

ATTACHMENT 7

Planning Commission Staff Report dated May 3, 2016

SANTA BARBARA COUNTY PLANNING COMMISSION
Staff Report for the Winery Ordinance Update

Hearing Date: May 11, 2016

Staff Report Date: May 3, 2016

Case No.: 14ORD-00000-00006

Environmental Document: 15EIR-00000-00002

Supervisorial District: All

Deputy Director: Matthew Schneider

Division: Long Range Planning

Supervising Planner: David Lackie

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1.0 REQUEST

Hearing on the request of the Planning and Development Department that the County Planning Commission:

- 1.1 Case No. 14ORD-00000-00006.** Recommend the Board of Supervisors adopt an ordinance amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, to adopt new development standards, and permit requirements and procedures regarding winery development.

2.0 RECOMMENDATION AND PROCEDURES

At the May 11, 2016 hearing, staff requests the County Planning Commission consider the proposed Winery Ordinance Update and receive testimony from the public. The Draft Final Environmental Impact Report and Findings for Approval will be available prior to the second Planning Commission hearing. At the second hearing, staff requests the County Planning Commission follow the recommendations and procedures listed below in Section 2.1.

- 2.1 Case No. 14ORD-00000-00006.** Follow the procedures outlined below and recommend that the Board of Supervisors approve Case No. 14ORD-00000-00006 based upon the ability to make the appropriate findings, including CEQA findings. Your Commission's motion should include the following:

1. Make the findings for approval in Attachment A, including CEQA findings, and recommend the Board make the appropriate findings for approval of the proposed ordinance amendment.
2. Recommend that the Board of Supervisors certify the Winery Ordinance Update Draft Final Environmental Impact Report (Draft FEIR) (State Clearinghouse No. 2014061083) (Attachment B) for Case Nos. 14ORD-00000-00006, pursuant to the State Guidelines for Implementation of the California Environmental Quality Act (CEQA).
3. Adopt the Resolution in Attachment C recommending that the Board of Supervisors adopt Case No. 14ORD-00000-00006, an ordinance amending the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, as set forth in Attachment C - Exhibit 1, to adopt new development standards, and permit requirements and procedures regarding winery development.

Please refer the matter to staff if your Commission takes other than the recommended actions for development of appropriate materials and/or findings.

3.0 JURISDICTION

3.1 Case No. 14ORD-00000-00006. This project is being considered by the County Planning Commission based upon Sections 65854 to 65857, inclusive, of the California Government Code and Chapter 35.104 of the Santa Barbara County Land Use and Development Code (County LUDC). The Government Code and the County LUDC require that the County Planning Commission, as the designated planning agency for the unincorporated area of the County outside the non-Coastal Zone portion of the Montecito Community Plan Area, review and consider proposed amendments to the County LUDC and provide a recommendation to the Board of Supervisors.

4.0 BACKGROUND AND SUMMARY

4.1 Background

The County of Santa Barbara Board of Supervisors directed the Planning and Development Department to update the current zoning regulations pertaining to winery development. The proposed amendment to the Santa Barbara County Land Use and Development Code (Chapter 35, Zoning) is intended to clarify and streamline the permit process for new winery development on lands designated for agricultural uses in the inland area of Santa Barbara County outside of the Montecito Planning Area. Tasting rooms in commercial areas and events on non-winery agricultural lands are not affected by this project.

The current LUDC regulations regarding winery development were adopted in 2004. Ambiguities and inadequacies in the existing winery ordinance became apparent over time during the review and permitting process for new wineries. Often these ambiguities in the ordinance are addressed during decision maker hearings on a case-by case basis. As a result, the existing winery permit process has become increasingly inefficient, adding additional time, cost and uncertainty to the process. Recognizing the need to address this issue, the Board of Supervisors made the winery ordinance update a priority project in the 2011\2012 Long Range Planning Annual Work Program.

Staff conducted extensive stakeholder engagement and public outreach to gather information and discuss winery ordinance issues that should be addressed in the ordinance update. The public outreach included 18 separate group meetings with wine-industry and agricultural groups, neighborhood groups, and non-profit organizations; five public meetings to discuss specific winery topics (i.e., tasting rooms, events, food service); and three community workshops. Based on the input received during public outreach, staff prepared draft ordinance language for public review and comment in March 2014. In June 2014, staff revised and finalized the draft ordinance which serves as the project description analyzed in the Winery Ordinance Update Environmental Impact Report.

4.2 Project Summary

The proposed winery ordinance amendment (Attachment C) is intended to be consistent with, and in support of, the following project goals:

- To improve efficiency in the winery permit process by clarifying ambiguities and simplifying concepts contained in the existing winery ordinance.
- To balance the needs of various stakeholder groups by recognizing the importance of agriculture in the County and ensuring wineries are compatible with surrounding land uses.

- To support the core principle that the primary use of the property is for the growing and processing of grapes. Tasting rooms and special events may be supportive of agriculture, but they should be clearly secondary and incidental to the primary use of the property.

Two core areas the proposed ordinance amendments address include: structural issues pertaining to the existing tiered permit process and winery visitor issues.

Winery Ordinance Structural Issues:

The existing winery ordinance includes a three-tiered permit processing structure (informally known as Tier 1, Tier 2, and Tier 3) whereby the characteristics of the individual winery would determine the permit requirements. Tier 1 wineries can be approved with a land use permit; Tier 2 wineries with a development plan under the jurisdiction of the County Zoning Administrator; and Tier 3 wineries with a development plan under the jurisdiction of the County Planning Commission.

The existing winery tiers do not include minimum winery premises acreage requirements (except for 20 ac. minimum premises for winery special events), and the minimum planted vineyard acreage requirements decrease as the level of intensity of winery related activities increases (e.g., Tier 1 winery requires a minimum of 2 acres of vineyard planted for every 1,000 cases of wine produced per year while a Tier 3 winery requires only 0.5 acres of vineyard planted for every 1,000 cases of wine produced per year). This has created a situation where new winery applications on relatively small acreages have applied for a Tier 3 winery plus a Conditional Use Permit to maximize special events. For example, a proposed Tier 3 winery on a 20-acre parcel producing 10,000 cases of wine per year would only be required to plant 5-acres of vineyard but could be permitted a tasting room and request special events in excess of 12 per year and 200 attendees with a Conditional Use Permit. The existing permit structure is problematic since it inversely facilitates tasting rooms and special events as the primary use of the property over the growing and processing of grapes on the winery premises.

The proposed ordinance amendment applies a progressive scale to the permit tiers by adding minimum premises size for Tier A, Tier B, and Tier C wineries. The permitted uses and levels of intensity progressively increase with the minimum winery premises size for each winery tier. Additionally, the proposed ordinance increases the planted vineyard acreage requirements for all winery tiers to support the core principle that the primary use of the winery premises is for the growing and processing of grapes.

Winery Visitor Issues:

Many of the existing neighborhood compatibility issues raised during the review and approval process for new wineries stem from the number of visitors on the winery premises at any one time. This includes cumulative winery visitors associated with winery special events, winery related activities that do not meet the current definition of a winery special event (e.g., “special gatherings” of less than 80 winery visitors), and simultaneous winery related activities including tasting room visitors and uses currently undefined in the current ordinance (e.g., wine club members and private or “by appointment only” tasting room visitors, vineyard tour attendees, etc.).

The current Winery Special Event definition is “*An event of less than one day and occurring on a winery premises attended by 80 or more people...*” The ordinance is silent on how many “events” attended by less than 80 people are permitted. To assess traffic impacts and other environmental concerns, recent winery applications have been required to identify the number of “special gatherings” of less than 80 people they are requesting per year. Similarly, the ordinance is silent on the number of tasting room visitors allowed and whether or not the tasting room can remain open to the public if a winery special event or special gathering is occurring simultaneously. A condition of approval for

many new winery applications has been to close the tasting room to the public during winery special events to address simultaneous winery visitors and potential neighborhood compatibility issues.

Rather than establishing attendee thresholds for a variety of different uses, the proposed ordinance amendment focuses on the total number of winery visitors allowed on the winery premises at any one time. This approach starts with a new definition of Winery Visitor which includes all of the attendees associated with the permitted uses.

Winery Visitor: *All persons visiting the winery structural development and/or vineyard(s) on the winery premises such as members of the trade and/or public or private attendees at a tasting room, vineyard/winery tour, cooking class, winemaker meal, wine club event, or other winery related activities. People visiting the premises for non-winery related activities or are not visiting the winery structural development or vineyard, are not considered a winery visitor.*

The maximum number of winery visitors allowed on the winery premises at any one time for proposed Tier A, Tier B, and Tier C wineries is specified in Table 4-16 (Attachment C). For example, on a Tier C winery a maximum of 80 winery visitors are allowed on the winery premises at any one time. This could include a mix of winery visitors associated with the tasting room, cooking classes, vineyard or winery tours, or winemaker meals. If the number of winery visitors exceeds the maximum allowed at any one time, it is considered a winery special event and the winery special event requirements are triggered.

How the Ordinance Amendment May Affect Existing Wineries

Existing wineries approved under the current winery ordinance or under any previous ordinances regulating wineries will not be affected by the proposed winery ordinance regulations as long as they continue operating in compliance with their approved permit. Existing wineries that would not conform to the proposed new winery ordinance regulations are referred to as “legal non-conforming”, and similarly would not be affected by the proposed winery ordinance regulations as long as they continue operating in compliance with their approved permit.

If an existing winery proposes a change that is consistent with the proposed winery ordinance, a change to an approved permit may be required which can usually be accommodated through a substantial conformity determination, amendment, or revision to the existing permit (Land Use and Development Code, Section 35.84.040 *Changes to an Approved Project*). In some situations, conformity with the new winery ordinance requirements and standards may not be possible and the legal non-conforming winery could not obtain a permit for the new use. For example, if an existing winery on 20-acre premises with an approved tasting room wants to amend their permit to allow winery special events. This could not be permitted since the proposed winery ordinance requires 40-acre minimum premises for winery special events.

5.0 ORDINANCE DISCUSSION

5.1 Definitions

The Project includes new and revised definitions to the LUDC to clarify and differentiate between winery-related activities. Many of these uses and definitions are integrated in the proposed winery tiers, permit requirements, and development criteria. Such definitions include “cooking class”, “members of the trade”, “tasting room”, “wine industry-wide event”, “winery special event”,

“winemaker meals”, and “winery visitor”. The proposed LUDC definition amendments are further described below:

Add the following definitions to Section 35.110.020:

- Cooking class. A gathering occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Cooking classes may be demonstrational or instructional in nature and shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the cooking classes occur.
- Members of the trade. Wine agents, brokers, critics, media, press, wholesalers and other wine trade professionals who are directly related to the business aspects of the winery.
- Vineyard\winery tour. Visitation to the winery structural development and/or vineyard(s) on the winery premises by public or private attendees for various purposes, including educating winery visitors about wine making, grape growing, and the attributes and history of individual wineries.
- Wine club event. Event or activity reserved for attendance by members of the wineries’ wine club, which may include wine release parties, educational wine events, barbeques and food pairing events, and winemaker meals.
- Wine industry-wide event. An event that is promoted by an organization primarily organized for the purpose of promoting wines produced in Santa Barbara County (e.g., Harvest Festival, Vintners’ Festival).
- Winemaker meals. Meals occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Winemaker meals shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the winemaker meals occur.
- Winery visitor. All persons visiting the winery structural development and/or vineyard(s) on the winery premises such as members of the trade and/or public or private attendees at a tasting room, vineyard/winery tour, cooking class, winemaker meal, wine club event, or other winery related activities. People visiting the premises for non-winery related activities or are not visiting the winery structural development or vineyard, are not considered a winery visitor.

