

Summary of Comments from the Winery Ordinance Update Community Meeting

November 27, 2012 4:00pm-6:00pm
Santa Barbara County Board of Supervisor's Conference Room
123 East Anapamu Street, Santa Barbara, CA

Dear Interested Persons,

Below is a summary of the public comments received during the Winery Ordinance Update community meeting held on November 27, 2012. Thank you to everyone that participated, your comments will be considered as we move through the process. The comments were either sent by email, written on a comment card, or spoken at the meeting. Please keep in mind the following as you read through the comments:

- Some of the comments pertain to more than one category. If you do not see your comment in one category, look in the other categories.
- If a comment was made more than once, it may have been recorded only once.
- All comments are weighted equally regardless of who made the comment or how the comment was made (email, comment card, or spoken).
- When necessary, comments were edited for grammar, punctuation, brevity, etc. but the original intent of the comment was retained.
- The comments are opinions expressed by the citizens and do not necessarily reflect County positions or policies.

Comments are organized into the following categories:

- Purpose of Tasting Rooms – Comments on the relationship of tasting rooms with agriculture, the educational component of tasting rooms, and public vs. private tasting rooms.
- Location of Tasting Rooms – Comments tasting rooms located in urban vs. rural areas, acreage considerations, and density issues pertaining to tasting rooms.
- Frequency/Occupancy of Tasting Rooms – Comments on tasting rooms operated by appointment vs. public hours, frequency of visitors by location/ per day, and maximum occupancy within tasting rooms.
- Product Sales within Tasting Rooms – Comments on wine and grape related products and winery related products sold within tasting rooms.
- Tasting Room Structure – Comments on the size and scale (link to acreage) of tasting rooms.
- Social Responsibility and Tasting Rooms – Comments on the monitoring and regulating, and incentives for designated/alternative drivers at tasting rooms.
- Follow up items – Comments that did not pertain to tasting rooms but need to be considered.

Purpose of Tasting Rooms

1. The educational aspect of winery and products leads to sales.
2. The primary use of a tasting room is for education and sales.
3. Educational components support success of viticulture and small business.
4. Education promotes wine appreciation.
5. The existing definition of public vs. private is adequate.
6. Tasting rooms are the key to the academic aspect. It supports the industry which in turn supports the whole community.
7. Tasting rooms are vital to the survival of local businesses and the encouragement/preservation of agricultural land.
8. Nobody has guaranteed that someone's winery business will be profitable at any level.
9. The current definition is not correct, education is the primary purpose.
10. Winery is the link. You don't need to change anything.
11. Not every winery should have a tasting room.
12. It is naïve to think that all public wine tasters come for education.
13. How do you appreciate wine? With food pairing. This is educational and we should not regulate education (not a zoning issue).
14. There is no need to make changes unsuitable to the industry.
15. In terms of defining public vs. private, defining might limit private tasting.
16. Restructure the Tier I definition to allow tasting rooms so as to encourage the existence of smaller producers.
17. There is adamant opposition to commercialization of agricultural lands for any reason.
18. Tasting rooms are primarily tourist related. They are serving alcohol to visitors that are on vacation and while doing so are over indulging between wine tasting rooms. They are then sent out on unfamiliar narrow winding rural roads to Hwy 246, 154 and 101.
19. Rather than arguing that wineries can't make money unless they have tasting rooms, it should be that wineries cannot maximize their profits without tasting rooms.
20. It is more likely that the plethora of wineries is more likely to have a negative impact on the relative profitability or impact the economic viability of other wineries than would the existence of a tasting room.
21. The sole purpose of tasting rooms is to encourage the consumption of alcohol.
22. Having an on-site tasting room is critical to profitability.
23. People have the right to enjoy their property, whether it is a neighbor or a winery.
24. It is irrational to ban or extensively regulate tasting rooms as a commercial activity on ag land while permitting nurseries, lavender farms, fruit stands, horses, etc. on ag land.
25. The wine industry has shifted in recent years. The current Tier structure does not allow small, boutique, family-run wineries the ability to enter the marketplace and be profitable. To be successful in this business, one has to sell directly to the consumer to maximize margins. The best way to do this is through a tasting room.
26. Take into consideration the cumulative effects of tasting rooms on private agriculturally zoned lands.

