

## **Summary of Comments**

### **Winery Ordinance Update Community Meeting #4 – Neighborhood Compatibility**

February 11, 2013 6:00 PM – 8:00 PM  
St. Mark's –in-the-Valley Church (Stacy Hall)  
2901 Nojoqui Ave, Los Olivos, CA

Dear Interested Persons,

Below is a summary of the public comments received during the Winery Ordinance Update community meeting held on February 11, 2013. 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 that report a “fact” have not been checked for accuracy.

Comments are organized into the following categories:

- What parameters should we consider for activities at wineries beyond strictly agricultural production?
- What are some tools for managing Neighborhood Compatibility and wineries?

Comments that pertain to neighborhood compatibility but do not fit into the above categories were included under “Other comments”.

#### **What parameters should we consider for activities at wineries beyond strictly agricultural production?**

1. Agricultural land should be used to provide the greatest economic benefit for the County.
2. Due to the unsafe rural Ballard Canyon roads, tasting rooms and special events should not be allowed in wineries on narrow and curvy roads.
3. Public wine tasting and special events are not compatible with the Ballard Canyon neighborhood. There are a lot of children and adults on bicycles, horses, or walking and running. There is concern about impaired drivers hurting someone.

4. Tasting rooms and special events are detrimental to neighborhood compatibility. They have nothing to do with agriculture and are ruinous to the Valley's lifestyle and health.
5. By eliminating future tasting rooms, special events, sales, and amplified noise, neighborhood compatibility will be reinstated.
6. The high amount of traffic flow and increased amount of amplified noise on a winery premises is disruptive to the community.
7. Cumulative impacts are key and provisions should be included in the ordinance to account for this. One winery, tasting room and special event permit might be okay on a road like Ballard Canyon, but there are at least ten more vineyards along that road and what will the County do when more vineyard owners want to get permits here?
8. A cumulative impact analysis should consider that no matter what due diligence each tasting room has in regard to how much their customers consume, those same visitors move on to other wineries where they continue tasting wine. The result is often unstable drivers on narrow County roads.
9. Two questions that should be asked include: Is it on a large lot far away from other people? Is it on a small lot right next to housing developments?
10. Wineries have the right to all agricultural processes that can occur on their land. This should include the right to operate some form of a tasting room on the property as long as it is compatible with the surrounding neighbors and winery property.
11. Retail sales have no place on agriculturally zoned property where neighbors are directly impacted.
12. Noise intrusion is a major factor that would drastically alter the peaceful and tranquil life that residents enjoy in the valley.
13. Wineries are agriculture and are generally not proposed in neighborhoods. Generally, they have neighbors on agricultural land that have little or no agricultural activity and choose to complain about wineries.
14. The County should not be trying to restrict agricultural uses because of inconsistent residential uses. Furthermore, in order to have homes on agricultural lands, the County is first supposed to insure that such homes are merely incidental to the agricultural uses of these properties.
15. Allowing "neighborhood" issues to be drawn into the revision of the Winery Ordinance when the wine industry is legitimately already on agriculturally-zoned (not residential) land, complicates the process unnecessarily and creates unproductive polarization.
16. If all the vineyards on Ballard Canyon Rd. built tasting rooms and event centers, this would put extreme pressure on Ballard Canyon Rd.
17. Roads such as Ballard Canyon Rd. and a few others in the County were built a long time ago. They are sub-standard in most respects in terms of meeting the current standards for rural roads in the County.
18. Should a wine tasting room profit at the cost of the neighborhood?
19. Noise, traffic, lights, and events are not compatible with a residential, rural existence.
20. Agricultural land and associated activities should in no way be curtailed by proximity to a residential neighborhood.