Amend the existing definitions for bar/tavern, tasting room, winery, and winery special event in Section 35.110.020 to:

- Bar, Tavern. A business where alcoholic beverages are sold for onsite consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, cocktail lounges, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Does not include wineries.
- Tasting room. A room or rooms used by a winery visitor primarily for the tasting of wine and the marketing of winery products.
- Winery. A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the refermenting of still wine into sparkling wine. Processing consists of controlled fermentation combined with any of the following: crushing, blending, barrel aging, and bottling. Storage of case goods shall only occur in conjunction with processing.
- Winery special event. An event of less than one day and occurring on the winery premises attended by more than the maximum number of winery visitors allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria) including concerts with or

without amplified sound, weddings, advertised events, fund raising events, tours, cooking classes, etc.

5.2 Winery Permit Requirements and Development Criteria

Table 1 below lists the proposed Winery Permit Requirements and Development Criteria identified in the proposed ordinance amendment (Attachment C). A summary of each development criterion and discussion follows Table 1.

Table 1 - Winery Permit Requirements and Development Criteria

	Tier A	Tier B	Tier C
Required Permit and Review Authority	A Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits).	A Final Development Plan approved in compliance with Section 35.82.080 (Development Plans) by the Zoning Administrator.	A Final Development Plan approved in compliance with Section 35.82.080 (Development Plans) by the Commission. A Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) by the Commission is also required if winery special events or cooking classes are proposed as part of the winery operation.
Minimum winery premises area	None.	Inner-Rural Area: 40 acres. Rural Area: 20 acres.	40 acres.
Planted vineyard acreage requirements	A minimum of 2 acres for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 2 acres. There is no maximum on the number of acres planted. At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.	A minimum of 2 acres for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 10 acres. There is no maximum on the number of acres planted. At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.	A minimum of 1 acre for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 20 acres. There is no maximum on the number of acres planted. At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.
Maximum area of winery structural development	20,000 sq. ft. See Subsection C.3 (Winery structural development) for additional development standards.	20,000 sq. ft. See Subsection C.3 (Winery structural development) for additional development standards.	The maximum area shall be determined through Final Development Plan approval. See Subsection C.3 (Winery structural development) for additional development standards.
Tasting Room	A tasting room is not allowed.	A tasting room is allowed. The allowable floor area of the tasting room shall not exceed 600 sq. ft. or 10% of the winery structural development area located on the winery premises, whichever is greater. See Subsection C.9 (Tasting rooms) for additional development standards.	A tasting room is allowed. The allowable floor area of the tasting room shall be determined through Final Development Plan approval. See Subsection C.9 (Tasting rooms) for additional development standards.

Table 1 - Winery Permit Requirements and Development Criteria (cont.)

	Tier A	Tier B	Tier C
Winery visitors	<p>Winery visitors are not allowed on the winery premises except that:</p> <ol style="list-style-type: none"> 1. A maximum of 20 members of the trade are allowed at any one time. 2. A maximum of 50 winery visitors at a wine industry-wide event are allowed at any one time. <p>See Subsection C.10 (Winery visitors) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>	<p>Winery premises less than 40 acres: A maximum of 50 winery visitors are allowed on the winery premises at any one time, except that during a wine industry-wide event a maximum of 100 winery visitors are allowed at any one time.</p> <p>Winery premises 40 acres and greater: A maximum of 80 winery visitors are allowed on the winery premises at any one time, except that during a wine industry-wide event a maximum of 150 winery visitors are allowed at any one time.</p> <p>See Subsection C.10 (Winery visitors) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>	<p>A maximum of 80 winery visitors are allowed on the winery premises at any one time except that during:</p> <ol style="list-style-type: none"> 1. A wine industry-wide event a maximum of 200 winery visitors are allowed at any one time. 2. A winery special event a maximum of 200 winery visitors are allowed at any one time; however, additional winery visitors may be approved by the Commission. <p>See Subsection C.10 (Winery visitors), Subsection C.11 (Winery special events) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>
Winery visitor hours	<p>Members of the trade and attendees at a wine industry-wide event are allowed on the winery premises between the hours of 10:00 a.m. and 6:00 p.m.</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>	<p>Winery visitors may be allowed on the winery premises between the hours of 10:00 a.m. and 6:00 p.m.; however winery visitors attending winemaker meals and attendees of wine industry-wide events may be allowed on the winery premises until 10:00 p.m.</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>	<p>Winery visitors may be allowed on the winery premises between the hours of 10:00 am and 6:00 p.m.; however winery visitors attending winemaker meals and attendees of wine industry-wide events may be allowed on the winery premises until 10:00 p.m. or as allowed in compliance with Subsection C.11 (Winery special events).</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>
Cooking classes	<p>Cooking classes are not allowed.</p>	<p>Cooking classes are not allowed.</p>	<p>Cooking classes may be allowed in compliance with a Conditional Use Permit approved by the Commission. See Subsection C.17 (Cooking classes and vineyard and winery tours) for additional development standards.</p>
Vineyard and winery tours	<p>Vineyard and winery tours are only allowed for a maximum of 20 members of the trade at any one time. See Subsection C.17 (Cooking classes and vineyard and winery tours) for additional development standards.</p>	<p>Vineyard and winery tours are allowed in compliance with Subsection C.17 (Cooking classes and vineyard and winery tours).</p>	<p>Vineyard and winery tours are allowed in compliance with Subsection C.17 (Cooking classes and vineyard and winery tours).</p>

Table 1 - Winery Permit Requirements and Development Criteria (cont.)

	Tier A	Tier B	Tier C
Winemaker meals	Winemaker meals are not allowed.	A maximum of four winemaker meals may be allowed within a calendar year. Winemaker meal attendees are considered to be winery visitors and shall be included within the maximum number of winery visitors allowed on the winery premises at any one time. See Subsection C.10 (Winery visitors) for additional development standards.	A maximum of six winemaker meals may be allowed within a calendar year. Winemaker meal attendees are considered to be winery visitors and shall be included within the maximum number of winery visitors allowed on the winery premises at any one time. See Subsection C.10 (Winery visitors) for additional development standards.
Food service and food preparation	Food service and food preparation is not allowed except when prepared for and served to members of the trade.	Food service and food preparation may be allowed in compliance with Subsection C.16 (Food service and food preparation).	Food service and food preparation may be allowed in compliance with Subsection C.16 (Food service and food preparation).
Wine industry-wide events	A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).	A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).	A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).
Winery special events	Winery special events are not allowed.	Winery special events are not allowed.	Maximum number of events. A maximum of 12 winery special events within a calendar year may be allowed in compliance with a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits). Maximum number of winery visitors allowed at any event: 200 at any one time; however, additional winery visitors may be approved by the Commission. See Subsection C.11 (Winery special events) for additional development standards.

1. Required Permit and Review Authority

There is no change to the required permit level and review authority between the existing and proposed winery tiers. Proposed winery Tier A requires a Land Use Permit approved by the P&D Director. Tier B requires a Development Plan approved by the Zoning Administrator, and Tier C requires a Development Plan approved by the Planning Commission.

While the review authority is similar between the existing and proposed winery tiers, winery special events are proposed to be approved differently. The existing winery ordinance allows winery special events within each winery tier which would be approved by the corresponding review authority (e.g. Tier 1 - P&D Director; Tier 2 - Zoning Administrator, and Tier 3 - Planning Commission). A Conditional Use Permit, approved by the Planning Commission, is only required for more than 12 events\year and more than 200 attendees per event.

The proposed ordinance would prohibit winery special events at Tier A and Tier B wineries, but would allow winery special events at a Tier C winery with approval of a Conditional Use Permit. A Conditional Use Permit approved by the Planning Commission is also required if winery cooking classes are proposed as part of the winery operations for a Tier C winery.

Discussion: The CUP requirements for winery special events and cooking classes supports the core principle that the primary use of the winery premises is for the growing and processing of grapes and to reduce neighborhood compatibility issues. Additionally, the Conditional Use Permit requirement for cooking classes is to ensure that food service and food preparation associated with cooking classes does not function as a restaurant or café which are prohibited uses in agricultural zone districts. The Conditional Use Permit is an enforcement tool which allows for revocation hearings when violations occur.

2. Minimum Winery Premises Area

The existing winery tiers do not include minimum winery premises acreage requirements except for 20-acre minimum premises for winery special events. This aspect of the permit structure together with relatively low planted vineyard requirements has created a situation where tasting rooms and special events have the potential to become primary use of the property over the growing and processing of grapes, particularly on smaller acreage winery premises.

The proposed ordinance amendment includes the following minimum winery premises area:

- Tier A: No minimum.
- Tier B: 20-acre minimum for the Rural Area, and 40-acre minimum for Inner-Rural Area.
- Tier C: 40-acre minimum.

Discussion: Tier A wineries allow for small start-up wineries and wineries not open to the public (e.g., tasting room and winery special events not allowed). The planted vineyard acreage and associated small scale winery structural development and wine case production are the likely factors limiting intensity of use on Tier A wineries; therefore, no minimum winery premises area is proposed.

The Winery Ordinance Update EIR identified Mitigation Measure TRA-1 to mitigate cumulative traffic quality of life impacts in the Inner-Rural Area associated with future winery development. The mitigation measure has been

incorporated in the proposed ordinance to require a minimum 40-acre winery premises for Tier B wineries in the Inner-Rural Area.

3. Planted Vineyard Acreage Requirements

The existing ordinance requires a minimum of 2 acres of vineyard planted for every 1,000 cases of wine produced per year for a Tier 1 winery; a minimum of 1 acre of vineyard planted for every 1,000 cases of wine produced per year for a Tier 2 winery; while a Tier 3 winery requires only 0.5 acres of vineyard planted for every 1,000 cases of wine produced per year. The planted vineyard acreages are minimums and progressively decrease as the level of intensity of winery related activities increases (e.g., Tier 3 winery requires only 0.5 acres of vineyard planted for every 1,000 cases of wine produced per year).

The proposed ordinance amendment includes the following planted vineyard acreage requirements:

- Tier A: Minimum of 2 acres for every 1,000 cases produced. In no case shall the planted vineyard acreage be less than 2 acres;
- Tier B: Minimum of 2 acres for every 1,000 cases produced. In no case shall the planted vineyard acreage be less than 10 acres; and
- Tier C: Minimum of 1 acre for every 1,000 cases produced. In no case shall the planted vineyard acreage be less than 20 acres.
- In addition to the minimum planted vineyard acreage requirement, all winery tiers shall comply with the following:
 - At least 51 percent of the winery case production shall be from grapes grown on the premises and/or from Santa Barbara County. At least 20 percent of the case production shall be from grapes grown on the parcel with the winery.

Discussion: The proposed ordinance increases the planted vineyard acreage requirements for all winery tiers and establishes minimum planted vineyard acreages for Tier B and Tier C. These changes support the core principle that the primary use of the winery premises is for the growing and processing of grapes. To further support this principle, staff recommends the proposed ordinance include the following requirement identified in the Winery Ordinance Update EIR, Alternative 1.

- At least 51 percent of the winery case production shall be from grapes grown on the premises and/or from Santa Barbara County. At least 20 percent of the case production shall be from grapes grown on the parcel with the winery.

This requirement places a greater emphasis on local agricultural production and provides a connection between the winery scale and extent of planted vineyards on the winery premises. This requirement is similar to Uniform Rule 2-2.1.B.2 (*Uniform Rules for Agricultural Preserves and Farmland Security Zones*) which is required for all proposed wineries on lands subject to agricultural preserve contracts in Santa Barbara County. This recommended standard is reflected in the proposed ordinance amendment (Attachment C).

4. Maximum Area of Winery Structural Development

There is no change to this development criterion between the existing and proposed winery tiers. Maximum area of winery structural development is 20,000 sq. ft. for both Tier A and Tier B wineries. For Tier C wineries, the maximum area of winery structural development would continue to be determined through Final Development Plan approval by the Planning Commission.

