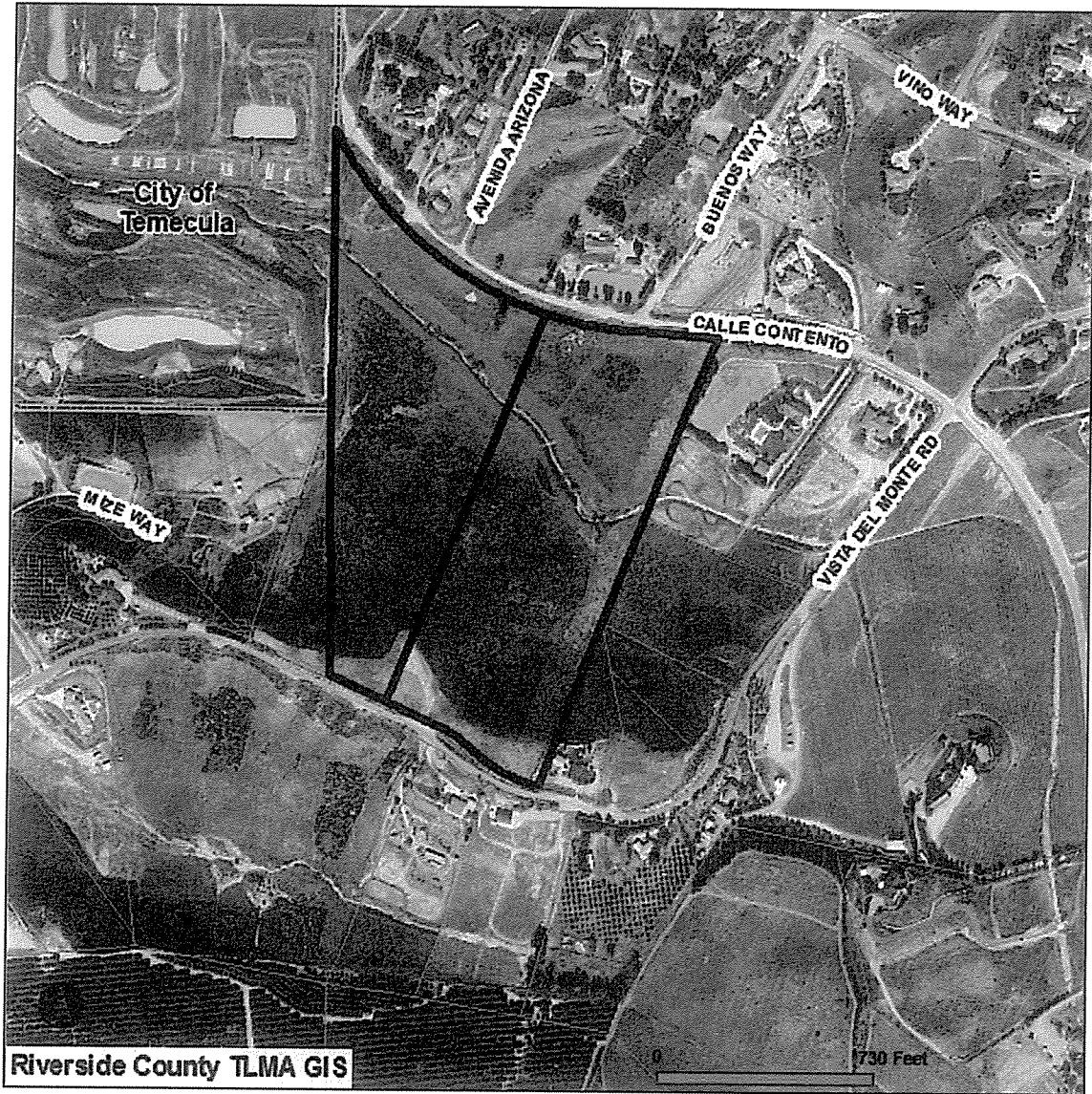
(951) 296-3466

Fax: (951) 296-3476

www.markhamdmg.com



HADDAD



Selected parcel(s):
943-140-009 943-140-010

IMPORTANT

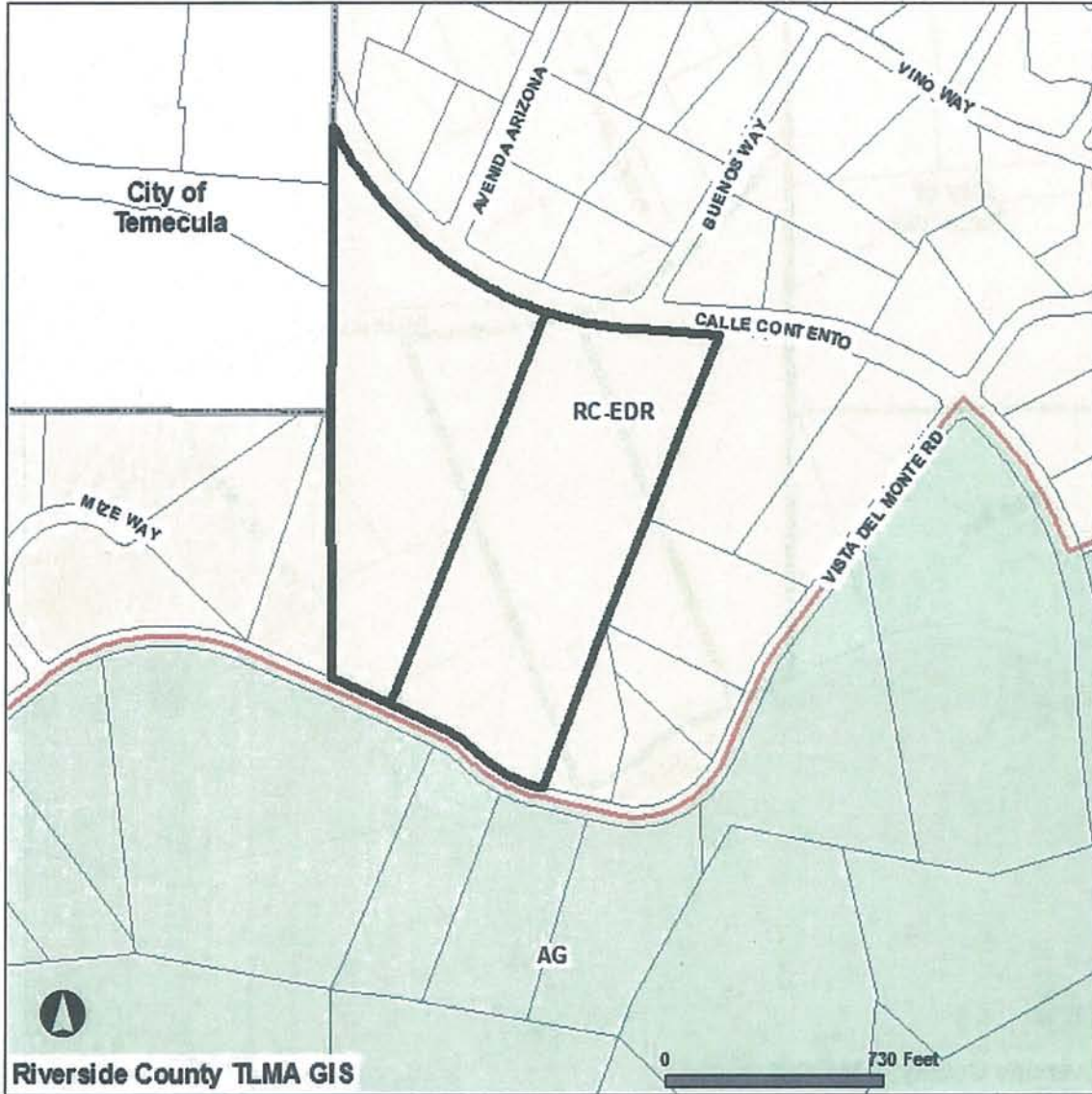
Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Sep 24 10:08:43 PDT 2013

Version 130826

2011 AERIAL

EXISTING GEN PLAN



Selected parcel(s):
943-140-009 943-140-010

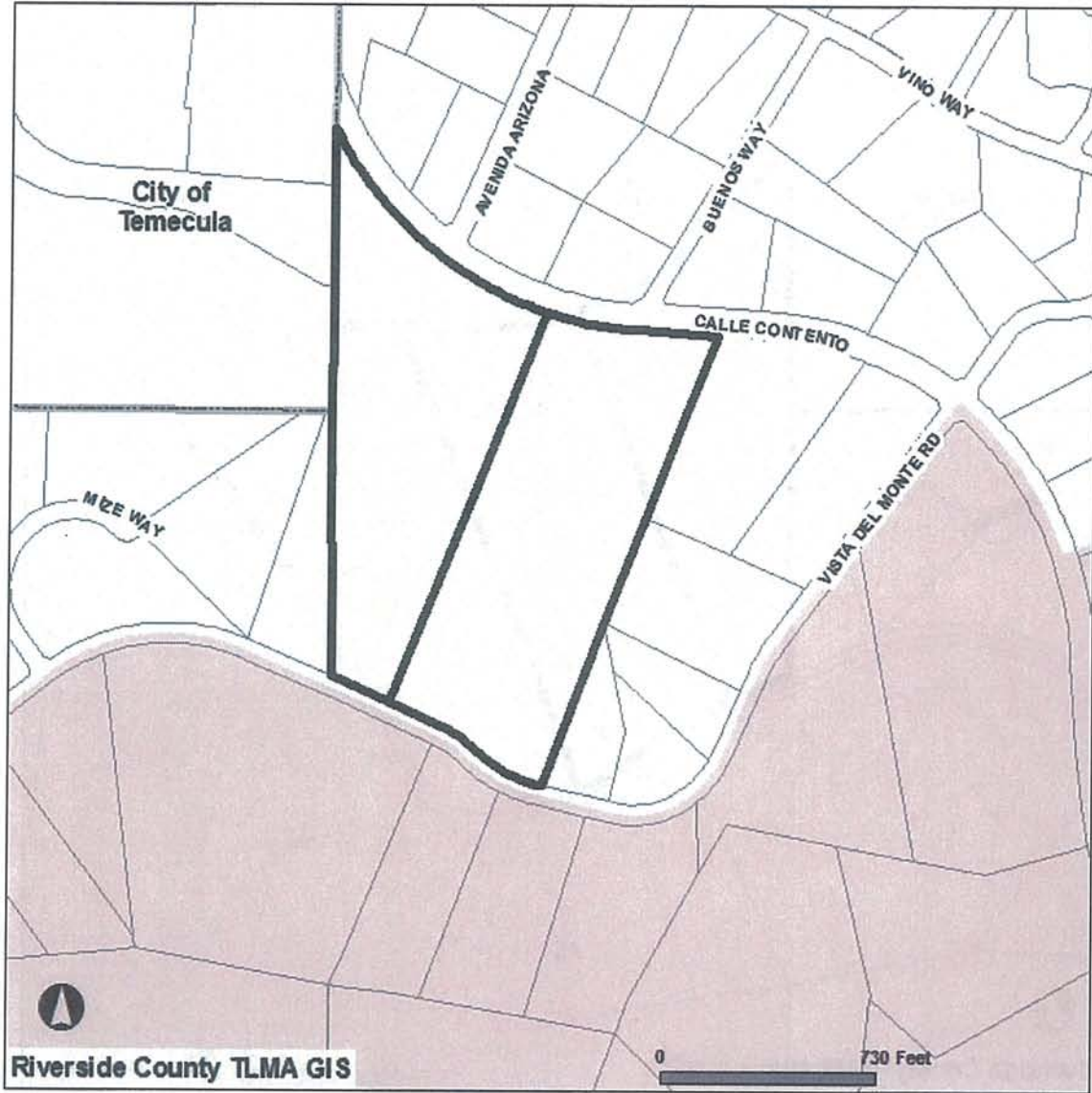
IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Sep 24 10:05:10 PDT 2013

Version 130826

EXISTING CV POLICY AREA



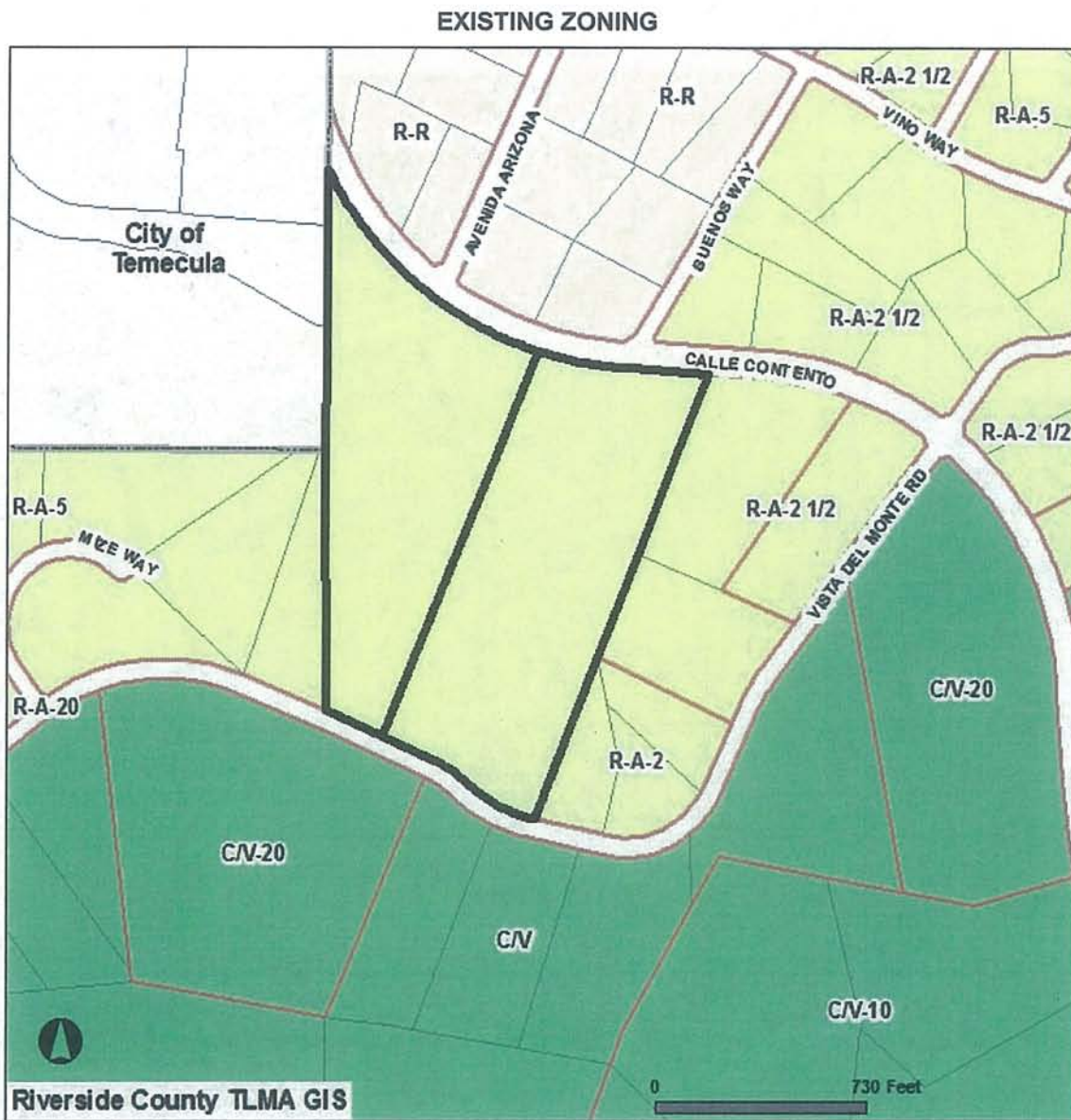
Selected parcel(s):
943-140-009 943-140-010

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Sep 24 09:44:15 PDT 2013

Version 130826



Selected parcel(s):
943-140-009 943-140-010

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Tue Sep 24 10:06:45 PDT 2013
Version 130826

Flood Plain



Selected parcel(s):

943-140-009 943-140-010 943-140-011

FLOOD ZONES

- SELECTED PARCEL
- PARCELS

- INTERSTATES
- FLOOD ZONES

- HIGHWAYS

- CITY

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

July 11, 2013

Supervisor Jeff Stone
37600 Sky Canyon Drive, #505
Murrieta, CA 92563

Dear Supervisor Stone:

We want to thank you for your many years of service and dedication to the City of Temecula and Riverside County.

Our home in Temecula Wine Country resides on Calle Anita, a street lined with newer custom built homes on 2-5 acre lots. Based on the 2003 general plan, in 2006 we started the process of splitting our 5 acre lot, which our home resides, into two 2 ½ acre lots. During the process we have invested many hours of our time and paid nearly \$25,000 to Consultants and the County. Our project is near completion and we recently learned that the "New Wine Country Plan" will not allow us to complete our project, because of lot size.

I hope you can help us complete our project. Our street is residential, our property is adjacent to 5 acre lots with custom homes on all sides, across the street we have two 2 ½ acre lots and two 5 acre lots all with custom homes. One of the 5 acre lots has also been working to divide their lot as well since 2006. Allowing us to split our land should not affect the Wine Country Plan. Moreover when we started the 2 ½ acre lot was allowed under the 2003 General plan.

I realize that decisions need to be made for the good of all. I am sure the new Wine Country Plan will allow our community to prosper. However, I hope you and your colleagues will consider individual cases like mine and my neighbors who live on streets lined with homes on 2-5 acre lots, who invested in the process before the plan was changed. If we are unable to complete this project it will cause financial hardship for our family. We will lose the time and money we invested in the project; of more concern to us we will need to sell our home. Allowing us to complete our project under the 2003 general plan, which was in place when we started, will allow us to stay in our home and bring additional revenue to the county.

We truly appreciate your consideration and help in completing our project.

Sincerely,



John & Heather Hofmann

Cc: Olivia Barnes
Frank Coyle
Larry Markham

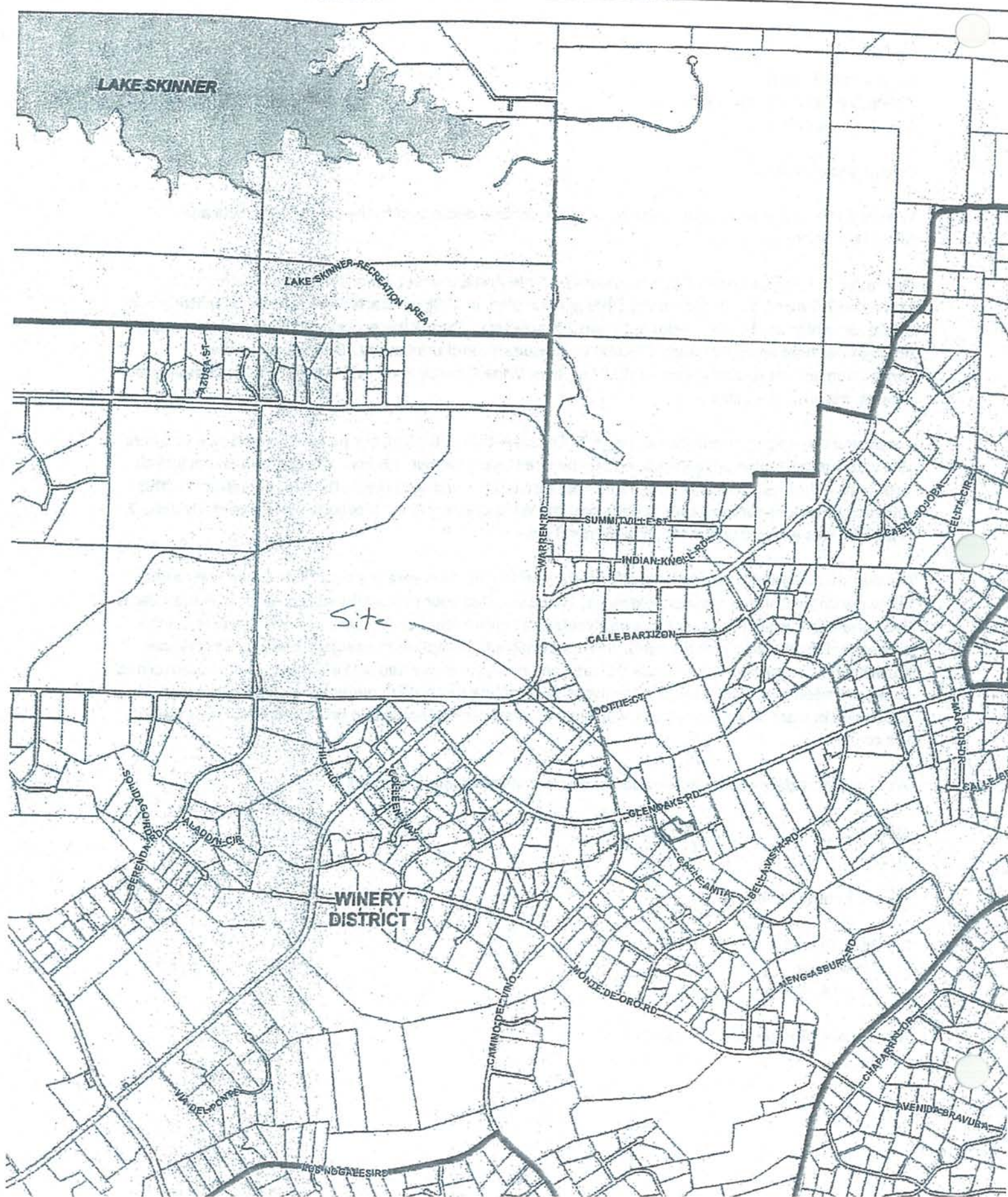
Attachment: Google Map of property

LAKE SKINNER

LAKE SKINNER RECREATION AREA

Site

WINERY DISTRICT



HOFFMAN



Selected parcel(s):
941-200-028

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

STANDARD WITH PERMITS REPORT

APNs

941-200-028-2

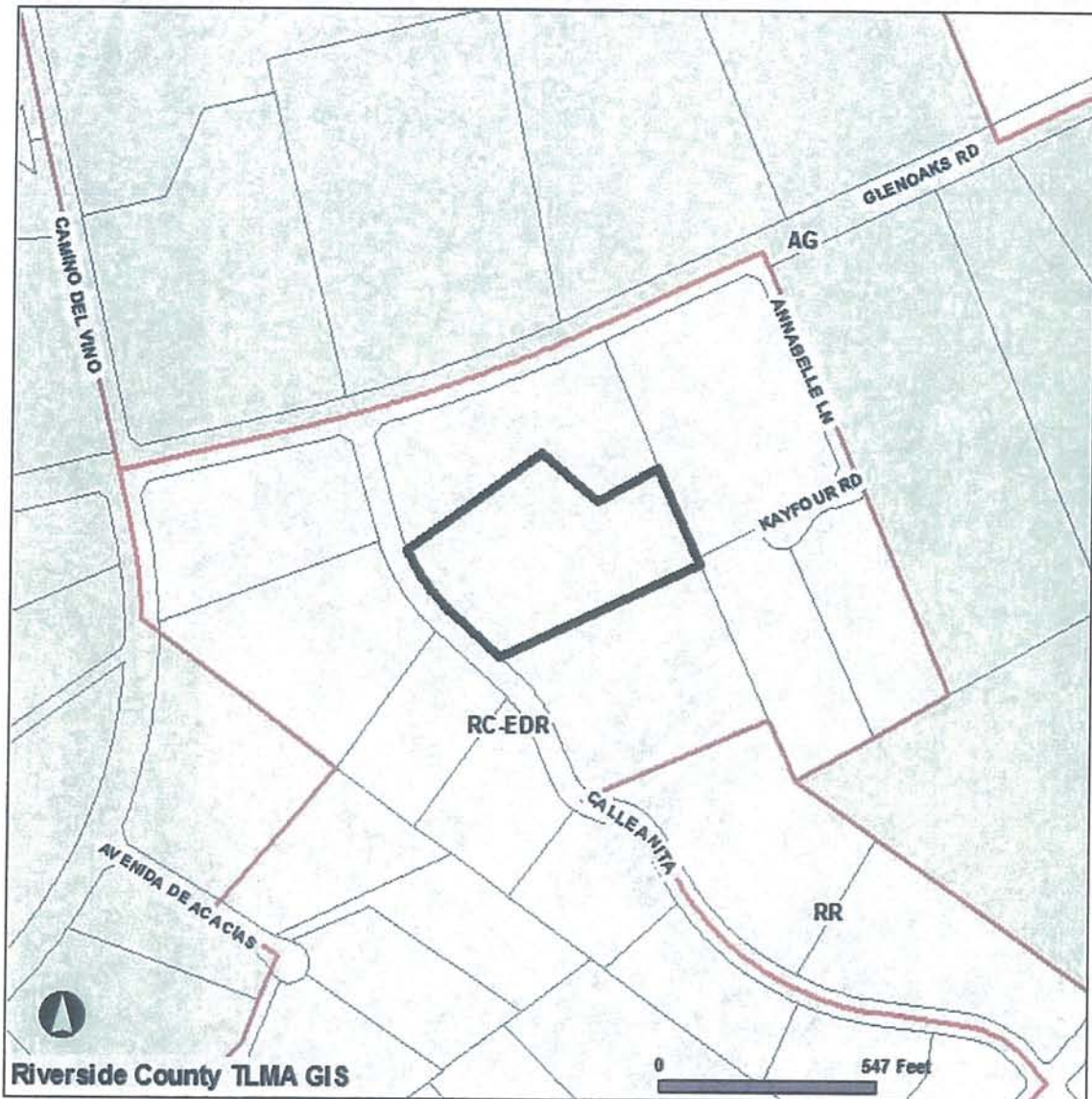
OWNER NAME

NOT AVAILABLE ONLINE

ADDRESS

941-200-028
39398 CALLE ANITA
TEMECULA, CA. 92592

HOFFMAN



Selected parcel(s):
941-200-028

IMPORTANT

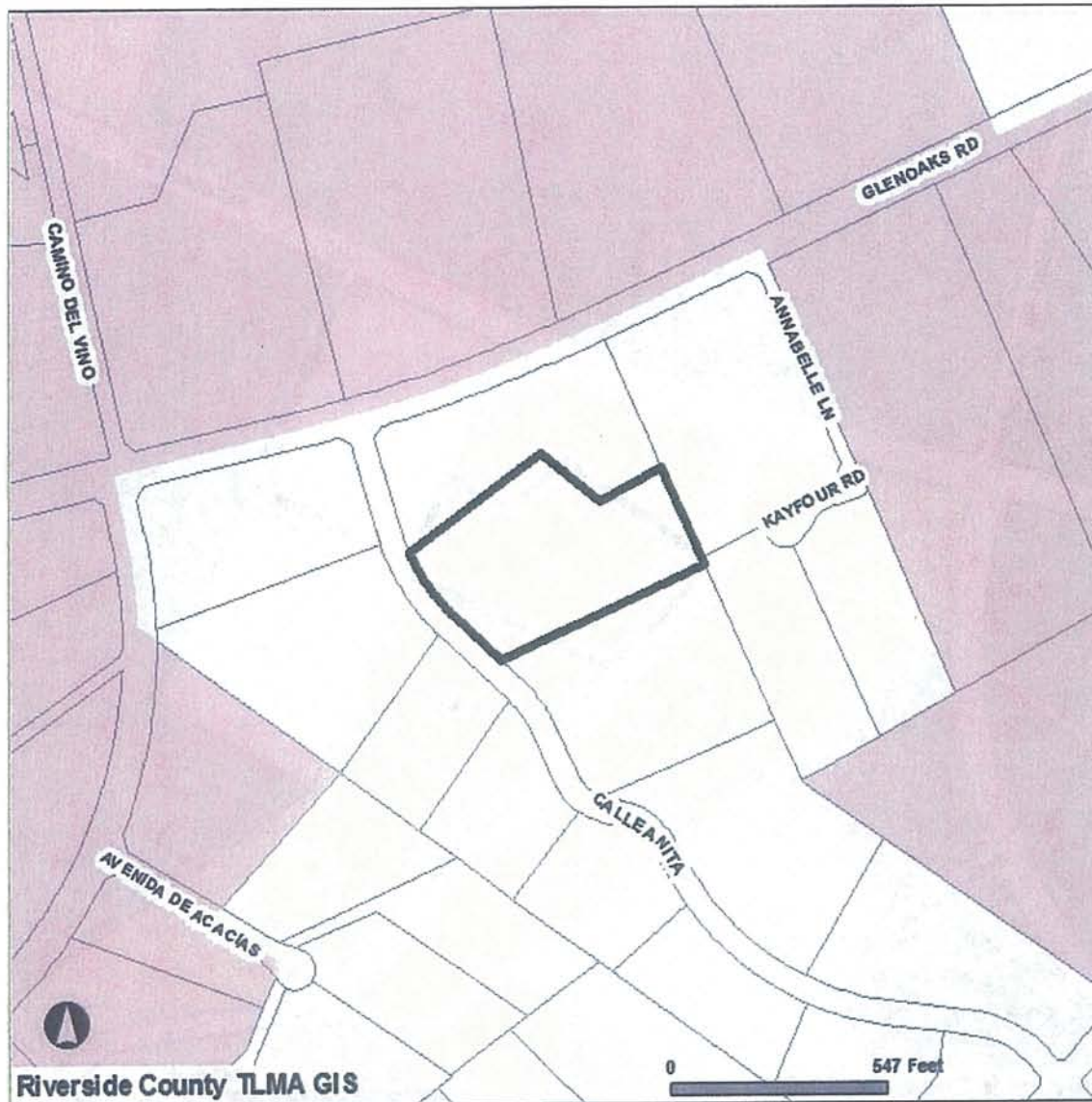
Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed May 8 15:54:35 PDT 2013

Version 130225

CV

HOFFMAN



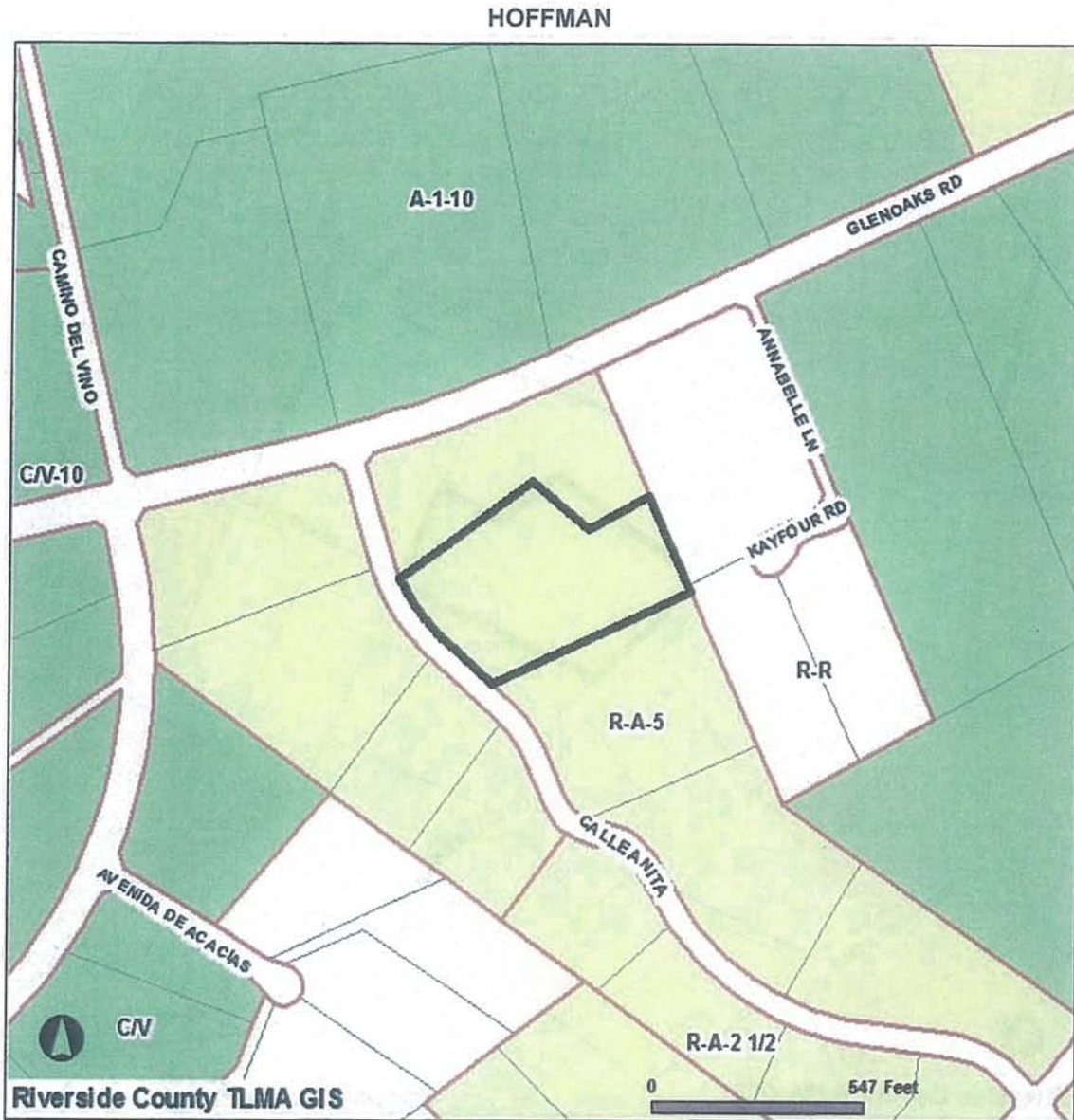
Selected parcel(s):
941-200-028

"IMPORTANT"

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed May 8 15:52:55 PDT 2013
Version 130225

CV



Selected parcel(s):
941-200-028

IMPORTANT

Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON...Wed May 8 15:53:39 PDT 2013

Version 130225

CV

Attachment B:

November 6, 2013 and November 20, 2013 Staff Report and Minutes

The November 6, 2013 staff report and attachments to Planning Commission for Discussion Item 4.1 was forward to the November 20, 2013 Planning Commission for Discussion Item 2.1; thus, only the November 20, 2013 Staff Report is provided. The meeting minutes for November 6, 2013 and November 20, 2013 are provided in this attachment on page 71-74.