27. Public wine tasting is desire, not a need and should be weighed against the neighborhood's rights to the quiet enjoyment of their properties.
28. Retain the current status of tasting rooms as discretionary privilege. For clarity, change the ordinance language from "may" be approved to "may or may not" be approved.
29. Define "public" and "public wine tasting" and "private".
30. Tasting rooms must be carefully defined, especially as they pertain to public as opposed to private tastings. There should be no reason to interpret the definition of the two any differently.
31. A winery is not agriculture, it is manufacturing. Wine tasting is retail sales and public consumption of a manufactured alcoholic beverage.
32. Under Ag preserve, a tasting room is seen as a right. This is usually not questioned on larger parcels, but is often questioned when applied to smaller, less than 20 acres due to the fact that like sized parcels are nearby.
33. Selling directly to the consumer maximizes a very thin profit margin for small wineries.
34. Consider beer tasting and beer breweries.

Location of Tasting Rooms

35. Tastings rooms should be kept in rural areas because it links it to the educational experience.
36. In terms of neighborhood compatibility, State regulations already address proximity to schools, etc.
37. Tasting Rooms help preserve agriculture and open space.
38. We already have development standards in the ordinance on winery siting.
39. Concerns about location- appropriate and inappropriate places (safety and other impacts on surrounding area).
40. We shouldn't change to address compatibility in Ag zones because tasting rooms are compatible with agriculture.
41. There is no effective county ordinance enforcement in place for rural wine tasting- they place burden of reporting and evidence of noncompliance collecting on the neighbors.
42. Acreage consideration- limitations cut out opportunities for small business.
43. Restrictions cause limitations on benefits of wineries and tasting rooms.
44. Restrictions should only be related to impacts.
45. Concerns about rural roads, drunk drivers, neighborhood compatibility and drivers who are unfamiliar with the area and windy roads.
46. Tasting rooms should be permitted only in commercially-zoned areas, and not in rural areas or Ag land.
47. Locating tasting rooms in cities is more beneficial because there is more access to food service, sidewalks, stores, better roads, a more concentrated police service, and closer ambulance/fire service.
48. Increased traffic in rural areas consequently expands the need for more policing those areas and this financially does not compute.
49. Tasting rooms can often become noisy in quiet, private ag-zoned areas.

50. Tasting rooms should not be concentrated in cities or industrial areas because this leads to traffic congestion and undue concentrations.
51. Concentration spawns monoculture which can economically strangle those like-businesses that are concentrating.
52. Tasting rooms should not be built if they are near a residence or residential envelope.
53. Tasting rooms in urban areas create “ghettos” which have negative impacts.
54. Allowing the currently permitted public visitation to continue will in the long run prove to be both responsible for business as well as mitigate traffic congestion. This will preserve tasting rooms on Ag land which is vital to both Ag land and urban areas.
55. Putting producers into off-site retail locations forces them to pay additional rents when they already own or lease real estate upon which they can open a tasting room. It is an unreasonable financial burden.
56. Safety of residents and guest needs to be the primary concern.
57. Tasting rooms on small acreages can really have a detrimental impact on neighbors.
58. Planning and Development has to try to keep the rules equal for all properties zoned Ag. After all, how can one vineyard be allowed to build a winery with a tasting room when another cannot based on parcel size alone, especially in a case where the same amount of vineyard acreage is planted.
59. The public is coming to visit the area regardless of whether a tasting room is built or not.
60. There is no statistical support for traffic safety, DUI, etc. as issues that require further regulation.
61. There needs to be an overlay that identifies the area east of Hwy 154 as an area prohibited for any future winery development that would include wine tasting rooms.
62. The impacts resulting from tasting rooms has not been made clear.