The proposed ordinance amendment includes the following new development standards for winery structural development (Section 35.42.280.C.3):

- Add new standard that winery structural development shall be directly related and in proportion to the allowed uses of the winery premises; and
- Add new standard clarifying that development exempted from the definition of winery structural development (e.g. residential development and employee housing) shall not be utilized for any winery visitor activities.

Discussion: The new development standard that winery structural development shall be directly related and in proportion to the allowed uses of the winery premises provides guidance for Tier C winery development where the maximum area is determined through Final Development Plan approval.

5. Tasting Room

Consistent with the existing ordinance, a tasting room is not allowed in the lowest permit tier level – Tier A. A tasting room is allowed in Tier B and Tier C. The allowable floor area of the tasting room for Tier B wineries is proposed to increase from 400 sq. ft to 600 sq. ft. For Tier C wineries, the allowable floor area of the tasting room would continue to be determined through Final Development Plan approval by the Planning Commission.

The proposed ordinance amendment includes the following new and revised development standards that apply to all tasting rooms allowed in Tier B and Tier C wineries (Section 35.42.280.C.9):

- Add new standard that winery tasting room floor area does not include attached restrooms and other areas, which may include food preparation areas, if such areas are used solely by winery staff and are not available for use by winery visitors;
- Add new standard that more than one tasting room is allowed on the winery premises; however, the cumulative floor area of all tasting rooms shall not exceed the floor area allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria);
- Add new standard that the tasting room shall not be used for tasting beer and other spirits not included in the definition of Winery; and
- Add new standard that tasting room hours of operation shall be limited between the hours of 10:00 a.m. and 6:00 p.m.

Discussion: The existing ordinance only allows one tasting room on the winery premises; however, if more than one winemaker shares production facilities or more than one winery is located on the winery premises they may share the single tasting

room. To provide additional flexibility, the proposed ordinance would allow more than one tasting room on the winery premises; however, the cumulative floor area of all tasting rooms shall not exceed the floor area allowed (e.g. not to exceed 600 sq. ft. or 10% of the winery structural development area, whichever is less).

Tasting room hours of operation are not specified in the existing ordinance and are generally addressed as a condition of project approval on a case-by-case basis. The tasting room closing hours for recent approved projects is varied, ranging between 4:00 p.m. and 6:00 p.m. During public outreach, there was expressed interest in having extended tasting room hours of operation (e.g. close at sunset allowing extend hours during spring and summer months) as well as reduced hours (e.g. close at 4:00 p.m.). The proposed ordinance includes a 6:00 p.m. closing time for allowed tasting rooms.

6. Winery Visitors

As discussed in Section 4.2 of this staff report, many of the existing neighborhood compatibility issues raised during the review and approval process for new wineries stem from the number of visitors on the winery premises at any one time.

The current Winery Special Event definition is “*An event of less than one day and occurring on a winery premises attended by 80 or more people...*” The ordinance is silent on how many “events” attended by less than 80 people are permitted. Similarly, the ordinance is silent on the number of tasting room visitors allowed and whether or not the tasting room can remain open to the public if a winery special event or special gathering is occurring simultaneously. A condition of approval for many new winery applications has been to close the tasting room to the public during winery special events to address cumulative winery visitors and potential neighborhood compatibility issues.

Rather than establishing attendee thresholds for a variety of different uses, the proposed ordinance amendment focuses on the total number of winery visitors allowed on the winery premises at any one time. This approach starts with a new definition of Winery Visitor which includes all of the attendees associated with the permitted uses.

Winery Visitor: All persons visiting the winery structural development and/or vineyard(s) on the winery premises such as members of the trade and/or public or private attendees at a tasting room, vineyard/winery tour, cooking class, winemaker meal, wine club event, or other winery related activities. People visiting the premises for non-winery related activities or are not visiting the winery structural development or vineyard, are not considered a winery visitor.

The maximum number of winery visitors allowed on the winery premises at any one time for proposed Tier A, Tier B, and Tier C wineries is specified in Table 4-16 (Attachment C). For example, on a Tier C winery, a maximum of 80 winery visitors are allowed on the winery premises at any one time. This could include a mix of winery visitors associated with the tasting room, cooking classes, vineyard or winery tours, or winemaker meals. If the number of winery visitors exceeds the maximum allowed at any one time, it would be considered a winery special event and the winery special event requirements are triggered.

Discussion: The proposed amendments provide clarity to the permitting process by establishing a definition for winery visitor, which is inclusive of all attendees associated with the permitted uses, and maximum winery visitor limits for various permitted uses and winery permit tiers to address intensity of use on the winery premises and reduce neighborhood compatibility issues.

7. Winery Visitor Hours

Similar to tasting room hours of operation, winery visitor hours are not specified in the existing ordinance. The proposed ordinance includes winery visitor hours from 10:00 a.m. to 6:00 p.m. For Tier B and Tier C wineries, winery visitors attending winemaker meals, and wine industry-wide event attendees, may be allowed on the winery premises until 10:00 p.m.

Discussion: The proposed ordinance establishes hours of operation for all persons visiting the winery structural development and/or vineyards on the winery premises. The visitor hours are extended until 10:00 p.m. for winemaker meals and wine industry-related event attendees due to the unique nature of these events and limited occurrence during the calendar year. Winery special event hours are regulated separately in Section 35.42.280.C.11.

8. Cooking Classes

Cooking classes is a proposed new use provided to winery visitors primarily for the tasting, education and marketing of winery products. Cooking classes are only allowed on Tier C wineries with approval of a Conditional Use Permit. Cooking class attendees are considered to be winery visitors and are included within the maximum number of winery visitors allowed on the winery premises at any one time (i.e., 80 winery visitors Tier C).

The proposed ordinance amendment includes the following new definition for cooking class (Section 35.110.020):

Cooking Class: *A gathering occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Cooking classes may be demonstrational or instructional in nature and shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the cooking classes occur.*

The proposed ordinance amendment also includes new development standards that apply cooking classes allowed at Tier C wineries (Section 35.42.280.C.17).

Discussion: Cooking classes is a proposed new use for Tier C wineries only. Like winemaker meals discussed below, cooking classes provide a unique direct to consumer marketing opportunity to promote Santa Barbara County wine and educate winery visitors about the important relationship between wine and food. The purpose of the Conditional Use Permit requirement is to ensure that food service and food preparation associated with cooking classes does not function as a restaurant or café which are prohibited uses in agricultural zone districts.

9. Vineyard and Winery Tours

Vineyard and winery tours are not expressly permitted or defined in the existing ordinance aside from a Tier 1 winery provision which states [with the exception of permitted winery special events]: “...*the winery shall not be open to the public and shall not offer tours and retail wine sales to the public.*”

The proposed ordinance amendment would allow vineyard and winery tours as a permitted use for all winery tiers. Tier A wineries would be allowed tours for a maximum of 20 members of the trade at any one time. For Tier B and Tier C wineries, vineyard and winery tour attendees are considered to be winery visitors and are included within the maximum number of winery visitors allowed on the winery premises at any one time (i.e., 80 winery visitors for Tier B and Tier C).

The proposed ordinance amendment also includes new development standards that apply to vineyard and winery tours (Section 35.42.280.C.17):

Discussion: Vineyard and winery tours provide an opportunity for vintners to educate winery visitors about wine making, grape growing and the unique attributes and history of individual local wineries. The tours help to foster a greater understanding and appreciation of agriculture and the wine industry within Santa Barbara County.

10. Winemaker Meals

Winemaker meals is a proposed new use where meals are provided to winery visitors primarily for the tasting, education and marketing of winery products. Food served at a winemaker meal may be prepared on-site or off-site. Winemaker meals are not allowed on Tier A wineries. Tier B and Tier C wineries may be allowed a maximum of four and six winemaker meals, respectively, within a calendar year. Winemaker meal attendees are considered to be winery visitors and are included within the maximum number of winery visitors allowed on the winery premises at any one time (i.e., 80 winery visitors for Tier B and Tier C).

The proposed ordinance amendment includes the following new definition for winemaker meals (Section 35.110.020):

Winemaker meals: *Meals occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Winemaker meals are intended to be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the winemaker meals occur. An attendee at a winemaker meal is considered a winery visitor.*

Discussion: The relationship between wine and food was an important theme brought up during many aspects of our public outreach. There was expressed interest in providing some level of food available to winery visitors (see discussion below). Also there was interest in allowing those uses mostly closely aligned with the growing of grapes and wine making. Winemaker meals is one such use that provides a unique direct to consumer marketing opportunity to promote Santa Barbara County wine and educate winery visitors about the important relationship between wine and food. The number of winemaker meals per year is limited (four or six time per year), as well as the number of winery visitors attending the meal,

to ensure the use is clearly secondary, subordinate, and incidental to the primary agricultural uses of the property.

11. Food Service and Food Preparation

Food service and food preparation at wineries is not expressly permitted or defined in the existing ordinance. General statements within the existing definitions of Tasting Room and Winery have been interpreted on a case-by-case basis to allow some form of food service at wineries. These existing ordinance provisions include:

- The existing definition of a Tasting Room allows for the sale of merchandise, wine related items and other products that “*reflect or enhance the character or theme of the winery*” (Section 35-110.020);
- The existing definition of Winery includes the “*retail sales of related promotional items*”; and
- The primary focus of the tasting room shall be “*the marketing and sale of the wine produced on the winery premises*” (Section 35.42.280.D.7.c).

The proposed ordinance amendment establishes food service and food preparation as a permitted use for all winery tiers. For Tier A wineries, food service and food preparation is only allowed when prepared for and served to members of the trade. The proposed ordinance amendment also includes the following new development standards for Retail Sales (Section 35.42.280.C.15) and Food Service and Food Preparation (Section 35.42.280.C.16):

Retail Sales:

- Pre-packaged food may be allowed provided the standards in Subsection C.16 (Food Service and Food Preparation) are complied with.

Food Service and Food Preparation:

- All food service and food preparation facilities shall comply with all applicable Public Health Department requirements;
- Food served at a winery may be prepared on-site or off-site;
- Except for food served in association with cooking classes, winemaker meals and winery special events, food served or sold at a winery shall:
 - Be limited to small, appetizer-like portions, and
 - Not include menu options or meal service such that the winery premises functions as a restaurant, café, or coffee shop; and
- Food preparation facilities shall only support the permitted type of food service and permitted cooking classes allowed on the winery premises.

Discussion: The proposed amendments provide clarity to the permitting process for food service and food preparation at wineries by codifying permit requirements and development criteria for the use.

During public outreach for the winery ordinance update, staff received comments both in favor and in opposition to providing food service at wineries. Throughout

these discussions, there emerged general support for providing some level of basic food service. The proposed ordinance amendment has been crafted to reflect this general support for basic food service by allowing retail sales of pre-packaged food and food service at a winery so long as it is limited to small, appetizer-like portions and does not include menu options or meal service such that the winery premises functions as a restaurant, café, or coffee shop.

12. Wine Industry-Wide Events

Wine industry-wide events, such as the Vintner's Festival and Harvest Festival, are not expressly permitted or defined in the existing ordinance aside from a statement in the existing winery special event definition which states: "...*Winery special events do not include wine industry-wide events (e.g., the Vintner's Festival and Harvest Festival) including associated events held at individual wineries...*" Based on this definition, individual wineries can host associated events two-times per year during the Vintner's Festival and Harvest Festival without the events counting towards their approved winery special events.

The proposed ordinance includes a new definition for Wine Industry-Wide Events (Section 35.110.020); identifies wine industry-wide events as a permitted use for Tier A, Tier B, and Tier C wineries; increases the allowed number of events from two to four events within a calendar year; and establishes a maximum number of attendees and winery visitors allowed on the winery premises at any one time for individual wineries hosting associated wine industry-wide events.