Agenda Item: 2.1
Area Plan: Southwest
Zoning Area: Rancho California
Supervisorial District: Third/Third
Planning Commission: November 20,
2013
Continued From: November 6, 2013

WINE COUNTRY COMMUNITY PLAN –
Ordinance No. 348.4729
Applicant: County of Riverside
EIR Consultant: RBF Consulting

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

REPORT TO PLANNING COMMISSION ON BOARD OF SUPERVISORS' MODIFICATIONS TO
ORDINANCE NO. 348.4729 ASSOCIATED WITH THE WINE COUNTRY COMMUNITY PLAN

PROJECT DESCRIPTION:

The Temecula Valley Wine Country Community Plan (Project) was initiated by the County Board of Supervisors in 2008 to ensure that the region develops in an orderly manner that preserves Temecula Valley's viticulture potential and enhances its economic contribution to the County over the long term. The purpose of this Project is to provide a blueprint for future growth that ensures that future development activities will enhance, and not impede, the quality of life for existing and future residents, while providing opportunities for continued preservation and expansion of winery and equestrian operations. The Project has been developed to achieve the following four objectives:

1. To preserve and enhance viticulture potential, rural lifestyle and equestrian activities;
2. To continue to allow for an appropriate level of commercial tourist activities that are incidental to viticulture and equestrian operations;
3. To coordinate growth in a manner that avoids future land use conflicts; and
4. To ensure timely provision of appropriate public infrastructure and services that keeps up with anticipated growth.

The Project is generally located in the Southwest Area Plan (SWAP) of the General Plan in the southwestern portion of unincorporated Riverside County. The Project covers approximately 18,990 acres of land located approximately three miles north of the San Diego County border, east of the City of Temecula, south of Lake Skinner, and northwest of Vail Lake. The Project includes General Plan Amendment No. 1077, Ordinance No. 348.4729, and the accompanying Program Environmental Impact Report No. 524 (EIR No. 524).

PUBLIC HEARINGS:

The Project was discussed before the Planning Commission on July 25, 2012, August 22, 2012, September 26, 2012, December 5, 2012 and December 19, 2012. On December 19, 2012, the Planning Commission made the following recommendations to the Board of Supervisors by a vote of 5-0:

- 1) Tentatively certify Program EIR No. 524;
- 2) Tentatively approve GPA No. 1077 as modified by the Planning Commission; and
- 3) Adopt Ordinance No. 348.4729 as modified by the Planning Commission

The Project was modified in accordance with the Planning Commission's recommendations and presented to the Board of Supervisors on September 24, 2013. Upon review of the proposed Project, the Planning Commission's recommendations and consideration of public testimony, the Board of Supervisors' directed staff to modify the Planning Commission's recommendations for Ordinance No. 348.4729.

The Board's modifications to Ordinance No. 348.4729 are required to be referred back to the Planning Commission pursuant to Government Code Section 65857 and Section 20.3a.e. of Ordinance No. 348 which provide the following:

“ . . .any proposed modification of the Planning Commission's recommendation not previously considered by the Planning Commission shall first be referred back to the Planning Commission for a report and recommendation. The Planning Commission shall not be required to hold a public hearing thereon, and failure of the Planning Commission to report within 40 days after the reference, or such longer period of time as may be specified by the Board of Supervisors, shall be deemed to be an approval of the proposed modification.”

The Board's modifications related to Ordinance No. 348.4729, which were not previously considered by the Planning Commission, are summarized below. The Board continued the Project to December 3, 2013 in order to obtain the Commission's recommendations and kept the public hearing open on the Project.

REPORT ON BOARD OF SUPERVISORS' RECOMMENDATIONS AND PROJECT MODIFICATIONS:

1. Format of Ordinance No. 348.4729

Per Board of Supervisors' recommendation, Ordinance No. 348.4729 (Attachment A) has been organized to be structurally consistent with the other zoning classifications in Ordinance No. 348. The permitted uses and development standards are organized under each proposed Wine Country Zone. The general standards for lot size, width, depth, setback and height are provided first, followed by development standards, where applicable, for clustered subdivision, special occasion facilities, lodging facilities, equestrian establishments, and wineries. The format of Ordinance No. 348.4729 does not affect analyses or conclusions in EIR No. 524.

2. Clarification of definitions, permitted uses and development standards

Table A below summarizes changes made to Ordinance No. 348.4729 per Board of Supervisors' recommendations to clarify definitions, permitted uses and development standards, as well as, provide an explanation of consistency with EIR No. 524:

Table A: Ordinance No. 348.4729 Changes per Board of Supervisor’s Recommendation and EIR No. 524 Consistency

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency
<p>a. To simplify implementation of Ordinance No. 348.4729, the following winery classifications were created for existing and future wineries within the Project area:</p> <p><i>Class I Winery:</i> A Class I Winery is a production winery exclusively used to crush, ferment, bottle and process grapes into wine. No appurtenant or incidental uses are allowed with this class of winery. A Class I Winery is permitted within all Wine Country Zones in conjunction with a vineyard on a minimum of five (5) gross acres.</p> <p><i>Class II Winery:</i> A Class II Winery is a small winery that may include a wine tasting area, wine club activities, wine club events, retail wine sales, Winegrowers Association Events, gift sales and delicatessens. This class of winery is permitted within all Wine County Zones in conjunction with a vineyard on a minimum of 10 gross acres.</p> <p><i>Class III Winery:</i> A Class III Winery was created to allow plot plans that were approved through the existing Citrus/Vineyard (C/V) Zone on less than 20 gross acres to continue its operations. In addition to the uses permitted in the Class II Winery, a Class III Winery may include a special occasion facility, bed and breakfast inn, and restaurant. A Class III Winery is permitted only through the Wine Country-Winery Existing Zone in conjunction with a vineyard on a minimum of 10 gross acres.</p> <p><i>Class IV Winery:</i> A Class IV Winery was also created to allow plot plans that were approved through the existing C/V Zone on less than 20 gross acres to continue its operations. In addition to the incidental commercial uses permitted in the Class III Winery, a Class IV Winery may also include a country-inn on a minimum of 15 gross acres in conjunction with a vineyard. Class IV Winery is permitted only through the Wine Country-Winery Existing</p>	<p>There are six different types of Wineries that exist or may occur in the future within the Project Area based on the Winery’s incidental uses. The proposed classifications encompass the different size wineries assumed to occur in the Project area and studied in the EIR No. 524. Furthermore, no additional uses outside the scope considered by the Planning Commission were added.</p> <p>The activities associated with a Class I Winery are similar to other agricultural processing and packing activities that are permitted through the Citrus/Vineyard Zone and other existing agricultural zones established within the Project boundary. The Project proposes to continue these agricultural uses through the implementation of the proposed Wine Country Zones. Thus, the Draft Program EIR No. 524 assumed these agricultural activities would continue to occur within the Project Area. The inclusion of a Class I Winery as an allowable use in all Wine County Zones would not result in increased environmental impacts. No additional analysis in EIR No. 524 is necessary.</p>

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency
<p>Zone.</p> <p><i>Class V Winery:</i> A Class V Winery is permitted only in conjunction with a vineyard through the Wine Country-Winery Zone on a minimum of 20 gross acres. In addition to the incidental commercial uses permitted in the Class II and III Winery, a Class V Winery may include a hotel and spa or professional culinary academy in conjunction with the hotel.</p> <p><i>Class VI Winery:</i> A Class VI Winery is permitted only in conjunction with a vineyard through the Wine Country-Winery Zone on a minimum of 40 gross acres. In addition to the incidental commercial uses permitted in the Class V Winery, a Class VI Winery may include a resort and resort with a spa, professional culinary academy, day time range and golf courses.</p>	
<p>b. "Kitchenettes" were removed as a permitted guest accommodation for various lodging facilities to encourage investment and use of local restaurants.</p>	<p>Removing the option for a lodging facility to provide a kitchenette in a guest room would not increase traffic conditions projected within the Project Area. The Traffic Impact Study considered "winery-hopping" as part of the traffic model for this region. Visitors are likely to visit three wineries per visit. A winery with a hotel is likely to also have a restaurant on premise for their guests or is located in close proximity to other restaurants. The change does not present any new or more severe environmental impacts; thus, no additional EIR analysis is necessary.</p>
<p>c. The limitation of four wine club events per year for a Winery was removed. The number of wine club events will be determined through specific implementing projects and the associated development review process and transportation/parking management plan.</p>	<p>Wine Club Events were assumed to occur as part of a Winery's operation in the Project Area as an atypical event similar to a holiday event for a retail establishment. Future Wineries are subject to the EIR No. 524 mitigation measures; if necessary, additional site-specific conditions of approval will be developed during the development review process, as provided for in EIR 524. The number of wine club events, hours of operations, number of guests and other additional mitigation measures will be determined at that stage. No additional analysis EIR analysis is necessary.</p>

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency																										
<p>d. The definitions for rooms, suites, delicatessen, wine club activity, wine club events, Winegrowers Association events, tasting rooms, equestrian establishment, net project area, and special occasion facility were further refined.</p>	<p>The definitions section of Ordinance No. 348.4729 was modified to further tailor to establishments that currently exists or would exist in the Project Area. The modifications do not present any new or more severe environmental impacts.</p>																										
<p>e. The minimum setback for future residential developments was adjusted to 100' along selected roadways.</p> <p>Additionally to simplify implementation of Ordinance 348.4729, the setback ratios based on building height along specified roadways that were recommended by Planning Commission were removed. To be consistent with the setbacks considered in the EIR No. 524, the setbacks for Wineries, Lodging Facilities, Class I Equestrian Establishments, and Class II Equestrian Establishments along specified roads shall be 100'; setbacks for Special Occasion Facilities along specified roads shall be 300'.</p>	<p>The Project analyzed in the EIR No. 524 considered the following setbacks for various uses:</p> <table border="1" data-bbox="837 705 1406 1272"> <thead> <tr> <th rowspan="2">Use</th> <th colspan="2">Setback considered for EIR No. 524</th> <th rowspan="2">BOS rec'd</th> </tr> <tr> <th>Min. setbacks</th> <th>Setback along selected roadways</th> </tr> </thead> <tbody> <tr> <td>Residential</td> <td>50'</td> <td>300'</td> <td>100'</td> </tr> <tr> <td>Winery</td> <td>50'</td> <td>100'</td> <td>100'</td> </tr> <tr> <td>Special Occasion Facility</td> <td>100'</td> <td>300'</td> <td>300'</td> </tr> <tr> <td>Lodging Facility</td> <td>50'</td> <td>100'</td> <td>100'</td> </tr> <tr> <td>Class I and Class II Equestrian Establishments</td> <td>50'</td> <td>100'</td> <td>100'</td> </tr> </tbody> </table> <p>The development standard of 100' setback for future residential developments would allow flexibility in site-design that would reduce or offset potential visual, noise, and air quality impacts to future residents. The setbacks for the other uses are consistent to the setbacks considered in the EIR No. 524; thus, these changes do not present any new or more severe environmental impacts.</p>	Use	Setback considered for EIR No. 524		BOS rec'd	Min. setbacks	Setback along selected roadways	Residential	50'	300'	100'	Winery	50'	100'	100'	Special Occasion Facility	100'	300'	300'	Lodging Facility	50'	100'	100'	Class I and Class II Equestrian Establishments	50'	100'	100'
Use	Setback considered for EIR No. 524		BOS rec'd																								
	Min. setbacks	Setback along selected roadways																									
Residential	50'	300'	100'																								
Winery	50'	100'	100'																								
Special Occasion Facility	100'	300'	300'																								
Lodging Facility	50'	100'	100'																								
Class I and Class II Equestrian Establishments	50'	100'	100'																								
<p>f. The development standard for building height was adjusted to further enhance the rural and agriculture characteristic of the community. The maximum height of all buildings shall be 30', except when a building design incorporates terraced lots. In such cases, the maximum height may be 40' when measured from the lowest finished graded pad. The maximum</p>	<p>The uniform height standard will further preserve the community's rural and agriculture characteristics and does not present any new or more severe environmental impacts.</p>																										

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency
<p>number of habitable stories for a building shall be two habitable stories. A habitable area story that is 50% or more below the lowest finished graded pad is not counted towards the two maximum stories.</p>	
<p>g. A Class I Winery (Production Winery) is permitted on five acres or larger through the Wine Country Zones. For implementing projects with clustered development, a Class I winery may be permitted on a production lot that is a minimum of 25 gross acres.</p>	<p>This modification clarifies provisions for clustered subdivision development standards allowed in the Project and does not present new or more severe environmental impacts.</p>
<p>h. Cottage Industry is limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking class or services. No more than one full-time equivalent cottage industry employee and a maximum of ten customers at any given time.</p>	<p>The Project analyzed in the EIR No. 524 assumed Cottage Industry would occur in the Project area. The definition further limits the activities permitted in a Cottage Industry, thus, this modification does not present any new or more severe environmental impacts.</p>
<p>i. The development standards were clarified to require 75% of the grapes utilized in wine production shall be grown in Riverside County and that 50% wine of the sold shall be produced on premise. A Winery may be exempt from the 75% planting requirement under an agricultural emergency declared for the Temecula Valley Wine Country Area by the Board of Supervisors.</p>	<p>The 75% utilization of grape grown in Riverside County for wine production and exemptions were a part of the Project analyzed in the EIR No. 524 and does not present any new or more severe environmental impacts.</p>
<p>j. The Board of Supervisors' recommended developing a standard to quantify the required 75% vineyard planting standard for future wineries. After consulting with vintners, Staff is proposing a density of 450 vines per acre and 100 olive trees per acre to meet the planting requirements. This conservative density will allow site design flexibility given the varying topography and environmental constraints within the Project area. The proposed densities would provide approximately 10' between vineyard rows and 20' between olive tree rows. Olive trees may be used to meet up to 15% of the planting requirements.</p>	<p>The Project analyzed in the Draft EIR No. 524 assumed that 75% of the project area for Wineries would be set aside for planting of vineyards. Quantifying the vines/olive tree densities does not present any new or more severe environmental impacts.</p>

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency
<p>k. Ordinance No. 348.4729 was updated to permit small animal keeping and the definitions for equestrian establishments and commercial equestrian establishments were also further refined to reflect existing operations in the Wine Country Zones. This includes renaming them as Class I Equestrian Establishments and Class II Equestrian Establishments and clarifying the uses allowed in each class. Additionally, clarifications were made in the use sections of the Wine Country-Equestrian Zone to be consistent with the revised definitions.</p>	<p>The base line for the Project analyzed in the EIR No. 524 assumed equestrian uses exist within the Project area. Including these uses does not present any new or more severe environmental impacts, as such uses are currently allowed.</p>
<p>l. Future cottage inns will undergo a minor plot plan procedure to ensure the establishments meet health and safety standards for a facility that provides lodging as well as prepare meals for their guests.</p>	<p>The minor plot plan process for cottage inn development within the Project Area provides an additional review to ensure the health and safety provisions are addressed. This modification does not present any new or more severe environmental impacts.</p>
<p>m. Day-use driving range was added as a permitted use in conjunction with Wine Country Resorts.</p>	<p>The proposal to allow day-use driving ranges is not considered to represent any new or more severe environmental impacts for the reasons set forth below:</p> <ul style="list-style-type: none"> • Driving ranges are already permitted as part of a golf course within the Project Area. • Day-use would avoid night-time light/glare, noise and traffic issues; • As an accessory facility to a resort, the daytime driving range would attract at least some portion of use from existing resort visitors, as opposed to representing additional traffic or other impacts. • Even with “new” visitors (not associated with the resort), the daytime range would displace a large portion of the resort property’s developable area, thereby effectively reducing the resort’s potentially more intense activities such as hotel rooms, restaurants and related amenities. • A daytime driving range requires relatively nominal additional operational or maintenance staff beyond that required for the resort itself.

Changes to Ordinance No. 348.4729	EIR No. 524 Consistency
<p>n. The Board of Supervisors' recommended prohibiting amplified sounds for outdoor special occasion facilities. However, allow the occasional permit for a single use may be considered under the existing Ordinance No. 847 Regulating Noise in Riverside County. The Ordinance No. 847 allows exemptions for a single event and continuous events.</p>	<p>This recommendation will further restrict amplified sounds that may potentially occur within the Project Area and does not present any new or more severe environmental impacts.</p>
<p>o. Winegrowers Association Trade events will only be allowed on vineyards and winery properties and not on every parcel within the Project Area.</p>	<p>This clarification limits Winegrowers Association Trade events to occur only on Vineyards and Wineries, thus, this minor change does not present any new or more severe environmental impacts.</p>
<p>p. Provisions for ingress and egress for safe landing and launching of Hot Air Balloons.</p>	<p>This use is regulated through the Federal Aviation Administration. In addition, during the Project development process the Temecula Valley Balloon Association was established to develop some industry standards among the balloon operators at the local level; thus, the Project did not address this issue nor was it analyzed in the EIR, as it would occur with or without the Project and is not in the purview of the County.</p> <p>No changes to Ordinance No. 348.4729 were made to address Hot Air Balloons because the use is regulated through the FAA. Since no provisions were added, there is no impact to the EIR.</p>

3. Modifications to the trails network planning document related to equestrian trails associated with Ordinance No. 348. 4729

The Board of Supervisors directed the Park District Advisory Commission and Planning Commission to further assess the proposed trails network in response to public testimony. Key issues include proposed trail alignments and use of the proposed trails.

The proposed trails network will serve as a platform and a planning tool for the County's Regional Park and Open-Space District to:

- Implement a well-connected trails system within the Project area;
- Negotiate and acquire future easements; and
- Properly delineate, improve, maintain and regulate appropriate trails for public use.

The trails and bikeway map depicts the ideal locations for future trail alignments, it does not formally establish them. The County’s Regional Park and Open-Space District will develop an implementation program to phase in proposed Regional, Class I, Class II Bikeways, and Regional-Open Space Trails. The implementation program will address funding, design, maintenance and use of the trails alignment. The actual location of trail easements will be negotiated through the development review process.

These trails are built when contiguous trail segments are secured. Once built, the trails become a part of the District Trails System and are maintained by the Riverside County Regional Park and Open Space District. The acceptance of any trail easement reserves the right of the County/District to develop a trail. It does not provide the public any implied right to use the easement for trail purposes until the trail is fully planned and developed.

The Project incorporates a proposed trails and bikeway network to support use of alternative modes of travel analyzed in the EIR No. 524. Implementation of each trail alignment will undergo additional environmental review and planning process prior to being built. This process will include the property owners and adjacent property owners.

Planning staff recommends the trails network as shown on Attachment B.

4. Modifications to the boundaries of the Wine Country Zones set forth in Ordinance No. 348.4729

The Project boundary was modified to reflect Board of Supervisors’ recommendation to exclude two parcels (943140011 and 943140010) located on the north edge of the Project area. The Winery/Equestrian District boundary was also modified to include the following parcels within the Winery District: 927280037, 927280039, 927280040, 927180006, 927180007, 927180026, 927180033, 927180034, 927180035, and 966380023.

The resulting boundary and District modifications are shown in Attachment C.

Compared to the Project analyzed in EIR No. 524, the overall Project boundary is reduced by approximately 1,053 acres as result of Planning Commission’s and Board of Supervisor’s recommendations. Table B provides the change of acres between the Project boundary that was analyzed in EIR No. 524 and the boundary modification:

Table B: Project Boundary Net Acres

Wine Country District	Project Area Analyzed in EIR No. 524 (acres)	Project Area resulting from PC and BOS recommendations (acres)	Net Acres
Winery District	10,339	9,761	-578
Equestrian District	3,157	3,171	14
Residential District	5,494	5,005	-489
	18,990	17,937	-1,053

Furthermore, compared to the Project analyzed in EIR No. 524, the modified Project boundary also results in net reduction in Project land use density and intensity. The projected dwelling units and population at build-out are reduced respectively by 122 units and 369 residents. For non-residential land uses, the projected employment is also reduced by 2,638 employees. The modified Project boundary does not present any new or more severe environmental impacts.

RECOMMENDATIONS:

Consider the Board of Supervisors' modifications to the proposed Ordinance No. 348.4729 set forth above and provide recommendations to the Board of Supervisors as deemed appropriate on the following:

1. Revisions to the format of Ordinance No. 348.4729
2. Clarifications to definitions, permitted uses and development standards in Ordinance No. 348.4729 set forth in Table A of the staff report
3. Modifications to the trails network planning document for equestrian trails associated with Ordinance No. 348.4729
4. Modifications to the boundaries of the Wine Country Zones set forth in Ordinance No. 348.4729

The changes to Ordinance No. 348.4729 are summarized in Table A of the staff report. These changes are marked with the corresponding letters provided in Table A in red text throughout Ordinance No. 348.4729. For example, the changes that relate to letter "a. Winery Classifications" of Table A are marked with "(a)" and the changes that relates to "b. Kitchenettes" are marked with "(b)".

1 **(d, k)**

2 b. CLASS I EQUESTRIAN ESTABLISHMENT. An equestrian facility
3 where horses, donkeys, mules and ponies are kept, sheltered, trained,
4 nursed, or boarded. Additionally, such facility may provide on-site
5 activities such as, but not limited to, horse training, guided trail rides, riding
6 lessons, schooling shows and horse day camps. The limitation of the
7 number of animals allowed at a Class I Equestrian Establishment is the
8 same as the noncommercial keeping of animals standard in the Wine
Country-Equestrian Zone.

9 **(d, k)**

10 c. CLASS II EQUESTRIAN ESTABLISHMENT. An equestrian facility
11 where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed
12 or boarded. In addition to the conditionally permitted uses set forth in the
13 Wine Country-Equestrian Zone, a Class II Equestrian Establishment may
14 provide on-site activities such as but not limited to, horse training, guided
15 trail rides, riding lessons, schooling shows and horse day camps. A Class II
16 Equestrian Establishment may also conduct special equestrian events that
17 are appurtenant and incidental to the equestrian facility provided the facility
18 is located on a parcel one hundred (100) or more gross acres in size. The
19 number of animals allowed at a Class II Equestrian Establishment is the
20 same as the noncommercial keeping of animals standard in the Wine
Country-Equestrian Zone.

21 **(a, g)**

22 d. CLASS I WINERY. A winery with an established on-site vineyard that
23 only crushes, ferments, bottles and processes grapes into wine. Such
24 winery shall be located on a minimum gross parcel size of five (5) acres
25 within the WC-W, WC-WE, WC-E and WC-R zones and on a minimum
26 gross parcel size of twenty-five (25) acres when in conjunction with a
27 clustered subdivision in the WC-W and WC-R zones. No appurtenant or
28 incidental commercial uses are allowed with this winery.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(a)

e. CLASS II WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the tasting area only;
- (7) Delicatessen not to exceed 500 square feet in size

(c)

(o)

(a)

f. CLASS III WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the tasting area only;
- (7) Special occasion facility;
- (8) And one of the following: Bed and Breakfast Inn, delicatessen not to exceed 500 square feet or restaurant. Drive - thru restaurants shall not be permitted.

(c)

(o)

(a)

g. CLASS IV WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of fifteen (15) acres that is allowed

1 the following appurtenant and incidental commercial uses with an approved
2 permit:

- 3 (1) Wine tasting area;
4 (2) Wine club activity;
5 (3) Wine club event;
6 (4) Retail wine sales;
7 (5) Eight (8) Winegrowers Trade Association Events per year;
8 (6) Gift sales within the wine tasting area only
9 (7) Special occasion facility;
10 (8) And one of the following: Country-Inn, delicatessen not to exceed
11 500 square feet or restaurant. Drive-thru restaurants shall not be permitted.

(c)

(o)

(a)

12 h. CLASS V WINERY. A winery with an established on-site vineyard
13 located on a minimum gross parcel size of twenty (20) acres that is allowed
14 the following appurtenant and incidental commercial uses with an approved
15 permit:

- 16 (1) Wine tasting area;
17 (2) Wine club activity;
18 (3) Wine club event;
19 (4) Retail wine sales;
20 (5) Eight (8) Winegrowers Trade Association Events per year;
21 (6) Gift sales within the wine tasting area only;
22 (7) Special occasion facility;
23 (8) Bed and Breakfast Inn;
24 (9) Country Inn;
25 (10) Wine Country Hotel;
26 (11) Spa or professional culinary academy in conjunction with Wine
27 Country Hotel;
28

(c)

(o)

1 (12) Delicatessen not exceed to 1,500 square feet or restaurant. Drive-
2 thru restaurants shall not be permitted.

3 **(a)**

4 i. CLASS VI WINERY. A winery with an established on-site vineyard
5 located on a minimum gross parcel size of forty (40) acres that is allowed
6 the following appurtenant and incidental commercial uses with an approved
7 permit:

8 (1) Wine tasting area;

9 (2) Wine club activity;

10 **(c)**

11 (3) Wine club event;

12 **(o)**

13 (4) Retail wine sales;

14 (5) Eight (8) Winegrowers Trade Association Events per year

15 (6) Gift sales within the wine tasting area only;

16 (7) Special occasion facility;

17 (8) Wine Country Resort;

18 **(m)**

19 (9) Golf courses and daytime driving ranges in conjunction with Wine
20 Country Resorts;

21 (10) Spa or professional culinary academy in conjunction with Wine
22 Country Resorts; and

23 (11) Delicatessen not to exceed 1,500 square feet or restaurant. Drive-
24 thru restaurants shall not be permitted.

25 j. CLUSTERED SUBDIVISION. A development within the WC- W and
26 WC- R Zones in which the allowed number of dwelling units (density yield)
27 are placed in close proximity with the purpose of creating the largest
28 potential development envelope for vineyards.

(h)

k. COTTAGE INDUSTRY. A home-based occupation or service carried
on by a resident within the principle dwelling in return for compensation,
provided such use, occupation or service is incidental and secondary to the

1 principal use of the dwelling as a residence and is conducted in a manner
2 not to give an outward appearance or manifest any characteristics of a
3 business.

4 **(b)**

- 5 l. COTTAGE INN. A dwelling unit with five (5) or fewer guest rooms,
6 which provides lodging and breakfast for temporary overnight occupants in
7 return for compensation and is solely owned and operated by the property
8 owner. Cooking provisions, such as a stove, oven or grill, are prohibited in
the guest rooms, adjoining patios, balconies, and decks.

9 **(b)**

- 10 m. COUNTRY INN. A facility, which may be an extension of the main
11 dwelling unit, with 11 to 20 guest rooms that provides lodging and meals
12 for temporary overnight occupants in return for compensation. Cooking
13 provisions, such as a stove, oven or grill, are prohibited in the guest rooms,
adjoining patios, balconies, and decks.

14 **(d)**

- 15 n. EQUINE LAND. A fenced-in open area that is actively managed to
16 control weeds and used for, but not limited to, grazing of equine or other
17 livestock, equine holding areas, open corrals, exercise areas, riding area, or
18 equestrian racing rings. Only buildings or structures related to the care of
19 equine or other livestock shall be allowed in equine land, all other buildings
or structures shall be prohibited.

20 **(d)**

- 21 o. GUEST ROOM. A room without cooking facilities rented to transient
visitors for a period not to exceed 30 days.

22 **(d)**

- 23 p. GUEST SUITES. A series of attached rooms without cooking facilities
rented to transient visitors for a period not to exceed 30 days.

24 **(f)**

- 25 q. HABITABLE STORY. The portion of a building included between
26 the upper surface of a floor and the upper surface of the floor or roof next
27 above. It is measured as the vertical distance from top to top of two
28 successive tiers of beams or finished floor surfaces and, for the topmost

1 story, from the top of the floor finish to the top of the ceiling joists, or
2 where there is not a ceiling, to the top of the roof rafters. Further, the space
3 is designed for human occupancy and the space is equipped with means of
4 egress and light and ventilation facilities.

5 **(k)**

6 r. HORSE SHOW FACILITY. A facility that holds a maximum of one
7 hundred (100) people that provides a venue for judged equestrian exhibition
8 events, training events, competitive horse or equestrian sport activities.

9 s. INCIDENTAL COMMERCIAL USE. A commercial use that is directly
10 related and secondary to the principal agricultural or equestrian use located
11 on the same parcel or project site.

12 t. LODGING FACILITIES. Bed and Breakfast Inns, Country-Inns, Wine
13 Country Hotels and Wine Country Resorts.

14 **(d)**

15 u. NET PROJECT AREA. The portion of a site that can actually be built
16 upon. The following are not included in the net project area: public or
17 private road rights-of-way, riparian and riverine areas, conservation
18 easements, waterways, bodies of water and flood ways.

19 v. PRODUCTION LOT. A legal lot that is set-aside for planting vineyards
20 through a deed restriction or other conservation mechanism.

21 w. SET ASIDE AREA. An area that is restricted for the specific use of
22 planting vineyards or equine lands.

23 **(d)**

24 x. SPECIAL OCCASION FACILITY. An indoor or outdoor facility or area
25 which is used for special occasions such as weddings, parties, concerts,
26 conferences, charity events, and fundraiser events for a specific period of
27 time in return for compensation.

28 y. VINEYARD. A farm where grapevines are planted and cultivated for the
purpose of producing grape wine.

1 **(d)**

z. WINE CLUB ACTIVITY. A social occasion in which wine club members come to pick up their membership wine bottles, at which time they may engage in wine tasting and further purchase of wine and wine products. Attendance is limited to wine club members and their guests.

2
3
4
5 **(d)**

aa. WINE CLUB EVENT. A social occasion held by Class II, Class III, Class IV, Class V and Class VI wineries for wine club members and their guests.

6
7
8 **(b)**

bb. WINE COUNTRY HOTEL. A facility with more than 20 guest rooms or guest suites, which provides lodging and meals for temporary overnight occupants, in return for compensation. Cooking provisions, such as a stove, oven or grill, are prohibited in guest rooms, guest suites, adjoining patios, balconies, and decks.

9
10
11
12
13 **(b, m)**

cc. WINE COUNTRY RESORT. A facility that provides food and lodging to transient visitors in which the guest rooms or guest suites are within a conventional hotel building(s) or in detached units. Such facility may provide additional commercial and recreational uses such as spas, amphitheaters, conference rooms, golf-courses, daytime driving ranges and banquet-halls for the convenience of the wine country resort guests.

14
15
16
17
18
19 **(d)**

dd. WINE TASTING AREA. A permanent area associated with a winery where visitors taste wine.