21. If the winery and resources are on agricultural land, then the neighbor will have to tolerate those annoyances that are legitimately created by agricultural activity. The same is true if the neighbor is not on agricultural land but is adjacent to a winery.
22. Winery's have negative impacts on the native and natural wildlife, such as coyotes and birds of prey, which consequently allow the proliferation of rodents and vermin within the residential areas.
23. The County should look into wineries located on small parcels and consider where the grapes come from traffic, and what the minimum size is for the vineyard.
24. Traffic and access points along Hwy 154 should be reviewed.
25. The complaints are from a small geographic area.
26. They County cannot usurp the Right-to-Farm Ordinance.
27. The historical use of agricultural is being changed to commercial and is now near homes.
28. Surrounding uses do not always mean neighborhoods.
29. Consider whose property rights are more important.
30. Grapes are not being shipped as much, which is a positive.
31. Phobias, such as wine bars and parties for profit, should be cleared up; the wine industry is beneficial.
32. The existing ordinance, along with CEQA, is long already. The County should not go overboard and shouldn't take away discretion.
33. How many complaints are there regarding special events?
34. Stay with the real facts and real data.
35. Traffic impacts are not solely from wineries.
36. Diversity of small wineries is a positive impact.
37. Noise from public wine tasting and picnicking should be considered.
38. There are no complaints in the Santa Maria Valley.
39. This issue should not just be focused to one geographic area.
40. Compatibility in agricultural zones is different from compatibility in residential areas.
41. Drinking wine at wineries is important as it connects visitors to the vineyard.
42. Screening for lights and distance to neighbors should be considered.
43. All of these issues are already considered under CEQA. Revisiting this issue may be going overboard as it takes discretion away from decision makers.
44. Regulate impacts through things like hours of operation; don't make it all or nothing, just manage the impacts.
45. There needs to be clarity in the rules so that the area does not turn into one big parking lot.
46. Community concerns are not necessarily related to only wineries, but rather events and driving under the influence.
47. There is no part of the definition of agriculture or winery that mentions tasting rooms or events for profit as part of agriculture or wine making. These activities fall under the definition of hospitality.
48. The Right to Farm Ordinance was never intended by any stretch to include commercial events on agricultural property.
49. Clarity will not stop the contentious process.

**What are some tools for managing Neighborhood Compatibility and wineries?**

50. Education is essential in this process. Having FAQs provided in print during these meetings and available on the website will help educate both sides of this debate and hopefully allow for a smoother process.
51. There needs to be a distinction between vineyard issues and winery issues.
52. Threshold levels, like those in the Cattleman’s Good Neighbor Ordinance, should be used.
53. When there are conflicts, have a process set up that provides communication between the people affected and the wine industry. If the complaint is credible, then involve the County.
54. Ballard Canyon needs an overlay to prevent future winery development. There is no opposition to true agricultural related activities; opposition is toward non-agricultural marketing activities such as tasting rooms and events.
55. Work with associations and organizations to find out what problems exist so that people can collectively solve the issues. This ensures a strong economic base for the future while making sure all sectors are working together.
56. Definitions in the Winery Ordinance need to be clear and agreed upon. The County should define key terms and boundaries for the terms. The list of definitions then could be sent out for comments. This method could help bring everyone (winery owners, neighbors, planning staff) to a consensus.
57. Clear definitions for the following should be included in the winery ordinance: “vineyard”, “winery”, “tasting room”, and “special events”.
58. The County should use qualitative as well as quantitative evidence in assessing road safety with and without additional tasting rooms and special events. A simple Average Daily Trip (ADT) count alone is not adequate as a measure of traffic density since it does not take into account timing of traffic.
59. The existing winery ordinance contains a “One size fits all” permitting approach and it does not work.
60. Wineries should encourage wine tasting and events in the populated area of Solvang where transportation avenues are well-established and large groups would benefit local businesses and not disturb families.
61. An overlay zone should be considered for Happy Canyon Rd., Roblar Rd., and Ballard Canyon Rd. This would satisfy safety concerns for neighbors’ families and friends.
62. Wineries should be looked at individually.
63. A distinction needs to be made between the impact of wineries on residentially zoned land and the impacts on neighboring agriculturally zoned land. It needs to be considered whether those two types of zones deserve the same level of protection.
64. The winery permit approval process addresses issues of compatibility when wineries are proposed next to land that is not zoned agriculture. This is done by the tiered process and insuring that certain entitlements such as tasting rooms and events only occur on large parcels that have less impact on neighborhoods.