The proposed ordinance amendment also includes the following new development standards that apply to events held at individual wineries that are associated with wine industry-wide events (Section 35.42.280.C.12):

- The event occurs during the same time-frame as the wine industry-wide event;
- The event does not last more than one day;
- Each event day shall count as a separate event;
- Maximum number of winery visitors allowed at any one time on the winery premises:
 - Tier A: 50 attendees, including members of the trade.
 - Tier B: 100 winery visitors (premises <40 acres), and 150 winery visitors (premises 40-acres or greater).
 - Tier C: 200 winery visitors.
- Include hours of operation for events held at individual wineries hosting associated wine industry-wide events.

Discussion: The proposed amendments provide clarity to the permitting process by defining wine industry-wide events and codifying permit requirements and development criteria for the use. The wine industry-wide events help to promote wines produced in Santa Barbara County and are an important direct to consumer marketing opportunity for individual wineries. During public outreach for the wine ordinance update, the Santa Barbara Vintner's Association and other vintners requested the number of wine industry-wide events be increased to provide additional opportunities to promote wines produced in Santa Barbara County.

Staff has revised the proposed ordinance (Attachment C) to include hours of operation for wine industry-wide events consistent with the winery special event hours of operation.

13. Winery Special Events

The existing ordinance requires 20-acre minimum premises for winery special events. However, this requirement may be reduced by the review authority upon a determination that the character of the area and the type of special event makes a 20-acre winery premises site area unnecessary. Winery special events are currently allowed within each winery tier as described below:

- Tier 1: Maximum 4 events\year and maximum 150 attendees per event;
- Tier 2: Maximum 8 events\year and maximum 150 attendees per event;
- Tier 3: Maximum 12 events\year and maximum 200 attendees per event. A Conditional Use permit is required for more than 12 events\year and more than 200 attendees per event.

The proposed ordinance would prohibit winery special events at Tier A and Tier B wineries, but would allow winery special events at a Tier C winery with approval of a Conditional Use Permit.

- Tier A: Not allowed;
- Tier B: Not allowed;
- Tier C: Maximum 12 events\year and maximum 200 attendees per event with approval of a Conditional Use permit. Requests for more than 200 attendees per event may be approved by the Planning Commission.

The proposed ordinance amendment includes a revised definition for Winery Special Events (Section 35.110.020), as well as the following new development standards (Section 35.42.280.C.11):

- Winery special events are intended to be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the winery special event occurs;
- Winery special events do not include four annual wine industry-wide events held at individual wineries that are associated with the wine industry-wide events;
- The maximum number of winery visitors allowed at any one event is inclusive of the whole winery premises and includes winery visitors that are not attending the special event (e.g., tasting room visitors);
- Add new standard requiring preparation of winery special event management plan. The management plan would include:
 - Contact information of representative who shall be able to respond to neighbor concerns during an event;
 - Reporting requirement to provide notice to Planning and Development no later than 10 days prior to the beginning of each proposed event; and
 - Plan to address traffic and noise related issues for proposed events.

Discussion: The proposed ordinance would prohibit winery special events at Tier A and Tier B wineries and only allow winery special events at a Tier C winery with approval of a Conditional Use Permit. These changes are intended to support the core principle that the primary use of the winery premises is for the growing and

processing of grapes. The changes will also reduce neighborhood compatibility issues.

The Winery Ordinance Update EIR identified Mitigation Measure NOI-1 and Mitigation Measure TRA-2 to mitigate neighborhood compatibility and quality of life impacts associated with increased traffic and noise. These mitigation measures have been incorporated in the proposed ordinance as a new development standard requiring preparation of a winery special event management plan.

5.3 Agricultural Preserve Advisory Committee and Agricultural Advisory Committee

Staff will present the proposed Winery Ordinance Update to both the Agricultural Preserve Advisory Committee (APAC) and Agricultural Advisory Committee (AAC) at their May meetings. At the May 11, 2016 Planning Commission hearing, staff will present any recommendations from these committees.

6.0 ENVIRONMENTAL REVIEW

The Winery Ordinance Update Draft EIR was released for a 45-day comment period on May 29, 2015 and a public comment hearing was held July 25, 2015 at St. Mark's Church in Los Olivos. Public comment was received until the end of the comment period on July 13, 2015. The Draft EIR is available on the Long Range Planning website below:

http://longrange.sbcountyplanning.org/programs/winery_ord/Wineryordinance.php

The Draft Final EIR will be available for Planning Commission and public review prior to the second Planning Commission hearing on the proposed Winery Ordinance Update. The Draft Final EIR will include comment letters received on the draft EIR and staff's response to those comments. Text revisions in the Draft Final EIR respond to comments received on the adequacy and accuracy of the draft EIR; and add additional context, content, and clarity to the environmental analyses and technical appendices.

The following section provides a summary of the Draft EIR environmental analysis.

6.1 Summary of Environmental Analysis

The EIR analyzes the following resource areas: Aesthetics and Visual Resources, Agricultural Resources, Air Quality and Greenhouse Gas Emissions, Biological Resources, Cultural Resources, Geologic Hazards and Resources, Hazards, Hydrology and Water Resources, Land Use, Noise, Transportation and Traffic, and Public Services and Utilities. The following sections provide a summary of the identified Class I and Class II impacts associated with the proposed project, as well as a summary of the project alternatives analyzed in the EIR.

A. Summary of Significant and Unavoidable Impacts (Class I).

Air Quality and Greenhouse Gas Emissions

Impacts: The EIR identified two significant air quality impacts related to operational impacts from traffic generated emissions, fermentation generated emissions, and odor. In addition to NO_x and Reactive Organic Compound (ROC) emissions generated by vehicle trips, the proposed Project would generate ROCs during the processing of wine. Emissions generated from the fermentation process begin when the grapes are harvested and continue until wine is produced and bottled. The level of ROC emissions vary by winery production size, by the type of grape fermented, and by the fermentation process. The aggregate nature of the proposed Project to permit the potential development of 40 new wineries over the next 20 years would generate ROCs in excess of the daily threshold.

Under the proposed Project, it is possible that winery development may be located near sensitive receptors including nearby residences. While the proposed Project includes development setback of 100-200 feet for wineries, and 200-400 feet for additional structures, it is possible for odor produced during fermentation to extend beyond this distance and become a nuisance to neighboring receptors. These two impacts could result in a potentially significant impact to air quality (Class I)

Mitigation: The combined operational air quality impacts from traffic, fermentation, and odor would result in a significant and unavoidable impact. Mitigation measure AQ-1 requires future winery applicants to develop and implement an odor abatement plan. The measure has been incorporated in the proposed ordinance as a new development standard (Attachment C – Section 35.42.280.C.8). The development standard would reduce the impacts of odor; however, ROC emissions associated with the fermentation process would remain (Class I).

Transportation and Circulation

Impacts: The EIR identified potentially significant cumulative traffic quality of life impacts associated with future winery development. Quality of life analyses were conducted for all 34 road segments in the study area. The Quality of Life impact analysis is intended to incorporate nuisance impacts due to greater traffic that, although not triggering standard traffic volume thresholds, would be evident to area neighborhoods as noticeable changes to area traffic, turning movements, and/or delays. The Quality of Life threshold established for this analysis would be exceeded during both the weekday and weekend time periods for all areas except the Santa Rita Hills AVA.

Mitigation: The EIR identified two mitigation measures TRA-1 *Minimum Premises Area Increase* and TRA-2 *Special Event Management Plan*.

Mitigation Measures TRA-1 has been incorporated into the proposed ordinance (Attachment C – Table 4-16) to require a minimum of 40-acre premises in the Inner-Rural Area for Tier B wineries to minimize cumulative traffic quality of life impacts.

Mitigation Measure TRA-2 requires future winery applicants to develop and implement a special event management plan to address traffic and parking related impacts associated with special events. The measure has been incorporated in the proposed ordinance as a new development standard (Attachment C – Section 35.42.280.C.11.d.3). Transportation and circulation quality of life impacts would be reduced with incorporation of these proposed development standards; however, cumulative traffic quality of life impacts in the Rural Area (except within the Santa Rita Hills AVA) would remain significant and unavoidable (Class I).

B. Summary of Impacts Mitigated to Less than Significance (Class II).

Land Use

Impacts: The EIR identified potentially significant but mitigable quality of life impacts from temporary population increases in Rural Areas, Inner-Rural Areas, and EDRNs associated with increased winery visitors and special events at potential future wineries.

Mitigation: The EIR identified three mitigation measures: Mitigation Measure NOI-1 *Special Event Management Plan*; Mitigation Measure TRA-1 *Minimum Premises Area Increase*; and Mitigation Measure TRA-2 *Special Event Management Plan*.

Mitigation Measure TRA-1 requires a 40-acre minimum winery premises for Tier B wineries in the Inner-Rural Area to minimize cumulative traffic quality of life impacts. Mitigation Measure NOI-1 and TRA-2 requires development and implementation of a special event management plan to address noise and traffic related quality of life impacts associated with special events. These measures have been incorporated in the proposed ordinance as new development standards (Attachment C – Section 35.42.280.C.11.d.3, and Table 4-16). Land use related quality of life impacts would be reduced to a level of less than significance (Class II) with incorporation of the proposed development standards.

Noise

Impacts: The EIR identified potentially significant but mitigable noise impacts from the operation of large outdoor events (special events) that would periodically increase ambient noise levels near wineries.

Mitigation: The EIR identified mitigation measure NOI-1 *Special Event Management Plan* to minimize noise-related quality of life impacts associated with special events. The measure has been incorporated in the proposed ordinance as a new development standard (Attachment C – Section 35.42.280.C.11.d.3). Noise related quality of life impacts would be reduced to a level of less than significance (Class II) with incorporation of the proposed development standard.

Transportation and Circulation

Impacts: The EIR identified potentially significant but mitigable cumulative traffic quality of life impacts associated with future winery development. Quality of life

analyses were conducted for all 34 road segments in the study area. The Quality of Life impact analysis is intended to incorporate nuisance impacts due to greater traffic that, although not triggering standard traffic volume thresholds, would be evident to area neighborhoods as noticeable changes to area traffic, turning movements, and/or delays. The Quality of Life threshold established for this analysis would be exceeded during both the weekday and weekend time periods for all areas except the Santa Rita Hills AVA.

Mitigation: The EIR identified two mitigation measures TRA-1 *Minimum Premises Area Increase* and TRA-2 *Special Event Management Plan*.

Mitigation Measures TRA-1 has been incorporated into the proposed ordinance (Attachment C – Table 4-16) to require a minimum of 40-acre premises in the Inner-Rural Area for Tier B wineries to minimize cumulative traffic quality of life impacts.

Mitigation Measure TRA-2 requires future winery applicants to develop and implement a special event management plan to address traffic and parking related impacts associated with special events. The measure has been incorporated in the proposed ordinance as a new development standard (Attachment C – Section 35.42.280.C.11.d.3). Transportation and circulation quality of life impacts would be reduced to a level of less than significance (Class II) with incorporation of the proposed development standards.

C. Summary of Alternatives

The EIR evaluated a No Project Alternative; Alternative 1: *Local Production Emphasis*; and Alternative 2: *Expanded Winery Opportunities*. Each alternative is discussed in relation to the objectives of the Project. Alternatives analyzed in the EIR include:

No Project Alternative

Under the No Project Alternative, the County would not approve the proposed Winery Ordinance Update Project and therefore would not amend the County's existing Winery Ordinance in Section 35.42.280 of the Santa Barbara County Land Use and Development Code (LUDC). The No Project Alternative would not change current regulatory mechanisms to govern the development of wineries within the Rural and Inner-Rural Areas of County, and the existing Winery Ordinance would continue to guide future winery development. No changes would be made to existing development criteria for the size of winery premises, the size of tasting rooms, limitations on winery special events, and the range of activities and visitor-serving uses, restrictions on winery visitors, and restrictions on visitor hours.

