

# SANTA BARBARA COUNTY BOARD AGENDA LETTER



Clerk of the Board of Supervisors  
105 East Anapamu Street, Room 407  
Santa Barbara, CA 93101  
(805) 568-2240

**Agenda Number:** 9/21/2006  
**Prepared on:** 9/21/2006  
**Department Name:** P&D  
**Department No.:** 053  
**Agenda Date:** 10/3/2006  
**Placement:** Administrative  
**Estimate Time:** 15 minutes on 10/24/2006  
**Continued Item:** NO  
**If Yes, date from:**  
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**TO:** Board of Supervisors

**FROM:** John Baker, Director  
Planning & Development

**STAFF CONTACT:** Dianne M. Black (568-2086)  
Assistant Director

**SUBJECT:** Set hearing to consider a zoning ordinance text amendment to the Santa Barbara County Land Use and Development Code to allow an increase in the number of attendees at winery special events.

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## **Recommendation:**

That the Board of Supervisors set for hearing of October 24, 2006 to consider the recommendations of the County Planning Commission and:

- A. Find that this amendment is categorically exempt from the California Environmental Quality Act pursuant to Section 15061(b)(3) of the Guidelines for Implementation of CEQA.
- B. Adopt findings for approval of the proposed amendment.
- C. Adopt an Ordinance (Case No. 06ORD-00000-00014) amending Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the County Code.

*Estimated hearing time: staff presentation 5 minutes; total time 15 minutes.*

## **Alignment with Board Strategic Plan:**

The recommendations are primarily aligned with Goal No. 1., *An Efficient Government Able to Respond Effectively to the Needs of the Community*, Goal No. 4., *A Community that is Economically Vital and Sustainable*, Goal No. 5., *A High Quality of Life for All Residents*, and is required by law or routine business necessity.

## **Executive Summary and Discussion:**

In July, 2004 the Board of Supervisors adopted a comprehensive zoning amendment to implement a three tier permit processing scheme addressing winery development whereby the characteristics of the individual winery would determine the permit requirements, i.e., whether the winery would be subject to a land use permit (Tier 1), a development plan under the jurisdiction of the County Zoning Administrator

(Tier 2), or a development plan under the jurisdiction of the County Planning Commission (Tier 3). The criteria utilized to determine the appropriate permit path was selected to target the areas of most concern associated with winery development, specifically, the amount of vineyard planted onsite, the production capacity, the area of the winery structures, the presence of a tasting room, and the number of special events that might be held at a winery.

Presently Tier 3 wineries may have up to 12 special events per year associated with the winery; the attendance at each event is capped at 200 attendees. The winery regulations do provide that for Tier 3 wineries the number of special events may exceed 12 per year when allowed by a Conditional Use Permit approved by the Planning Commission, however, there is no existing process (except through a variance application) to allow an increase in the number of attendees beyond 200.

It has become apparent, after processing several applications under the new regulations, that there was some degree of confusion during the adoption of the new regulations regarding the ability of the Planning Commission to increase the number of attendees at special events at Tier 3 wineries through the Conditional Use Permit process in addition to increasing the number of events. This amendment would provide that in addition to the ability to increase the number of special events through a Conditional Use Permit, the number of attendees at a special event could also be increased in this manner by the Planning Commission on a case-by-case basis.

On September 13, 2006 the Santa Barbara County Planning Commission, by a unanimous vote, recommended that your Board approve this ordinance amendment.

Please refer to Sections 5.0 through 8.0 of Attachment D, the County Planning Commission staff report, for further discussion and analysis.

**Mandates and Service Levels:** Amendments to Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35 of the County Code are legislative acts under the jurisdiction of the Board of Supervisors.

**Fiscal and Facilities Impacts:** Funding for this ordinance amendment work effort is budgeted in the Planning Support program of the Administration Division on page D-286 of the adopted Planning and Development Department's budget for fiscal year 2006-07. There are no facilities impacts.

**Special Instructions:** The Planning and Development Department will satisfy all noticing requirements.

**Concurrence:** None.

**Prepared by:** Noel Langle, Administration Division (568-2009)

Attachments:

- A. Findings
- B. CEQA Notice of Exemption
- C. Draft Ordinance
- D. County Planning Commission Staff Report