65. There has to be some level of zoning balance. There needs to be balances in the approval process to ensure that events are 1,000 feet from any one acre zoning. However, those parcel owners have to assume some level of balance, as they chose and paid a price for land that was next to agricultural properties.
66. We need to start with the assumption that these wineries, tasting rooms, and events are a necessary part of the agricultural use and beneficial to the County.
67. Finding comprises, such as only having amplified music in-doors, could be a possible solution that would address everyone's needs.
68. The Napa wine ordinance should be reviewed and used as a framework for the County's wineries. Napa has already done the work.
69. How would overlays work regarding concentrations of wineries?
70. Special events should be separated from the Wine Ordinance and address all agriculture.
71. Provide seminars to teach people about the wine industry.
72. The Williamson Act definitions should be utilized.
73. The industry should help with proving more outreach based education.
74. Every problem is already addressed by regulations and it can't become more clear.
75. Identify ambiguities of the current ordinance.
76. The Chumash should be involved in this process.
77. Economic growth should not be impeded as the County is not in surplus.
78. A task force should be created and kept in place.
79. We should consider how residences impact wineries.
80. The Right-to-Farm Ordinance should be considered.
81. There needs to be clear distinction between commercial and agricultural uses.
82. There should be a zoning overlay in Happy Canyon and Ballard Canyon that restrict wineries and not allow tasting rooms.
83. The location and size of agricultural parcels should be very relevant to their suitability for consideration of permitting commercial events.
84. The penalties for violations need to be reviewed as they are inadequate as far as covering staff time and do not currently provide any punitive effect.
85. Using the County's roadway classification system would alleviate apprehensions among the wine industry of unreasonable regulation as well as address the concerns of residents from Ballard Canyon.
86. By using rebuttable presumptions, let the applicant and residents know what they have to prove or disprove. For S-2 roadways which service residential and non residential land, create a rebuttable presumption that a winery is appropriate. For S-3 roadways which service residential land, create a rebuttable presumption that a winery is not appropriate.
87. Winery ingress and egress is a very important issue and the County's rating of the roadways is an objective and sensible system to use. On the tiers if you change the criteria from case production to the acreage of the premise and use the County's Roadway Classification system you will solve over 95% of the problems.
88. The issues that residents have with the roadways should be directed towards Public Works.
89. There is a need to link location and policies; the county needs to intensify/integrate.

90. Clarify whether a winery requires a Conditional Use Permit (CUP).
91. The definitions should include “incidental” and “preparation of products”.
92. The revised ordinance should treat areas differently based on their density, traffic, and roads.
93. Provide definitions that distinguish “vineyards”, “winery” and “bar”.
94. Impacts should be analyzed based on concentration, the size of the tasting room, special events, and cumulative impacts.
95. Tiers should address the size of the parcel.
96. The County should look at the UCSB study of drivers on rural roads.
97. Clarify ‘site specific’.
98. Parcel size is more critical than production.
99. Winery owners should be encouraged to talk to their neighbors.
100. There needs to be more current traffic studies.
101. Special events are a bigger issue than parcel size.
102. The County should provide a definition of substandard roads.
103. There should be a minimum lot size for tasting rooms.
104. Safety standards should be increased.
105. What is the difference between impacts from residences vs. wineries? They should be treated equally based off of population growth.

#### **Other Comments**

106. Roads cannot handle the increased traffic safely.
107. Strong neighborhoods have a foundation which is built on a community with solid, reliable, well-paying employment. Wineries offer jobs and economic growth in these neighborhoods.
108. Nearly a decade can pass between the initial building of the vineyard infrastructure, the initial planting and the first vintage to be sold – that is a huge outlay of cash before even a single cent can be earned. Without a small, reasonable tasting room, no winery will be able to survive.
109. Most of the winery owners are good neighbors who care deeply about this area.
110. Future generations will be negatively affected by the over use and hazards on Ballard Canyon Rd.
111. The Good Neighbor Ordinance is not practical and needs more structure.
112. The use of air cannons destroy the natural acoustic environment and also negatively impact the native wildlife.
113. Impaired drivers have not been connected to wine tasting at tasting rooms. Impaired people take taxis and don’t drive, or they use a shuttle.
114. In order to work together there is a need for small, neutral meeting locations, un-biased questions, facts, contacts and resources.
115. If the ordinance changes, requests will increase.
116. Agriculture is not a park; it is there to make money. If it is not used for wineries then it will be converted into subdivisions.
117. The premise of the winery discussion should be that vineyards are agriculture, winemaking is industrial, tasting rooms are retail and special events are entertainment.

118. The gracious marketing and presentation of commercial wineries creates glamorous social settings where drinking and buying alcohol is encouraged.
119. The County should look into the Mayo Clinic's listed causes for alcoholism and consider the fact that people have to drive home after drinking at wineries.
120. Wineries are already a permitted use subject to specific use regulations. Winery Ordinance meetings should provide an overview of the existing ordinance and the specific regulations that allow for a winery use. Workshops and conversations should focus on what the Ordinance already addresses, what is missing, what the industry doing and what more can the industry do.
121. There is concern with the process and lack of knowledge regarding the existing ordinance. The ordinance already addresses impacts.
122. At the end of the process, can we halt the number of wineries in the Valley?
123. Will the Land Use Permit remain the same including setbacks, road conditions and the assurance that the winery is compatible with the surrounding land use in order to protect the public health, safety, natural and visual resources?
124. When will the Tier problem be discussed? Is the current Tier system based on tonnage of grapes?
125. When is the County going to educate citizens?
126. The biggest issue is enforcement.