Alternative 1: Local Production Emphasis

Alternative 1 would require all new wineries to contain at least 51 percent of the winery case production to be from grapes grown within Santa Barbara County, and at least 20 percent of the case production from grapes grown on the parcel containing the winery. Alternative 1 would include greater minimum acreage requirements for winery premises: 5 acres for Tier A wineries, 40 acres for Tier B wineries, and 40 acres for Tier C wineries.

Alternative 2: Expanded Winery Activities

Alternative 2 would reduce the minimum acreage requirements for winery premises and planted vineyards. The minimum winery premise area would be 10 acres for Tier B wineries, with restrictions on Tier B premises less than 20 acres for the number of winery visitors and vineyard

and winery tours. Tier C winery premises would only be required to contain 20 acres, with restrictions on the number of winery visitors and special events for Tier C premises less than 40 acres. Planted acreage requirements include a minimum of 1 acre for every 1,000 cases produced under Tier A, a minimum of 2 acres of planted vineyards for Tier B, and a minimum of 5 acres of planted vineyard for Tier C. The size of winery structural development and tasting rooms is also more restrictive, with a maximum of 20,000 square feet of winery structural development for Tier C wineries; Alternative 2 does not provide the option of larger developments with Planning Commission approval.

Alternative 2 allows for expanded winery activities under all tiers compared to the Project. All winery tiers would be allowed to host a limited number of industry weekend open houses; winery visitor hours would be extended until 7:00 pm; Tier A wineries could host two winemaker meals per year; and Tier C wineries would be allowed to host cooking classes without a Conditional Use Permit. Tier C wineries may also host a greater number of special events with Planning Commission approval.

7.0 COMPREHENSIVE PLAN CONSISTENCY

An analysis of the Project's consistency with applicable policies of the Santa Barbara County Comprehensive Plan is included in Attachment D. Staff concludes that the Winery Ordinance Update, as proposed with recommended staff changes, would be consistent with the Comprehensive Plan.

8.0 ATTACHMENTS

- A. Findings for Approval
[Note: *Findings for Approval will be provided to the Planning Commission prior to the second Winery Ordinance Update Planning Commission hearing.*]
- B. Winery Ordinance Update Draft Final EIR
[Note: *The Draft Final EIR will be provided to the Planning Commission prior to the second Winery Ordinance Update Planning Commission hearing.*]
- C. Resolution – Land Use and Development Code Ordinance Amendment
Exhibit 1: 14ORD-00000-00006
- D. Comprehensive Plan Consistency
- E. Approved Wineries Data

Winery Ordinance Update
Case No. 14-ORD-00000-00006
Hearing Date: May 11, 2016

ATTACHMENT A: Findings for Approval

[Note: *Findings for Approval will be provided to the Planning Commission prior to the second Winery Ordinance Update Planning Commission hearing.*]

Winery Ordinance Update
Case No. 14-ORD-00000-00006
Hearing Date: May 11, 2016

ATTACHMENT B: Draft Final EIR

[Note: The Draft Final EIR will be provided to the Planning Commission prior to the second Winery Ordinance Update Planning Commission hearing.]

ATTACHMENT C: 14ORD-00000-00006 RESOLUTION AND ORDINANCE

**RESOLUTION OF THE SANTA BARBARA COUNTY PLANNING COMMISSION
COUNTY OF SANTA BARBARA, STATE OF CALIFORNIA**

IN THE MATTER OF RECOMMENDING TO THE BOARD)
OF SUPERVISORS ADOPTION OF AN AMENDMENT)
TO SECTION 35-1, THE SANTA BARBARA COUNTY LAND)
USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING,)
OF THE COUNTY CODE, AMENDING ARTICLE 35.3, SITE) RESOLUTION NO.: 16 - ____
PLANNING AND OTHER PROJECT STANDARDS, ARTICLE)
35.4 STANDARDS FOR SPECIFIC LAND USES, AND ARTICLE)
35.11, GLOSSARY TO IMPLEMENT NEW DEVELOPMENT) CASE NO.: 14ORD-00000-00006
STANDARDS, PERMIT REQUIREMENTS AND PROCEDURES)
REGARDING WINERY DEVELOPMENT)

WITH REFERENCE TO THE FOLLOWING:

- A. On November 27, 2007, by Ordinance 4660, the Board of Supervisors adopted the Santa Barbara County Land Use and Development Code, Section 35-1 of Chapter 35 of the Santa Barbara County Code; and
- B. The Planning Commission now finds that it is in the interest of the orderly development of the County and important to the preservation of the health, safety and general welfare of the residents of the County to recommend that the Board of Supervisors adopt an ordinance (Case No. 14ORD-00000-00006) amending Section 35-1 of Chapter 35 of the Santa Barbara County Code, the Santa Barbara County Land Use and Development Code, to implement new development standards, permit requirements and procedures, and make other minor clarifications, corrections and revisions.

Said Ordinance is attached hereto as Exhibit 1 and is incorporated herein by reference.

- C. The proposed Ordinance is consistent with the Santa Barbara County Comprehensive Plan including the Community and Area Plans, and the requirements of the State Planning, Zoning and Development Laws.
- D. The proposed Ordinance is in the interest of the general community welfare since it will serve to clarify, update, and streamline the development permit process without compromising community values, environmental quality, or the public health and safety. The proposed ordinance amendments will (1) revise existing permit processes to enhance clarity and efficiency, (2) add new development standards and restrictions pertaining to specific land uses which will serve to minimize potential adverse impacts to the surrounding area, and (3) correct and clarify existing text provisions.
- E. This Planning Commission has held a duly noticed public hearing, as required by Section 65854 of the Government Code, on the proposed Ordinance at which hearing the proposed Ordinance was explained and comments invited from the persons in attendance.

NOW, THEREFORE, IT IS HEREBY RESOLVED as follows:

1. The above recitations are true and correct.
2. In compliance with the provisions of Section 65855 of the Government Code, this Planning Commission recommends that the Board of Supervisors of the County of Santa Barbara, State of California, following the required noticed public hearing, approve and adopt the above mentioned recommendation of this Commission, based on the findings included as Attachment A of the Planning Staff report dated May 3, 2016
3. A certified copy of this resolution shall be transmitted to the Board of Supervisors.
4. The Chair of this Planning Commission is hereby authorized and directed to sign and certify all maps, documents, and other materials in accordance with this resolution to show the above mentioned action by the Planning Commission.

PASSED, APPROVED AND ADOPTED this _____2016 by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Larry Ferini, Chair
Santa Barbara County Planning Commission

ATTEST:

DIANNE BLACK
Secretary to the Commission

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

EXHIBITS:

1. 14ORD-00000-00006

Exhibit 1

ORDINANCE NO. _____

AN ORDINANCE AMENDING SECTION 35-1, THE SANTA BARBARA COUNTY LAND USE AND DEVELOPMENT CODE, OF CHAPTER 35, ZONING, OF THE COUNTY CODE BY AMENDING ARTICLE 35.3, SITE PLANNING AND OTHER PROJECT STANDARDS, 35.4, STANDARDS FOR SPECIFIC LAND USES, AND ARTICLE 35.11, GLOSSARY, TO IMPLEMENT NEW DEVELOPMENT STANDARDS, PERMIT REQUIREMENTS AND PROCEDURES REGARDING WINERY DEVELOPMENT.

Case No. 14ORD-00000-00006

The Board of Supervisors of the County of Santa Barbara ordains as follows:

SECTION 1:

ARTICLE 35.3, Site Planning and Other Project Standards, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.36.040, Required Number of Spaces: Agricultural Uses, of Chapter 35.36, Parking and Loading Standards, to read as follows:

35.36.040 - Required Number of Spaces: Agricultural Uses

Agricultural parking standards shall be in compliance with the provisions in this Section, in [Section 35.36.080 \(Standards for All Zones and Uses\)](#) and in [Section 35.36.090 \(Standards for Agricultural Zones and Uses\)](#) below. Unless otherwise noted, the indicated parking requirements shall apply to uses in both the Coastal Zone and the Inland area.

Table 3-4 - Agriculture Parking Standards

Agriculture, Resource & Open Space Uses	Parking Spaces Required
Commercial greenhouses, hothouse or other plan protection structures	2 spaces per acre of land in such use.
Wineries (Inland area only)	
Bus/limousine parking <u>(Tier B and Tier C wineries only)</u>	Additional oversized spaces (10 feet x 30 feet) to accommodate bus/limousine parking as follows: 1 space for the first 20,000 square feet of winery structural development, and 1 space for every additional 20,000 square feet, or fraction thereof, of winery structural development.
Tasting rooms, reception areas, and kitchens and other areas for use by patrons.	1 space per 300 square feet and; 1 space per 2 employees for tasting rooms, reception areas, kitchens, or other areas used by patrons.
Offices, laboratories, or administration.	1 space per 300 square feet for offices, laboratories or administration.
Production, storage, or warehousing.	1 space per 1,000 square feet for production, storage or warehousing.
Special event parking, including group events and winemaker dinners.	1 space per 2.5 people for special event parking.

SECTION 2:

ARTICLE 35.4, Standards for Specific Land Uses, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.42.280, Wineries, of Chapter 35.42, Standards for Specific Land Uses, to read as follows:

35.42.280 - Wineries

A. Purpose and applicability. This Section provides regulations for the development and operation of wineries, where allowed by Article 35.2 (Zones and Allowable Land Uses). The intent is to promote the orderly development of wineries within the County and ensure their compatibility with surrounding land uses in order to protect the public health, safety, natural, and visual resources.

~~B. Coastal Zone permit requirements and development criteria.~~

- ~~1. Wineries, including processing, distribution, and sale of wine grapes and wine grape products grown off the premises that comply with all of the following criteria may be allowed subject to the approval of a Conditional Use Permit in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).~~
 - ~~a. The winery is located on premises used for vineyard purposes.~~
 - ~~b. The winery is operated in connection with the processing of wine grapes grown on the premises.~~
 - ~~e. Retail sales of wine grape products shall be limited to those grown on the premises.~~

~~C. Inland area permit requirements and development criteria.~~

- ~~1. Wineries that comply with all of the following criteria may be allowed subject to the issuance of a Land Use Permit in compliance with Section 35.82.110 (Land Use Permits).~~
 - ~~a. For every 1,000 cases of wine produced per year there shall be a minimum two acres of vineyard planted on the winery premises.~~
 - ~~b. The production capacity of the winery shall not exceed 20,000 cases per year.~~
 - ~~c. The winery premises shall not contain a tasting room.~~
 - ~~d. Winery structural development located within the winery premises shall not exceed 20,000 square feet.~~
 - ~~e. Winery special events occurring on the winery premises shall not exceed four per year and the attendance at each event shall not exceed 150 attendees. Otherwise, the winery shall not be open to the public and shall not offer tours and retail wine sales to the public.~~
- ~~2. Wineries that comply with all of the following criteria may be allowed subject to a Development Plan approved by the Zoning Administrator in compliance with Section 35.82.080 (Development Plans).~~
 - ~~a. For every 1,000 cases of wine produced there shall be a minimum one acre of vineyard planted on the winery premises.~~
 - ~~b. The production capacity of the winery shall not exceed 50,000 cases per year.~~
 - ~~c. The winery may include a tasting room. However, the floor area of the tasting room shall not exceed 400 square feet or 10 percent of the winery structural development area located on the winery premises, whichever is greater.~~
 - ~~d. Winery structural development located within the winery premises shall not exceed 20,000~~

square feet.