20
21 **(d)**

ee. WINEGROWERS TRADE ASSOCIATION EVENT. A fundraising effort conducted by one or several member wineries of a local winegrowers trade association, including but not limited to, region-wide barrel tastings, where food and wine samplings are provided to participants.

22
23
24
25 ff. WINERY. An agricultural facility designed and used to crush, ferment, distill and process grapes into wine or wine related product.

26
27
28

1 SECTION 14.92. AUTHORIZED USES. WINE COUNTRY – WINERY (WC-W)
2 ZONE. The following provisions shall apply to the WC-W Zone:

3 a. ALLOWED USES. The following uses are allowed:

4
5 **(h)**

- 6 (1) One-family dwelling.
- 7 (2) Cottage Industry provided activities are limited to knitting, basket
8 making, sewing, quilting, pottery, scrap booking and cooking
9 classes or services; no more than one full-time employee engages in
10 cottage industry activities on site at any one time; no more than 10
11 customers visit the site at any given time; no customer lodging
12 occurs on site without an approved Cottage Inn, Bed and Breakfast
13 Inn or Country Inn.
- 14 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
15 herb gardening; orchards; apiaries; the drying, processing and
16 packing (other than canning) of fruits, nuts, vegetables and other
17 horticultural products where such drying, processing or packing is in
18 conjunction with an agricultural operation or an incidental
19 commercial use as defined in this ordinance.
- 20 (4) The systematic rotation of animals for grazing is allowed so long as
21 the total number of animals does not exceed the maximum allowed
22 pursuant to Section 14.92.a.(5) herein. Notwithstanding the
23 foregoing, there shall be no limit to the allowable number of sheep,
24 goats or cattle which may be temporarily grazed on any premises
25 when the grazing is for the purpose of cleaning up unharvested
26 crops, provided that such grazing is not conducted for more than
27 four weeks in any six month period and that the total number of
28 sheep, goats or cattle permanently kept on the premises does not
exceed the maximum allowed.

1 **(k)**

2 (5) The non-commercial keeping, raising or boarding of horses, cattle,
3 sheep and goats on lots 20,000 square feet or larger and 100 feet in
4 width, provided they are kept not less than 50 feet from any
5 dwelling units other than a dwelling unit located on the same lot.
6 The number of such animals is not to exceed five (5) animals per
7 gross acre of all the land available. The provisions of this section
8 apply to mature breeding stock, maintenance stock and similar farm
9 stock, and shall not apply to the offspring thereof, if such offspring
10 are being kept solely for sale, marketing or slaughtering prior to the
11 age of maturity. In all cases the allowable number of animals per
12 acre shall be rounded to the nearest whole number.

13 (6) Future Farmers of America or 4-H projects.

14 (7) Outside storage of materials, such as irrigation equipment and
15 farming machinery, is allowed as an accessory use with no limit
16 provided the materials are used in conjunction with a farm.
17 Otherwise, the outside storage of materials is allowed as an
18 accessory use on lots smaller than one-half acre provided the
19 amount is limited to 100 square feet with a maximum height of six
20 feet and is allowed as an accessory use on lots one-half acre or
21 larger provided the amount is limited to 200 square feet with a
22 maximum height of six feet.

23 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
24 following uses are permitted provided a plot plan has been approved
25 pursuant to Section 18.30 of this ordinance:

26 (1) In addition to the principal dwelling, an additional one family
27 dwelling may be permitted for each ten acres of a farm. Any such
28 additional dwelling shall be located on a lot being farmed and may

1 be occupied by the owner, operator or employee of the farming
2 operation as a one family dwelling provided that:

- 3 a) The dwelling is not rented or offered for lease.
- 4 b) The dwelling is located not less than 50 feet from any lot
5 line.
- 6 c) The dwelling is screened from view from the front lot line by
7 shrubs or trees.
- 8 d) The arrangement of the dwelling, sanitary facilities and
9 utilities conforms with all requirements of law including
10 requirements of the County Public Health Department and
11 the County Building and Safety Department.
- 12 e) The total number of such additional dwellings for any farm
13 shall not exceed four.

14 (2) A temporary stand for the display and sale of agricultural products
15 of any authorized use that are produced on the lot where such stand
16 is located or are produced on contiguous lots owned or leased by the
17 owner or occupant of the premises. The temporary stand shall be
18 operated by the producer of the agricultural products. The duration
19 of sales from the temporary stand shall not exceed a period of three
20 continuous months or a total of six months during any calendar year.
21 The stand shall not exceed 300 square feet and shall not include any
22 permanent building or structure. Off-street parking shall be
23 provided as required in Section 18.12 of Ordinance No. 348, except
24 that no paving shall be required.

25 **(1)**

26 (3) Cottage Inn provided the use is conducted within a one family
27 dwelling unit, is secondary to the principal use of the one family
28

1 dwelling as a residence and employs no more than two persons who
2 are not residents of the one family dwelling.

3 **(a)**

(4) Class I, II and V winery.

4 c. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE
5 PERMIT. The following uses are permitted provided a conditional use
6 permit has been approved pursuant to Section 18.28 of this ordinance:

7 (1) Farm labor camp.

8 **(a)**

(2) Class VI winery.

9 d. Wine Country Clustered subdivision that complies with Ordinance No. 460
10 and the development standards set forth in the WC-W zone.

11 SECTION 14.93. DEVELOPMENT STANDARDS.

12 a. General Standards. The following development standards shall apply to all
13 uses and development in the WC-W Zone, except for residential tract and
14 parcel maps tentatively approved prior to the effective date of Ordinance No.
15 348.4729. Such maps shall comply with the development standards of their
16 previous zoning classifications in Ordinance No. 348.

17 (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the
18 minimum lot size shall be 20 gross acres. On flag lots, the minimum lot
19 size shall be determined by excluding that portion of a lot that is used
20 solely for access to the portion of a lot used as a building site.

21 (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions,
22 lots shall have a minimum average width of two hundred feet (200').

23 (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the
24 minimum average lot depth shall be two hundred feet (200').

25 **(e)**

(4) SETBACKS. The following setback requirements shall apply.

26 a. The minimum front setback for buildings and structures shall
27 be fifty feet (50') from the property line.
28

1
2
3
4
5 **(e)**
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26 **(e)**
27
28

- b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
- c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
- d. The minimum road right of way setback for buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
- e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').
- f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one

1 hundred feet (100'), except when the site is located next to
2 Rancho California Road, Monte De Oro Road, Anza Road,
3 Glen Oaks Road, Pauba Road, De Portola Road, Buck Road,
4 Borel Road, Butterfield Stage Road, Calle Contento Road,
5 Camino Del Vino Road, and Highway 79 South where the
6 minimum setback requirement shall be three hundred feet
7 (300').

8 **(e)**

- 9 g. The minimum road right of way setback for all winery
10 buildings and structures shall be fifty feet (50'), except when
11 the site is located next to Rancho California Road, Monte De
12 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
13 Portola Road, Buck Road, Borel Road, Butterfield Stage
14 Road, Calle Contento Road, Camino Del Vino Road, and
15 Highway 79 South where the minimum setback requirement
shall be one hundred feet (100').

16 **(f)**

- 17 (5) HABITABLE STORIES. The number of habitable stories above a
18 building's lowest above ground finished floor shall not exceed two
(2).

19 **(f)**

- 20 (6) HEIGHT.
21 a. The maximum height for a building shall not exceed thirty
22 feet (30'), except where the project design incorporates
23 terraced lots, then the maximum height of the building shall
24 not exceed forty feet (40') when measured from the lowest
25 finished graded pad. Architectural elements such as spires,
26 minarets, chimneys or similar structures may exceed the
27 prescribed height limits where such structures do not provide
28 additional floor space.

1 b. The maximum height for a structure shall not exceed fifty
2 feet (50'), unless a greater height is approved pursuant to
3 Section 18.34 of this ordinance. In no event, however, shall a
4 structure exceed seventy-five feet (75') in height, unless a
5 variance is approved pursuant to Section 18.27 of this
6 ordinance.

7 (7) Site layouts and building designs shall minimize noise impacts on
8 surrounding properties and comply with Ordinance No. 847.

9 (8) Drainage channels shall be constructed to avoid undermining or
10 eroding the roadbed.

11 (9) Curbs, gutters and streetlights shall be constructed in accordance
12 with Temecula Valley Wine Country Design Guidelines.

13 (10) Site layout and design shall be consistent with existing and planned
14 recreational trails and bike paths set forth in the Riverside County
15 General Plan and the Temecula Valley Wine Country Design
16 Guidelines.

17 (11) All utilities shall be installed underground except electrical lines
18 rated at 33kV or greater which may be installed above ground.

19 (12) All exterior lighting shall comply with applicable requirements of
20 Ordinance Nos. 655 and 915.

21 (13) All exterior lighting, including spotlights, floodlights, electric
22 reflectors and other means of illumination for signs, structures,
23 landscaping, parking, loading, unloading and similar areas, shall be
24 focused, directed, and arranged to prevent glare and direct
25 illumination of streets or adjoining properties.
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(14) On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

(15) All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

b. Wine Country Clustered Subdivision Development Standards

In addition to the General Standards, the following standards shall apply to wine country clustered subdivisions in the WC-W Zone:

(1) Site layout and design shall be consistent with the Temecula Valley Wine Country Design Guidelines to maximize unique site characteristics including, but not limited to, the natural topography, scenic vistas, soil quality and drainage patterns.

(2) The minimum residential lot size shall be one (1) gross acre.

(3) Prior to tentative approval of an applicable subdivision map, at least seventy five percent (75%) of net project area shall be set-aside for planting vineyards through production lots or deed restriction.

(4) Fifty percent (50%) of the set-aside area shall be planted prior to issuance of the building permit for the first dwelling unit and the remaining twenty five percent (25%) prior to final inspection for the first dwelling unit.

(5) A wine country clustered subdivision consisting of forty (40) gross acres or more shall provide at least one (1) production lot.

(a, g)

(6) A wine country clustered subdivision that includes a production lot of at least 25 gross acres may have a Class I winery.

- (7) Set-aside areas shall be maintained for production of grapes in perpetuity by any of the following: property owner's association, home owner's association or County Service Area.
- (8) On-site improvements for clustered lots including, but not limited to, roads, signage, parking, street furniture and exterior lighting shall be consistent with the Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
- (9) On-site improvements for production lots and deed restricted areas including, but not limited to, lighting, ingress and egress shall be limited to improvements necessary to maintain the production lots and deed restricted areas.
- (10) Wine Country Clustered Subdivisions shall include an established on-site vineyard and comply with Ordinance No. 460.

c. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-W zone:

- (1) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (2) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (3) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside

1
2
3 **(n)**
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

County General Plan and the Temecula Valley Wine Country Design Guidelines.

- (4) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (5) All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.
- (6) Outside storage areas and the material therein shall be screened with structures or landscaping.
- (7) All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

d. Lodging Facility Standards. In addition to the General Standards, the following standards shall apply to all lodging facilities in the WC-W zone:

- (1) A maximum of two (2) guest rooms or guest suites per gross acre shall be permitted for a lodging facility.
- (2) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (3) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (4) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside

1 County General Plan and the Temecula Valley Wine Country
2 Design Guidelines.

3 (5) Outside storage areas and the material therein shall be screened with
4 structures or landscaping.

5 (6) All roof mounted mechanical equipment shall be screened from the
6 ground elevation view to a minimum sight distance of thirteen
7 hundred twenty feet (1,320').

8 e. Winery Standards. In addition to the General Standards, the following
9 standards shall apply to all wineries in the WC-W zone:

10 (1) A total of seventy-five percent (75%) of the net project area shall be
11 planted in vineyards prior to issuance of certificate of occupancy or
12 final inspection, whichever occurs first. Fifty percent (50%) of the
13 vineyard requirement shall be planted prior to issuance of building
14 permit for the winery.

15 (j)

16 (2) To achieve the seventy-five (75%) percent requirement, fifteen
17 percent (15%) of the net project area may include the planting of
18 olive trees and the remaining sixty percent (60%) of the net project
19 area shall be planted in vineyards.

20 (3) The seventy-five (75%) planting requirement shall not include water
21 features, natural or manmade lakes or the planting of grapevines in
22 parking lots, but may include planting in the road right of way as
23 may be approved by the Director of Transportation or his designee.

24 (j)

25 (4) Vineyards used to meet the above planting requirement shall have a
26 minimum average density of 450 vines per acre. Olive trees used to
27 meet the above planting requirement shall have a minimum average
28 density of 100 olive trees per acre.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(n)

- (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.

(i)

- (8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: 75% shall be grown in Riverside County, except when the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.

(i)

- (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine shall be produced on the winery's premises.

(a)

- (10) A Class I Winery shall be less than 1,501 square feet in size.

(a)

- (11) A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commission.

(a)

- (12) A Class V Winery shall be at least three thousand (3,000) square feet and shall produce at least seven thousand (7,000) gallons of wine annually as determined by the County Agricultural Commissioner.

(a)

- (13) A Class VI Winery shall be at least six thousand (6,000) square feet and shall produce at least fourteen thousand (14,000) gallons of

wine annually as determined by the County Agricultural Commissioner.

(14) Prior to the issuance of a building permit for any incidental commercial use, the winery shall be constructed.

(15) Prior to the issuance of a certificate of occupancy for any incidental commercial use, the winery shall be operational.

(16) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

(17) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

(18) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.

(19) Outside storage areas shall be screened from view by structures or landscaping.

(18) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

SECTION 14.94. AUTHORIZED USES. WINE COUNTRY – WINERY EXISTING (WC-WE) ZONE.

a. ALLOWED USES for the twenty-nine (29) existing wineries as set forth in Figure 4a of the Wine Country Policy Area attached hereto:

(1) One-family dwelling.

1 **(h)**

2 (2) Cottage Industry provided activities are limited to knitting, basket
3 making, sewing, quilting, pottery, scrap booking and cooking
4 classes or services; no more than one full-time employee engages in
5 cottage industry activities on site at any one time; no more than 10
6 customers visit the site at any given time; no customer lodging
7 occurs on site without an approved Cottage Inn, Bed and Breakfast
8 Inn or Country Inn.

9 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
10 herb gardening; orchards; apiaries; the drying, processing and
11 packing (other than canning) of fruits, nuts, vegetables and other
12 horticultural products where such drying, processing or packing is in
13 conjunction with an agricultural operation or an incidental
14 commercial use as defined in this ordinance.

15 (4) The systematic rotation of animals for grazing is allowed so long as the
16 total number of animals does not exceed the maximum allowed
17 pursuant to Section 14.94.a.(5) herein. Notwithstanding the foregoing,
18 there shall be no limit to the allowable number of sheep, goats or cattle
19 which may be temporarily grazed on any premises when the grazing is
20 for the purpose of cleaning up unharvested crops, provided that such
21 grazing is not conducted for more than four weeks in any six month
22 period and that the total number of sheep, goats or cattle permanently
23 kept on the premises does not exceed the maximum allowed.

24 **(k)**

25 (5) The non-commercial keeping, raising or boarding of horses, cattle,
26 sheep, and goats on lots 20,000 square feet or larger and 100 feet in
27 width, provided they are kept not less than 50 feet from any
28 dwelling units other than a dwelling unit located on the same lot.
The number of such animals is not to exceed five (5) animals per

1 gross acre of all the land available. The provisions of this subsection
2 apply to mature breeding stock, maintenance stock and similar farm
3 stock, and shall not apply to the offspring thereof, if such offspring
4 are being kept solely for sale, marketing or slaughtering prior to the
5 age of maturity. In all cases the allowable number of animals per
6 acre shall be rounded to the nearest whole number.

7 (6) Future Farmers of America or 4-H projects.

8 (7) Outside storage of materials, such as irrigation equipment and
9 farming machinery, is allowed as an accessory use with no limit
10 provided the materials are used in conjunction with a farm.
11 Otherwise, the outside storage of materials is allowed as an
12 accessory use on lots smaller than one-half acre provided the
13 amount is limited to 100 square feet with a maximum height of six
14 feet and is allowed as an accessory use on lots one-half acre or
15 larger provided the amount is limited to 200 square feet with a
16 maximum height of six feet.

17 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
18 following uses are permitted provided a plot plan has first been approved
19 pursuant to Section 18.30 of this ordinance.

20 (1) In addition to the principal dwelling, an additional one family
21 dwelling may be permitted for each ten acres of a farm. Any such
22 additional dwelling shall be located on a lot being farmed and may
23 be occupied by the owner, operator or employee of the farming
24 operation as a one family dwelling provided that:

25 a. The dwelling is not rented or offered for lease.

26 b. The dwelling is located not less than 50 feet from any lot
27 line.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- c. The dwelling is screened from view from the front lot line by shrubs or trees.
- d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.
- e. The total number of such additional dwellings for any farm shall not exceed four.

(2) A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

(1)

(3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.

(4) The following appurtenant and limited incidental commercial uses, only in conjunction with an established on-site vineyard and a minimum parcel size of five (5) gross acres:

- a. Bed and Breakfast Inn;

(a)

b. Spa and cooking school only in conjunction with a Bed and Breakfast Inn.

(5) The following appurtenant and limited incidental commercial uses, only in conjunction with an established on-site vineyard and a minimum parcel size of ten (10) gross acres:

a. Special Occasion Facility or Country Inn;

b. Spa and cooking school in conjunction with a Country Inn

(6) Class I, II, III and IV winery.

c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.** The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28 of this ordinance:

(1) Farm Labor Camp

SECTION 14.95. DEVELOPMENT STANDARDS.

a. **General Standards.** The following standards shall apply to all uses and development in the WC-WE Zone, except for residential tract and parcel maps tentatively approved prior to the effective date of Ordinance No. 348.4729. Such maps shall comply with the development standards of their previous zoning classifications in Ordinance No. 348:

(1) **LOT SIZE,** The minimum lot size shall be 20 gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.

(2) **LOT WIDTH.** Lots shall have a minimum average width of two hundred feet (200').

(3) **LOT DEPTH.** The minimum average lot depth shall be 100 feet.

(4) **SETBACKS.** The following setback requirements shall apply.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(e)

- a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.
- b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
- c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
- d. The minimum road right of way setback for buildings and structures shall be fifty feet (50') from the road right of way, except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback requirement shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
- e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del

Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(e)

f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').

(e)

g. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(f)

(5) HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

(f)

(6) HEIGHT.

a. The maximum height for a building shall not exceed thirty feet (30'), except where the project design incorporates terraced lots then the maximum height of the building shall not exceed forty feet (40') when measured from the lowest

1 finished graded pad. Architectural elements such as spires,
2 minarets, chimneys or similar structures may exceed the
3 prescribed height limits where such structures do not provide
4 additional floor space.

5 b. The maximum height for a structure shall not exceed fifty
6 feet (50'), unless a greater height is approved pursuant to
7 Section 18.34 of this ordinance. In no event, however, shall a
8 structure exceed seventy-five (75') in height, unless a
9 variance is approved pursuant to Section 18.27 of this
10 ordinance.

11 (7) Site layouts and building designs shall minimize noise impacts on
12 surrounding properties and comply with Ordinance No. 847.

13 (8) Drainage channels shall be constructed to avoid undermining or
14 eroding the roadbed.

15 (9) Curbs, gutters and streetlights shall be constructed in accordance
16 with Temecula Valley Wine Country Design Guidelines.

17 (10) Site layout and design shall be consistent with existing and planned
18 recreational trails and bike paths set forth in the General Plan and
19 the Temecula Valley Wine Country Design Guidelines.

20 (11) All utilities shall be installed underground except electrical lines
21 rated at 33kV or greater which may be installed above ground.

22 (12) All exterior lighting shall comply with applicable requirements of
23 Ordinance Nos. 655 and 915.

24 (13) All exterior lighting, including spotlights, floodlights, electric
25 reflectors and other means of illumination for signs, structures,
26 landscaping, parking, loading, unloading and similar areas, shall be

1 focused, directed, and arranged to prevent glare and direct
2 illumination of streets or adjoining property.

3 (14) On-site advertising signs shall be consistent with Temecula Valley
4 Wine Country Design Guidelines and comply with all applicable
5 County signage requirements.

6 (15) All residential developments shall record a Right-to-Farm covenant,
7 pursuant to Ordinance No. 625 to protect the vineyard uses from
8 residential encroachment and conflicting land uses.

9 b. Special Occasion Facility Standards. In addition to the General Standards,
10 the following standards shall apply to all special occasion facilities in the
11 WC-WE zone:

12 (1) Buildings and structures shall be designed in a rural, equestrian or
13 wine country theme consistent with the Temecula Valley Wine
14 Country Design Guidelines.

15 (2) Loading, trash, and service areas shall be screened by structures or
16 landscaping and shall be located and designed in such a manner as
17 to minimize noise and odor impacts to adjacent properties.

18 (3) Automobile parking spaces shall comply with Section 18.12 of
19 Ordinance No. 348 and shall be consistent with the rural standards
20 of Temecula Valley Wine Country Policy Area of the Riverside
21 County General Plan and the Temecula Valley Wine Country
22 Design Guidelines.

23 **(n)**

24 (4) No amplified sound shall be permitted, except when an exception to
25 Ordinance No. 847 has been applied for and approved.

26 (5) All special occasion facilities shall conduct a noise study or an
27 acoustical analysis if an outdoor facility is proposed. Based on such
28 study or analysis, the Planning Director may require as a condition

1 of approval that the project applicant enter into a good neighbor
2 agreement with the surrounding neighbors.

3 (6) Outside storage areas and the material therein shall be screened with
4 structures or landscaping.

5 (7) All roof mounted mechanical equipment shall be screened from the
6 ground elevation view to minimum sight distance of thirteen
7 hundred twenty feet (1,320').

8 c. Lodging Facility Standards. In addition to the General Standards, the
9 following standards shall apply to all lodging facilities in the WC-WE zone:

10 (1) A maximum of two (2) guest rooms or guest suites per gross acre
11 shall be permitted for a lodging facility.

12 (2) Buildings and structures shall be designed in a rural, equestrian or
13 wine country theme consistent with the Temecula Valley Wine
14 Country Design Guidelines.

15 (3) Loading, trash, and service areas shall be screened by structures or
16 landscaping and shall be located and designed in such a manner as
17 to minimize noise and odor impacts to adjacent properties.

18 (4) Automobile parking spaces shall comply with Section 18.12 of
19 Ordinance No. 348 and shall be consistent with the rural standards
20 of the Temecula Valley Wine Country Policy Area of the Riverside
21 County General Plan and the Temecula Valley Wine Country
22 Design Guidelines.

23 (5) Outside storage areas and the material therein shall be screened with
24 structures or landscaping.

25 (6) All roof mounted mechanical equipment shall be screened from the
26 ground elevation view to a minimum sight distance of thirteen
27 hundred twenty feet (1,320').
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

d. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-WE zone:

(j)

(1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.

(2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.

(3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.

(j)

(4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.

(5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

(n)

(6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.

(7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.

1 **(i)**

(8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except when the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.

8 **(i)**

(9) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.

10 **(a)**

(10) A Class I Winery shall be less than 1,501 square feet in size.

11 **(a)**

(11) Class II, III and IV Wineries shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.

(12) Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

(13) Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

(14) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

(15) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

- 1 (16) Loading, trash, and service areas shall be screened by structures or
2 landscaping and shall be located and designed in such a manner as
3 to minimize noise and odor impacts to adjacent properties.
4 (17) Outside storage areas shall be screened from view by structures or
5 landscaping.
6 (18) All roof mounted mechanical equipment shall be screened from the
7 ground elevation view to a minimum sight distance of thirteen
8 hundred twenty feet (1,320').

9 SECTION 14.96. AUTHORIZED USES. WINE COUNTRY – EQUESTRIAN (WC-E)
10 ZONE.

11 a. ALLOWED USES. The following uses are allowed:

12
13 **(h)**

- 14 (1) One-family dwelling.
15 (2) Cottage Industry provided activities are limited to knitting, basket
16 making, sewing, quilting, pottery, scrap booking and cooking
17 classes or services; no more than one full-time employee engages in
18 cottage industry activities on site at any one time; no more than 10
19 customers visit the site at any given time; no customer lodging
20 occurs on site without an approved Cottage Inn, Bed and Breakfast
21 Inn or Country Inn.

22
23 **(k)**

- 24 (3) Class I Equestrian Establishment provided the facility's average
25 daily visitor trips do not exceed one hundred (100) per day.
26 (4) Vineyards, equine lands, nurseries (wholesale only), greenhouses,
27 orchards, aviaries, apiaries, field crops, tree crops, berry and bush
28 crops, vegetable, flower and herb gardening on a commercial scale. The
drying, packing (other than canning), freezing and other accepted
methods of processing the produce resulting from such allowed uses,
when such processing is primarily in conjunction with a farming

1 operation and further provided that the permanent buildings and
2 structures used in conjunction with such processing operations are set
3 back a minimum of fifty feet (50') from any lot line.

4 **(k)**

5 (5) The noncommercial keeping or raising of not more than 12 mature
6 female crowing fowl on lots from 20,000 square feet to 40,000 square
7 feet. The noncommercial keeping or raising of not more than 50 mature
8 female crowing fowl and ten mature male crowing fowl on lots 40,000
9 square feet or larger

10 (6) The noncommercial keeping or raising of cattle, horses, sheep, goats
11 including the grazing and supplementary feeding of such animals,
12 provided they are kept, fed and maintained a minimum of 50 feet from
13 any property line. The maximum number of animals allowed, except
14 for sheep and goats, shall be five (5) per acre of the total area of the
15 premises. The maximum number of sheep or goats shall be 15 per acre
16 of the total area of the premises. The provisions of this subsection apply
17 to mature breeding stock, maintenance stock and similar farm stock,
18 and shall not apply to the offspring thereof, if such offspring are being
19 kept solely for sale, marketing or slaughtering prior to the age of
20 maturity. In all cases the allowable number of animals per acre shall be
21 rounded to the nearest whole number.

22 (7) The systematic rotation of animals for grazing is allowed so long as the
23 total number of animals does not exceed the maximum allowed
24 pursuant to Section 14.96.a.(6) herein. Notwithstanding the foregoing,
25 there shall be no limit to the allowable number of sheep which may be
26 temporarily grazed on any premises when the grazing is for the purpose
27 of cleaning up unharvested crops, provided that such grazing is not
28 conducted for more than four weeks in any six month period and that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(k)

the total number of sheep permanently kept on the premises does not exceed the maximum allowed.

(8) Poultry (excluding crowing fowl) and rabbits for the use of the occupants of the premises only. All poultry and rabbits shall be kept in an enclosed area located not less than 50 feet from any lot line.

(k)

(9) On lots 20,000 square feet or larger, the noncommercial keeping, raising or breeding of guinea pigs, parakeets, chinchillas, or other similar small fowl or animals (excluding crowing fowl and mink), provided that all such uses are kept and maintained in an enclosed area located not less than 50 feet from any lot line.

(k)

(10) On lots of not less than 20,000 square feet or larger, the noncommercial keeping or raising of not more than two (2) miniature pigs.

(11) Farms or facilities for the selective or experimental breeding and raising of horses, cattle, sheep, and goats subject to the limitations set forth in subsection a.(6) herein.

(12) Future Farmers of America or 4-H projects.

(13) Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

1 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. The
2 following uses are permitted provided a plot plan has first been approved
3 pursuant to Section 18.30 of this ordinance.

4 (1) In addition to the principal dwelling, an additional one family
5 dwelling may be permitted for each ten acres of a farm. Any such
6 additional dwelling shall be located on a lot being farmed and may
7 be occupied by the owner, operator or employee of the farming
8 operation as a one family dwelling provided that:

- 9 a) The dwelling is not rented or offered for lease.
10 b) The dwelling is located not less than 50 feet from any lot
11 line.
12 c) The dwelling is screened from view from the front lot line by
13 shrubs or trees.
14 d) The arrangement of the dwelling, sanitary facilities and
15 utilities conforms with all requirements of law including
16 requirements of the County Public Health Department and
17 the County Building and Safety Department.
18 e) The total number of such additional dwellings for any farm
19 shall not exceed four.

20 (2) A temporary stand for the display and sale of agricultural products
21 of any authorized use that are produced on the lot where such stand
22 is located or are produced on contiguous lots owned or leased by the
23 owner or occupant of the premises. The temporary stand shall be
24 operated by the producer of the agricultural products. The duration
25 of sales from the temporary stand shall not exceed a period of three
26 continuous months or a total of six months during any calendar year.
27 The stand shall not exceed 300 square feet and shall not include any
28

1 permanent building or structure. Off-street parking shall be
2 provided as required in section 18.12 of Ordinance No. 348, except
3 that no paving shall be required.

4 **(l)**

- (3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.

8 **(a)**

- (4) Class I, II winery

9 **(k)**

- (5) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of ten (10) gross acres:

- a. Petting Zoo;
- b. Polo-grounds;
- c. Horse show facility

16 **(k)**

- (6) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of twenty (20) gross acres:

- a. Petting Zoo;
- b. Polo-grounds;
- c. Horse show facility;
- d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop; and
- e. Delicatessen or restaurant; drive thru restaurants shall not be permitted.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(k)

(k)

c. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT. The following uses are permitted provided that a conditional use permit has first been approved pursuant to Section 18.28 of this ordinance.

- (1) Farm labor camp.
- (2) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of fifty (50) gross acres:

- a. Petting Zoo;
- b. Polo-grounds;
- c. Horse show facility;
- d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;
- e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;
- f. Horse racing track or rodeo arena;
- g. Animal hospital that provides temporary boarding facilities for the purposes of boarding sick or injured animals.

- (3) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of hundred (100) gross acres:

- a. Petting Zoo;
- b. Polo-grounds;
- c. Horse show facility;

- d. Equine equipment, service and supply store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;
- e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;
- f. Horse racing track or rodeo arena;
- g. Animal hospital that provides temporary boarding facilities for the purposes of boarding sick or injured animals;
- h. Special Occasion Facility

SECTION 14.97. DEVELOPMENT STANDARDS.

a. General Standards. The following standards shall apply to all uses and development in the WC-E Zone:

- (1) LOT SIZE. The minimum lot size shall be 10 gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.
- (2) LOT WIDTH. Lots shall have a minimum average width of two hundred feet (200').
- (3) LOT DEPTH. The minimum average lot depth shall be 100 feet.
- (4) SETBACKS. The following setback requirements shall apply.
 - a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.
 - b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
 - c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

1 (e)
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22 (e)
23
24
25
26
27
28

d. The minimum road right of way setback for buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road,

1 Camino Del Vino Road, and Highway 79 South where the
2 minimum setback requirement shall be three hundred feet
3 (300').

4 **(e)**

- 5 g. The minimum road right of way setback for all winery
6 buildings and structures shall be fifty feet (50'), except when
7 the site is located next to Rancho California Road, Monte De
8 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
9 Portola Road, Buck Road, Borel Road, Butterfield Stage
10 Road, Calle Contento Road, Camino Del Vino Road, and
11 Highway 79 South where the minimum setback requirement
12 shall be one hundred feet (100').

13 **(f)**

- 14 (5) HABITABLE STORIES. The number of habitable stories above a
15 building's lowest above ground finished floor shall not exceed two
16 (2).

17 **(f)**

- 18 (6) HEIGHT.

- 19 a. The maximum height for a building shall not exceed thirty
20 feet (30'), except where the project design incorporates
21 terraced lots, then the maximum height of a building shall
22 not exceed forty feet (40') when measured from the lowest
23 finished graded pad. Architectural elements such as spires,
24 minarets, chimneys or similar structures may exceed the
25 prescribed height limits where such structures do not provide
26 additional floor space
27 b. The maximum height for a structure shall exceed fifty feet
28 (50') in height, unless a greater height is approved pursuant
to Section 18.34 of this ordinance. In no event, however,
shall a structure exceed seventy-five (75') feet in height.

1 unless a variance is approved pursuant to Section 18.27 of
2 this ordinance.

3 (7) Site layouts and building designs shall minimize noise impacts on
4 surrounding properties and comply with Ordinance No. 847.

5 (8) Drainage channels shall be constructed to avoid undermining or
6 eroding the roadbed.

7 (9) Site layout and design shall be consistent with existing and planned
8 recreational trails and bike paths set forth in the General Plan and
9 the Temecula Valley Wine Country Design Guidelines.