Frequency/Occupancy of Tasting Rooms

63. Regulation of frequency/occupancy is not needed; it is already regulated by the State’s Department of Alcoholic Beverage Control.
64. Appointment only should be optional by owner’s decision only and it should be made clear that this is an option.
65. Visitors by location, per day, occupancy are self limiting and not a problem.
66. Wine is one of the few businesses in which the quality of the customer is more important than the quantity of customers. Neighbors should understand that tasting rooms are not necessarily encouraging great number of visitors.
67. The market determines hours.
68. By appointment only kills the business industry (unless chose by winery).
69. The issue should be addressed case by case given site issues.
70. Regulating hours discourages business.
71. Fewer hours is connected to less work/employment and taxes.
72. Visitors by location, per day, and maximum occupancy area already addressed elsewhere.
73. It is not practical to regulate the frequency/occupancy of tasting rooms.

74. Tasting room should close at 4 pm, not 5 pm, so that the general public is not sharing the road with imbibers.
75. Private parties and private tastings should have to make appointments two to three days in advance and should have a limit on the number of attendees.
76. Revise the definition of tasting room to include by-appointment tastings. This would have little neighborhood impact and solve the dilemma of public vs private.
77. We need a Tier 0 where it is okay to have 3-5 cars a day to stop by and taste wine.

Product Sales within Tasting Rooms

78. Sales of products add to the charm.
79. Broaden the types of ag related products you can sell at a winery tasting room.
80. The ability to provide food should be broadened.
81. Further limitations should not occur in rural areas
82. There should be food sold without food service in tasting rooms.
83. Selling and marketing a commercial product is a commercial undertaking and not in any way, an agricultural pursuit.

Tasting Room Structure

84. The current ordinance approach is adequate.
85. Consider allowances for smaller boutique wineries.
86. Provide flexibility to allow new start-ups and smaller wineries.
87. Less restriction, let winery owners do what's appropriate.
88. There is already enough discretion.
89. There may not be enough clarity in the ordinance to guide planners and property owners.
90. There will be cumulative effects on small wineries.
91. There is not enough data to support Tier 0 winery.
92. Have a lower tier for producers that make less than 2,000 cases per year.

Social Responsibility

93. The Department of Alcoholic Beverage Control already monitors this issue.
94. Industry is already very active in education/timing.
95. This is not a zoning issue.
96. We need some oversight to ensure things don't get out of control.

Follow Up

97. Road standard/safety issues.
98. Redefine the ordinance with the intent to streamline the permit process, ease and support the agricultural industry.
99. The Department of Alcoholic Beverage Control regulations and Fire Department regulations.
100. Data on the benefits of the winery industry.

101. Add clarity to the ordinance to minimize appeals.
102. Understand the original ordinance's process and intent.
103. Concept of a "Tier 0" for very small wineries.
104. How are current winery applications affected?
105. Commercialization of agricultural lands.
106. Special events involving drinking, rural areas, outdoor and/or amplified noise.
107. Special events fees that could help pay for law enforcement to ensure compliance with a winery's use permit.
108. Special events should be redefined to include all social events associated with wine sales, tasting, marketing, and should be held only at venues specifically established for such events and not at winery properties.
109. "Hospitality Rooms," which equates to "events."
110. There needs to be a separation of processing from neighboring property lines- at least 600 ft. setback.
111. Traffic studies need to include residents, and based on a model that can be verified.
112. Food pairings for various wines should be catered finger food, which cannot be prepared on-site and cannot be separately charged.
113. Negative impacts on native and natural wildlife, coyotes, and birds for prey.
114. The use of air cannons which destroy the natural acoustic environment and also negatively impact the native wildlife.
115. Use Napa Valley as an example of how to regulate wineries.
116. What is the economic impact on the County?
117. The only other county that sought limitations on Ag land wineries was Napa, as they approach 456 wineries. Santa Barbara County has only 56 on Ag land, which is premature for us to consider moratoriums.
118. Have working groups between selected stakeholders as an alternative to "town hall" style meetings. It is a better way to develop a working draft of the revisions.
119. Consider the concept of using an overlay to identify problematic areas.
120. Consider revising Tier 2 to have AG-I-20 zoning and a minimum of 10 acres of planted grapes and Tier III to have AG-II zoning with a minimum of 30 acres of planted grapes.
121. The tiers were intended to provide certainty to the process by avoiding lengthy timelines and excessive permitting costs.
122. Instead of case production, use the County's roadway classifications as the criteria to determine the tiers. This will solve 95% of the problems.