- e. ~~Winery special events occurring on the winery premises shall not exceed eight per year and the attendance at each event shall not exceed 150 attendees.~~
- 3. ~~Wineries that comply with all of the following development standards may be allowed subject to a Development Plan approved by the Commission in compliance with Section 35.82.080 (Development Plans). The production capacity of the winery is not limited and the winery may contain a tasting room.~~
 - a. ~~For every 1,000 cases of wine produced there shall be at a minimum one half acre of vineyard planted on the winery premises.~~
 - b. ~~Winery special events occurring on the winery premises shall not exceed 12 per year and the attendance at each event may not exceed 200 attendees.~~
 - (1) ~~Winery special events in excess of 12 per year or where the attendance at one or more events exceeds 200 may be allowed in compliance with a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).~~
 - (2) ~~The number of special events allowed by a Conditional Use Permit shall not exceed 40 days per year.~~

B. Permit requirements and development criteria.

- 1. Wineries may be allowed in compliance with the following applicable permit requirements and development criteria specified for the particular tier as shown in Table 4-16 (Winery Permit Requirements and Development Criteria), below.
- 2. An application for a winery shall be submitted in compliance with Section 35.80.030 (Application Preparation and Filing).
- 4 3. The Department shall refer winery applications to the Subdivision/Development Review Committee and the Board of Architectural Review for review and recommendation to the review authority.

Table 4-16 - Winery Permit Requirements and Development Criteria

	<u>Tier A</u>	<u>Tier B</u>	<u>Tier C</u>
<u>Required Permit and Review Authority</u>	<u>A Land Use Permit issued in compliance with Section 35.82.110 (Land Use Permits).</u>	<u>A Final Development Plan approved in compliance with Section 35.82.080 (Development Plans) by the Zoning Administrator.</u>	<u>A Final Development Plan approved in compliance with Section 35.82.080 (Development Plans) by the Commission.</u> <u>A Conditional Use Permit approved in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits) by the Commission is also required if winery special events or cooking classes are proposed as part of the winery operation.</u>
<u>Minimum winery premises area</u>	<u>None.</u>	<u>Inner-Rural Area: 40 acres.</u> <u>Rural Area: 20 acres.</u>	<u>40 acres.</u>
<u>Planted vineyard acreage requirements</u>	<u>A minimum of 2 acres for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 2 acres. There is no maximum on the number of acres planted.</u> <u>At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.</u>	<u>A minimum of 2 acres for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 10 acres. There is no maximum on the number of acres planted.</u> <u>At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.</u>	<u>A minimum of 1 acre for every 1,000 cases produced; however, in no case shall the planted vineyard acreage be less than 20 acres. There is no maximum on the number of acres planted.</u> <u>At least 51 percent of the winery case production shall be from grapes grown on the winery premises and/or from Santa Barbara County. At least 20% of the case production shall be from grapes grown on the lot on which the winery is located.</u>
<u>Maximum area of winery structural development</u>	<u>20,000 sq. ft. See Subsection C.3 (Winery structural development) for additional development standards.</u>	<u>20,000 sq. ft. See Subsection C.3 (Winery structural development) for additional development standards.</u>	<u>The maximum area shall be determined through Final Development Plan approval. See Subsection C.3 (Winery structural development) for additional development standards.</u>
<u>Tasting Room</u>	<u>A tasting room is not allowed.</u>	<u>A tasting room is allowed. The allowable floor area of the tasting room shall not exceed 600 sq. ft. or 10% of the winery structural development area located on the winery premises, whichever is greater.</u> <u>See Subsection C.9 (Tasting rooms) for additional development standards.</u>	<u>A tasting room is allowed. The allowable floor area of the tasting room shall be determined through Final Development Plan approval.</u> <u>See Subsection C.9 (Tasting rooms) for additional development standards.</u>

Table 4-16 - Winery Permit Requirements and Development Criteria (cont.)

	Tier A	Tier B	Tier C
<u>Winery visitors</u>	<p>Winery visitors are not allowed on the winery premises except that:</p> <ol style="list-style-type: none"> 1. A maximum of 20 members of the trade are allowed at any one time. 2. A maximum of 50 winery visitors at a wine industry-wide event are allowed at any one time. <p>See Subsection C.10 (Winery visitors) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>	<p>Winery premises less than 40 acres: A maximum of 50 winery visitors are allowed on the winery premises at any one time, except that during a wine industry-wide event a maximum of 100 winery visitors are allowed at any one time.</p> <p>Winery premises 40 acres and greater: A maximum of 80 winery visitors are allowed on the winery premises at any one time, except that during a wine industry-wide event a maximum of 150 winery visitors are allowed at any one time.</p> <p>See Subsection C.10 (Winery visitors) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>	<p>A maximum of 80 winery visitors are allowed on the winery premises at any one time except that during:</p> <ol style="list-style-type: none"> 1. A wine industry-wide event a maximum of 200 winery visitors are allowed at any one time. 2. A winery special event a maximum of 200 winery visitors are allowed at any one time; however, additional winery visitors may be approved by the Commission. <p>See Subsection C.10 (Winery visitors), Subsection C.11 (Winery special events) and Subsection C.12 (Wine industry-wide events) for additional development standards.</p>
<u>Winery visitor hours</u>	<p>Members of the trade and attendees at a wine industry-wide event are allowed on the winery premises between the hours of 10:00 a.m. and 6:00 p.m.</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>	<p>Winery visitors may be allowed on the winery premises between the hours of 10:00 a.m. and 6:00 p.m.; however winery visitors attending winemaker meals and attendees of wine industry-wide events may be allowed on the winery premises until 10:00 p.m.</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>	<p>Winery visitors may be allowed on the winery premises between the hours of 10:00 am and 6:00 p.m.; however winery visitors attending winemaker meals and attendees of wine industry-wide events may be allowed on the winery premises until 10:00 p.m. or as allowed in compliance with Subsection C.11 (Winery special events).</p> <p>See Subsection C.10 (Winery visitors) for additional development standards.</p>
<u>Cooking classes</u>	<p>Cooking classes are not allowed.</p>	<p>Cooking classes are not allowed.</p>	<p>Cooking classes may be allowed in compliance with a Conditional Use Permit approved by the Commission. See Subsection C.17 (Cooking classes and vineyard and winery tours) for additional development standards.</p>
<u>Vineyard and winery tours</u>	<p>Vineyard and winery tours are only allowed for a maximum of 20 members of the trade at any one time. See Subsection C.17 (Cooking classes and vineyard and winery tours) for additional development standards.</p>	<p>Vineyard and winery tours are allowed in compliance with Subsection C.17 (Cooking classes and vineyard and winery tours).</p>	<p>Vineyard and winery tours are allowed in compliance with Subsection C.17 (Cooking classes and vineyard and winery tours).</p>

Table 4-16 - Winery Permit Requirements and Development Criteria (cont.)

	<u>Tier A</u>	<u>Tier B</u>	<u>Tier C</u>
<u>Winemaker meals</u>	<u>Winemaker meals are not allowed.</u>	<u>A maximum of four winemaker meals may be allowed within a calendar year.</u> <u>Winemaker meal attendees are considered to be winery visitors and shall be included within the maximum number of winery visitors allowed on the winery premises at any one time.</u> <u>See Subsection C.10 (Winery visitors) for additional development standards.</u>	<u>A maximum of six winemaker meals may be allowed within a calendar year.</u> <u>Winemaker meal attendees are considered to be winery visitors and shall be included within the maximum number of winery visitors allowed on the winery premises at any one time.</u> <u>See Subsection C.10 (Winery visitors) for additional development standards.</u>
<u>Food service and food preparation</u>	<u>Food service and food preparation is not allowed except when prepared for and served to members of the trade.</u>	<u>Food service and food preparation may be allowed in compliance with Subsection C.16 (Food service and food preparation).</u>	<u>Food service and food preparation may be allowed in compliance with Subsection C.16 (Food service and food preparation).</u>
<u>Wine industry-wide events</u>	<u>A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).</u>	<u>A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).</u>	<u>A maximum of 4 events within a calendar year are allowed in compliance with Subsection C.12 (Wine industry-wide events).</u>
<u>Winery special events</u>	<u>Winery special events are not allowed.</u>	<u>Winery special events are not allowed.</u>	<u>Maximum number of events.</u> <u>A maximum of 12 winery special events within a calendar year may be allowed in compliance with a Conditional Use Permit approved by the Commission in compliance with Section 35.82.060 (Conditional Use Permits and Minor Conditional Use Permits).</u> <u>Maximum number of winery visitors allowed at any event:</u> <u>200 at any one time; however, additional winery visitors may be approved by the Commission.</u> <u>See Subsection C.11 (Winery special events) for additional development standards.</u>

DC. Development standards for winery facilities ~~located in the Inland area.~~ Wineries shall also comply with the following development standards, unless otherwise indicated. The standards contained in this Subsection shall supersede other regulations contained in this Development Code in the case of a conflict. However, other portions of the Santa Barbara County Code, as well as permitting requirements of other County Departments and Special Districts may contain standards and regulations that apply to winery development.

1. In general:

- a. ~~The primary purpose of the winery shall be to process wine grapes grown on the winery premises or on other local agricultural lands located within Santa Barbara County and San Luis Obispo County. No more than 50 percent of the grapes processed over a five year period shall be imported from outside of Santa Barbara County and San Luis Obispo County.~~
- b. ~~Retail sales of wine grape products shall be limited to those produced by the winery operator or bottled or grown on the winery premises.~~

Purpose. The purpose of these development standards is to ensure that the primary use of the lot on which the winery is located is for the production of an agricultural commodity and preparation and marketing of the agricultural commodity.

2. Setbacks. Structures and outdoor use area associated with a winery shall be located in compliance with the following requirements. Winery special events and winery industry-wide events are subject to additional setback requirements as contained in Subsection C.11 (Winery special events), and C.12 (Wine industry-wide events).

- a. Structures and outdoor use areas associated with a winery shall provide a minimum setback of 100 feet from adjacent lots. This setback shall be increased to 200 feet if the winery ~~includes public tours, public wine tasting, retail sales, or special events~~ has winery visitors, not including members of the trade.
- b. Structures and outdoor use areas associated with a winery shall provide a minimum setback of 200 feet from an existing residence located on an adjacent lot. The setback shall be increased to 400 feet if the winery ~~includes public tours, public wine tasting, retail sales, or special events~~ has winery visitors, not including members of the trade. A winery shall be considered to comply with these setback requirements, and shall not be considered nonconforming, if, after the approval for the winery is granted (either by an approved Development Plan or issued Land Use Permit), a residence is constructed on property that is either not owned by the owner of the property on which the winery is located or is not part of the winery premises, and the location of the residence is within the setback distances specified above.
- c. The setbacks required in compliance with Subsections C.2.a and C.2.b, above, may be reduced by the review authority provided any of the following findings are made. However, the setbacks shall not be reduced to below that which is normally required by the applicable zones or Article 35.2 (Zones and Allowable Land Uses).
 - (1) There is not a feasible way to meet the required setbacks without creating a significant environmental impact or impacting prime agricultural land (i.e., ~~Soil Conservation~~ Natural Resource Conservation Service Class I and II).
 - (2) The setback distances are not practical or feasible due to existing topographic conditions or onsite vegetation.
 - (3) The setback reduction is proposed for a legally constructed existing structure, and as indicated below.
 - (a) It can be clearly demonstrated that the structure was intended to be used for a legitimate agricultural or residential use, and
 - (b) The use of the structure as part of a winery operation shall not adversely affect neighboring properties.

- (4) The setback reduction is proposed for a structure that is part of an existing nonconforming winery operation and proposed additions to the structure are located no closer to the closest property line than the existing structure is located.
- d. The minimum setback distances required under Subsections ~~2.a. and 2.b.~~ C.2.a and C.2.b. above do not apply if the adjoining property is under the same ownership as the lot that the winery is located on or is included within the winery premises.

3. Winery structural development. The following development standards apply to all winery structural development allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.

- a. Winery structural development is restricted to development associated with the winery operation and shall be directly related and in proportion to the allowed uses of the winery premises.
- b. Development not included in the winery structure development definition shall not be utilized for any winery visitor activities.
- c. **Prohibited development at Tier A and Tier B wineries.**
 - (1) **Tier A.** Winery development at a Tier A winery shall not include structures used to support prohibited winery related activities including wine tasting, cooking classes, winemaker dinners, winery special events, winery tours, and vineyard tours. Food preparation facilities are also not allowed, except for such facilities required for limited food service and preparation as allowed in compliance with Table 4-16.
 - (2) **Tier B.** Winery development at a Tier B winery shall not include structures used to support prohibited winery related activities including cooking classes and winery special events.