10 (10) All utilities shall be installed underground except electrical lines
11 rated at 33kV or greater which may be installed above ground.

12 (11) All exterior lighting shall comply with applicable requirements of
13 Ordinance Nos. 655 and 915.

14 (12) All exterior lighting, including spotlights, floodlights, electric
15 reflectors and other means of illumination for signs, structures,
16 landscaping, parking, loading, unloading and similar areas, shall be
17 focused, directed, and arranged to prevent glare and direct
18 illumination of streets or adjoining property.

19 (13) On-site advertising signs shall be consistent with Temecula Valley
20 Wine Country Design Guidelines and comply with all applicable
21 County signage requirements.

22 (14) All residential developments shall record a Right-to-Farm covenant,
23 pursuant to Ordinance No. 625 to protect the vineyard and equine
24 uses from residential encroachment and conflicting land uses.

25 b. Special Occasion Facility Standards. In addition to the General Standards,
26 the following standards shall apply to all special occasion facilities in the
27 WC-E zone:
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(n)

- (1) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (2) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (3) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
- (4) No amplified sound shall be permitted outdoors, except for the following:
 - a. Polo grounds;
 - b. Horse racing track;
 - c. Rodeo arena; or
 - d. An Exception to Ordinance No. 847 has been applied for and approved
- (5) All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.
- (6) Outside storage areas and the material therein shall be screened with structures or landscaping.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(k)

(7) All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

c. Class II Equestrian Establishment Standards. In addition to the General Standards, the following standards shall apply to all Class II Equestrian Establishments in the WC-E zone:

(1) At least seventy-five percent (75%) of the net project area shall be set-aside for permanent equine lands prior to issuance of certificate of occupancy or final inspection for the Class II Equestrian Establishment, whichever occurs first.

(2) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines and in a manner that provides a sanitary and healthful environment for the horses.

(3) Automobile parking spaces shall comply with Section 18.12 of this ordinance and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

(4) Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.

(5) Manure disposal shall be managed to discourage breeding grounds for flies and pests.

(6) If on-site composting can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from any property line.

1 d. Winery Standards. In addition to the General Standards, the following
2 standards shall apply to all wineries in the WC-E zone:

3 (1) A total of seventy-five percent (75%) of the net project area shall be
4 planted in vineyards prior to issuance of certificate of occupancy or
5 final inspection, whichever occurs first. Fifty percent (50%) of the
6 vineyard requirement shall be planted prior to issuance of building
7 permit for the winery.

8 **(j)**

9 (2) To achieve the seventy-five (75%) percent requirement, fifteen
10 percent (15%) of the net project area may include the planting of
11 olive trees and the remaining sixty percent (60%) of the net project
12 area shall be planted in vineyards.

13 (3) The seventy-five (75%) planting requirement shall not include water
14 features, natural or manmade lakes or the planting of grapevines in
15 parking lots, but may include planting in the road right of way as
16 may be approved by the Director of Transportation or his designee.

17 **(j)**

18 (4) Vineyards used to meet the above planting requirement shall have a
19 minimum average density of 450 vines per acre. Olive trees used to
20 meet the above planting requirement shall have a minimum average
21 density of 100 olive trees per acre.

22 (5) The seventy-five (75%) planting requirement shall be maintained for
23 the life of the permit.

24 **(n)**

25 (6) No amplified sound shall be permitted outdoors, unless an exception
26 to Ordinance No. 847 has been applied for and approved.

27 (7) Prior to obtaining a Certificate of Occupancy, a winery operator
28 shall obtain all applicable permits or licenses required by the
California Department of Beverage Control.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(i)

(7) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except when the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.

(i)

(8) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.

(a)

(9) A Class I Winery shall be less than 1,501 square feet in size.

(a)

(10) A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.

(10) Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

(11) Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

(12) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

(13) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

- 1 (14) Loading, trash, and service areas shall be screened by structures or
2 landscaping and shall be located and designed in such a manner as
3 to minimize noise and odor impacts to adjacent properties.
4 (15) Outside storage areas shall be screened from view by structures or
5 landscaping.
6 (16) All roof mounted mechanical equipment shall be screened from the
7 ground elevation view to a minimum sight distance of thirteen
8 hundred twenty feet (1,320').

9 SECTION 14.98. AUTHORIZED USES. WINE COUNTRY – RESIDENTIAL (WC-R)
10 ZONE.

11 a. ALLOWED USES. The following uses are allowed:

12
13 **(h)**

- 14 (1) One-family dwelling.
15 (2) Cottage Industry provided activities are limited to knitting, basket
16 making, sewing, quilting, pottery, scrap booking and cooking
17 classes or services; no more than one full-time employee engages in
18 cottage industry activities on site at any one time; no more than 10
19 customers visit the site at any given time; no customer lodging
20 occurs on site without an approved Cottage Inn, Bed and Breakfast
21 Inn or Country Inn.
22 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
23 herb gardening; orchards; apiaries; the drying, processing and
24 packing (other than canning) of fruits, nuts, vegetables and other
25 horticultural products where such drying, processing or packing in
26 conjunction with an agricultural operation or an incidental
27 commercial use as defined in this ordinance.
28 (4) The systematic rotation of animals for grazing is allowed so long as the
total number of animals does not exceed the maximum allowed

1 pursuant to Section 14.98.a.(5) herein. Notwithstanding the foregoing,
2 there shall be no limit to the allowable number of sheep, goats or cattle
3 which may be temporarily grazed on any premises when the grazing is
4 for the purpose of cleaning up unharvested crops, provided that such
5 grazing is not conducted for more than four weeks in any six month
6 period and that the total number of sheep, goats or cattle permanently
7 kept on the premises does not exceed the maximum allowed.

8 (5) The noncommercial keeping, raising or boarding of horses, cattle,
9 sheep, and goats on lots 20,000 square feet or larger and 100 feet in
10 width, provided they are kept not less than 50 feet from any
11 dwelling unit other than a dwelling unit located on the same lot. The
12 number of such animals is not to exceed five (5) animals per gross
13 acre of all the land available. The provisions of this subsection apply
14 to mature breeding stock, maintenance stock and similar farm stock,
15 and shall not apply to the offspring thereof, if such offspring are being
16 kept solely for sale, marketing or slaughtering prior to the age of
17 maturity. In all cases the allowable number of animals per acre shall be
18 rounded to the nearest whole number.

19 (6) Farms or establishments for the selective or experimental breeding
20 and raising of horses, cattle, sheep, and goats subject to the
21 limitations set forth in section a.(5) herein.

22 (7) Future Farmers of America or 4-H projects.

23 (8) Outside storage of materials, such as irrigation equipment and
24 farming machinery, is allowed as an accessory use with no limit
25 provided the materials are used in conjunction with a farm.
26 Otherwise, the outside storage of materials is allowed as an
27 accessory use on lots smaller than one-half acre provided the
28

1 amount is limited to 100 square feet with a maximum height of six
2 feet and is allowed as an accessory use on lots one-half acre or
3 larger provided the amount is limited to 200 square feet with a
4 maximum height of six feet.

5 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
6 following uses are permitted provided a plot plan has first been approved
7 pursuant to Section 18.30 of this ordinance.

8 (1) In addition to the principal dwelling, an additional one family
9 dwelling may be permitted for each ten acres of a farm. Any such
10 additional dwelling shall be located on a lot being farmed and may
11 be occupied by the owner, operator or employee of the farming
12 operation as a one family dwelling provided that:

- 13 a) The dwelling is not rented or offered for lease.
- 14 b) The dwelling is located not less than 50 feet from any lot
15 line.
- 16 c) The dwelling is screened from view from the front lot line by
17 shrubs or trees.
- 18 d) The arrangement of the dwelling, sanitary facilities and
19 utilities conforms with all requirements of law including
20 requirements of the County Public Health Department and
21 the County Building and Safety Department.
- 22 e) The total number of such additional dwellings for any farm
23 shall not exceed four.

24 (2) A temporary stand for the display and sale of agricultural products
25 of any authorized use that are produced on the lot where such stand
26 is located or are produced on contiguous lots owned or leased by
27 the owner or occupant of the premises. The temporary stand shall
28

1 be operated by the producer of the agricultural products. The
2 duration of sales from the temporary stand shall not exceed a period
3 of three continuous months or a total of six months during any
4 calendar year. The stand shall not exceed 300 square feet and shall
5 not include any permanent building or structure. Off-street parking
6 shall be provided as required in Section 18.12 of Ordinance No. 348,
7 except that no paving shall be required.

8 **(l)**

(3) Cottage Inn provided the use is conducted within a one family
9 dwelling unit, is secondary to the principal use of the one family
10 dwelling as a residence and employs no more than two persons who
11 are not residents of the one family dwelling

12 **(a)**

(4) Class I, II winery.

13 c. Wine Country Clustered subdivision that complies with Ordinance No. 460
14 and the development standards set forth in the WC-R zone.

15 SECTION 14.99. DEVELOPMENT STANDARDS.

16 a. General Standards. The following standards shall apply to all uses and
17 development in the WC-R Zone, except for residential tract and parcel maps
18 tentatively approved prior to the effective date of Ordinance No. 348.4729.
19 Such maps shall comply with the development standards of their previous
20 zoning classifications in Ordinance No. 348:

21 (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the
22 minimum lot size shall be 5 gross acres. On flag lots, the minimum lot
23 size shall be determined by excluding that portion of a lot that is used
24 solely for access to the portion of a lot used as a building site.

25 (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions, lots
26 shall have a minimum average width of two hundred feet (200').

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(e)

- (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the minimum average lot depth shall be 100 feet.
- (4) SETBACKS. The following setback requirements shall apply.
 - a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.
 - b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
 - c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
 - d. The minimum road right of way setback for all buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
 - e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Butterfield Stage Road, Calle Contento Road, Camino Del
Vino Road, and Highway 79 South where the minimum
setback requirement shall be one hundred feet (100').

(e)

- f. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(f)

- (5) HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

(f)

- (6) HEIGHT.
 - a. The maximum height for a building shall not exceed thirty feet (30'), except when the project design incorporates terraced lots, then the maximum height of the building shall not exceed forty feet (40') when measured from the lowest finished graded pad. Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.
 - b. The maximum height for a structure shall not exceed fifty feet (50') in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five (75') feet in

1 height, unless a variance is approved pursuant to Section
2 18.27 of this ordinance.

- 3 (7) Site layouts and building designs shall minimize noise impacts on
4 surrounding properties and comply with Ordinance No. 847.
- 5 (8) Drainage channels shall be constructed to avoid undermining or
6 eroding the roadbed.
- 7 (9) Curbs, gutters and streetlights shall be constructed in accordance
8 with Temecula Valley Wine Country Design Guidelines.
- 9 (10) Site layout and design shall be consistent with existing and planned
10 recreational trails and bike paths set forth in the General Plan and
11 the Temecula Valley Wine Country Design Guidelines.
- 12 (11) All utilities shall be installed underground except electrical lines
13 rated at 33kV or greater which may be installed above ground.
- 14 (12) All exterior lighting shall comply with applicable requirements of
15 Ordinance Nos. 655 and 915.
- 16 (13) All exterior lighting, including spotlights, floodlights, electric
17 reflectors and other means of illumination for signs, structures,
18 landscaping, parking, loading, unloading and similar areas, shall be
19 focused, directed, and arranged to prevent glare and direct
20 illumination of streets or adjoining property.
- 21 (14) On-site advertising signs shall be consistent with Temecula Valley
22 Wine Country Design Guidelines and comply with all applicable
23 County signage requirements.
- 24 (15) All residential developments shall record a Right-to-Farm covenant,
25 pursuant to Ordinance No. 625 to protect the vineyard uses from
26 residential encroachment and conflicting land uses.

27 b. Wine Country Clustered Subdivision Development Standards.
28

1 In addition to the General Standards, the following standards shall apply to
2 wine country clustered subdivision in the WC-R Zone:

- 3 (1) Site layout and design shall be consistent with the Temecula Valley
4 Wine Country Design Guidelines to maximize unique site
5 characteristics including, but not limited to, the natural topography,
6 scenic vistas, soil quality and drainage patterns.
- 7 (2) The minimum residential lot size shall be one (1) gross acre.
- 8 (3) Prior to tentative approval of an applicable subdivision map, at least
9 seventy five percent (75%) of net project area shall be set-aside for
10 planting vineyards through production lots or deed restriction.
- 11 (4) Fifty percent (50%) of the set-aside area shall be planted prior to
12 issuance of the building permit for the first dwelling unit and
13 remaining twenty five percent (25%) prior to finalization of the
14 building permit for the first dwelling unit.
- 15 (5) A wine country clustered subdivision consisting of forty (40) gross
16 acres or more shall provide at least one (1) production lot.
- 17 (6) A wine country clustered subdivision that includes a production lot
18 of at least 25 gross acres may have a Class I winery.
- 19 (7) Set-aside areas shall be maintained for production of grapes in
20 perpetuity by any of the following: property owner's association,
21 home owner's association or County Service Area.
- 22 (8) On-site improvements for production lots and deed restricted areas
23 including, but not limited to, lighting, ingress and egress shall be
24 limited to improvements necessary to maintain the production lots
25 and deed restricted areas.
- 26 (9) On-site improvements for clustered lots including, but not limited to,
27 roads, signage, parking, street furniture and exterior lighting shall be
28

(g)

1 consistent with the Temecula Valley Wine Country Design
2 Guidelines and comply with all applicable County signage
3 requirements.

4 (10) Wine Country Clustered subdivisions shall include an established
5 on-site vineyard and comply with Ordinance No. 460.

6 c. Winery Standards. In addition to the General Standards, the following
7 standards shall apply to all wineries in the WC-R zone:

8 (1) A total of seventy-five percent (75%) of the net project area shall be
9 planted in vineyards prior to issuance of certificate of occupancy or
10 final inspection, whichever occurs first. Fifty percent (50%) of the
11 vineyard requirement shall be planted prior to issuance of building
12 permit for the winery.

13 (j)

14 (2) To achieve the seventy-five (75%) percent requirement, fifteen
15 percent (15%) of the net project area may include the planting of
16 olive trees and the remaining sixty percent (60%) of the net project
17 area shall be planted in vineyards.

18 (3) The seventy-five (75%) planting requirement shall not include water
19 features, natural or manmade lakes or the planting of grapevines in
20 parking lots, but may include planting in the road right of way as
21 may be approved by the Director of Transportation or his designee.

22 (j)

23 (4) Vineyards used to meet the above planting requirement shall have a
24 minimum average density of 450 vines per acre. Olive trees used to
25 meet the above planting requirement shall have a minimum average
26 density of 100 olive trees per acre.

27 (5) The seventy-five (75%) planting requirement shall be maintained for
28 the life of the permit.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(i)

(i)

(a)

(a)

- (6) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- (7) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except when the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.
- (8) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.
- (9) A Class I Winery shall be less than 1,501 square feet in size.
- (10) A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.
- (11) Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.
- (12) Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.
- (13) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (14) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside

1 County General Plan and the Temecula Valley Wine Country
2 Design Guidelines.

- 3 (15) Loading, trash, and service areas shall be screened by structures or
4 landscaping and shall be located and designed in such a manner as
5 to minimize noise and odor impacts to adjacent properties.
6 (16) Outside storage areas shall be screened from view by structures or
7 landscaping.
8 (17) All roof mounted mechanical equipment shall be screened from the
9 ground elevation view to a minimum sight distance of thirteen
10 hundred twenty feet (1,320').

11 Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days
12 after its adoption.
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



**PLANNING COMMISSION
MINUTE ORDER
DATE: NOVEMBER 6, 2013**

I. AGENDA ITEM 4.1:

ORDINANCE NO. 348.4729

Consider the Board of Supervisors' modifications to the proposed Ordinance No. 348.4729 associated with the Wine Country Community Plan and provide recommendations to the Board of Supervisors as appropriate on the following:

1. Revisions to the format of Ordinance No. 348.4729
2. Clarifications to definitions, permitted uses and development standards in Ordinance No. 348.4729 set forth in Table A of the staff report
3. Modifications to the trails network planning document for equestrian trails associated with Ordinance No. 348.4729
4. Modifications to the boundaries of the Wine Country Zones set forth in Ordinance No. 348.4729

(Legislative)

II. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Manager: Frank Coyle at (951) 955-6573 or email fcoble@rctlma.org.

Spoke in favor of the proposed project:

- Margaret Rich, 35750 De Portola Rd., Temecula, 92592 (951) 302-6045
- Lorraine Harrington, 35820 Pauba Rd., Temecula, 92592 (951) 303-8053
LFH415@yahoo.com
- Larry Markham, 41635 Enterprise Circle N., Suite B, Temecula 92590 (909) 322-8482
- Robert Tyler, 24910 Las Brisas Rd. #110, Murrieta, 92562 (951) 600-2733
rtyle@tylerbursch.com
- Chuck Tobin

Spoke in opposition of the proposed project:

- Ray Faulkner, Faulkner Winery

Spoke in a neutral position of the proposed project:

- Mark Matson, 40001 Berenda Rd., Temecula 92591 (951) 852-5250
matsonperformance@hotmail.com

Position not stated:

- Alan Long, Temecula
- Steve Galvez, 45621 Corte Royal, Temecula 92592 (951) 302-9461
- John Johnson, 30137 Mira Loma Dr., Temecula 92592 (951) 318-7763
- Elisa Niederecker, P.O. Box 890337, Temecula 92589 (951) 694-5973
- Juanite Koth, 40405 Avenida Trebolo, Temecula 92593 (951) 515-9964



**PLANNING COMMISSION
MINUTE ORDER
DATE: NOVEMBER 6, 2013**

III. CONTROVERSIAL ISSUES:

Yes...

IV. PLANNING COMMISSION ACTION:

Motion by Chairman Petty, 2nd by Commissioner Sanchez,
A vote of 5-0

CONTINUE TO NOVEMBER 20, 2013.

CD The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 20, 2013**

I. AGENDA ITEM 2.1

ORDINANCE NO. 348.4729 – Consider the Board of Supervisors’ modifications to the proposed Ordinance No. 348.4729 associated with the Wine Country Community Plan and provide recommendations to the Board of Supervisors as appropriate on the following:

1. Revisions to the format of Ordinance No. 348.4729
2. Clarifications to definitions, permitted uses and development standards in Ordinance No. 348.4729 set forth in Table A of the staff report
3. Modifications to the trails network planning document for equestrian trails associated with Ordinance No. 348.4729
4. Modifications to the boundaries of the Wine Country Zones set forth in Ordinance No. 348.4729

(Legislative) Continued from November 4, 2013.

II. MEETING SUMMARY:

The following staff presented the subject proposal: Project Manager: Frank Coyle at (951) 955-6573 or email fcoble@rctlma.org

The following spoke in favor of the proposed project:

- Loraine Harrington
- Colleen Julian
- Robert Kellerhouse
- Juanita Koth
- Ken Leach – 30177 Sierra Madra Dr., Temecula 92591 (951)-294-7000
- Alan Long – 38801 Los Corralitos Rd., Temecula 92592 (951)-294-7201
- Mark Matson – 40001 Berenda Rd., Temecula 92591 (951) 852-5250
- Marty Nicholson – 32108 Corte Carmela, Temecula 92592 (951) 219-5230
- Gil Pankonin
- Margaret Rich

The following spoke in a neutral position to the proposed project:

- David Bradley – 33133 Vista Del Monte, Temecula 92591 (800) 373-3359
- Anthony Thornburg – 36351 Via Burgundy, Temecula 92592 (858) 337-1794

The following spoke in opposition of the proposed project:

- Sam Alhadeff – (951) 252-6152
- Jeff Carter – 34843 Rancho California Rd., Temecula 92591 (951) 587-9463
- Susan Coake – 35455 Via Sol Vista, Temecula 92592 (951) 201-1074
- Robert Coake – 35455 Via Sol Vista, Temecula 92592 (951) 201-1074
- Steve Galvez – 45621 Corte Royal, Temecula 92592 (951) 297-8120
- Carol Haley – 39625 Anza Rd., Temecula 92591 (951) 694-8264
- Danny Martin – 30100 Pauba Rd., Temecula 92592 (714) 803-5892



**PLANNING COMMISSION
MINUTE ORDER
NOVEMBER 20, 2013**

- Alan Ronska – 40810 Camino Del Vino, Temecula 92592 (951) 303-1454

III. CONTROVERSIAL ISSUES:

Yes

IV. PLANNING COMMISSION ACTION:

Motion by Chairman Petty, 2nd by Commissioner Leach

A vote of 5-0, Planning Commission Recommends to the Board of Supervisors

1. Staff's Revisions to the format of Ordinance No. 348.4729; and

Motion by Chairman Petty, 2nd by Commissioner Sloman

A vote of 5-0, Planning Commission Recommends to the Board of Supervisors

2. Clarifications to definitions, permitted uses and development standards in Ordinance No. 348.4729 set forth in Table A of the staff report, with a modification to the language describing Equestrian Special Events; and

Motion by Chairman Petty, 2nd by Commissioner Leach

A vote of 5-0, Planning Commission Recommends to the Board of Supervisors

3. Modifications to the trails network planning document for equestrian trails associated with Ordinance No. 348.4729, asking for sensitive to property owners near trails; and

Motion by Commissioner Leach, 2nd by Commissioner Valdivia

A vote of 4-1 (Chairman Petty voted no), Planning Commission Recommends to the Board of Supervisors

4. Modifications to the boundaries of the Wine Country Zones set forth in Ordinance No. 348.4729, adding the removal of the portion south of Hwy 79 from the Wine Country Community Plan.

CD: The entire discussion of this agenda item can be found on CD. For a copy of the CD, please contact Mary Stark, TLMA Commission Secretary, at (951) 955-7436 or email at mcstark@rctlma.org.



STAFF REPORT

Agenda Item No. 10.2
11/7/13
Job Code: 2013-18

Prepared by: Marc Brewer, Senior Park Planner

For: District Advisory Commission

Subject: Wine Country Trails Plan

Recommendation: The District Advisory Commission will be asked to support the Planning Commission's approval of the amended trails proposal dated November 6, 2013.

Background:

The Temecula Valley Wine Country Community Plan (Project) was initiated by the County Board of Supervisors in 2008 to ensure that the region develops in an orderly manner; will preserve Temecula Valley's viticulture potential and enhance its economic contribution to the County over the long term. The purpose of this Project is to provide a blueprint for growth which ensures that future development activities will enhance, and not impede, the quality of life for existing and future residents, while providing opportunities for continued preservation and expansion of winery, equestrian operations and recreational opportunities. The Project has been developed to achieve the following four objectives:

1. To preserve and enhance viticulture potential, rural lifestyle, equestrian and recreational activities;
2. To continue to allow for an appropriate level of commercial tourist activities that is incidental to viticulture and equestrian operations;
3. To coordinate growth in a manner that avoids future land use conflicts; and
4. To ensure timely provision of appropriate public infrastructure and services that keeps up with anticipated growth.

Public Hearings:

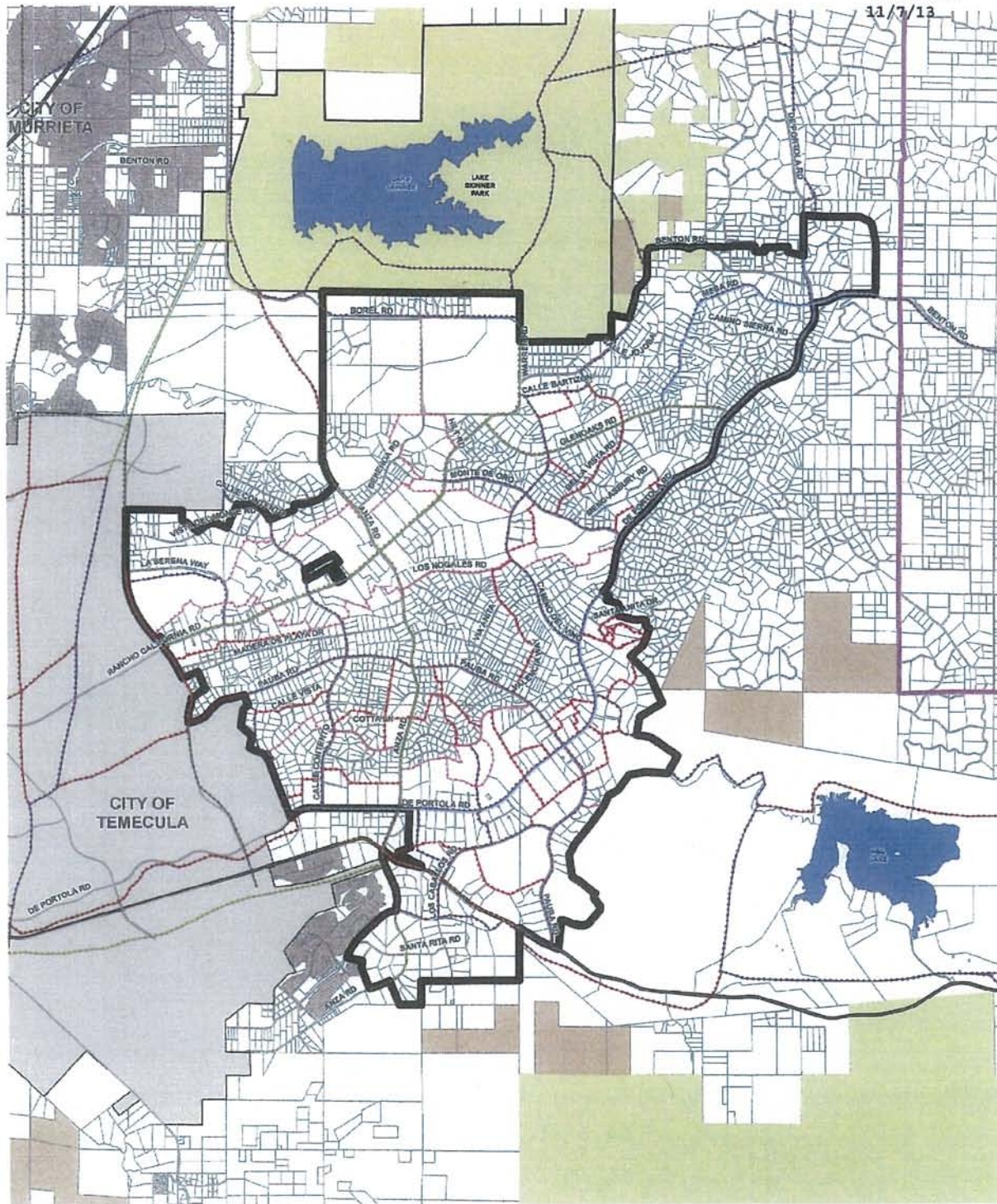
The Project was discussed before the Planning Commission on July 25, 2012, August 22, 2012, September 26, 2012, December 5, 2012 and December 19, 2012. On December 19, 2012, the Planning Commission made the following recommendations to the Board of Supervisors by a vote of 5-0:

1. Tentatively certify Program EIR No. 524;
2. Tentatively approve GPA No. 1077 as modified by the Planning Commission; and

3. Adopt Ordinance No. 348.4729.

The Project and proposed trail plan was modified in accordance with Planning Commission's recommendation and presented to the Board of Supervisors on September 24, 2013. Upon review and in consideration of public testimony, the Board of Supervisors recommended that staff and the Planning Commission further assess and modify the Project. The Board of Supervisor comments gave specific direction regarding the proposed trail system. In summary the Board of Supervisors recommended the changes listed below:

- a. The Board of Supervisors directed the Riverside County Regional Park and Open-Space District Park District Advisory Commission and Planning Commission to further assess the proposed trails network in response to public testimony. Key issues include proposed trail alignments and use of the proposed trails.
- b. The proposed trails network will serve as a platform and a planning tool for the County's Regional Park and Open-Space District to:
 - Implement a well-connected trails system within the Project area;
 - Negotiate and acquire future easements; and
 - Properly delineate, improve, maintain and regulate appropriate trails for public use.
- c. The trails and bikeways map depicts the ideal locations for future trail alignments. The County's Regional Park and Open-Space District will develop an implementation program to phase in proposed Regional, Class I and Class II Bikeways, and Regional-Open Space Trails. The implementation program will address funding, design, maintenance and use of the trails alignment. The actual location of trail easements will be negotiated through the development review process.
- d. Regional Trails and Bikeways are to be built when contiguous trail segments are secured and adequate funding is available. Once built, the trails become a part of the District's Regional Trail System and are maintained by the Riverside County Regional Park and Open Space District.
- e. Community Trails and Private Trails will be the responsibility of the local recreation provider.
- f. The acceptance of trail easements reserves the right of the County/District to develop a trail. It does not provide the public any implied right to use the easement for trail purposes until the trail is fully planned and developed.
- g. On October 8, 2013 representatives from the Wine Country Trails Sub-Committee, Planning Commission, and Park District visited the Project area to further evaluate the proposed trails network. The trails proposal was then amended to include additional trail alignment and is attached hereto as Attachment A.



Data Source: Riverside County Parks

- Combination Trail (Regional / Class 1 Bike Path)
- Regional Trail
- Community Trail
- Historic Trail
- Non-County Public and Quasi-Public Lands Trails
- Regional / Open Space Trail
- Class 3 Bike Path
- Private Trails
- Area Plan Boundary
- Highways
- Waterbodies
- Temecula Valley Wine Country Policy Area
- Miscellaneous Public Lands
- City Boundary
- Parcels
- Bureau of Land Management (BLM) Lands

Note: Board of Supervisors adopted the Riverside Guidelines and the Portola Wilderness and Storage Program Design Guidelines to implement the existing State Management Change Ordinance on December 14, 2010. As part of the Temecula Valley Wine Country Community Plan, these designs have been incorporated into the Temecula Valley Wine Country Guidelines. Please refer to the adopted guidelines when reviewing trails along Rancho Caliente Road and the Portola Road.

Data Source: Riverside County Regional Park and Open Space District, with assistance from Riverside County VLM/Transportation and Planning Department, Riverside County Economic Development Agency, and other local, state, and federal transportation agencies.

Note: Trails and Storage maps are a graphic representation identifying the general location and classification of existing and proposed trails and Storage to the unincorporated area of the County. All questions regarding project alignment or improvement standards should be referred to the Riverside County Regional Park and Open Space District.

Note: Except for major regional facilities, trails and Storage systems located within other agencies and cities. Riverside and Storage staff are provided in the accompanying map to assist a user in such a manner that there are opportunities for consultation with existing or planned trails and Storage while adjacent areas, as appropriate to assist in their development. The location of the intended connection opportunity. The reader should contact the appropriate city for all information about that city's existing or planned trails and Storage systems.

S:\GIS\Projects\2013\GIS\MapServer\2013\10_24_13\10_24_13_01_County_Regionals\10_24_13_01_County_Regionals.mxd

October 24, 2013

Disclaimer: Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content, the source or other third party, accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained in this map. Any use of this product with respect to accuracy and position shall be the sole responsibility of the user.

Miles
0 0.75 1.5



**TEMECULA VALLEY
WINE COUNTRY
PROPOSED TRAILS AND
BIKEWAY SYSTEM**

**Comment Summary Wine Country Community Plan
Proposed Trails and Bikeway System
District Advisory Commission Meeting
City of Temecula: City Council Chambers
41000 Main Street
Temecula. CA 92590
November 7, 2013**

Comments in Support:

Number of Speakers: 22

- Map is a needed first step in the development of a trail network/system;
- The trail a system was an important element for the preservation of the rural life style and is an asset for the Community;
- Trails system provides recreational and educational activities for children;
- Trails system are necessary for physical and mental health of horses;
- Community and groups need to work together to move towards implementation of the system;
- Suggest formation of a Community Trails Committee to continue progress for trails;
- Implementation needs to outline a process (program) for development (including funding, maintenance, and design);
- Program should start with funding for development and maintenance;
- Believed there was some level of misinformation regarding the plan (even went into detail);
- Map was a good first step but want to move on the next phase of implementation
- Need within the Community to educate not only recreational riders but those who are riding commercially through lease stables;
- Cites California Civil Code 840-848 as providing protection for property owners against liability issues.

Comments Against:

Number of Speakers: 18

- Easement issues regarding new and existing;
- Backyard trail issue and location of trails;
- Code enforcement for commercial uses on trails;
- Property damage;
- Property Rights (new easements, possibly existing, trespass, theft and safety);
- Trails should only be used by property owners and their guests;

- Lack of public notification and involvement;
- Would want all trails moved to road "rights of way";
- Concerned about trail safety and increased traffic into residential areas;
- Concerns expressed road speeds along Pauba Road;
- Concerned about liability and improperly geared riders;
- Concerned about liability in general and their exposure as underlying property owner;
- Consider absolute liability coverage;
- Did not want commercial trail use;
- Map does not reference commercial uses on trails Did not like possible mountain bike use;
- Concerned about environmental impacts;
- Concerned about fire safety;
- Riders do not stay on the trails and there are too many riders per tour ride.

Commissioner Comments:

- Believed many of the concerns outlined regarding the commercial operations and issues related to commercial trail use were more Code Enforcement related and regulation issues;
- While there is a body of information circulating (e-mail traffic) about the San Diego trails program, Riverside County is different; Encouraged staff to examine all options;
- Temecula and the Wine Country Area are gems for Riverside County Trails in this area are important to its character;
- The Commission has no regulatory authority is it advisory;
- The map is a planning tool and approving the map is the first step to regulating an unregulated trails system in Wine Country;
- Those who are profiting from the trails network should help fund the trail system;
- A connected trails system for everyone to use is important for the County in general;
- Understands the commercial concerns and alignment issues but the map is necessary to start the development of the trail network;
- Encouraged the District to continue with the implementation process and focus of the issues outlined in staff report;
- All understood property rights concerns believed there is the need for educating trail users as well a property owners;
- Encouraged to see Community members present at the hearing and stress the importance of including the property owners and the Community in the implementation of the trails network;
- Quality life issues are important to a community trails add to the quality of life for a community;
- All need to look at the grand or over all benefit to the community for the present and the future;
- Many if not all of the issues brought forward can be mitigated through the implementation process;

- Recognizes the importance of revenue from outside riders to this region of County;
- Beautiful system which will enhance the community;
- The trails system need to be protected not just in Wine Country but throughout the County;
- The possibility of trails committee to be involved in the implantation of the Trails network;

Commissioner Action:

- The District Advisory Commission voted 7-0 in-favor (3 members absent) of the plan recommending approval to the Planning Commission

Attachment D-1:

Ord. No. 348.4729 with Planning Commission's recommendations shown in red

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
- b. CLASS I EQUESTRIAN ESTABLISHMENT. An equestrian facility where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed, or boarded. Additionally, such facility may provide on-site activities such as, but not limited to, horse training, guided trail rides, riding lessons, schooling shows and horse day camps. The limitation of the number of animals allowed at a Class I Equestrian Establishment is the same as the noncommercial keeping of animals standard in the Wine Country-Equestrian Zone.
- c. CLASS II EQUESTRIAN ESTABLISHMENT. An equestrian facility where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed or boarded. In addition to the conditionally permitted uses set forth in the Wine Country-Equestrian Zone, a Class II Equestrian Establishment may provide on-site activities such as but not limited to, horse training, guided trail rides, riding lessons, schooling shows and horse day camps. A Class II Equestrian Establishment ~~may also conduct special equestrian events~~ have a special occasion facility that ~~are~~ is-appurtenant and incidental to the equestrian facility provided the facility is located on a parcel one hundred (100) or more gross acres in size. The number of animals allowed at a Class II Equestrian Establishment is the same as the noncommercial keeping of animals standard in the Wine Country-Equestrian Zone.
- d. CLASS I WINERY. A winery with an established on-site vineyard that only crushes, ferments, bottles and processes grapes into wine. Such winery shall be located on a minimum gross parcel size of five (5) acres within the WC-W, WC-WE, WC-E and WC-R zones and on a minimum gross parcel size of twenty-five (25) acres when in conjunction with a clustered subdivision in the WC-W and WC-R zones. No appurtenant or incidental commercial uses are allowed with this winery.

Comment [LR1]: Change made at PC 11-20-13.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- e. CLASS II WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:
 - (1) Wine tasting area;
 - (2) Wine club activity;
 - (3) Wine club event;
 - (4) Retail wine sales;
 - (5) Eight (8) Winegrowers Trade Association Events per year;
 - (6) Gift sales within the tasting area only;
 - (7) Delicatessen not to exceed 500 square feet in size

- f. CLASS III WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:
 - (1) Wine tasting area;
 - (2) Wine club activity;
 - (3) Wine club event;
 - (4) Retail wine sales;
 - (5) Eight (8) Winegrowers Trade Association Events per year;
 - (6) Gift sales within the tasting area only;
 - (7) Special occasion facility;
 - (8) And one of the following: Bed and Breakfast Inn, delicatessen not to exceed 500 square feet or restaurant. Drive - thru restaurants shall not be permitted.

- g. CLASS IV WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of fifteen (15) acres that is allowed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the wine tasting area only;
- (7) Special occasion facility;
- (8) And one of the following: Country-Inn, delicatessen not to exceed 500 square feet or restaurant. Drive-thru restaurants shall not be permitted.

h. CLASS V WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of twenty (20) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the wine tasting area only;
- (7) Special occasion facility;
- (8) Bed and Breakfast Inn;
- (9) Country Inn;
- (10) Wine Country Hotel;
- (11) Spa or professional culinary academy in conjunction with Wine Country Hotel;

1 (12) Delicatessen not exceed to 1,500 square feet or restaurant. Drive-
2 thru restaurants shall not be permitted.

3 i. CLASS VI WINERY. A winery with an established on-site vineyard
4 located on a minimum gross parcel size of forty (40) acres that is allowed
5 the following appurtenant and incidental commercial uses with an approved
6 permit:

- 7 (1) Wine tasting area;
8 (2) Wine club activity;
9 (3) Wine club event;
10 (4) Retail wine sales;
11 (5) Eight (8) Winegrowers Trade Association Events per year
12 (6) Gift sales within the wine tasting area only;
13 (7) Special occasion facility;
14 (8) Wine Country Resort;
15 (9) Golf courses and daytime driving ranges in conjunction with Wine
16 Country Resorts;
17 (10) Spa or professional culinary academy in conjunction with Wine
18 Country Resorts; and
19 (11) Delicatessen not to exceed 1,500 square feet or restaurant. Drive-
20 thru restaurants shall not be permitted.

21 j. CLUSTERED SUBDIVISION. A development within the WC- W and
22 WC- R Zones in which the allowed number of dwelling units (density yield)
23 are placed in close proximity with the purpose of creating the largest
24 potential development envelope for vineyards. .

25 k. COTTAGE INDUSTRY. A home-based occupation or service carried
26 on by a resident within the principle dwelling in return for compensation,
27 provided such use, occupation or service is incidental and secondary to the
28

1 principal use of the dwelling as a residence and is conducted in a manner
2 not to give an outward appearance or manifest any characteristics of a
3 business.

- 4 l. COTTAGE INN. A dwelling unit with five (5) or fewer guest rooms,
5 which provides lodging and breakfast for temporary overnight occupants in
6 return for compensation and is solely owned and operated by the property
7 owner. Cooking provisions, such as a stove, oven or grill, are prohibited in
8 the guest rooms, adjoining patios, balconies, and decks.
- 9 m. COUNTRY INN. A facility, which may be an extension of the main
10 dwelling unit, with 11 to 20 guest rooms that provides lodging and meals
11 for temporary overnight occupants in return for compensation. Cooking
12 provisions, such as a stove, oven or grill, are prohibited in the guest rooms,
13 adjoining patios, balconies, and decks.
- 14 n. EQUINE LAND. A fenced-in open area that is actively managed to
15 control weeds and used for, but not limited to, grazing of equine or other
16 livestock, equine holding areas, open corrals, exercise areas, riding area, or
17 equestrian racing rings. Only buildings or structures related to the care of
18 equine or other livestock shall be allowed in equine land, all other buildings
19 or structures shall be prohibited.
- 20 o. GUEST ROOM. A room without cooking facilities rented to transient
21 visitors for a period not to exceed 30 days.
- 22 p. GUEST SUITES. A series of attached rooms without cooking facilities
23 rented to transient visitors for a period not to exceed 30 days.
- 24 q. HABITABLE STORY. The portion of a building included between
25 the upper surface of a floor and the upper surface of the floor or roof next
26 above. It is measured as the vertical distance from top to top of two
27 successive tiers of beams or finished floor surfaces and, for the topmost
28

1 story, from the top of the floor finish to the top of the ceiling joists, or
2 where there is not a ceiling, to the top of the roof rafters. Further, the space
3 is designed for human occupancy and the space is equipped with means of
4 egress and light and ventilation facilities.

- 5 r. HORSE SHOW FACILITY. A facility that holds a maximum of one
6 hundred (100) people that provides a venue for judged equestrian exhibition
7 events, training events, competitive horse or equestrian sport activities.
8 s. INCIDENTAL COMMERCIAL USE. A commercial use that is directly
9 related and secondary to the principal agricultural or equestrian use located
10 on the same parcel or project site.
11 t. LODGING FACILITIES. Bed and Breakfast Inns, Country-Inns, Wine
12 Country Hotels and Wine Country Resorts.
13 u. NET PROJECT AREA. The portion of a site that can actually be built
14 upon. The following are not included in the net project area: public or
15 private road rights-of-way, riparian and riverine areas, conservation
16 easements, waterways, bodies of water and flood ways.
17 v. PRODUCTION LOT. A legal lot that is set-aside for planting vineyards
18 through a deed restriction or other conservation mechanism.
19 w. SET ASIDE AREA. An area that is restricted for the specific use of
20 planting vineyards or equine lands.
21 x. SPECIAL OCCASION FACILITY. An indoor or outdoor facility or area
22 which is used for special occasions such as weddings, parties, concerts,
23 conferences, charity events, and fundraiser events for a specific period of
24 time in return for compensation.
25 y. VINEYARD. A farm where grapevines are planted and cultivated for the
26 purpose of producing grape wine.
27
28

- 1 z. WINE CLUB ACTIVITY. A social occasion in which wine club members
2 come to pick up their membership wine bottles, at which time they may
3 engage in wine tasting and further purchase of wine and wine products.
4 Attendance is limited to wine club members and their guests.
- 5 aa. WINE CLUB EVENT. A social occasion held by Class II, Class III,
6 Class IV, Class V and Class VI wineries for wine club members and their
7 guests.
- 8 bb. WINE COUNTRY HOTEL. A facility with more than 20 guest rooms or
9 guest suites, which provides lodging and meals for temporary overnight
10 occupants, in return for compensation. Cooking provisions, such as a stove,
11 oven or grill, are prohibited in guest rooms, guest suites, adjoining patios,
12 balconies, and decks.
- 13 cc. WINE COUNTRY RESORT. A facility that provides food and lodging
14 to transient visitors in which the guest rooms or guest suites are within a
15 conventional hotel building(s) or in detached units. Such facility may
16 provide additional commercial and recreational uses such as spas,
17 amphitheatres, conference rooms, golf-courses, daytime driving ranges and
18 banquet-halls for the convenience of the wine country resort guests.
- 19 dd. WINE TASTING AREA. A permanent area associated with a winery
20 where visitors taste wine.
- 21 ee. WINEGROWERS TRADE ASSOCIATION EVENT. A fundraising
22 effort conducted by one or several member wineries of a local winegrowers
23 trade association, including but not limited to, region-wide barrel tastings,
24 where food and wine samplings are provided to participants.
- 25 ff. WINERY. An agricultural facility designed and used to crush, ferment,
26 distill and process grapes into wine or wine related product.
27
28

1 SECTION 14.92. AUTHORIZED USES. WINE COUNTRY – WINERY (WC-W)

2 ZONE. The following provisions shall apply to the WC-W Zone:

3 a. ALLOWED USES. The following uses are allowed:

- 4 (1) One-family dwelling.
- 5 (2) Cottage Industry provided activities are limited to knitting, basket
6 making, sewing, quilting, pottery, scrap booking and cooking
7 classes or services; no more than one full-time employee engages in
8 cottage industry activities on site at any one time; no more than 10
9 customers visit the site at any given time; no customer lodging
10 occurs on site without an approved Cottage Inn, Bed and Breakfast
11 Inn or Country Inn.
- 12 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
13 herb gardening; orchards; apiaries; the drying, processing and
14 packing (other than canning) of fruits, nuts, vegetables and other
15 horticultural products where such drying, processing or packing is in
16 conjunction with an agricultural operation or an incidental
17 commercial use as defined in this ordinance.
- 18 (4) The systematic rotation of animals for grazing is allowed so long as
19 the total number of animals does not exceed the maximum allowed
20 pursuant to Section 14.92.a.(5) herein. Notwithstanding the
21 foregoing, there shall be no limit to the allowable number of sheep,
22 goats or cattle which may be temporarily grazed on any premises
23 when the grazing is for the purpose of cleaning up unharvested
24 crops, provided that such grazing is not conducted for more than
25 four weeks in any six month period and that the total number of
26 sheep, goats or cattle permanently kept on the premises does not
27 exceed the maximum allowed.
- 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(5) The non-commercial keeping, raising or boarding of horses, cattle, sheep and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling units other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this section apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

(6) Future Farmers of America or 4-H projects.

(7) Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The following uses are permitted provided a plot plan has been approved pursuant to Section 18.30 of this ordinance:

(1) In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located on a lot being farmed and may

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

be occupied by the owner, operator or employee of the farming operation as a one family dwelling provided that:

- a) The dwelling is not rented or offered for lease.
- b) The dwelling is located not less than 50 feet from any lot line.
- c) The dwelling is screened from view from the front lot line by shrubs or trees.
- d) The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.
- e) The total number of such additional dwellings for any farm shall not exceed four.

(2) A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

(3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family

1 dwelling as a residence and employs no more than two persons who
2 are not residents of the one family dwelling.

3 (4) Class I, II and V winery.

4 c. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE
5 PERMIT. The following uses are permitted provided a conditional use
6 permit has been approved pursuant to Section 18.28 of this ordinance:

7 (1) Farm labor camp.

8 (2) Class VI winery.

9 d. Wine Country Clustered subdivision that complies with Ordinance No. 460
10 and the development standards set forth in the WC-W zone.

11 SECTION 14.93. DEVELOPMENT STANDARDS.

12 a. General Standards. The following development standards shall apply to all
13 uses and development in the WC-W Zone, except for residential tract and
14 parcel maps tentatively approved prior to the effective date of Ordinance No.
15 348.4729. Such maps shall comply with the development standards of their
16 previous zoning classifications in Ordinance No. 348.

17 (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the
18 minimum lot size shall be 20 gross acres. On flag lots, the minimum lot
19 size shall be determined by excluding that portion of a lot that is used
20 solely for access to the portion of a lot used as a building site.

21 (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions,
22 lots shall have a minimum average width of two hundred feet (200').

23 (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the
24 minimum average lot depth shall be two hundred feet (200').

25 (4) SETBACKS. The following setback requirements shall apply.

26 a. The minimum front setback for buildings and structures shall
27 be fifty feet (50') from the property line.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
- c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
- d. The minimum road right of way setback for buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
- e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').
- f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').

g. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(5) HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

(6) HEIGHT.

a. The maximum height for a building shall not exceed thirty feet (30'), except where the project design incorporates terraced lots, then the maximum height of the building shall not exceed forty feet (40') when measured from the lowest finished graded pad. Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- b. The maximum height for a structure shall not exceed fifty feet (50'), unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five feet (75') in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.
- (7) Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.
- (8) Drainage channels shall be constructed to avoid undermining or eroding the roadbed.
- (9) Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.
- (10) Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
- (11) All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.
- (12) All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.
- (13) All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining properties.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (14) On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
- (15) All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

b. Wine Country Clustered Subdivision Development Standards

In addition to the General Standards, the following standards shall apply to wine country clustered subdivisions in the WC-W Zone:

- (1) Site layout and design shall be consistent with the Temecula Valley Wine Country Design Guidelines to maximize unique site characteristics including, but not limited to, the natural topography, scenic vistas, soil quality and drainage patterns.
- (2) The minimum residential lot size shall be one (1) gross acre.
- (3) Prior to tentative approval of an applicable subdivision map, at least seventy five percent (75%) of net project area shall be set-aside for planting vineyards through production lots or deed restriction.
- (4) Fifty percent (50%) of the set-aside area shall be planted prior to issuance of the building permit for the first dwelling unit and the remaining twenty five percent (25%) prior to final inspection for the first dwelling unit.
- (5) A wine country clustered subdivision consisting of forty (40) gross acres or more shall provide at least one (1) production lot.
- (6) A wine country clustered subdivision that includes a production lot of at least 25 gross acres may have a Class I winery.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (7) Set-aside areas shall be maintained for production of grapes in perpetuity by any of the following: property owner's association, home owner's association or County Service Area.
- (8) On-site improvements for clustered lots including, but not limited to, roads, signage, parking, street furniture and exterior lighting shall be consistent with the Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
- (9) On-site improvements for production lots and deed restricted areas including, but not limited to, lighting, ingress and egress shall be limited to improvements necessary to maintain the production lots and deed restricted areas.
- (10) Wine Country Clustered Subdivisions shall include an established on-site vineyard and comply with Ordinance No. 460.

c. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-W zone:

- (1) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (2) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (3) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside

1 County General Plan and the Temecula Valley Wine Country
2 Design Guidelines.

- 3 (4) No amplified sound shall be permitted outdoors, unless an exception
4 to Ordinance No. 847 has been applied for and approved.
- 5 (5) All special occasion facilities shall conduct a noise study or an
6 acoustical analysis if an outdoor facility is proposed. Based on such
7 study or analysis, the Planning Director may require as a condition
8 of approval that the project applicant enter into a good neighbor
9 agreement with the surrounding neighbors.
- 10 (6) Outside storage areas and the material therein shall be screened with
11 structures or landscaping.
- 12 (7) All roof mounted mechanical equipment shall be screened from the
13 ground elevation view to minimum sight distance of thirteen
14 hundred twenty feet (1,320').

15 d. Lodging Facility Standards. In addition to the General Standards, the
16 following standards shall apply to all lodging facilities in the WC-W zone:

- 17 (1) A maximum of two (2) guest rooms or guest suites per gross acre
18 shall be permitted for a lodging facility.
- 19 (2) Buildings and structures shall be designed in a rural, equestrian or
20 wine country theme consistent with the Temecula Valley Wine
21 Country Design Guidelines.
- 22 (3) Loading, trash, and service areas shall be screened by structures or
23 landscaping and shall be located and designed in such a manner as
24 to minimize noise and odor impacts to adjacent properties.
- 25 (4) Automobile parking spaces shall comply with Section 18.12 of
26 Ordinance No. 348 and shall be consistent with the rural standards
27 of the Temecula Valley Wine Country Policy Area of the Riverside
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

County General Plan and the Temecula Valley Wine Country Design Guidelines.

- (5) Outside storage areas and the material therein shall be screened with structures or landscaping.
- (6) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

e. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-W zone:

- (1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.
- (2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
- (3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
- (4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- (8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: 75% shall be grown in Riverside County, ~~except~~ when for the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.
 - ~~(8)b.~~ During the first three years from the plot plan's or conditional use permit's effective date.
- (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine shall be produced on the winery's premises.
- (10) A Class I Winery shall be less than 1,501 square feet in size.
- (11) A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commission.
- (12) A Class V Winery shall be at least three thousand (3,000) square feet and shall produce at least seven thousand (7,000) gallons of

Formatted: Indent: Left: 2", Hanging: 0.5"

Formatted: Indent: Left: 2.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 3.29" + Indent at: 3.54"

Comment [LR2]: Added at PC 11-20-13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

wine annually as determined by the County Agricultural Commissioner.

- (13) A Class VI Winery shall be at least six thousand (6,000) square feet and shall produce at least fourteen thousand (14,000) gallons of wine annually as determined by the County Agricultural Commissioner.
- (14) Prior to the issuance of a building permit for any incidental commercial use, the winery shall be constructed.
- (15) Prior to the issuance of a certificate of occupancy for any incidental commercial use, the winery shall be operational.
- (16) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (17) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
- (18) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (19) Outside storage areas shall be screened from view by structures or landscaping.
- (18) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

1 SECTION 14.94. AUTHORIZED USES. WINE COUNTRY – WINERY EXISTING
2 (WC-WE) ZONE.

3 a. ALLOWED USES for the twenty-nine (29) existing wineries as set forth in
4 Figure 4a of the Wine Country Policy Area attached hereto:

- 5 (1) One-family dwelling.
- 6 (2) Cottage Industry provided activities are limited to knitting, basket
7 making, sewing, quilting, pottery, scrap booking and cooking
8 classes or services; no more than one full-time employee engages in
9 cottage industry activities on site at any one time; no more than 10
10 customers visit the site at any given time; no customer lodging
11 occurs on site without an approved Cottage Inn, Bed and Breakfast
12 Inn or Country Inn.
- 13 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
14 herb gardening; orchards; apiaries; the drying, processing and
15 packing (other than canning) of fruits, nuts, vegetables and other
16 horticultural products where such drying, processing or packing is in
17 conjunction with an agricultural operation or an incidental
18 commercial use as defined in this ordinance.
- 19 (4) The systematic rotation of animals for grazing is allowed so long as the
20 total number of animals does not exceed the maximum allowed
21 pursuant to Section 14.94.a.(5) herein. Notwithstanding the foregoing,
22 there shall be no limit to the allowable number of sheep, goats or cattle
23 which may be temporarily grazed on any premises when the grazing is
24 for the purpose of cleaning up unharvested crops, provided that such
25 grazing is not conducted for more than four weeks in any six month
26 period and that the total number of sheep, goats or cattle permanently
27 kept on the premises does not exceed the maximum allowed.
- 28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(5) The non-commercial keeping, raising or boarding of horses, cattle, sheep, and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling units other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of maturity. In all cases the allowable number of animals per acre shall be rounded to the nearest whole number.

(6) Future Farmers of America or 4-H projects.

(7) Outside storage of materials, such as irrigation equipment and farming machinery, is allowed as an accessory use with no limit provided the materials are used in conjunction with a farm. Otherwise, the outside storage of materials is allowed as an accessory use on lots smaller than one-half acre provided the amount is limited to 100 square feet with a maximum height of six feet and is allowed as an accessory use on lots one-half acre or larger provided the amount is limited to 200 square feet with a maximum height of six feet.

b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The following uses are permitted provided a plot plan has first been approved pursuant to Section 18.30 of this ordinance.

(1) In addition to the principal dwelling, an additional one family dwelling may be permitted for each ten acres of a farm. Any such additional dwelling shall be located on a lot being farmed and may

1 be occupied by the owner, operator or employee of the farming
2 operation as a one family dwelling provided that:

- 3 a. The dwelling is not rented or offered for lease.
4 b. The dwelling is located not less than 50 feet from any lot
5 line.
6 c. The dwelling is screened from view from the front lot line by
7 shrubs or trees.
8 d. The arrangement of the dwelling, sanitary facilities and
9 utilities conforms with all requirements of law including
10 requirements of the County Public Health Department and
11 the County Building and Safety Department.
12 e. The total number of such additional dwellings for any farm
13 shall not exceed four.

14 (2) A temporary stand for the display and sale of agricultural products
15 of any authorized use that are produced on the lot where such stand
16 is located or are produced on contiguous lots owned or leased by the
17 owner or occupant of the premises. The temporary stand shall be
18 operated by the producer of the agricultural products. The duration
19 of sales from the temporary stand shall not exceed a period of three
20 continuous months or a total of six months during any calendar year.
21 The stand shall not exceed 300 square feet and shall not include any
22 permanent building or structure. Off-street parking shall be
23 provided as required in Section 18.12 of Ordinance No. 348, except
24 that no paving shall be required.

25 (3) Cottage Inn provided the use is conducted within a one family
26 dwelling unit, is secondary to the principal use of the one family
27
28

1 dwelling as a residence and employs no more than two persons who
2 are not residents of the one family dwelling.

3 (4) The following appurtenant and limited incidental commercial uses,
4 only in conjunction with an established on-site vineyard and a
5 minimum parcel size of five (5) gross acres:

- 6 a. Bed and Breakfast Inn;
- 7 b. Spa and cooking school only in conjunction with a Bed and
8 Breakfast Inn.

9 (5) The following appurtenant and limited incidental commercial uses,
10 only in conjunction with an established on-site vineyard and a
11 minimum parcel size of ten (10) gross acres:

- 12 a. Special Occasion Facility or Country Inn;
- 13 b. Spa and cooking school in conjunction with a Country Inn

14 (6) Class I, II, III and IV winery.

15 c. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE
16 PERMIT. The following uses are permitted provided a conditional use
17 permit has been approved pursuant to Section 18.28 of this ordinance:

- 18 (1) Farm Labor Camp

19 SECTION 14.95. DEVELOPMENT STANDARDS.

20 a. General Standards. The following standards shall apply to all uses and
21 development in the WC-WE Zone, except for residential tract and parcel
22 maps tentatively approved prior to the effective date of Ordinance No.
23 348.4729. Such maps shall comply with the development standards of their
24 previous zoning classifications in Ordinance No. 348:

- 25 (1) LOT SIZE, The minimum lot size shall be 20 gross acres. On flag lots,
26 the minimum lot size shall be determined by excluding that portion of a
27

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

lot that is used solely for access to the portion of a lot used as a building site.

(2) LOT WIDTH. Lots shall have a minimum average width of two hundred feet (200').

(3) LOT DEPTH. The minimum average lot depth shall be 100 feet.

(4) SETBACKS. The following setback requirements shall apply.

a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.

b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.

c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.

d. The minimum road right of way setback for buildings and structures shall be fifty feet (50') from the road right of way, except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback requirement shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying,

1 processing, and packing operations shall fifty feet (50'),
2 except when the site is located next to Rancho California
3 Road, Monte De Oro Road, Anza Road, Glen Oaks Road,
4 Pauba Road, De Portola Road, Buck Road, Borel Road,
5 Butterfield Stage Road, Calle Contento Road, Camino Del
6 Vino Road, and Highway 79 South where the minimum
7 setback requirement shall be one hundred feet (100').

8 f. The minimum road right of way setback for all Special
9 Occasion Facility buildings and structures shall be one
10 hundred feet (100'), except when the site is located next to
11 Rancho California Road, Monte De Oro Road, Anza Road,
12 Glen Oaks Road, Pauba Road, De Portola Road, Buck Road,
13 Borel Road, Butterfield Stage Road, Calle Contento Road,
14 Camino Del Vino Road, and Highway 79 South where the
15 minimum setback requirement shall be three hundred feet
16 (300').

17 g. The minimum road right of way setback for all winery
18 buildings and structures shall be fifty feet (50'), except when
19 the site is located next to Rancho California Road, Monte De
20 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
21 Portola Road, Buck Road, Borel Road, Butterfield Stage
22 Road, Calle Contento Road, Camino Del Vino Road, and
23 Highway 79 South where the minimum setback requirement
24 shall be one hundred feet (100').

25 (5) HABITABLE STORIES. The number of habitable stories above a
26 building's lowest above ground finished floor shall not exceed two
27 (2).
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (6) HEIGHT.
 - a. The maximum height for a building shall not exceed thirty feet (30'), except where the project design incorporates terraced lots then the maximum height of the building shall not exceed forty feet (40') when measured from the lowest finished graded pad. Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.
 - b. The maximum height for a structure shall not exceed fifty feet (50'), unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five (75') in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.
- (7) Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.
- (8) Drainage channels shall be constructed to avoid undermining or eroding the roadbed.
- (9) Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.
- (10) Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the General Plan and the Temecula Valley Wine Country Design Guidelines.
- (11) All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(12) All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

(13) All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining property.

(14) On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

(15) All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

b. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-WE zone:

(1) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

(2) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.

(3) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

- (4) No amplified sound shall be permitted, except when an exception to Ordinance No. 847 has been applied for and approved.
- (5) All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.
- (6) Outside storage areas and the material therein shall be screened with structures or landscaping.
- (7) All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').

c. Lodging Facility Standards. In addition to the General Standards, the following standards shall apply to all lodging facilities in the WC-WE zone:

- (1) A maximum of two (2) guest rooms or guest suites per gross acre shall be permitted for a lodging facility.
- (2) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (3) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (4) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (5) Outside storage areas and the material therein shall be screened with structures or landscaping.
 - (6) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').
- d. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-WE zone:
- (1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.
 - (2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
 - (3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
 - (4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.
 - (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- (8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except ~~when~~ for the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.
 - ~~(8)~~b. During the first three years from the plot plan's or conditional use permit's effective date.
- (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.
- (10) A Class I Winery shall be less than 1,501 square feet in size.
- (11) Class II, III and IV Wineries shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.
- (12) Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.
- (13) Prior to the issuance of a certificate of occupancy for any incidental commercial uses, the winery shall be operational.

Formatted: Indent: Left: 2.5", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 1.75" + Tab after: 2" + Indent at: 2"

Comment [LR3]: Added at PC 11-20-13

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (14) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.
- (15) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.
- (16) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.
- (17) Outside storage areas shall be screened from view by structures or landscaping.
- (18) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

SECTION 14.96. AUTHORIZED USES. WINE COUNTRY – EQUESTRIAN (WC-E) ZONE.

- a. ALLOWED USES. The following uses are allowed:
 - (1) One-family dwelling.
 - (2) Cottage Industry provided activities are limited to knitting, basket making, sewing, quilting, pottery, scrap booking and cooking classes or services; no more than one full-time employee engages in cottage industry activities on site at any one time; no more than 10 customers visit the site at any given time; no customer lodging occurs on site without an approved Cottage Inn, Bed and Breakfast Inn or Country Inn.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (3) Class I Equestrian Establishment provided the facility's average daily visitor trips do not exceed one hundred (100) per day.
- (4) Vineyards, equine lands, nurseries (wholesale only), greenhouses, orchards, aviaries, apiaries, field crops, tree crops, berry and bush crops, vegetable, flower and herb gardening on a commercial scale. The drying, packing (other than canning), freezing and other accepted methods of processing the produce resulting from such allowed uses, when such processing is primarily in conjunction with a farming operation and further provided that the permanent buildings and structures used in conjunction with such processing operations are set back a minimum of fifty feet (50') from any lot line.
- (5) The noncommercial keeping or raising of not more than 12 mature female crowing fowl on lots from 20,000 square feet to 40,000 square feet. The noncommercial keeping or raising of not more than 50 mature female crowing fowl and ten mature male crowing fowl on lots 40,000 square feet or larger
- (6) The noncommercial keeping or raising of cattle, horses, sheep, goats including the grazing and supplementary feeding of such animals, provided they are kept, fed and maintained a minimum of 50 feet from any property line. The maximum number of animals allowed, except for sheep and goats, shall be five (5) per acre of the total area of the premises. The maximum number of sheep or goats shall be 15 per acre of the total area of the premises. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of

1 maturity. In all cases the allowable number of animals per acre shall be
2 rounded to the nearest whole number.

- 3 (7) The systematic rotation of animals for grazing is allowed so long as the
4 total number of animals does not exceed the maximum allowed
5 pursuant to Section 14.96.a.(6) herein. Notwithstanding the foregoing,
6 there shall be no limit to the allowable number of sheep which may be
7 temporarily grazed on any premises when the grazing is for the purpose
8 of cleaning up unharvested crops, provided that such grazing is not
9 conducted for more than four weeks in any six month period and that
10 the total number of sheep permanently kept on the premises does not
11 exceed the maximum allowed.
- 12 (8) Poultry (excluding crowing fowl) and rabbits for the use of the
13 occupants of the premises only. All poultry and rabbits shall be kept in
14 an enclosed area located not less than 50 feet from any lot line.
- 15 (9) On lots 20,000 square feet or larger, the noncommercial keeping,
16 raising or breeding of guinea pigs, parakeets, chinchillas, or other
17 similar small fowl or animals (excluding crowing fowl and mink),
18 provided that all such uses are kept and maintained in an enclosed area
19 located not less than 50 feet from any lot line.
- 20 (10) On lots of not less than 20,000 square feet or larger, the noncommercial
21 keeping or raising of not more than two (2) miniature pigs.
- 22 (11) Farms or facilities for the selective or experimental breeding and
23 raising of horses, cattle, sheep, and goats subject to the limitations
24 set forth in subsection a.(6) herein.
- 25 (12) Future Farmers of America or 4-H projects.
- 26 (13) Outside storage of materials, such as irrigation equipment and
27 farming machinery, is allowed as an accessory use with no limit
28

1 provided the materials are used in conjunction with a farm.
2 Otherwise, the outside storage of materials is allowed as an
3 accessory use on lots smaller than one-half acre provided the
4 amount is limited to 100 square feet with a maximum height of six
5 feet and is allowed as an accessory use on lots one-half acre or
6 larger provided the amount is limited to 200 square feet with a
7 maximum height of six feet.