~~3 4.~~ Access/street addressing.

- a. ~~Access to the winery premises and access ways within the winery premises, shall be designed to the satisfaction of the County Traffic Engineer and County Fire Department and shall comply with the applicable County private road and driveway standards and requirements. Ingress and egress shall be clearly marked and visible, and turning movements into the winery premises shall not create congestion or unnecessary slowing at access points. Structure address numbers shall be posted at the driveway/access road winery premises entrances and on winery structures in compliance with County Fire Department requirements.~~
- b. ~~Existing roads shall be utilized to the maximum extent feasible in order to minimize grading, site disturbance, and the loss of agricultural land.~~

~~4 5.~~ Design standards. New structures associated with the winery including production facilities and exterior changes to existing structures associated with the winery shall be subject to review and approval by the Board of Architectural Review in compliance with Section 35.82.070 (Design Review). Exterior changes to existing structures associated with the winery shall be subject to review and approval by the Board of Architectural Review in compliance with Section 35.82.070 (Design Review) unless the exterior changes are determined to be minor by the Director. In addition, the following design standards shall also apply.

- a. **Exterior.** The design, scale, and character of the winery shall be compatible with existing development in the vicinity. Structures associated with the winery including production facilities shall have an exterior design style that is agricultural or residential in nature using earth tones and non-reflective paints, siding, and roofing materials. Structures shall not use an exterior design style typically associated with large industrial facilities.
- b. **Screening.** The visibility of winery structures from public roads shall be minimized through the use of landscaping and other screening devices to ensure that the character of the area is retained. Tanks not located within a structure shall be completely screened from public roads.

- c. **Height.** The height of a structure associated with a winery facility shall be limited to 35 feet. The height limit may be increased to 45 feet where a pitched roof of greater than four in 12 (rise to run) is proposed and at least 50 percent of the structure is limited to a height of 35 feet or less.
- d. **Lighting.** Exterior lighting fixtures shall be of a low intensity, low glare design and shall be shielded with full cutoff design and directed downward to ensure that neither the lamp nor the related reflector interior surface is visible from a location off of the winery premises in order to prevent spill over onto adjacent lots under separate ownership. Pole lighting fixtures shall be used only for special events and seasonal agricultural activities. Exterior lighting shall not be installed or operated in a manner that would throw light, either reflected or directly, in an upward direction.
- e. **Circulation.** Existing roads shall be utilized to the maximum extent feasible in order to minimize grading, site disturbance, and the loss of agricultural land.
- f. **Solar energy systems.** These design standards do not apply to solar energy systems that are exempt from design review and planning permits in compliance with Section 35.30.160 (Solar Energy Systems).

5 6. Parking.

- a. The number, size, location, and design of required parking spaces shall comply with the standards of Chapter 35.36 (Parking and Loading Standards) unless there is a conflict with the standards of this Section, in which case the standards of this Section shall apply.
- b. The visibility of parking areas associated with the winery from public roads shall be minimized through the use of landscaping and other devices.
- c. The number of parking spaces shall be permanently maintained on the winery premises. The review authority may modify the number of required spaces based on site-specific considerations. Oversize parking spaces to accommodate bus/limousine parking is only required for Tier B and Tier C wineries that are open to the public.
- d. Parking shall not be allowed within an adjoining road right-of-way or trail easement.
- e. Parking areas shall be surfaced with a minimum of asphalt, concrete, brick, or other masonry paving units, chip seal, or crushed rock surface. Parking spaces on paved surfaces shall be marked with paint striping a minimum of two inches in width. Parking spaces on other types of surfaces shall be marked by the use of concrete wheel stop barriers, timber, or other durable material, that is securely installed and fastened to the parking surface. These standards shall not apply to temporary parking provided in open field areas for in compliance with Subsection C.6.f, below special events.
- f. Parking for special events, group events, or winemaker dinners winery visitors that cannot be accommodated within improved areas devoted to required parking may be provided in open field areas with a slope of 10 percent or less, free of combustible materials, at a ratio of 400 square feet per required space (including parking space and traffic aisles).

g. Parking plan requirements for winery special events and wine industry-wide events. A parking plan shall be implemented for winery special events and wine industry-wide events. The plan shall include:

- (1) The use of a parking coordinator who shall be present at all times during events attended by 100 or more persons to manage and direct vehicular movement and parking.
- (2) The use of dust control measures to keep dust generation to a minimum and to minimize the amount of dust leaving the site.
- (3) Appropriate signage placed onsite directing visitors to and indicating the location of parking areas, including open field overflow areas. Signs shall be in place before the commencement of each event.

6 7. Waste disposal.

a. Solid waste disposal.

- (1) A winery solid waste management plan shall be submitted for review and approval by the Public Health Department.
- (2) ~~The plan shall include a~~ A green waste reduction program plan shall be submitted for review and approval by the Public Works Department. The plan shall that includes the disposal of stems, leaves, and skins of grapes by drying, spreading, and discing the waste into the soil on the winery premises or other agriculturally zoned property. Pomace may be used as fertilizer or as a soil amendment provided that the use or other disposal shall occur in compliance with applicable County standards.

b. Liquid waste disposal. Liquid waste (process wastewater) from the winery operation shall be handled separately from domestic liquid waste and the disposal thereof shall be in compliance with applicable Regional Water Quality Control Board and County of Santa Barbara discharge requirements.

8. Odor abatement.

a. An odor abatement plan shall be prepared and implemented for all new winery structures and submitted to the Department prior to issuance of grading permits. This plan shall include, at a minimum, the following elements:

- (1) Name and telephone number of contact person(s) responsible for logging and responding to winery odor complaints.
- (2) Policy and procedure describing the actions to be taken when an odor complaint is received, including the training provided to the responsible party on how to respond to an odor complaint.
- (3) Description of potential odor sources (e.g., fermentation and aging processes and the resultant ethanol emissions).
- (4) Description of potential methods for reducing odors, including minimizing potential add-on air pollution control equipment.
- (5) Contingency measures to curtail emissions in the event of a continuous public nuisance.

7 9. Tasting rooms. The following development standards apply to all tasting rooms allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.

- a.** Tasting rooms shall be clearly incidental, accessory, and subordinate to the primary operation of the associated winery as a production facility.
- b.** The tasting room floor area does not include attached restrooms and other areas, which may include food preparation areas, that are used solely by winery staff and are not available for use by winery visitors. (e.g., food preparation areas, offices).

- ~~b c.~~ The location of the tasting room shall take into consideration site constraints, onsite access, visual concerns, grading and other environmental issues.
- ~~e d.~~ The primary focus of the tasting room shall be the marketing and sale of the wine produced on the winery premises. ~~Sales of souvenirs and clothing bearing the logo of the winery, as well as wine related items and other products that reflect or enhance the character or theme of the winery may also be offered for sale in the tasting room.~~
- ~~d e.~~ ~~If more than one winemaker shares production facilities or more than one winery is located on a winery premises, only one tasting room is allowed. More than one winemaker or winery facility may share a tasting room. More than one tasting room is allowed on the winery premises; however, the cumulative floor area of all tasting rooms shall not exceed the floor area allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.~~
- ~~e f.~~ More than one winemaker or winery facility may share a tasting room.
- ~~f g.~~ Tasting room hours of operation shall be limited between the hours of 10:00 a.m. and 6:00 p.m.
- ~~h.~~ The use of the tasting room shall be in compliance with the definition of Tasting Room and shall not be used for tasting beer and other spirits not included in the definition of Winery, unless such tasting occurs as part of a permitted special event occurring on the winery premises.

10. Winery visitors.

- a. Maximum number of winery visitors.** The maximum number of winery visitors allowed on the winery premises at any one time is specified in Table 4-16 (Winery Permit Requirements and Development Criteria), above.
- b. Winery visitor hours.** Winery visitor hours are specified in Table 4-16 (Winery Permit Requirements and Development Criteria), above, and, for a winery special event, in compliance with Subsection C.11 (Winery special events), below.
- c.** If the number of winery visitors present on the winery premises exceeds the maximum allowed at any one time either in compliance with this Section, Table 4-16 (Winery Permit Requirements and Development Criteria) above or Subsection C.12 (Wine industry-wide events), then this shall be considered a winery special event subject to the limitations and restrictions in Table 4-16 (Winery Permit Requirements and Development Criteria), above, and Subsection C.11 (Winery special events).

8 11. Winery Special events. The following development standards apply to all winery special events allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.

- ~~**a. Site area.** The minimum winery premises area on which a winery special event shall occur is 20 acres. However, this requirement may be reduced by the review authority upon a determination that the character of the area and the type of special event makes a 20-acre winery premises site area unnecessary.~~
- a.** Winery special events shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the winery special event occurs.
- b.** Winery special events do not include four annual wine industry-wide events or events held at individual wineries that are associated with the four annual wine industry-wide events. See Subsection C.12 (Wine industry-wide events), below.
- c.** The maximum number of winery visitors allowed at any one event is inclusive of the whole winery premises and includes winery visitors that are not attending the special event (e.g., tasting room visitors).

b. d. Use limitations.

- (1) ~~Amplified music associated with special events shall not exceed 65 dBA at the exterior boundary of the winery premises. For wineries located in Inner Rural Areas as designated on the Comprehensive Plan, a special event proposing outdoor amplified music shall only be allowed from 10 a.m. to 8 p.m. and the amplified music shall cease by 7 p.m. For wineries located within Rural Areas as designated on the Comprehensive Plan, a special event proposing outdoor amplified music shall only be allowed from 10 a.m. to 11 p.m., and the amplified music shall cease by 10 p.m. unless the Director determines that the sound at the property line shall not exceed 65 dBA.~~

(1) Hours of operation.

- (a) Inner-Rural areas.** For wineries located in Inner-Rural Areas, as designated on the Comprehensive Plan maps, a winery special event shall only be allowed between 10 a.m. to 8 p.m.
- (b) Rural areas.** For wineries located within Rural Areas, as designated on the Comprehensive Plan maps, a winery special event shall only be allowed between 10 a.m. to 11 p.m.
- (c) The hours of operation required in compliance with Subsections C.11.d(1)(a) and C.11.d(1)(b), above, may be modified by the Commission based on site-specific considerations that address neighborhood compatibility.**
- (2) Winery special event setback.** The site of a winery special event shall be located a minimum of 1,000 feet from a residential ~~one-family~~ zone that has a minimum lot area requirement of one acre or less.
- (3) Winery special event management plan.** Prior to the issuance of planning permit(s), including zoning clearance, the winery shall prepare a special event management plan that includes the following information and submit to the Department for review and approval. This plan shall also be updated and submitted annually for County review and approval a minimum of 30 days prior to the initial event for the year.
- (a) The total number of special events held during the previous year and the total number anticipated to occur in the current year.**
- (b) Traffic.**
- (1) Parking and traffic coordination plan, including signage if applicable.**
- (2) Traffic incident response protocols.**
- (3) Details of traffic complaints received during the previous year.**
- (4) Changes to event operations resulting from issues that arose due to parking or traffic.**
- (c) Noise.**
- (1) Details of noise generated by special events and noise complaints received.**
- (2) Outdoor amplified sound schedule of permitted hours and sound limits in compliance with Subsection C.14.b.**
- (3) Noise incident response protocols.**
- (4) Changes to event operations resulting from issues that arose due to noise.**
- (d) Contact information.** The winery operator shall provide the Department with the contact information of a representative who shall be able to respond to neighbor concerns during a special event and wine industry-wide event and who is responsible for assuring compliance with all winery permit conditions.