8 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
9 following uses are permitted provided a plot plan has first been approved
10 pursuant to Section 18.30 of this ordinance.

11 (1) In addition to the principal dwelling, an additional one family
12 dwelling may be permitted for each ten acres of a farm. Any such
13 additional dwelling shall be located on a lot being farmed and may
14 be occupied by the owner, operator or employee of the farming
15 operation as a one family dwelling provided that:

- 16 a) The dwelling is not rented or offered for lease.
17 b) The dwelling is located not less than 50 feet from any lot
18 line.
19 c) The dwelling is screened from view from the front lot line by
20 shrubs or trees.
21 d) The arrangement of the dwelling, sanitary facilities and
22 utilities conforms with all requirements of law including
23 requirements of the County Public Health Department and
24 the County Building and Safety Department.
25 e) The total number of such additional dwellings for any farm
26 shall not exceed four.
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (2) A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in section 18.12 of Ordinance No. 348, except that no paving shall be required.
- (3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling.
- (4) Class I, II winery
- (5) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of ten (10) gross acres:
 - a. Petting Zoo;
 - b. Polo-grounds;
 - c. Horse show facility
- (6) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of twenty (20) gross acres:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- a. Petting Zoo;
 - b. Polo-grounds;
 - c. Horse show facility;
 - d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop; and
 - e. Delicatessen or restaurant; drive thru restaurants shall not be permitted.
- c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.** The following uses are permitted provided that a conditional use permit has first been approved pursuant to Section 18.28 of this ordinance.
- (1) Farm labor camp.
 - (2) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of fifty (50) gross acres:
 - a. Petting Zoo;
 - b. Polo-grounds;
 - c. Horse show facility;
 - d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;
 - e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;
 - f. Horse racing track or rodeo arena;

1 g. Animal hospital that provides temporary boarding facilities
2 for the purposes of boarding sick or injured animals.

3 (3) A Class II Equestrian Establishment that includes one or more of the
4 following appurtenant and incidental equestrian uses only in
5 conjunction with an established onsite equine land and a minimum
6 parcel size of hundred (100) gross acres:

- 7 a. Petting Zoo;
8 b. Polo-grounds;
9 c. Horse show facility;
10 d. Equine equipment, service and supply store, such as but not
11 limited to, saddle and harness shop, tack shop, feed and grain
12 store, custom-crafted equestrian goods shop;
13 e. Delicatessen or restaurant; drive thru restaurants shall not be
14 permitted;
15 f. Horse racing track or rodeo arena;
16 g. Animal hospital that provides temporary boarding facilities
17 for the purposes of boarding sick or injured animals;
18 h. Special Occasion Facility

19 SECTION 14.97. DEVELOPMENT STANDARDS.

20 a. General Standards. The following standards shall apply to all uses and
21 development in the WC-E Zone:

- 22 (1) LOT SIZE. The minimum lot size shall be 10 gross acres. On flag lots,
23 the minimum lot size shall be determined by excluding that portion of a
24 lot that is used solely for access to the portion of a lot used as a
25 building site.
26 (2) LOT WIDTH. Lots shall have a minimum average width of two
27 hundred feet (200').
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (3) LOT DEPTH. The minimum average lot depth shall be 100 feet.
- (4) SETBACKS. The following setback requirements shall apply.
 - a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.
 - b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
 - c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
 - d. The minimum road right of way setback for buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
 - e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one hundred feet (100'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be three hundred feet (300').

g. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(5) HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

(6) HEIGHT.

a. The maximum height for a building shall not exceed thirty feet (30'), except where the project design incorporates terraced lots, then the maximum height of a building shall not exceed forty feet (40') when measured from the lowest

1 finished graded pad. Architectural elements such as spires,
2 minarets, chimneys or similar structures may exceed the
3 prescribed height limits where such structures do not provide
4 additional floor space

5 b. The maximum height for a structure shall exceed fifty feet
6 (50') in height, unless a greater height is approved pursuant
7 to Section 18.34 of this ordinance. In no event, however,
8 shall a structure exceed seventy-five (75') feet in height,
9 unless a variance is approved pursuant to Section 18.27 of
10 this ordinance.

- 11 (7) Site layouts and building designs shall minimize noise impacts on
12 surrounding properties and comply with Ordinance No. 847.
- 13 (8) Drainage channels shall be constructed to avoid undermining or
14 eroding the roadbed.
- 15 (9) Site layout and design shall be consistent with existing and planned
16 recreational trails and bike paths set forth in the General Plan and
17 the Temecula Valley Wine Country Design Guidelines.
- 18 (10) All utilities shall be installed underground except electrical lines
19 rated at 33kV or greater which may be installed above ground.
- 20 (11) All exterior lighting shall comply with applicable requirements of
21 Ordinance Nos. 655 and 915.
- 22 (12) All exterior lighting, including spotlights, floodlights, electric
23 reflectors and other means of illumination for signs, structures,
24 landscaping, parking, loading, unloading and similar areas, shall be
25 focused, directed, and arranged to prevent glare and direct
26 illumination of streets or adjoining property.
- 27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(13) On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.

(14) All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard and equine uses from residential encroachment and conflicting land uses.

b. Special Occasion Facility Standards. In addition to the General Standards, the following standards shall apply to all special occasion facilities in the WC-E zone:

(1) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines.

(2) Loading, trash, and service areas shall be screened by structures or landscaping and shall be located and designed in such a manner as to minimize noise and odor impacts to adjacent properties.

(3) Automobile parking spaces shall comply with Section 18.12 of Ordinance No. 348 and shall be consistent with the rural standards of Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

(4) No amplified sound shall be permitted outdoors, except for the following:

- a. Polo grounds;
- b. Horse racing track;
- c. Rodeo arena; or
- d. An Exception to Ordinance No. 847 has been applied for and approved

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (5) All special occasion facilities shall conduct a noise study or an acoustical analysis if an outdoor facility is proposed. Based on such study or analysis, the Planning Director may require as a condition of approval that the project applicant enter into a good neighbor agreement with the surrounding neighbors.
 - (6) Outside storage areas and the material therein shall be screened with structures or landscaping.
 - (7) All roof mounted mechanical equipment shall be screened from the ground elevation view to minimum sight distance of thirteen hundred twenty feet (1,320').
- c. Class II Equestrian Establishment Standards. In addition to the General Standards, the following standards shall apply to all Class II Equestrian Establishments in the WC-E zone:
- (1) At least seventy-five percent (75%) of the net project area shall be set-aside for permanent equine lands prior to issuance of certificate of occupancy or final inspection for the Class II Equestrian Establishment, whichever occurs first.
 - (2) Buildings and structures shall be designed in a rural, equestrian or wine country theme consistent with the Temecula Valley Wine Country Design Guidelines and in a manner that provides a sanitary and healthful environment for the horses.
 - (3) Automobile parking spaces shall comply with Section 18.12 of this ordinance and shall be consistent with the rural standards of the Temecula Valley Wine Country Policy Area of the Riverside County General Plan and the Temecula Valley Wine Country Design Guidelines.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (4) Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.
- (5) Manure disposal shall be managed to discourage breeding grounds for flies and pests.
- (6) If on-site composting can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from any property line.

d. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-E zone:

- (1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.
- (2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
- (3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
- (4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- ~~(78)~~ The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except when for the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.
 - b. During the first three years from the plot plan's or conditional use permit's effective date.
- (89) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.
- (910) A Class I Winery shall be less than 1,501 square feet in size.
- ~~(1011)~~ A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.
- ~~(1012)~~ Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

Comment [LR4]: Renumbered.

Formatted: Indent: Left: 2.5", Line spacing: Exactly 24 pt

Comment [LR5]: Added at PC 11-20-13

1 (~~13~~) Prior to the issuance of a certificate of occupancy for any incidental
2 commercial uses, the winery shall be operational.

3 (~~14~~) Buildings and structures shall be designed in a rural, equestrian or
4 wine country theme consistent with the Temecula Valley Wine
5 Country Design Guidelines.

6 (~~15~~) Automobile parking spaces shall comply with Section 18.12 of
7 Ordinance No. 348 and shall be consistent with the rural standards
8 of the Temecula Valley Wine Country Policy Area of the Riverside
9 County General Plan and the Temecula Valley Wine Country
10 Design Guidelines.

11 (~~16~~) Loading, trash, and service areas shall be screened by structures
12 or landscaping and shall be located and designed in such a manner
13 as to minimize noise and odor impacts to adjacent properties.

14 (~~17~~) Outside storage areas shall be screened from view by structures
15 or landscaping.

16 (~~18~~) All roof mounted mechanical equipment shall be screened from the
17 ground elevation view to a minimum sight distance of thirteen
18 hundred twenty feet (1,320').

19 SECTION 14.98. AUTHORIZED USES. WINE COUNTRY – RESIDENTIAL (WC-R)
20 ZONE.

21 a. ALLOWED USES. The following uses are allowed:

- 22 (1) One-family dwelling.
23 (2) Cottage Industry provided activities are limited to knitting, basket
24 making, sewing, quilting, pottery, scrap booking and cooking
25 classes or services; no more than one full-time employee engages in
26 cottage industry activities on site at any one time; no more than 10
27 customers visit the site at any given time; no customer lodging
28

Formatted: Indent: Left: 2", Hanging: 0.5",
Line spacing: Exactly 24 pt, Numbered + Level:
1 + Numbering Style: 1, 2, 3, ... + Start at: 15
+ Alignment: Left + Aligned at: 2.5" + Tab
after: 2.75" + Indent at: 2.75"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

occurs on site without an approved Cottage Inn, Bed and Breakfast Inn or Country Inn.

(3) Vineyards; groves; equine lands; field crops; flower, vegetable, and herb gardening; orchards; apiaries; the drying, processing and packing (other than canning) of fruits, nuts, vegetables and other horticultural products where such drying, processing or packing in conjunction with an agricultural operation or an incidental commercial use as defined in this ordinance.

(4) The systematic rotation of animals for grazing is allowed so long as the total number of animals does not exceed the maximum allowed pursuant to Section 14.98.a.(5) herein. Notwithstanding the foregoing, there shall be no limit to the allowable number of sheep, goats or cattle which may be temporarily grazed on any premises when the grazing is for the purpose of cleaning up unharvested crops, provided that such grazing is not conducted for more than four weeks in any six month period and that the total number of sheep, goats or cattle permanently kept on the premises does not exceed the maximum allowed.

(5) The noncommercial keeping, raising or boarding of horses, cattle, sheep, and goats on lots 20,000 square feet or larger and 100 feet in width, provided they are kept not less than 50 feet from any dwelling unit other than a dwelling unit located on the same lot. The number of such animals is not to exceed five (5) animals per gross acre of all the land available. The provisions of this subsection apply to mature breeding stock, maintenance stock and similar farm stock, and shall not apply to the offspring thereof, if such offspring are being kept solely for sale, marketing or slaughtering prior to the age of

1 maturity. In all cases the allowable number of animals per acre shall be
2 rounded to the nearest whole number.

- 3 (6) Farms or establishments for the selective or experimental breeding
4 and raising of horses, cattle, sheep, and goats subject to the
5 limitations set forth in section a.(5) herein.
6 (7) Future Farmers of America or 4-H projects.
7 (8) Outside storage of materials, such as irrigation equipment and
8 farming machinery, is allowed as an accessory use with no limit
9 provided the materials are used in conjunction with a farm.
10 Otherwise, the outside storage of materials is allowed as an
11 accessory use on lots smaller than one-half acre provided the
12 amount is limited to 100 square feet with a maximum height of six
13 feet and is allowed as an accessory use on lots one-half acre or
14 larger provided the amount is limited to 200 square feet with a
15 maximum height of six feet.

16 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
17 following uses are permitted provided a plot plan has first been approved
18 pursuant to Section 18.30 of this ordinance.

- 19 (1) In addition to the principal dwelling, an additional one family
20 dwelling may be permitted for each ten acres of a farm. Any such
21 additional dwelling shall be located on a lot being farmed and may
22 be occupied by the owner, operator or employee of the farming
23 operation as a one family dwelling provided that:
24 a) The dwelling is not rented or offered for lease.
25 b) The dwelling is located not less than 50 feet from any lot
26 line.
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- c) The dwelling is screened from view from the front lot line by shrubs or trees.
- d) The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.
- e) The total number of such additional dwellings for any farm shall not exceed four.

(2) A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

(3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling

(4) Class I, II winery.

c. Wine Country Clustered subdivision that complies with Ordinance No. 460 and the development standards set forth in the WC-R zone.

SECTION 14.99. DEVELOPMENT STANDARDS.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- a. General Standards. The following standards shall apply to all uses and development in the WC-R Zone, except for residential tract and parcel maps tentatively approved prior to the effective date of Ordinance No. 348.4729. Such maps shall comply with the development standards of their previous zoning classifications in Ordinance No. 348:
 - (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the minimum lot size shall be 5 gross acres. On flag lots, the minimum lot size shall be determined by excluding that portion of a lot that is used solely for access to the portion of a lot used as a building site.
 - (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions, lots shall have a minimum average width of two hundred feet (200').
 - (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the minimum average lot depth shall be 100 feet.
 - (4) SETBACKS. The following setback requirements shall apply.
 - a. The minimum front setback for buildings and structures shall be fifty feet (50') from the property line.
 - b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
 - c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
 - d. The minimum road right of way setback for all buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.

e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

f. The minimum road right of way setback for all winery buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').

(5) HABITABLE STORIES. The number of habitable stories above a building's lowest above ground finished floor shall not exceed two (2).

(6) HEIGHT.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- a. The maximum height for a building shall not exceed thirty feet (30'), except when the project design incorporates terraced lots, then the maximum height of the building shall not exceed forty feet (40') when measured from the lowest finished graded pad. Architectural elements such as spires, minarets, chimneys or similar structures may exceed the prescribed height limits where such structures do not provide additional floor space.
 - b. The maximum height for a structure shall not exceed fifty feet (50') in height, unless a greater height is approved pursuant to Section 18.34 of this ordinance. In no event, however, shall a structure exceed seventy-five (75') feet in height, unless a variance is approved pursuant to Section 18.27 of this ordinance.
- (7) Site layouts and building designs shall minimize noise impacts on surrounding properties and comply with Ordinance No. 847.
 - (8) Drainage channels shall be constructed to avoid undermining or eroding the roadbed.
 - (9) Curbs, gutters and streetlights shall be constructed in accordance with Temecula Valley Wine Country Design Guidelines.
 - (10) Site layout and design shall be consistent with existing and planned recreational trails and bike paths set forth in the General Plan and the Temecula Valley Wine Country Design Guidelines.
 - (11) All utilities shall be installed underground except electrical lines rated at 33kV or greater which may be installed above ground.
 - (12) All exterior lighting shall comply with applicable requirements of Ordinance Nos. 655 and 915.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (13) All exterior lighting, including spotlights, floodlights, electric reflectors and other means of illumination for signs, structures, landscaping, parking, loading, unloading and similar areas, shall be focused, directed, and arranged to prevent glare and direct illumination of streets or adjoining property.
- (14) On-site advertising signs shall be consistent with Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
- (15) All residential developments shall record a Right-to-Farm covenant, pursuant to Ordinance No. 625 to protect the vineyard uses from residential encroachment and conflicting land uses.

b. Wine Country Clustered Subdivision Development Standards.

In addition to the General Standards, the following standards shall apply to wine country clustered subdivision in the WC-R Zone:

- (1) Site layout and design shall be consistent with the Temecula Valley Wine Country Design Guidelines to maximize unique site characteristics including, but not limited to, the natural topography, scenic vistas, soil quality and drainage patterns.
- (2) The minimum residential lot size shall be one (1) gross acre.
- (3) Prior to tentative approval of an applicable subdivision map, at least seventy five percent (75%) of net project area shall be set-aside for planting vineyards through production lots or deed restriction.
- (4) Fifty percent (50%) of the set-aside area shall be planted prior to issuance of the building permit for the first dwelling unit and remaining twenty five percent (25%) prior to finalization of the building permit for the first dwelling unit.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (5) A wine country clustered subdivision consisting of forty (40) gross acres or more shall provide at least one (1) production lot.
- (6) A wine country clustered subdivision that includes a production lot of at ~~least 25~~ least 25 gross acres ~~may havemay have~~ a Class I winery.
- (7) Set-aside areas shall be maintained for production of grapes in perpetuity by any of the following: property owner's association, home owner's association or County Service Area.
- (8) On-site improvements for production lots and deed restricted areas including, but not limited to, lighting, ingress and egress shall be limited to improvements necessary to maintain the production lots and deed restricted areas.
- (9) On-site improvements for clustered lots including, but not limited to, roads, signage, parking, street furniture and exterior lighting shall be consistent with the Temecula Valley Wine Country Design Guidelines and comply with all applicable County signage requirements.
- (10) Wine Country Clustered subdivisions shall include an established on-site vineyard and comply with Ordinance No. 460.

c. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-R zone:

- (1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.

Comment [LR6]: Clean up, extra spaces.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
- (3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
- (4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.
- (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- ~~(5)~~ —
- ~~(6)~~(7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- (8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except ~~when~~ for the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any

Comment [LR7]: Inadvertently left out, now corrected between PC and BOS.

Formatted: Indent: Left: 2", No bullets or numbering

Formatted: Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: a, b, c, ... + Start at: 1 + Alignment: Left + Aligned at: 2.75" + Tab after: 3" + Indent at: 3"

1 winery within the Temecula Valley Wine Country Area
2 Policy Area may take advantage of the exemption.

3 ~~(7)~~b. During the first three years from the plot plan's or
4 conditional use permit's effective date.

5 ~~(9)~~ ~~(8)~~—Of the wine sold by a winery, at least fifty percent (50%) of
6 the wine must be produced on the winery's premises.

7 ~~(9)~~~~(10)~~ A Class I Winery shall be less than 1,501 square feet in size.

8 ~~(10)~~~~(11)~~ A Class II Winery shall be at least fifteen hundred (1,500)
9 square feet in size and shall produce at least three thousand five
10 hundred (3,500) gallons of wine annually as determined by the
11 County Agricultural Commissioner.

12 ~~(11)~~~~(12)~~ Prior to the issuance of a building permit for any incidental
13 commercial uses, the winery shall be constructed.

14 ~~(12)~~~~(13)~~ Prior to the issuance of a certificate of occupancy for any
15 incidental commercial uses, the winery shall be operational.

16 ~~(13)~~~~(14)~~ Buildings and structures shall be designed in a rural,
17 equestrian or wine country theme consistent with the Temecula
18 Valley Wine Country Design Guidelines.

19 ~~(14)~~~~(15)~~ Automobile parking spaces shall comply with Section 18.12
20 of Ordinance No. 348 and shall be consistent with the rural
21 standards of the Temecula Valley Wine Country Policy Area of the
22 Riverside County General Plan and the Temecula Valley Wine
23 Country Design Guidelines.

24 ~~(15)~~~~(16)~~ Loading, trash, and service areas shall be screened by
25 structures or landscaping and shall be located and designed in such a
26 manner as to minimize noise and odor impacts to adjacent
27 properties.
28

Comment [LR8]: Added at PC 11-20-13

Formatted: Indent: Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 9 + Alignment: Left + Aligned at: 2.25" + Indent at: 2.5"

Formatted: Indent: Left: 2", Hanging: 0.5", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 10 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Comment [LR9]: Deleted apostrophe.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~(16)~~(17) Outside storage areas shall be screened from view by structures or landscaping.

~~(17)~~(18) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320').

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

Attachment D-2:

Ord. No. 348.4729 with Planning Commission's recommendations incorporated (clean version)

- 1 b. CLASS I EQUESTRIAN ESTABLISHMENT. An equestrian facility
2 where horses, donkeys, mules and ponies are kept, sheltered, trained,
3 nursed, or boarded. Additionally, such facility may provide on-site
4 activities such as, but not limited to, horse training, guided trail rides, riding
5 lessons, schooling shows and horse day camps. The limitation of the
6 number of animals allowed at a Class I Equestrian Establishment is the
7 same as the noncommercial keeping of animals standard in the Wine
8 Country-Equestrian Zone.
- 9 c. CLASS II EQUESTRIAN ESTABLISHMENT. An equestrian facility
10 where horses, donkeys, mules and ponies are kept, sheltered, trained, nursed
11 or boarded. In addition to the conditionally permitted uses set forth in the
12 Wine Country-Equestrian Zone, a Class II Equestrian Establishment may
13 provide on-site activities such as but not limited to, horse training, guided
14 trail rides, riding lessons, schooling shows and horse day camps. A Class II
15 Equestrian Establishment may have a special occasion facility that is
16 appurtenant and incidental to the equestrian facility provided the facility is
17 located on a parcel one hundred (100) or more gross acres in size. The
18 number of animals allowed at a Class II Equestrian Establishment is the
19 same as the noncommercial keeping of animals standard in the Wine
20 Country-Equestrian Zone.
- 21 d. CLASS I WINERY. A winery with an established on-site vineyard that
22 only crushes, ferments, bottles and processes grapes into wine. Such
23 winery shall be located on a minimum gross parcel size of five (5) acres
24 within the WC-W, WC-WE, WC-E and WC-R zones and on a minimum
25 gross parcel size of twenty-five (25) acres when in conjunction with a
26 clustered subdivision in the WC-W and WC-R zones. No appurtenant or
27 incidental commercial uses are allowed with this winery.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

e. CLASS II WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the tasting area only;
- (7) Delicatessen not to exceed 500 square feet in size

f. CLASS III WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of ten (10) acres that is allowed the following appurtenant and incidental commercial uses with an approved permit:

- (1) Wine tasting area;
- (2) Wine club activity;
- (3) Wine club event;
- (4) Retail wine sales;
- (5) Eight (8) Winegrowers Trade Association Events per year;
- (6) Gift sales within the tasting area only;
- (7) Special occasion facility;
- (8) And one of the following: Bed and Breakfast Inn, delicatessen not to exceed 500 square feet or restaurant. Drive - thru restaurants shall not be permitted.

g. CLASS IV WINERY. A winery with an established on-site vineyard located on a minimum gross parcel size of fifteen (15) acres that is allowed

1 the following appurtenant and incidental commercial uses with an approved
2 permit:

- 3 (1) Wine tasting area;
- 4 (2) Wine club activity;
- 5 (3) Wine club event;
- 6 (4) Retail wine sales;
- 7 (5) Eight (8) Winegrowers Trade Association Events per year;
- 8 (6) Gift sales within the wine tasting area only;
- 9 (7) Special occasion facility;
- 10 (8) And one of the following: Country-Inn, delicatessen not to exceed
11 500 square feet or restaurant. Drive-thru restaurants shall not be permitted.

12 h. CLASS V WINERY. A winery with an established on-site vineyard
13 located on a minimum gross parcel size of twenty (20) acres that is allowed
14 the following appurtenant and incidental commercial uses with an approved
15 permit:

- 16 (1) Wine tasting area;
- 17 (2) Wine club activity;
- 18 (3) Wine club event;
- 19 (4) Retail wine sales;
- 20 (5) Eight (8) Winegrowers Trade Association Events per year;
- 21 (6) Gift sales within the wine tasting area only;
- 22 (7) Special occasion facility;
- 23 (8) Bed and Breakfast Inn;
- 24 (9) Country Inn;
- 25 (10) Wine Country Hotel;
- 26 (11) Spa or professional culinary academy in conjunction with Wine
27 Country Hotel;

1 (12) Delicatessen not exceed to 1,500 square feet or restaurant. Drive-
2 thru restaurants shall not be permitted.

3 i. CLASS VI WINERY. A winery with an established on-site vineyard
4 located on a minimum gross parcel size of forty (40) acres that is allowed
5 the following appurtenant and incidental commercial uses with an approved
6 permit:

- 7 (1) Wine tasting area;
8 (2) Wine club activity;
9 (3) Wine club event;
10 (4) Retail wine sales;
11 (5) Eight (8) Winegrowers Trade Association Events per year
12 (6) Gift sales within the wine tasting area only;
13 (7) Special occasion facility;
14 (8) Wine Country Resort;
15 (9) Golf courses and daytime driving ranges in conjunction with Wine
16 Country Resorts;
17 (10) Spa or professional culinary academy in conjunction with Wine
18 Country Resorts; and
19 (11) Delicatessen not to exceed 1,500 square feet or restaurant. Drive-
20 thru restaurants shall not be permitted.

21 j. CLUSTERED SUBDIVISION. A development within the WC- W and
22 WC- R Zones in which the allowed number of dwelling units (density yield)
23 are placed in close proximity with the purpose of creating the largest
24 potential development envelope for vineyards. .

25 k. COTTAGE INDUSTRY. A home-based occupation or service carried
26 on by a resident within the principle dwelling in return for compensation,
27 provided such use, occupation or service is incidental and secondary to the
28

1 principal use of the dwelling as a residence and is conducted in a manner
2 not to give an outward appearance or manifest any characteristics of a
3 business.

4 l. COTTAGE INN. A dwelling unit with five (5) or fewer guest rooms,
5 which provides lodging and breakfast for temporary overnight occupants in
6 return for compensation and is solely owned and operated by the property
7 owner. Cooking provisions, such as a stove, oven or grill, are prohibited in
8 the guest rooms, adjoining patios, balconies, and decks.

9 m. COUNTRY INN. A facility, which may be an extension of the main
10 dwelling unit, with 11 to 20 guest rooms that provides lodging and meals
11 for temporary overnight occupants in return for compensation. Cooking
12 provisions, such as a stove, oven or grill, are prohibited in the guest rooms,
13 adjoining patios, balconies, and decks.

14 n. EQUINE LAND. A fenced-in open area that is actively managed to
15 control weeds and used for, but not limited to, grazing of equine or other
16 livestock, equine holding areas, open corrals, exercise areas, riding area, or
17 equestrian racing rings. Only buildings or structures related to the care of
18 equine or other livestock shall be allowed in equine land, all other buildings
19 or structures shall be prohibited.

20 o. GUEST ROOM. A room without cooking facilities rented to transient
21 visitors for a period not to exceed 30 days.

22 p. GUEST SUITES. A series of attached rooms without cooking facilities
23 rented to transient visitors for a period not to exceed 30 days.

24 q. HABITABLE STORY. The portion of a building included between
25 the upper surface of a floor and the upper surface of the floor or roof next
26 above. It is measured as the vertical distance from top to top of two
27 successive tiers of beams or finished floor surfaces and, for the topmost
28

1 story, from the top of the floor finish to the top of the ceiling joists, or
2 where there is not a ceiling, to the top of the roof rafters. Further, the space
3 is designed for human occupancy and the space is equipped with means of
4 egress and light and ventilation facilities.

5 r. HORSE SHOW FACILITY. A facility that holds a maximum of one
6 hundred (100) people that provides a venue for judged equestrian exhibition
7 events, training events, competitive horse or equestrian sport activities.

8 s. INCIDENTAL COMMERCIAL USE. A commercial use that is directly
9 related and secondary to the principal agricultural or equestrian use located
10 on the same parcel or project site.

11 t. LODGING FACILITIES. Bed and Breakfast Inns, Country-Inns, Wine
12 Country Hotels and Wine Country Resorts.

13 u. NET PROJECT AREA. The portion of a site that can actually be built
14 upon. The following are not included in the net project area: public or
15 private road rights-of-way, riparian and riverine areas, conservation
16 easements, waterways, bodies of water and flood ways.

17 v. PRODUCTION LOT. A legal lot that is set-aside for planting vineyards
18 through a deed restriction or other conservation mechanism.

19 w. SET ASIDE AREA. An area that is restricted for the specific use of
20 planting vineyards or equine lands.

21 x. SPECIAL OCCASION FACILITY. An indoor or outdoor facility or area
22 which is used for special occasions such as weddings, parties, concerts,
23 conferences, charity events, and fundraiser events for a specific period of
24 time in return for compensation.

25 y. VINEYARD. A farm where grapevines are planted and cultivated for the
26 purpose of producing grape wine.

- 1 z. WINE CLUB ACTIVITY. A social occasion in which wine club members
2 come to pick up their membership wine bottles, at which time they may
3 engage in wine tasting and further purchase of wine and wine products.
4 Attendance is limited to wine club members and their guests.
- 5 aa. WINE CLUB EVENT. A social occasion held by Class II, Class III,
6 Class IV, Class V and Class VI wineries for wine club members and their
7 guests.
- 8 bb. WINE COUNTRY HOTEL. A facility with more than 20 guest rooms or
9 guest suites, which provides lodging and meals for temporary overnight
10 occupants, in return for compensation. Cooking provisions, such as a stove,
11 oven or grill, are prohibited in guest rooms, guest suites, adjoining patios,
12 balconies, and decks.
- 13 cc. WINE COUNTRY RESORT. A facility that provides food and lodging
14 to transient visitors in which the guest rooms or guest suites are within a
15 conventional hotel building(s) or in detached units. Such facility may
16 provide additional commercial and recreational uses such as spas,
17 amphitheatres, conference rooms, golf-courses, daytime driving ranges and
18 banquet-halls for the convenience of the wine country resort guests.
- 19 dd. WINE TASTING AREA. A permanent area associated with a winery
20 where visitors taste wine.
- 21 ee. WINEGROWERS TRADE ASSOCIATION EVENT. A fundraising
22 effort conducted by one or several member wineries of a local winegrowers
23 trade association, including but not limited to, region-wide barrel tastings,
24 where food and wine samplings are provided to participants.
- 25 ff. WINERY. An agricultural facility designed and used to crush, ferment,
26 distill and process grapes into wine or wine related product.
27
28

1 SECTION 14.92. AUTHORIZED USES. WINE COUNTRY – WINERY (WC-W)

2 ZONE. The following provisions shall apply to the WC-W Zone:

3 a. ALLOWED USES. The following uses are allowed:

- 4 (1) One-family dwelling.
- 5 (2) Cottage Industry provided activities are limited to knitting, basket
6 making, sewing, quilting, pottery, scrap booking and cooking
7 classes or services; no more than one full-time employee engages in
8 cottage industry activities on site at any one time; no more than 10
9 customers visit the site at any given time; no customer lodging
10 occurs on site without an approved Cottage Inn, Bed and Breakfast
11 Inn or Country Inn.
- 12 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
13 herb gardening; orchards; apiaries; the drying, processing and
14 packing (other than canning) of fruits, nuts, vegetables and other
15 horticultural products where such drying, processing or packing is in
16 conjunction with an agricultural operation or an incidental
17 commercial use as defined in this ordinance.
- 18 (4) The systematic rotation of animals for grazing is allowed so long as
19 the total number of animals does not exceed the maximum allowed
20 pursuant to Section 14.92.a.(5) herein. Notwithstanding the
21 foregoing, there shall be no limit to the allowable number of sheep,
22 goats or cattle which may be temporarily grazed on any premises
23 when the grazing is for the purpose of cleaning up unharvested
24 crops, provided that such grazing is not conducted for more than
25 four weeks in any six month period and that the total number of
26 sheep, goats or cattle permanently kept on the premises does not
27 exceed the maximum allowed.

1 (5) The non-commercial keeping, raising or boarding of horses, cattle,
2 sheep and goats on lots 20,000 square feet or larger and 100 feet in
3 width, provided they are kept not less than 50 feet from any
4 dwelling units other than a dwelling unit located on the same lot.
5 The number of such animals is not to exceed five (5) animals per
6 gross acre of all the land available. The provisions of this section
7 apply to mature breeding stock, maintenance stock and similar farm
8 stock, and shall not apply to the offspring thereof, if such offspring
9 are being kept solely for sale, marketing or slaughtering prior to the
10 age of maturity. In all cases the allowable number of animals per
11 acre shall be rounded to the nearest whole number.

12 (6) Future Farmers of America or 4-H projects.

13 (7) Outside storage of materials, such as irrigation equipment and
14 farming machinery, is allowed as an accessory use with no limit
15 provided the materials are used in conjunction with a farm.
16 Otherwise, the outside storage of materials is allowed as an
17 accessory use on lots smaller than one-half acre provided the
18 amount is limited to 100 square feet with a maximum height of six
19 feet and is allowed as an accessory use on lots one-half acre or
20 larger provided the amount is limited to 200 square feet with a
21 maximum height of six feet.

22 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
23 following uses are permitted provided a plot plan has been approved
24 pursuant to Section 18.30 of this ordinance:

25 (1) In addition to the principal dwelling, an additional one family
26 dwelling may be permitted for each ten acres of a farm. Any such
27 additional dwelling shall be located on a lot being farmed and may
28

1 be occupied by the owner, operator or employee of the farming
2 operation as a one family dwelling provided that:

- 3 a) The dwelling is not rented or offered for lease.
- 4 b) The dwelling is located not less than 50 feet from any lot
5 line.
- 6 c) The dwelling is screened from view from the front lot line by
7 shrubs or trees.
- 8 d) The arrangement of the dwelling, sanitary facilities and
9 utilities conforms with all requirements of law including
10 requirements of the County Public Health Department and
11 the County Building and Safety Department.
- 12 e) The total number of such additional dwellings for any farm
13 shall not exceed four.

14 (2) A temporary stand for the display and sale of agricultural products
15 of any authorized use that are produced on the lot where such stand
16 is located or are produced on contiguous lots owned or leased by the
17 owner or occupant of the premises. The temporary stand shall be
18 operated by the producer of the agricultural products. The duration
19 of sales from the temporary stand shall not exceed a period of three
20 continuous months or a total of six months during any calendar year.
21 The stand shall not exceed 300 square feet and shall not include any
22 permanent building or structure. Off-street parking shall be
23 provided as required in Section 18.12 of Ordinance No. 348, except
24 that no paving shall be required.

25 (3) Cottage Inn provided the use is conducted within a one family
26 dwelling unit, is secondary to the principal use of the one family
27
28

1 dwelling as a residence and employs no more than two persons who
2 are not residents of the one family dwelling.

3 (4) Class I, II and V winery.

4 c. CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE
5 PERMIT. The following uses are permitted provided a conditional use
6 permit has been approved pursuant to Section 18.28 of this ordinance:

7 (1) Farm labor camp.

8 (2) Class VI winery.

9 d. Wine Country Clustered subdivision that complies with Ordinance No. 460
10 and the development standards set forth in the WC-W zone.

11 SECTION 14.93. DEVELOPMENT STANDARDS.

12 a. General Standards. The following development standards shall apply to all
13 uses and development in the WC-W Zone, except for residential tract and
14 parcel maps tentatively approved prior to the effective date of Ordinance No.
15 348.4729. Such maps shall comply with the development standards of their
16 previous zoning classifications in Ordinance No. 348.

17 (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the
18 minimum lot size shall be 20 gross acres. On flag lots, the minimum lot
19 size shall be determined by excluding that portion of a lot that is used
20 solely for access to the portion of a lot used as a building site.

21 (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions,
22 lots shall have a minimum average width of two hundred feet (200').

23 (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the
24 minimum average lot depth shall be two hundred feet (200').

25 (4) SETBACKS. The following setback requirements shall apply.

26 a. The minimum front setback for buildings and structures shall
27 be fifty feet (50') from the property line.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- b. The minimum side setback for buildings and structures shall be thirty feet (30') from the property line.
- c. The minimum rear setback for buildings and structures shall be thirty feet (30') from the property line.
- d. The minimum road right of way setback for buildings and structures shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum road right of way setback shall be one hundred feet (100'). The minimum one hundred foot (100') setback requirement does not apply when it makes a single lot undevelopable for a one family dwelling. In such an event, the minimum fifty foot (50') setback requirement shall apply to the lot.
- e. The minimum road right of way setback for permanent buildings and structures used in conjunction with drying, processing, and packing operations shall be fifty feet (50'), except when the site is located next to Rancho California Road, Monte De Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola Road, Buck Road, Borel Road, Butterfield Stage Road, Calle Contento Road, Camino Del Vino Road, and Highway 79 South where the minimum setback requirement shall be one hundred feet (100').
- f. The minimum road right of way setback for all Special Occasion Facility buildings and structures shall be one

1 hundred feet (100'), except when the site is located next to
2 Rancho California Road, Monte De Oro Road, Anza Road,
3 Glen Oaks Road, Pauba Road, De Portola Road, Buck Road,
4 Borel Road, Butterfield Stage Road, Calle Contento Road,
5 Camino Del Vino Road, and Highway 79 South where the
6 minimum setback requirement shall be three hundred feet
7 (300').

8 g. The minimum road right of way setback for all winery
9 buildings and structures shall be fifty feet (50'), except when
10 the site is located next to Rancho California Road, Monte De
11 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
12 Portola Road, Buck Road, Borel Road, Butterfield Stage
13 Road, Calle Contento Road, Camino Del Vino Road, and
14 Highway 79 South where the minimum setback requirement
15 shall be one hundred feet (100').

16 (5) HABITABLE STORIES. The number of habitable stories above a
17 building's lowest above ground finished floor shall not exceed two
18 (2).

19 (6) HEIGHT.

20 a. The maximum height for a building shall not exceed thirty
21 feet (30'), except where the project design incorporates
22 terraced lots, then the maximum height of the building shall
23 not exceed forty feet (40') when measured from the lowest
24 finished graded pad. Architectural elements such as spires,
25 minarets, chimneys or similar structures may exceed the
26 prescribed height limits where such structures do not provide
27 additional floor space.
28

1 b. The maximum height for a structure shall not exceed fifty
2 feet (50'), unless a greater height is approved pursuant to
3 Section 18.34 of this ordinance. In no event, however, shall a
4 structure exceed seventy-five feet (75') in height, unless a
5 variance is approved pursuant to Section 18.27 of this
6 ordinance.

7 (7) Site layouts and building designs shall minimize noise impacts on
8 surrounding properties and comply with Ordinance No. 847.

9 (8) Drainage channels shall be constructed to avoid undermining or
10 eroding the roadbed.

11 (9) Curbs, gutters and streetlights shall be constructed in accordance
12 with Temecula Valley Wine Country Design Guidelines.

13 (10) Site layout and design shall be consistent with existing and planned
14 recreational trails and bike paths set forth in the Riverside County
15 General Plan and the Temecula Valley Wine Country Design
16 Guidelines.

17 (11) All utilities shall be installed underground except electrical lines
18 rated at 33kV or greater which may be installed above ground.

19 (12) All exterior lighting shall comply with applicable requirements of
20 Ordinance Nos. 655 and 915.

21 (13) All exterior lighting, including spotlights, floodlights, electric
22 reflectors and other means of illumination for signs, structures,
23 landscaping, parking, loading, unloading and similar areas, shall be
24 focused, directed, and arranged to prevent glare and direct
25 illumination of streets or adjoining properties.

1 (14) On-site advertising signs shall be consistent with Temecula Valley
2 Wine Country Design Guidelines and comply with all applicable
3 County signage requirements.

4 (15) All residential developments shall record a Right-to-Farm covenant,
5 pursuant to Ordinance No. 625 to protect the vineyard uses from
6 residential encroachment and conflicting land uses.

7 b. Wine Country Clustered Subdivision Development Standards

8 In addition to the General Standards, the following standards shall apply to
9 wine country clustered subdivisions in the WC-W Zone:

10 (1) Site layout and design shall be consistent with the Temecula Valley
11 Wine Country Design Guidelines to maximize unique site
12 characteristics including, but not limited to, the natural topography,
13 scenic vistas, soil quality and drainage patterns.

14 (2) The minimum residential lot size shall be one (1) gross acre.

15 (3) Prior to tentative approval of an applicable subdivision map, at least
16 seventy five percent (75%) of net project area shall be set-aside for
17 planting vineyards through production lots or deed restriction.

18 (4) Fifty percent (50%) of the set-aside area shall be planted prior to
19 issuance of the building permit for the first dwelling unit and the
20 remaining twenty five percent (25%) prior to final inspection for the
21 first dwelling unit.

22 (5) A wine country clustered subdivision consisting of forty (40) gross
23 acres or more shall provide at least one (1) production lot.

24 (6) A wine country clustered subdivision that includes a production lot
25 of at least 25 gross acres may have a Class I winery.
26
27
28

- 1 (7) Set-aside areas shall be maintained for production of grapes in
2 perpetuity by any of the following: property owner's association,
3 home owner's association or County Service Area.
- 4 (8) On-site improvements for clustered lots including, but not limited to,
5 roads, signage, parking, street furniture and exterior lighting shall be
6 consistent with the Temecula Valley Wine Country Design
7 Guidelines and comply with all applicable County signage
8 requirements.
- 9 (9) On-site improvements for production lots and deed restricted areas
10 including, but not limited to, lighting, ingress and egress shall be
11 limited to improvements necessary to maintain the production lots
12 and deed restricted areas.
- 13 (10) Wine Country Clustered Subdivisions shall include an established
14 on-site vineyard and comply with Ordinance No. 460.

15 c. Special Occasion Facility Standards. In addition to the General Standards,
16 the following standards shall apply to all special occasion facilities in the
17 WC-W zone:

- 18 (1) Buildings and structures shall be designed in a rural, equestrian or
19 wine country theme consistent with the Temecula Valley Wine
20 Country Design Guidelines.
- 21 (2) Loading, trash, and service areas shall be screened by structures or
22 landscaping and shall be located and designed in such a manner as
23 to minimize noise and odor impacts to adjacent properties.
- 24 (3) Automobile parking spaces shall comply with Section 18.12 of
25 Ordinance No. 348 and shall be consistent with the rural standards
26 of Temecula Valley Wine Country Policy Area of the Riverside
27
28

1 County General Plan and the Temecula Valley Wine Country
2 Design Guidelines.

3 (4) No amplified sound shall be permitted outdoors, unless an exception
4 to Ordinance No. 847 has been applied for and approved.

5 (5) All special occasion facilities shall conduct a noise study or an
6 acoustical analysis if an outdoor facility is proposed. Based on such
7 study or analysis, the Planning Director may require as a condition
8 of approval that the project applicant enter into a good neighbor
9 agreement with the surrounding neighbors.

10 (6) Outside storage areas and the material therein shall be screened with
11 structures or landscaping.

12 (7) All roof mounted mechanical equipment shall be screened from the
13 ground elevation view to minimum sight distance of thirteen
14 hundred twenty feet (1,320').

15 d. Lodging Facility Standards. In addition to the General Standards, the
16 following standards shall apply to all lodging facilities in the WC-W zone:

17 (1) A maximum of two (2) guest rooms or guest suites per gross acre
18 shall be permitted for a lodging facility.

19 (2) Buildings and structures shall be designed in a rural, equestrian or
20 wine country theme consistent with the Temecula Valley Wine
21 Country Design Guidelines.

22 (3) Loading, trash, and service areas shall be screened by structures or
23 landscaping and shall be located and designed in such a manner as
24 to minimize noise and odor impacts to adjacent properties.

25 (4) Automobile parking spaces shall comply with Section 18.12 of
26 Ordinance No. 348 and shall be consistent with the rural standards
27 of the Temecula Valley Wine Country Policy Area of the Riverside
28

1 County General Plan and the Temecula Valley Wine Country
2 Design Guidelines.

3 (5) Outside storage areas and the material therein shall be screened with
4 structures or landscaping.

5 (6) All roof mounted mechanical equipment shall be screened from the
6 ground elevation view to a minimum sight distance of thirteen
7 hundred twenty feet (1,320').

8 e. Winery Standards. In addition to the General Standards, the following
9 standards shall apply to all wineries in the WC-W zone:

10 (1) A total of seventy-five percent (75%) of the net project area shall be
11 planted in vineyards prior to issuance of certificate of occupancy or
12 final inspection, whichever occurs first. Fifty percent (50%) of the
13 vineyard requirement shall be planted prior to issuance of building
14 permit for the winery.

15 (2) To achieve the seventy-five (75%) percent requirement, fifteen
16 percent (15%) of the net project area may include the planting of
17 olive trees and the remaining sixty percent (60%) of the net project
18 area shall be planted in vineyards.

19 (3) The seventy-five (75%) planting requirement shall not include water
20 features, natural or manmade lakes or the planting of grapevines in
21 parking lots, but may include planting in the road right of way as
22 may be approved by the Director of Transportation or his designee.

23 (4) Vineyards used to meet the above planting requirement shall have a
24 minimum average density of 450 vines per acre. Olive trees used to
25 meet the above planting requirement shall have a minimum average
26 density of 100 olive trees per acre.

- 1 (5) The seventy-five (75%) planting requirement shall be maintained for
2 the life of the permit.
- 3 (6) No amplified sound shall be permitted outdoors, unless an exception
4 to Ordinance No. 847 has been applied for and approved.
- 5 (7) Prior to obtaining a Certificate of Occupancy, a winery operator
6 shall obtain all applicable permits or licenses required by the
7 California Department of Beverage Control.
- 8 (8) The grapes utilized in wine production and retail wines sales shall
9 meet the following minimum requirement: 75% shall be grown in
10 Riverside County, except for the following:
- 11 a. When the Board of Supervisors declares an Agricultural
12 Emergency for the Temecula Valley Wine Country Area.
13 The declaration shall be for a specific period of time and any
14 winery within the Temecula Valley Wine Country Area
15 Policy Area may take advantage of the exemption.
- 16 b. During the first three years from the plot plan's or
17 conditional use permit's effective date.
- 18 (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine
19 shall be produced on the winery's premises.
- 20 (10) A Class I Winery shall be less than 1,501 square feet in size.
- 21 (11) A Class II Winery shall be at least fifteen hundred (1,500) square
22 feet in size and shall produce at least three thousand five hundred
23 (3,500) gallons of wine annually as determined by the County
24 Agricultural Commission.
- 25 (12) A Class V Winery shall be at least three thousand (3,000) square
26 feet and shall produce at least seven thousand (7,000) gallons of
27
28

1 wine annually as determined by the County Agricultural
2 Commissioner.

3 (13) A Class VI Winery shall be at least six thousand (6,000) square feet
4 and shall produce at least fourteen thousand (14,000) gallons of
5 wine annually as determined by the County Agricultural
6 Commissioner.

7 (14) Prior to the issuance of a building permit for any incidental
8 commercial use, the winery shall be constructed.

9 (15) Prior to the issuance of a certificate of occupancy for any incidental
10 commercial use, the winery shall be operational.

11 (16) Buildings and structures shall be designed in a rural, equestrian or
12 wine country theme consistent with the Temecula Valley Wine
13 Country Design Guidelines.

14 (17) Automobile parking spaces shall comply with Section 18.12 of
15 Ordinance No. 348 and shall be consistent with the rural standards
16 of the Temecula Valley Wine Country Policy Area of the Riverside
17 County General Plan and the Temecula Valley Wine Country
18 Design Guidelines.

19 (18) Loading, trash, and service areas shall be screened by structures or
20 landscaping and shall be located and designed in such a manner as
21 to minimize noise and odor impacts to adjacent properties.

22 (19) Outside storage areas shall be screened from view by structures or
23 landscaping.

24 (20) All roof mounted mechanical equipment shall be screened from the
25 ground elevation view to a minimum sight distance of thirteen
26 hundred twenty feet (1,320').

1 SECTION 14.94. AUTHORIZED USES. WINE COUNTRY – WINERY EXISTING
2 (WC-WE) ZONE.

3 a. ALLOWED USES for the twenty-nine (29) existing wineries as set forth in
4 Figure 4a of the Wine Country Policy Area attached hereto:

- 5 (1) One-family dwelling.
- 6 (2) Cottage Industry provided activities are limited to knitting, basket
7 making, sewing, quilting, pottery, scrap booking and cooking
8 classes or services; no more than one full-time employee engages in
9 cottage industry activities on site at any one time; no more than 10
10 customers visit the site at any given time; no customer lodging
11 occurs on site without an approved Cottage Inn, Bed and Breakfast
12 Inn or Country Inn.
- 13 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
14 herb gardening; orchards; apiaries; the drying, processing and
15 packing (other than canning) of fruits, nuts, vegetables and other
16 horticultural products where such drying, processing or packing is in
17 conjunction with an agricultural operation or an incidental
18 commercial use as defined in this ordinance.
- 19 (4) The systematic rotation of animals for grazing is allowed so long as the
20 total number of animals does not exceed the maximum allowed
21 pursuant to Section 14.94.a.(5) herein. Notwithstanding the foregoing,
22 there shall be no limit to the allowable number of sheep, goats or cattle
23 which may be temporarily grazed on any premises when the grazing is
24 for the purpose of cleaning up unharvested crops, provided that such
25 grazing is not conducted for more than four weeks in any six month
26 period and that the total number of sheep, goats or cattle permanently
27 kept on the premises does not exceed the maximum allowed.
- 28

1 (5) The non-commercial keeping, raising or boarding of horses, cattle,
2 sheep, and goats on lots 20,000 square feet or larger and 100 feet in
3 width, provided they are kept not less than 50 feet from any
4 dwelling units other than a dwelling unit located on the same lot.
5 The number of such animals is not to exceed five (5) animals per
6 gross acre of all the land available. The provisions of this subsection
7 apply to mature breeding stock, maintenance stock and similar farm
8 stock, and shall not apply to the offspring thereof, if such offspring
9 are being kept solely for sale, marketing or slaughtering prior to the
10 age of maturity. In all cases the allowable number of animals per
11 acre shall be rounded to the nearest whole number.

12 (6) Future Farmers of America or 4-H projects.

13 (7) Outside storage of materials, such as irrigation equipment and
14 farming machinery, is allowed as an accessory use with no limit
15 provided the materials are used in conjunction with a farm.
16 Otherwise, the outside storage of materials is allowed as an
17 accessory use on lots smaller than one-half acre provided the
18 amount is limited to 100 square feet with a maximum height of six
19 feet and is allowed as an accessory use on lots one-half acre or
20 larger provided the amount is limited to 200 square feet with a
21 maximum height of six feet.

22 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
23 following uses are permitted provided a plot plan has first been approved
24 pursuant to Section 18.30 of this ordinance.

25 (1) In addition to the principal dwelling, an additional one family
26 dwelling may be permitted for each ten acres of a farm. Any such
27 additional dwelling shall be located on a lot being farmed and may
28

1 be occupied by the owner, operator or employee of the farming
2 operation as a one family dwelling provided that:

- 3 a. The dwelling is not rented or offered for lease.
- 4 b. The dwelling is located not less than 50 feet from any lot
5 line.
- 6 c. The dwelling is screened from view from the front lot line by
7 shrubs or trees.
- 8 d. The arrangement of the dwelling, sanitary facilities and
9 utilities conforms with all requirements of law including
10 requirements of the County Public Health Department and
11 the County Building and Safety Department.
- 12 e. The total number of such additional dwellings for any farm
13 shall not exceed four.

14 (2) A temporary stand for the display and sale of agricultural products
15 of any authorized use that are produced on the lot where such stand
16 is located or are produced on contiguous lots owned or leased by the
17 owner or occupant of the premises. The temporary stand shall be
18 operated by the producer of the agricultural products. The duration
19 of sales from the temporary stand shall not exceed a period of three
20 continuous months or a total of six months during any calendar year.
21 The stand shall not exceed 300 square feet and shall not include any
22 permanent building or structure. Off-street parking shall be
23 provided as required in Section 18.12 of Ordinance No. 348, except
24 that no paving shall be required.

25 (3) Cottage Inn provided the use is conducted within a one family
26 dwelling unit, is secondary to the principal use of the one family
27
28

1 dwelling as a residence and employs no more than two persons who
2 are not residents of the one family dwelling.

3 (4) The following appurtenant and limited incidental commercial uses,
4 only in conjunction with an established on-site vineyard and a
5 minimum parcel size of five (5) gross acres:

- 6 a. Bed and Breakfast Inn;
- 7 b. Spa and cooking school only in conjunction with a Bed and
8 Breakfast Inn.

9 (5) The following appurtenant and limited incidental commercial uses,
10 only in conjunction with an established on-site vineyard and a
11 minimum parcel size of ten (10) gross acres:

- 12 a. Special Occasion Facility or Country Inn;
- 13 b. Spa and cooking school in conjunction with a Country Inn

14 (6) Class I, II, III and IV winery.

15 c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE**
16 **PERMIT.** The following uses are permitted provided a conditional use
17 permit has been approved pursuant to Section 18.28 of this ordinance:

- 18 (1) Farm Labor Camp

19 **SECTION 14.95. DEVELOPMENT STANDARDS.**

20 a. **General Standards.** The following standards shall apply to all uses and
21 development in the WC-WE Zone, except for residential tract and parcel
22 maps tentatively approved prior to the effective date of Ordinance No.
23 348.4729. Such maps shall comply with the development standards of their
24 previous zoning classifications in Ordinance No. 348:

- 25 (1) **LOT SIZE,** The minimum lot size shall be 20 gross acres. On flag lots,
26 the minimum lot size shall be determined by excluding that portion of a
27
28

1 lot that is used solely for access to the portion of a lot used as a
2 building site.

3 (2) LOT WIDTH. Lots shall have a minimum average width of two
4 hundred feet (200').

5 (3) LOT DEPTH. The minimum average lot depth shall be 100 feet.

6 (4) SETBACKS. The following setback requirements shall apply.

7 a. The minimum front setback for buildings and structures shall
8 be fifty feet (50') from the property line.

9 b. The minimum side setback for buildings and structures shall
10 be thirty feet (30') from the property line.

11 c. The minimum rear setback for buildings and structures shall
12 be thirty feet (30') from the property line.

13 d. The minimum road right of way setback for buildings and
14 structures shall be fifty feet (50') from the road right of way,
15 except when the site is located next to Rancho California
16 Road, Monte De Oro Road, Anza Road, Glen Oaks Road,
17 Pauba Road, De Portola Road, Buck Road, Borel Road,
18 Butterfield Stage Road, Calle Contento Road, Camino Del
19 Vino Road, and Highway 79 South where the minimum road
20 right of way setback requirement shall be one hundred feet
21 (100'). The minimum one hundred foot (100') setback
22 requirement does not apply when it makes a single lot
23 undevelopable for a one family dwelling. In such an event,
24 the minimum fifty foot (50') setback requirement shall apply
25 to the lot.

26 e. The minimum road right of way setback for permanent
27 buildings and structures used in conjunction with drying,
28

1 processing, and packing operations shall fifty feet (50'),
2 except when the site is located next to Rancho California
3 Road, Monte De Oro Road, Anza Road, Glen Oaks Road,
4 Pauba Road, De Portola Road, Buck Road, Borel Road,
5 Butterfield Stage Road, Calle Contento Road, Camino Del
6 Vino Road, and Highway 79 South where the minimum
7 setback requirement shall be one hundred feet (100').

8 f. The minimum road right of way setback for all Special
9 Occasion Facility buildings and structures shall be one
10 hundred feet (100'), except when the site is located next to
11 Rancho California Road, Monte De Oro Road, Anza Road,
12 Glen Oaks Road, Pauba Road, De Portola Road, Buck Road,
13 Borel Road, Butterfield Stage Road, Calle Contento Road,
14 Camino Del Vino Road, and Highway 79 South where the
15 minimum setback requirement shall be three hundred feet
16 (300').

17 g. The minimum road right of way setback for all winery
18 buildings and structures shall be fifty feet (50'), except when
19 the site is located next to Rancho California Road, Monte De
20 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
21 Portola Road, Buck Road, Borel Road, Butterfield Stage
22 Road, Calle Contento Road, Camino Del Vino Road, and
23 Highway 79 South where the minimum setback requirement
24 shall be one hundred feet (100').

25 (5) HABITABLE STORIES. The number of habitable stories above a
26 building's lowest above ground finished floor shall not exceed two
27 (2).
28

1 (6) HEIGHT.

2 a. The maximum height for a building shall not exceed thirty
3 feet (30'), except where the project design incorporates
4 terraced lots then the maximum height of the building shall
5 not exceed forty feet (40') when measured from the lowest
6 finished graded pad. Architectural elements such as spires,
7 minarets, chimneys or similar structures may exceed the
8 prescribed height limits where such structures do not provide
9 additional floor space.

10 b. The maximum height for a structure shall not exceed fifty
11 feet (50'), unless a greater height is approved pursuant to
12 Section 18.34 of this ordinance. In no event, however, shall a
13 structure exceed seventy-five (75') in height, unless a
14 variance is approved pursuant to Section 18.27 of this
15 ordinance.

16 (7) Site layouts and building designs shall minimize noise impacts on
17 surrounding properties and comply with Ordinance No. 847.

18 (8) Drainage channels shall be constructed to avoid undermining or
19 eroding the roadbed.

20 (9) Curbs, gutters and streetlights shall be constructed in accordance
21 with Temecula Valley Wine Country Design Guidelines.

22 (10) Site layout and design shall be consistent with existing and planned
23 recreational trails and bike paths set forth in the General Plan and
24 the Temecula Valley Wine Country Design Guidelines.

25 (11) All utilities shall be installed underground except electrical lines
26 rated at 33kV or greater which may be installed above ground.
27
28

1 (12) All exterior lighting shall comply with applicable requirements of
2 Ordinance Nos. 655 and 915.

3 (13) All exterior lighting, including spotlights, floodlights, electric
4 reflectors and other means of illumination for signs, structures,
5 landscaping, parking, loading, unloading and similar areas, shall be
6 focused, directed, and arranged to prevent glare and direct
7 illumination of streets or adjoining property.

8 (14) On-site advertising signs shall be consistent with Temecula Valley
9 Wine Country Design Guidelines and comply with all applicable
10 County signage requirements.

11 (15) All residential developments shall record a Right-to-Farm covenant,
12 pursuant to Ordinance No. 625 to protect the vineyard uses from
13 residential encroachment and conflicting land uses.

14 b. Special Occasion Facility Standards. In addition to the General Standards,
15 the following standards shall apply to all special occasion facilities in the
16 WC-WE zone:

17 (1) Buildings and structures shall be designed in a rural, equestrian or
18 wine country theme consistent with the Temecula Valley Wine
19 Country Design Guidelines.

20 (2) Loading, trash, and service areas shall be screened by structures or
21 landscaping and shall be located and designed in such a manner as
22 to minimize noise and odor impacts to adjacent properties.

23 (3) Automobile parking spaces shall comply with Section 18.12 of
24 Ordinance No. 348 and shall be consistent with the rural standards
25 of Temecula Valley Wine Country Policy Area of the Riverside
26 County General Plan and the Temecula Valley Wine Country
27 Design Guidelines.
28

- 1 (4) No amplified sound shall be permitted, except when an exception to
2 Ordinance No. 847 has been applied for and approved.
- 3 (5) All special occasion facilities shall conduct a noise study or an
4 acoustical analysis if an outdoor facility is proposed. Based on such
5 study or analysis, the Planning Director may require as a condition
6 of approval that the project applicant enter into a good neighbor
7 agreement with the surrounding neighbors.
- 8 (6) Outside storage areas and the material therein shall be screened with
9 structures or landscaping.
- 10 (7) All roof mounted mechanical equipment shall be screened from the
11 ground elevation view to minimum sight distance of thirteen
12 hundred twenty feet (1,320').

13 c. Lodging Facility Standards. In addition to the General Standards, the
14 following standards shall apply to all lodging facilities in the WC-WE zone:

- 15 (1) A maximum of two (2) guest rooms or guest suites per gross acre
16 shall be permitted for a lodging facility.
- 17 (2) Buildings and structures shall be designed in a rural, equestrian or
18 wine country theme consistent with the Temecula Valley Wine
19 Country Design Guidelines.
- 20 (3) Loading, trash, and service areas shall be screened by structures or
21 landscaping and shall be located and designed in such a manner as
22 to minimize noise and odor impacts to adjacent properties.
- 23 (4) Automobile parking spaces shall comply with Section 18.12 of
24 Ordinance No. 348 and shall be consistent with the rural standards
25 of the Temecula Valley Wine Country Policy Area of the Riverside
26 County General Plan and the Temecula Valley Wine Country
27 Design Guidelines.
- 28

- 1 (5) Outside storage areas and the material therein shall be screened with
2 structures or landscaping.
3 (6) All roof mounted mechanical equipment shall be screened from the
4 ground elevation view to a minimum sight distance of thirteen
5 hundred twenty feet (1,320').

6 d. Winery Standards. In addition to the General Standards, the following
7 standards shall apply to all wineries in the WC-WE zone:

- 8 (1) A total of seventy-five percent (75%) of the net project area shall be
9 planted in vineyards prior to issuance of certificate of occupancy or
10 final inspection, whichever occurs first. Fifty percent (50%) of the
11 vineyard requirement shall be planted prior to issuance of building
12 permit for the winery.
13 (2) To achieve the seventy-five (75%) percent requirement, fifteen
14 percent (15%) of the net project area may include the planting of
15 olive trees and the remaining sixty percent (60%) of the net project
16 area shall be planted in vineyards.
17 (3) The seventy-five (75%) planting requirement shall not include water
18 features, natural or manmade lakes or the planting of grapevines in
19 parking lots, but may include planting in the road right of way as
20 may be approved by the Director of Transportation or his designee.
21 (4) Vineyards used to meet the above planting requirement shall have a
22 minimum average density of 450 vines per acre. Olive trees used to
23 meet the above planting requirement shall have a minimum average
24 density of 100 olive trees per acre.
25 (5) The seventy-five (75%) planting requirement shall be maintained for
26 the life of the permit.
27
28

- 1 (6) No amplified sound shall be permitted outdoors, unless an exception
2 to Ordinance No. 847 has been applied for and approved.
- 3 (7) Prior to obtaining a Certificate of Occupancy, a winery operator
4 shall obtain all applicable permits or licenses required by the
5 California Department of Beverage Control.
- 6 (8) The grapes utilized in wine production and retail wines sales shall
7 meet the following minimum requirement: seventy-five percent
8 (75%) shall be grown in Riverside County, except for the following:
- 9 a. When the Board of Supervisors declares an Agricultural
10 Emergency for the Temecula Valley Wine Country Area.
11 The declaration shall be for a specific period of time and any
12 winery within the Temecula Valley Wine Country Area
13 Policy Area may take advantage of the exemption.
- 14 b. During the first three years from the plot plan's or
15 conditional use permit's effective date.
- 16 (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine
17 must be produced on the winery's premises.
- 18 (10) A Class I Winery shall be less than 1,501 square feet in size.
- 19 (11) Class II, III and IV Wineries shall be at least fifteen hundred (1,500)
20 square feet in size and shall produce at least three thousand five
21 hundred (3,500) gallons of wine annually as determined by the
22 County Agricultural Commissioner.
- 23 (12) Prior to the issuance of a building permit for any incidental
24 commercial uses, the winery shall be constructed.
- 25 (13) Prior to the issuance of a certificate of occupancy for any incidental
26 commercial uses, the winery shall be operational.
27
28

- 1 (14) Buildings and structures shall be designed in a rural, equestrian or
2 wine country theme consistent with the Temecula Valley Wine
3 Country Design Guidelines.
- 4 (15) Automobile parking spaces shall comply with Section 18.12 of
5 Ordinance No. 348 and shall be consistent with the rural standards
6 of the Temecula Valley Wine Country Policy Area of the Riverside
7 County General Plan and the Temecula Valley Wine Country
8 Design Guidelines.
- 9 (16) Loading, trash, and service areas shall be screened by structures or
10 landscaping and shall be located and designed in such a manner as
11 to minimize noise and odor impacts to adjacent properties.
- 12 (17) Outside storage areas shall be screened from view by structures or
13 landscaping.
- 14 (18) All roof mounted mechanical equipment shall be screened from the
15 ground elevation view to a minimum sight distance of thirteen
16 hundred twenty feet (1,320').

17 SECTION 14.96. AUTHORIZED USES. WINE COUNTRY – EQUESTRIAN (WC-E)
18 ZONE.

19 a. ALLOWED USES. The following uses are allowed:

- 20 (1) One-family dwelling.
- 21 (2) Cottage Industry provided activities are limited to knitting, basket
22 making, sewing, quilting, pottery, scrap booking and cooking
23 classes or services; no more than one full-time employee engages in
24 cottage industry activities on site at any one time; no more than 10
25 customers visit the site at any given time; no customer lodging
26 occurs on site without an approved Cottage Inn, Bed and Breakfast
27 Inn or Country Inn.
28

- 1 (3) Class I Equestrian Establishment provided the facility's average
2 daily visitor trips do not exceed one hundred (100) per day.
- 3 (4) Vineyards, equine lands, nurseries (wholesale only), greenhouses,
4 orchards, aviaries, apiaries, field crops, tree crops, berry and bush
5 crops, vegetable, flower and herb gardening on a commercial scale. The
6 drying, packing (other than canning), freezing and other accepted
7 methods of processing the produce resulting from such allowed uses,
8 when such processing is primarily in conjunction with a farming
9 operation and further provided that the permanent buildings and
10 structures used in conjunction with such processing operations are set
11 back a minimum of fifty feet (50') from any lot line.
- 12 (5) The noncommercial keeping or raising of not more than 12 mature
13 female crowing fowl on lots from 20,000 square feet to 40,000 square
14 feet. The noncommercial keeping or raising of not more than 50 mature
15 female crowing fowl and ten mature male crowing fowl on lots 40,000
16 square feet or larger
- 17 (6) The noncommercial keeping or raising of cattle, horses, sheep, goats
18 including the grazing and supplementary feeding of such animals,
19 provided they are kept, fed and maintained a minimum of 50 feet from
20 any property line. The maximum number of animals allowed, except
21 for sheep and goats, shall be five (5) per acre of the total area of the
22 premises. The maximum number of sheep or goats shall be 15 per acre
23 of the total area of the premises. The provisions of this subsection apply
24 to mature breeding stock, maintenance stock and similar farm stock,
25 and shall not apply to the offspring thereof, if such offspring are being
26 kept solely for sale, marketing or slaughtering prior to the age of
27
28

1 maturity. In all cases the allowable number of animals per acre shall be
2 rounded to the nearest whole number.

3 (7) The systematic rotation of animals for grazing is allowed so long as the
4 total number of animals does not exceed the maximum allowed
5 pursuant to Section 14.96.a.(6) herein. Notwithstanding the foregoing,
6 there shall be no limit to the allowable number of sheep which may be
7 temporarily grazed on any premises when the grazing is for the purpose
8 of cleaning up unharvested crops, provided that such grazing is not
9 conducted for more than four weeks in any six month period and that
10 the total number of sheep permanently kept on the premises does not
11 exceed the maximum allowed.

12 (8) Poultry (excluding crowing fowl) and rabbits for the use of the
13 occupants of the premises only. All poultry and rabbits shall be kept in
14 an enclosed area located not less than 50 feet from any lot line.

15 (9) On lots 20,000 square feet or larger, the noncommercial keeping,
16 raising or breeding of guinea pigs, parakeets, chinchillas, or other
17 similar small fowl or animals (excluding crowing fowl and mink),
18 provided that all such uses are kept and maintained in an enclosed area
19 located not less than 50 feet from any lot line.

20 (10) On lots of not less than 20,000 square feet or larger, the noncommercial
21 keeping or raising of not more than two (2) miniature pigs.

22 (11) Farms or facilities for the selective or experimental breeding and
23 raising of horses, cattle, sheep, and goats subject to the limitations
24 set forth in subsection a.(6) herein.

25 (12) Future Farmers of America or 4-H projects.

26 (13) Outside storage of materials, such as irrigation equipment and
27 farming machinery, is allowed as an accessory use with no limit
28

1 provided the materials are used in conjunction with a farm.
2 Otherwise, the outside storage of materials is allowed as an
3 accessory use on lots smaller than one-half acre provided the
4 amount is limited to 100 square feet with a maximum height of six
5 feet and is allowed as an accessory use on lots one-half acre or
6 larger provided the amount is limited to 200 square feet with a
7 maximum height of six feet.

8 b. CONDITIONALLY PERMITTED USES WITH A PLOT PLAN. The
9 following uses are permitted provided a plot plan has first been approved
10 pursuant to Section 18.30 of this ordinance.

11 (1) In addition to the principal dwelling, an additional one family
12 dwelling may be permitted for each ten acres of a farm. Any such
13 additional dwelling shall be located on a lot being farmed and may
14 be occupied by the owner, operator or employee of the farming
15 operation as a one family dwelling provided that:

- 16 a) The dwelling is not rented or offered for lease.
- 17 b) The dwelling is located not less than 50 feet from any lot
18 line.
- 19 c) The dwelling is screened from view from the front lot line by
20 shrubs or trees.
- 21 d) The arrangement of the dwelling, sanitary facilities and
22 utilities conforms with all requirements of law including
23 requirements of the County Public Health Department and
24 the County Building and Safety Department.
- 25 e) The total number of such additional dwellings for any farm
26 shall not exceed four.
27
28

1 (2) A temporary stand for the display and sale of agricultural products
2 of any authorized use that are produced on the lot where such stand
3 is located or are produced on contiguous lots owned or leased by the
4 owner or occupant of the premises. The temporary stand shall be
5 operated by the producer of the agricultural products. The duration
6 of sales from the temporary stand shall not exceed a period of three
7 continuous months or a total of six months during any calendar year.
8 The stand shall not exceed 300 square feet and shall not include any
9 permanent building or structure. Off-street parking shall be
10 provided as required in section 18.12 of Ordinance No. 348, except
11 that no paving shall be required.

12 (3) Cottage Inn provided the use is conducted within a one family
13 dwelling unit, is secondary to the principal use of the one family
14 dwelling as a residence and employs no more than two persons who
15 are not residents of the one family dwelling.

16 (4) Class I, II winery

17 (5) A Class II Equestrian Establishment that includes one or more of the
18 following appurtenant and incidental equestrian uses only in
19 conjunction with an established onsite equine land and a minimum
20 parcel size of ten (10) gross acres:

- 21 a. Petting Zoo;
- 22 b. Polo-grounds;
- 23 c. Horse show facility

24 (6) A Class II Equestrian Establishment that includes one or more of the
25 following appurtenant and incidental equestrian uses only in
26 conjunction with an established onsite equine land and a minimum
27 parcel size of twenty (20) gross acres:
28

- a. Petting Zoo;
- b. Polo-grounds;
- c. Horse show facility;
- d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop; and
- e. Delicatessen or restaurant; drive thru restaurants shall not be permitted.

c. **CONDITIONALLY PERMITTED USES WITH A CONDITIONAL USE PERMIT.** The following uses are permitted provided that a conditional use permit has first been approved pursuant to Section 18.28 of this ordinance.

- (1) Farm labor camp.
- (2) A Class II Equestrian Establishment that includes one or more of the following appurtenant and incidental equestrian uses only in conjunction with an established onsite equine land and a minimum parcel size of fifty (50) gross acres:
 - a. Petting Zoo;
 - b. Polo-grounds;
 - c. Horse show facility;
 - d. Western style store, such as but not limited to, saddle and harness shop, tack shop, feed and grain store, custom-crafted equestrian goods shop;
 - e. Delicatessen or restaurant; drive thru restaurants shall not be permitted;
 - f. Horse racing track or rodeo arena;

1 g. Animal hospital that provides temporary boarding facilities
2 for the purposes of boarding sick or injured animals.

3 (3) A Class II Equestrian Establishment that includes one or more of the
4 following appurtenant and incidental equestrian uses only in
5 conjunction with an established onsite equine land and a minimum
6 parcel size of hundred (100) gross acres:

7 a. Petting Zoo;

8 b. Polo-grounds;

9 c. Horse show facility;

10 d. Equine equipment, service and supply store, such as but not
11 limited to, saddle and harness shop, tack shop, feed and grain
12 store, custom-crafted equestrian goods shop;

13 e. Delicatessen or restaurant; drive thru restaurants shall not be
14 permitted;

15 f. Horse racing track or rodeo arena;

16 g. Animal hospital that provides temporary boarding facilities
17 for the purposes of boarding sick or injured animals;

18 h. Special Occasion Facility

19 SECTION 14.97. DEVELOPMENT STANDARDS.

20 a. General Standards. The following standards shall apply to all uses and
21 development in the WC-E Zone:

22 (1) LOT SIZE. The minimum lot size shall be 10 gross acres. On flag lots,
23 the minimum lot size shall be determined by excluding that portion of a
24 lot that is used solely for access to the portion of a lot used as a
25 building site.

26 (2) LOT WIDTH. Lots shall have a minimum average width of two
27 hundred feet (200').
28

- 1 (3) LOT DEPTH. The minimum average lot depth shall be 100 feet.
- 2 (4) SETBACKS. The following setback requirements shall apply.
- 3 a. The minimum front setback for buildings and structures shall
- 4 be fifty feet (50') from the property line.
- 5 b. The minimum side setback for buildings and structures shall
- 6 be thirty feet (30') from the property line.
- 7 c. The minimum rear setback for buildings and structures shall
- 8 be thirty feet (30') from the property line.
- 9 d. The minimum road right of way setback for buildings and
- 10 structures shall be fifty feet (50'), except when the site is
- 11 located next to Rancho California Road, Monte De Oro
- 12 Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola
- 13 Road, Buck Road, Borel Road, Butterfield Stage Road, Calle
- 14 Contento Road, Camino Del Vino Road, and Highway 79
- 15 South where the minimum road right of way setback shall be
- 16 one hundred feet (100'). The minimum one hundred foot
- 17 (100') setback requirement does not apply when it makes a
- 18 single lot undevelopable for a one family dwelling. In such
- 19 an event, the minimum fifty foot (50') setback requirement
- 20 shall apply to the lot.
- 21 e. The minimum road right of way setback for permanent
- 22 buildings and structures used in conjunction with drying,
- 23 processing, and packing operations shall be fifty feet (50'),
- 24 except when the site is located next to Rancho California
- 25 Road, Monte De Oro Road, Anza Road, Glen Oaks Road,
- 26 Pauba Road, De Portola Road, Buck Road, Borel Road,
- 27 Butterfield Stage Road, Calle Contento Road, Camino Del
- 28

1 Vino Road, and Highway 79 South where the minimum
2 setback requirement shall be one hundred feet (100').

3 f. The minimum road right of way setback for all Special
4 Occasion Facility buildings and structures shall be one
5 hundred feet (100'), except when the site is located next to
6 Rancho California Road, Monte De Oro Road, Anza Road,
7 Glen Oaks Road, Pauba Road, De Portola Road, Buck Road,
8 Borel Road, Butterfield Stage Road, Calle Contento Road,
9 Camino Del Vino Road, and Highway 79 South where the
10 minimum setback requirement shall be three hundred feet
11 (300').

12 g. The minimum road right of way setback for all winery
13 buildings and structures shall be fifty feet (50'), except when
14 the site is located next to Rancho California Road, Monte De
15 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
16 Portola Road, Buck Road, Borel Road, Butterfield Stage
17 Road, Calle Contento Road, Camino Del Vino Road, and
18 Highway 79 South where the minimum setback requirement
19 shall be one hundred feet (100').

20 (5) HABITABLE STORIES. The number of habitable stories above a
21 building's lowest above ground finished floor shall not exceed two
22 (2).

23 (6) HEIGHT.

24 a. The maximum height for a building shall not exceed thirty
25 feet (30'), except where the project design incorporates
26 terraced lots, then the maximum height of a building shall
27 not exceed forty feet (40') when measured from the lowest
28

1 finished graded pad. Architectural elements such as spires,
2 minarets, chimneys or similar structures may exceed the
3 prescribed height limits where such structures do not provide
4 additional floor space

5 b. The maximum height for a structure shall exceed fifty feet
6 (50') in height, unless a greater height is approved pursuant
7 to Section 18.34 of this ordinance. In no event, however,
8 shall a structure exceed seventy-five (75') feet in height,
9 unless a variance is approved pursuant to Section 18.27 of
10 this ordinance.

11 (7) Site layouts and building designs shall minimize noise impacts on
12 surrounding properties and comply with Ordinance No. 847.

13 (8) Drainage channels shall be constructed to avoid undermining or
14 eroding the roadbed.

15 (9) Site layout and design shall be consistent with existing and planned
16 recreational trails and bike paths set forth in the General Plan and
17 the Temecula Valley Wine Country Design Guidelines.

18 (10) All utilities shall be installed underground except electrical lines
19 rated at 33kV or greater which may be installed above ground.

20 (11) All exterior lighting shall comply with applicable requirements of
21 Ordinance Nos. 655 and 915.

22 (12) All exterior lighting, including spotlights, floodlights, electric
23 reflectors and other means of illumination for signs, structures,
24 landscaping, parking, loading, unloading and similar areas, shall be
25 focused, directed, and arranged to prevent glare and direct
26 illumination of streets or adjoining property.

1 (13) On-site advertising signs shall be consistent with Temecula Valley
2 Wine Country Design Guidelines and comply with all applicable
3 County signage requirements.

4 (14) All residential developments shall record a Right-to-Farm covenant,
5 pursuant to Ordinance No. 625 to protect the vineyard and equine
6 uses from residential encroachment and conflicting land uses.

7 b. Special Occasion Facility Standards. In addition to the General Standards,
8 the following standards shall apply to all special occasion facilities in the
9 WC-E zone:

10 (1) Buildings and structures shall be designed in a rural, equestrian or
11 wine country theme consistent with the Temecula Valley Wine
12 Country Design Guidelines.

13 (2) Loading, trash, and service areas shall be screened by structures or
14 landscaping and shall be located and designed in such a manner as
15 to minimize noise and odor impacts to adjacent properties.

16 (3) Automobile parking spaces shall comply with Section 18.12 of
17 Ordinance No. 348 and shall be consistent with the rural standards
18 of Temecula Valley Wine Country Policy Area of the Riverside
19 County General Plan and the Temecula Valley Wine Country
20 Design Guidelines.

21 (4) No amplified sound shall be permitted outdoors, except for the
22 following:

23 a. Polo grounds;

24 b. Horse racing track;

25 c. Rodeo arena; or

26 d. An Exception to Ordinance No. 847 has been applied for and
27 approved
28

1 (5) All special occasion facilities shall conduct a noise study or an
2 acoustical analysis if an outdoor facility is proposed. Based on such
3 study or analysis, the Planning Director may require as a condition
4 of approval that the project applicant enter into a good neighbor
5 agreement with the surrounding neighbors.

6 (6) Outside storage areas and the material therein shall be screened with
7 structures or landscaping.

8 (7) All roof mounted mechanical equipment shall be screened from the
9 ground elevation view to minimum sight distance of thirteen
10 hundred twenty feet (1,320').

11 c. Class II Equestrian Establishment Standards. In addition to the General
12 Standards, the following standards shall apply to all Class II Equestrian
13 Establishments in the WC-E zone:

14 (1) At least seventy-five percent (75%) of the net project area shall be
15 set-aside for permanent equine lands prior to issuance of certificate
16 of occupancy or final inspection for the Class II Equestrian
17 Establishment, whichever occurs first.

18 (2) Buildings and structures shall be designed in a rural, equestrian or
19 wine country theme consistent with the Temecula Valley Wine
20 Country Design Guidelines and in a manner that provides a sanitary
21 and healthful environment for the horses.

22 (3) Automobile parking spaces shall comply with Section 18.12 of this
23 ordinance and shall be consistent with the rural standards of the
24 Temecula Valley Wine Country Policy Area of the Riverside
25 County General Plan and the Temecula Valley Wine Country
26 Design Guidelines.

- (4) Corrals, exercise rings, arenas, and any other disturbed soil area shall be regularly watered or otherwise treated to prevent the emanation of dust.
- (5) Manure disposal shall be managed to discourage breeding grounds for flies and pests.
- (6) If on-site composting can be achieved, the compost area shall be sited at least fifty feet (50') from waterways and hundred feet (100') from any property line.

d. Winery Standards. In addition to the General Standards, the following standards shall apply to all wineries in the WC-E zone:

- (1) A total of seventy-five percent (75%) of the net project area shall be planted in vineyards prior to issuance of certificate of occupancy or final inspection, whichever occurs first. Fifty percent (50%) of the vineyard requirement shall be planted prior to issuance of building permit for the winery.
- (2) To achieve the seventy-five (75%) percent requirement, fifteen percent (15%) of the net project area may include the planting of olive trees and the remaining sixty percent (60%) of the net project area shall be planted in vineyards.
- (3) The seventy-five (75%) planting requirement shall not include water features, natural or manmade lakes or the planting of grapevines in parking lots, but may include planting in the road right of way as may be approved by the Director of Transportation or his designee.
- (4) Vineyards used to meet the above planting requirement shall have a minimum average density of 450 vines per acre. Olive trees used to meet the above planting requirement shall have a minimum average density of 100 olive trees per acre.

- (5) The seventy-five (75%) planting requirement shall be maintained for the life of the permit.
- (6) No amplified sound shall be permitted outdoors, unless an exception to Ordinance No. 847 has been applied for and approved.
- (7) Prior to obtaining a Certificate of Occupancy, a winery operator shall obtain all applicable permits or licenses required by the California Department of Beverage Control.
- (8) The grapes utilized in wine production and retail wines sales shall meet the following minimum requirement: seventy-five percent (75%) shall be grown in Riverside County, except for the following:
 - a. When the Board of Supervisors declares an Agricultural Emergency for the Temecula Valley Wine Country Area. The declaration shall be for a specific period of time and any winery within the Temecula Valley Wine Country Area Policy Area may take advantage of the exemption.
 - b. During the first three years from the plot plan's or conditional use permit's effective date.
- (9) Of the wine sold by a winery, at least fifty percent (50%) of the wine must be produced on the winery's premises.
- (10) A Class I Winery shall be less than 1,501 square feet in size.
- (11) A Class II Winery shall be at least fifteen hundred (1,500) square feet in size and shall produce at least three thousand five hundred (3,500) gallons of wine annually as determined by the County Agricultural Commissioner.
- (12) Prior to the issuance of a building permit for any incidental commercial uses, the winery shall be constructed.

- 1 (13) Prior to the issuance of a certificate of occupancy for any incidental
2 commercial uses, the winery shall be operational.
- 3 (14) Buildings and structures shall be designed in a rural, equestrian or
4 wine country theme consistent with the Temecula Valley Wine
5 Country Design Guidelines.
- 6 (15) Automobile parking spaces shall comply with Section 18.12 of
7 Ordinance No. 348 and shall be consistent with the rural standards
8 of the Temecula Valley Wine Country Policy Area of the Riverside
9 County General Plan and the Temecula Valley Wine Country
10 Design Guidelines.
- 11 (16) Loading, trash, and service areas shall be screened by structures
12 or landscaping and shall be located and designed in such a manner
13 as to minimize noise and odor impacts to adjacent properties.
- 14 (17) Outside storage areas shall be screened from view by structures
15 or landscaping.
- 16 (18) All roof mounted mechanical equipment shall be screened from the
17 ground elevation view to a minimum sight distance of thirteen
18 hundred twenty feet (1,320').

19 SECTION 14.98. AUTHORIZED USES. WINE COUNTRY – RESIDENTIAL (WC-R)
20 ZONE.

21 a. ALLOWED USES. The following uses are allowed:

- 22 (1) One-family dwelling.
- 23 (2) Cottage Industry provided activities are limited to knitting, basket
24 making, sewing, quilting, pottery, scrap booking and cooking
25 classes or services; no more than one full-time employee engages in
26 cottage industry activities on site at any one time; no more than 10
27 customers visit the site at any given time; no customer lodging
28

1 occurs on site without an approved Cottage Inn, Bed and Breakfast
2 Inn or Country Inn.

3 (3) Vineyards; groves; equine lands; field crops; flower, vegetable, and
4 herb gardening; orchards; apiaries; the drying, processing and
5 packing (other than canning) of fruits, nuts, vegetables and other
6 horticultural products where such drying, processing or packing in
7 conjunction with an agricultural operation or an incidental
8 commercial use as defined in this ordinance.

9 (4) The systematic rotation of animals for grazing is allowed so long as the
10 total number of animals does not exceed the maximum allowed
11 pursuant to Section 14.98.a.(5) herein. Notwithstanding the foregoing,
12 there shall be no limit to the allowable number of sheep, goats or cattle
13 which may be temporarily grazed on any premises when the grazing is
14 for the purpose of cleaning up unharvested crops, provided that such
15 grazing is not conducted for more than four weeks in any six month
16 period and that the total number of sheep, goats or cattle permanently
17 kept on the premises does not exceed the maximum allowed.

18 (5) The noncommercial keeping, raising or boarding of horses, cattle,
19 sheep, and goats on lots 20,000 square feet or larger and 100 feet in
20 width, provided they are kept not less than 50 feet from any
21 dwelling unit other than a dwelling unit located on the same lot. The
22 number of such animals is not to exceed five (5) animals per gross
23 acre of all the land available. The provisions of this subsection apply
24 to mature breeding stock, maintenance stock and similar farm stock,
25 and shall not apply to the offspring thereof, if such offspring are being
26 kept solely for sale, marketing or slaughtering prior to the age of
27
28

1 maturity. In all cases the allowable number of animals per acre shall be
2 rounded to the nearest whole number.

3 (6) Farms or establishments for the selective or experimental breeding
4 and raising of horses, cattle, sheep, and goats subject to the
5 limitations set forth in section a.(5) herein.

6 (7) Future Farmers of America or 4-H projects.

7 (8) Outside storage of materials, such as irrigation equipment and
8 farming machinery, is allowed as an accessory use with no limit
9 provided the materials are used in conjunction with a farm.
10 Otherwise, the outside storage of materials is allowed as an
11 accessory use on lots smaller than one-half acre provided the
12 amount is limited to 100 square feet with a maximum height of six
13 feet and is allowed as an accessory use on lots one-half acre or
14 larger provided the amount is limited to 200 square feet with a
15 maximum height of six feet.

16 b. **CONDITIONALLY PERMITTED USES WITH A PLOT PLAN.** The
17 following uses are permitted provided a plot plan has first been approved
18 pursuant to Section 18.30 of this ordinance.

19 (1) In addition to the principal dwelling, an additional one family
20 dwelling may be permitted for each ten acres of a farm. Any such
21 additional dwelling shall be located on a lot being farmed and may
22 be occupied by the owner, operator or employee of the farming
23 operation as a one family dwelling provided that:

24 a. The dwelling is not rented or offered for lease.

25 b. The dwelling is located not less than 50 feet from any lot
26 line.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- c. The dwelling is screened from view from the front lot line by shrubs or trees.
- d. The arrangement of the dwelling, sanitary facilities and utilities conforms with all requirements of law including requirements of the County Public Health Department and the County Building and Safety Department.
- e. The total number of such additional dwellings for any farm shall not exceed four.

(2) A temporary stand for the display and sale of agricultural products of any authorized use that are produced on the lot where such stand is located or are produced on contiguous lots owned or leased by the owner or occupant of the premises. The temporary stand shall be operated by the producer of the agricultural products. The duration of sales from the temporary stand shall not exceed a period of three continuous months or a total of six months during any calendar year. The stand shall not exceed 300 square feet and shall not include any permanent building or structure. Off-street parking shall be provided as required in Section 18.12 of Ordinance No. 348, except that no paving shall be required.

(3) Cottage Inn provided the use is conducted within a one family dwelling unit, is secondary to the principal use of the one family dwelling as a residence and employs no more than two persons who are not residents of the one family dwelling

(4) Class I, II winery.

- c. Wine Country Clustered subdivision that complies with Ordinance No. 460 and the development standards set forth in the WC-R zone.

1 SECTION 14.99. DEVELOPMENT STANDARDS.

2 a. General Standards. The following standards shall apply to all uses and
3 development in the WC-R Zone, except for residential tract and parcel maps
4 tentatively approved prior to the effective date of Ordinance No. 348.4729.
5 Such maps shall comply with the development standards of their previous
6 zoning classifications in Ordinance No. 348:

7 (1) LOT SIZE. Except for Wine Country Clustered Subdivisions, the
8 minimum lot size shall be 5 gross acres. On flag lots, the minimum lot
9 size shall be determined by excluding that portion of a lot that is used
10 solely for access to the portion of a lot used as a building site.

11 (2) LOT WIDTH. Except for Wine Country Clustered Subdivisions, lots
12 shall have a minimum average width of two hundred feet (200').

13 (3) LOT DEPTH. Except for Wine Country Clustered Subdivisions, the
14 minimum average lot depth shall be 100 feet.

15 (4) SETBACKS. The following setback requirements shall apply.

16 a. The minimum front setback for buildings and structures shall
17 be fifty feet (50') from the property line.

18 b. The minimum side setback for buildings and structures shall
19 be thirty feet (30') from the property line.

20 c. The minimum rear setback for buildings and structures shall
21 be thirty feet (30') from the property line.

22 d. The minimum road right of way setback for all buildings and
23 structures shall be fifty feet (50'), except when the site is
24 located next to Rancho California Road, Monte De Oro
25 Road, Anza Road, Glen Oaks Road, Pauba Road, De Portola
26 Road, Buck Road, Borel Road, Butterfield Stage Road, Calle
27 Contento Road, Camino Del Vino Road, and Highway 79
28

1 South where the minimum setback requirement shall be one
2 hundred feet (100'). The minimum one hundred foot (100')
3 setback requirement does not apply when it makes a single
4 lot undevelopable for a one family dwelling. In such an
5 event, the minimum fifty foot (50') setback requirement shall
6 apply to the lot.

7 e. The minimum road right of way setback for permanent
8 buildings and structures used in conjunction with drying,
9 processing, and packing operations shall be fifty feet (50'),
10 except when the site is located next to Rancho California
11 Road, Monte De Oro Road, Anza Road, Glen Oaks Road,
12 Pauba Road, De Portola Road, Buck Road, Borel Road,
13 Butterfield Stage Road, Calle Contento Road, Camino Del
14 Vino Road, and Highway 79 South where the minimum
15 setback requirement shall be one hundred feet (100').

16 f. The minimum road right of way setback for all winery
17 buildings and structures shall be fifty feet (50'), except when
18 the site is located next to Rancho California Road, Monte De
19 Oro Road, Anza Road, Glen Oaks Road, Pauba Road, De
20 Portola Road, Buck Road, Borel Road, Butterfield Stage
21 Road, Calle Contento Road, Camino Del Vino Road, and
22 Highway 79 South where the minimum setback requirement
23 shall be one hundred feet (100').

24 (5) HABITABLE STORIES. The number of habitable stories above a
25 building's lowest above ground finished floor shall not exceed two
26 (2).
27
28

1 (6) HEIGHT.

2 a. The maximum height for a building shall not exceed thirty
3 feet (30'), except when the project design incorporates
4 terraced lots, then the maximum height of the building shall
5 not exceed forty feet (40') when measured from the lowest
6 finished graded pad. Architectural elements such as spires,
7 minarets, chimneys or similar structures may exceed the
8 prescribed height limits where such structures do not provide
9 additional floor space.

10 b. The maximum height for a structure shall not exceed fifty
11 feet (50') in height, unless a greater height is approved
12 pursuant to Section 18.34 of this ordinance. In no event,
13 however, shall a structure exceed seventy-five (75') feet in
14 height, unless a variance is approved pursuant to Section
15 18.27 of this ordinance.

16 (7) Site layouts and building designs shall minimize noise impacts on
17 surrounding properties and comply with Ordinance No. 847.

18 (8) Drainage channels shall be constructed to avoid undermining or
19 eroding the roadbed.

20 (9) Curbs, gutters and streetlights shall be constructed in accordance
21 with Temecula Valley Wine Country Design Guidelines.

22 (10) Site layout and design shall be consistent with existing and planned
23 recreational trails and bike paths set forth in the General Plan and
24 the Temecula Valley Wine Country Design Guidelines.

25 (11) All utilities shall be installed underground except electrical lines
26 rated at 33kV or greater which may be installed above ground.
27
28

- 1 (12) All exterior lighting shall comply with applicable requirements of
2 Ordinance Nos. 655 and 915.
- 3 (13) All exterior lighting, including spotlights, floodlights, electric
4 reflectors and other means of illumination for signs, structures,
5 landscaping, parking, loading, unloading and similar areas, shall be
6 focused, directed, and arranged to prevent glare and direct
7 illumination of streets or adjoining property.
- 8 (14) On-site advertising signs shall be consistent with Temecula Valley
9 Wine Country Design Guidelines and comply with all applicable
10 County signage requirements.
- 11 (15) All residential developments shall record a Right-to-Farm covenant,
12 pursuant to Ordinance No. 625 to protect the vineyard uses from
13 residential encroachment and conflicting land uses.

14 b. Wine Country Clustered Subdivision Development Standards.

15 In addition to the General Standards, the following standards shall apply to
16 wine country clustered subdivision in the WC-R Zone:

- 17 (1) Site layout and design shall be consistent with the Temecula Valley
18 Wine Country Design Guidelines to maximize unique site
19 characteristics including, but not limited to, the natural topography,
20 scenic vistas, soil quality and drainage patterns.
- 21 (2) The minimum residential lot size shall be one (1) gross acre.
- 22 (3) Prior to tentative approval of an applicable subdivision map, at least
23 seventy five percent (75%) of net project area shall be set-aside for
24 planting vineyards through production lots or deed restriction.
- 25 (4) Fifty percent (50%) of the set-aside area shall be planted prior to
26 issuance of the building permit for the first dwelling unit and
27
28

1 remaining twenty five percent (25%) prior to finalization of the
2 building permit for the first dwelling unit.

3 (5) A wine country clustered subdivision consisting of forty (40) gross
4 acres or more shall provide at least one (1) production lot.

5 (6) A wine country clustered subdivision that includes a production lot
6 of at least 25 gross acres may have a Class I winery.

7 (7) Set-aside areas shall be maintained for production of grapes in
8 perpetuity by any of the following: property owner's association,
9 home owner's association or County Service Area.

10 (8) On-site improvements for production lots and deed restricted areas
11 including, but not limited to, lighting, ingress and egress shall be
12 limited to improvements necessary to maintain the production lots
13 and deed restricted areas.

14 (9) On-site improvements for clustered lots including, but not limited to,
15 roads, signage, parking, street furniture and exterior lighting shall be
16 consistent with the Temecula Valley Wine Country Design
17 Guidelines and comply with all applicable County signage
18 requirements.

19 (10) Wine Country Clustered subdivisions shall include an established
20 on-site vineyard and comply with Ordinance No. 460.

21 c. Winery Standards. In addition to the General Standards, the following
22 standards shall apply to all wineries in the WC-R zone:

23 (1) A total of seventy-five percent (75%) of the net project area shall be
24 planted in vineyards prior to issuance of certificate of occupancy or
25 final inspection, whichever occurs first. Fifty percent (50%) of the
26 vineyard requirement shall be planted prior to issuance of building
27 permit for the winery.
28

- 1 (2) To achieve the seventy-five (75%) percent requirement, fifteen
2 percent (15%) of the net project area may include the planting of
3 olive trees and the remaining sixty percent (60%) of the net project
4 area shall be planted in vineyards.
- 5 (3) The seventy-five (75%) planting requirement shall not include water
6 features, natural or manmade lakes or the planting of grapevines in
7 parking lots, but may include planting in the road right of way as
8 may be approved by the Director of Transportation or his designee.
- 9 (4) Vineyards used to meet the above planting requirement shall have a
10 minimum average density of 450 vines per acre. Olive trees used to
11 meet the above planting requirement shall have a minimum average
12 density of 100 olive trees per acre.
- 13 (5) The seventy-five (75%) planting requirement shall be maintained for
14 the life of the permit.
- 15 (6) No amplified sound shall be permitted outdoors, unless an exception
16 to Ordinance No. 847 has been applied for and approved.
- 17 (7) Prior to obtaining a Certificate of Occupancy, a winery operator
18 shall obtain all applicable permits or licenses required by the
19 California Department of Beverage Control.
- 20 (8) The grapes utilized in wine production and retail wines sales shall
21 meet the following minimum requirement: seventy-five percent
22 (75%) shall be grown in Riverside County, except for the following:
- 23 a. When the Board of Supervisors declares an Agricultural
24 Emergency for the Temecula Valley Wine Country Area.
25 The declaration shall be for a specific period of time and any
26 winery within the Temecula Valley Wine Country Area
27 Policy Area may take advantage of the exemption.
28

(18) All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of thirteen hundred twenty feet (1,320')."

Section 2. EFFECTIVE DATE. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA

By: _____
Chairman

ATTEST:

CLERK OF THE BOARD


By: _____

Deputy

(SEAL)

APPROVED AS TO FORM

November 26, 2013

By: 
KARIN WATTS-BAZAN
Principal Deputy County Counsel