- (e) Reporting requirement. The winery operator shall provide notice to the Department of each proposed special event and wine industry-wide event on a form provided by the Department no later than 10 days prior to the beginning of each proposed event.
- (4) Other permit requirements. County Fire Department requirements shall be met. The winery special event and wine industry-wide event may also be subject to the requirements of other County departments and County special districts in compliance with the County Code and the regulations of the County special districts.
- (5) Non-compliance. Failure to comply with the winery special events development standards in Subsection C.11 and Table 4-16 (Winery Permit Requirements and Development Criteria) may result in Conditional Use Permit revocation in compliance with Section 35.84.060 (Revocations).
- ~~(4) Water supply and sanitation facilities shall be provided as required by the County Public Health Department.~~
- ~~e. Parking plan.~~ ~~A parking plan shall be implemented for special events. The plan shall include:~~

 - ~~(1) The use of a parking coordinator who shall be present at all times during special events attended by 100 or more persons to manage and direct vehicular movement and parking.~~
 - ~~(2) The use of dust control measures to keep dust generation to a minimum and to minimize the amount of dust leaving the site.~~
 - ~~(3) Appropriate signage placed onsite directing visitors to and indicating the location of parking areas, including open field overflow areas. Signs shall be in place before the commencement of each special event.~~

12. Wine industry-wide events. The following development standards apply to all wine industry wide events allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.

- a.** Events held at individual wineries that are associated with wine industry-wide events shall comply with the following criteria:

 - (1) The event occurs during the same time-frame as the wine industry-wide event.
 - (2) The event does not last more than one day.
 - (3) Each event day shall count as a separate event.
- b.** Maximum number of winery visitors. The maximum number of winery visitors allowed during a wine industry-wide event on the winery premises at any one time is specified in Table 4-16 (Winery Permit Requirements and Development Criteria), above.
- c.** Hours of operation.

 - (1) Inner-Rural areas. For wineries located in Inner-Rural Areas, as designated on the Comprehensive Plan maps, wine industry-wide events shall only be allowed between 10 a.m. to 8 p.m.
 - (2) Rural areas. For wineries located within Rural Areas, as designated on the Comprehensive Plan maps, wine industry-wide events shall only be allowed between 10 a.m. to 11 p.m.
 - (3) The hours of operation required in compliance with Subsections C.12.c.(1) and C.12.c.(2) above, may be modified by the Commission based on site-specific considerations that address neighborhood compatibility.
- d.** Wine industry-wide event setback. The site of a wine industry-wide event shall be located a minimum of 1,000 feet from a residential zone that has a minimum lot area requirement of

one acre or less.

- e. **Contact information.** The winery operator shall provide the Department with the contact information of a representative who shall be able to respond to neighbor concerns regarding a wine industry-wide event during the event and who is responsible for assuring compliance with all winery permit conditions.
- f. **Reporting requirement.** The winery operator shall provide notice to the Department of each proposed wine industry-wide event on a form provided by the Department no later than 10 days prior to the beginning of each proposed event.

9 13. Hazardous Materials Business Plan. A Hazardous Materials Business Plan shall be reviewed and approved, or waiver granted, by the County ~~Fire Department or fire district with jurisdiction~~ in the event that storage, handling, or the use of hazardous materials occurs on the winery premises.

10 14. NoiseSound.

- a. **Construction noise.** Noise-generating construction activities associated with winery structural development occurring within 1,600 feet of a noise-sensitive land use as defined in the County Noise Element shall be limited to the hours between 8:00 a.m. and 5:00 p.m., Monday through Friday, and shall not occur on State holidays. Non-noise generating construction activities (e.g., painting without the use of a compressor) are not subject to these restrictions.
- b. **Sound associated with winery visitor activities.**
 - (1) Sound associated with winery special events and other winery visitor activities shall not exceed 60 dBA at the exterior boundary of the winery premises.
 - (2) **Inner-rural areas.** Outdoor amplified sound shall cease by 7:00 p.m. for wineries located in the Inner-rural areas, as designated on the Comprehensive Plan maps.
 - (3) **Rural areas.** Outdoor amplified sound shall cease by 10:00 p.m. for wineries located in the Rural areas, as designated on the Comprehensive Plan maps. This may be modified by the Commission based on site-specific considerations that address neighborhood compatibility, including the proximity of the winery to dwellings on adjacent lots and the size of the winery premises.

15. Retail sales.

- a. Retail sales of winery-related promotional items may be allowed as part of the winery operation in compliance with the following:
 - (1) Retail products shall only be offered for sale within the tasting room.
 - (2) Retail sale items may include:
 - (a) Wine grape products produced by the winery operator or bottled or grown on the winery premises.
 - (b) Souvenirs and clothing bearing the logo of the winery as well as wine-related items and other products that reflect or enhance the character or theme of the winery.
- b. Pre-packaged food provided the standards contained in Subsection C.16, below, are complied with.

16. Food service and food preparation. The following development standards apply to all food service and food preparation allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above.

- a. All food service and food preparation facilities shall comply with all applicable Public Health Department requirements.
- b. Food served at a winery may be prepared on-site or off-site.

- c. Except for food served in association with cooking classes, winemaker meals and winery special events, food served or sold at a winery shall:
 - (1) Be limited to small, appetizer-like portions, and
 - (2) Not include menu options or meal service such that the winery premises functions as a restaurant, café, or coffee shop.
- d. Food preparation facilities shall only support the permitted type of food service and permitted cooking classes allowed on the winery premises.

17. Cooking classes and vineyard and winery tours. Tours and cooking classes may be allowed on the winery premises if allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria), above, and in compliance with the following.

- a. Tours or cooking classes whose attendees exceed the maximum number of winery visitors allowed on the winery premises at any one time are considered a winery special event and are subject to the limitations and restrictions on winery special events in compliance with Subsection C.11 (Winery special events), above.
- b. Unless otherwise stated, tours and cooking classes are subject to all of the requirements of Section 35.42.280 (Wineries) including parking, waste disposal, etc.
- c. Tours and cooking classes shall only be allowed between 10:00 a.m. to 6:00 p.m.
- d. Tours and cooking classes shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the tours and cooking classes occur.

Non-compliance. Failure to comply with the cooking class development standards in Subsection C.17 and Table 4-16 (Winery Permit Requirements and Development Criteria) may result in Conditional Use Permit revocation in compliance with Section 35.84.060 (Revocations).

D. Application requirements. ~~The Director shall establish and maintain a list of information that shall accompany every application for a winery facility. The information shall be in addition to the information required in Section 35.82.110 (Land Use Permits) and Section 35.82.080 (Development Plans), as appropriate, and shall include, but shall not be limited to:~~

- ~~1. The range of activities occurring onsite directly related to wine production (e.g., crushing, fermentation, barrel aging, bottling, bottle storage) accompanied by a site plan that provides a description of where the different winery processes will occur on the site.~~
- ~~2. Production capacity, existing, and proposed.~~
- ~~3. The type of cooperage used in fermentation.~~
- ~~4. Origin of grapes used in the wine production (e.g., percent of grapes produced onsite, percent of grapes imported from off site).~~
- ~~5. The area (existing and proposed) of structures, parking, roads, and driveways, uncovered processing areas, vineyard, and other planted areas.~~
- ~~6. A description of measures proposed to minimize the off-site effects of dust, odor, or noise generated by the proposed winery operation.~~
- ~~7. Information regarding proposed public tours, and wine tasting, retail wine sales, other retail sales including food service and picnic areas available to the public.~~

~~The Director may excuse an applicant from having to provide one or more of the required submittals if it is determined that in the specific case the information is not necessary in order to process or make an informed decision on the submittal application.~~

SECTION 3:

ARTICLE 35.11, Glossary, of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the Santa Barbara County Code, is amended to amend Section 35.110.020, Definitions of Specialized Terms and Phrases, Chapter 35.110, Definitions, to amend the existing definition of “Bar, Tavern”, and “Winery” to read as follows:

Bar, Tavern. A business where alcoholic beverages are sold for onsite consumption, which are not part of a larger restaurant. Includes bars, taverns, pubs, cocktail lounges, and similar establishments where any food service is subordinate to the sale of alcoholic beverages. Does not include wineries.

Winery. The following terms are defined for the purposes of Section 35.42.280 (Wineries).

- 1. Cooking class.** A gathering occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Cooking classes may be demonstrational or instructional in nature and shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the cooking classes occur.
- 2. Members of the trade.** Wine agents, brokers, critics, media, press, wholesalers and other wine trade professionals who are directly related to the business aspects of the winery.
- 3. Tasting room.** A room or rooms, open to the general public, primarily used by a winery visitor primarily for the retail tasting of wine and the marketing of winery products. Merchandise offered for sale within the tasting room may also include souvenirs and clothing bearing the logo of the winery, as well as wine related items and other products that reflect or enhance the character or theme of the winery. A room or rooms where wine tasting occurs, where wine tasting is part of the normal business practice in the wholesale marketing of winery products and not open to the public is not considered a tasting room.
- 4. Vineyard\winery tour.** Visitation to the winery structural development and/or vineyard(s) on the winery premises by public or private attendees for various purposes, including educating winery visitors about wine making, grape growing, and the attributes and history of individual wineries.
- 5. Wine club event.** Event or activity reserved for attendance by members of the wineries’ wine club, which may include wine release parties, educational wine events, barbeques and food pairing events, and winemaker meals.
- 6. Wine industry-wide event.** An event that is promoted by an organization primarily organized for the purpose of promoting wines produced in Santa Barbara County (e.g., Harvest Festival, Vintners’ Festival).
- 7. Winemaker meals.** Meals occurring on the winery premises attended by winery visitors primarily for the tasting, education and marketing of winery products. Winemaker meals shall be clearly secondary, subordinate and incidental to the primary agricultural uses of the property on which the winemaker meals occur.
- 8. Winery.** A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the refermenting of still wine into sparkling wine. Processing consists of controlled fermentation combined with any of the following: crushing, blending, barrel aging, and bottling. Storage of case goods shall only occur in conjunction with processing. Retail sales and tasting of wine and retail sales of related promotional items may be allowed as part of the winery operation.
- 9. Winery premises.** A lot or group of contiguous lots that has an approved Development Plan, Conditional Use Permit, or Land Use Permit that allows for the development and operation of a winery. Lots shall be considered to be contiguous even if separated by roads, streets, utility easements, or railroad rights-of-way.
- 10. Winery special event.** An event of less than one day and occurring on a the winery premises attended by 80 or more people more than the maximum number of winery visitors allowed in compliance with Table 4-16 (Winery Permit Requirements and Development Criteria) including concerts with or without amplified sound, such as weddings, and advertised events, fund raising events, tours, cooking classes, etc.

~~winemaker dinners open to the general public, etc. Winery special events do not include wine industry-wide events (e.g., the Vintner's Festival and Harvest Festival) including associated events held at individual wineries, the normal patronage of a tasting room, and private gatherings of the owner or employees where the general public does not attend.~~

5 11. Winery Structural Development. Anything constructed, erected, or placed with or without a foundation, the use of which requires location on the ground and is covered by a roof. The footprint area of uncovered storage tanks and wine caves is also included as winery structural development. Winery structural development is restricted to development associated with the winery operation and does not include residential development including employee housing, development that is solely accessory to vineyards, and other agricultural activities not directly associated with the winery.

12. Winery visitor. All persons visiting the winery structural development and/or vineyard(s) on the winery premises such as members of the trade and/or public or private attendees at a tasting room, vineyard/winery tour, cooking class, winemaker meal, wine club event, or other winery related activities. People visiting the premises for non-winery related activities or are not visiting the winery structural development or vineyard, are not considered a winery visitor.

SECTION 4:

All existing indices, section references, and figure and table numbers contained in Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, are hereby revised and renumbered as appropriate to reflect the revisions enumerated above.

SECTION 5:

Except as amended by this Ordinance, Article 35.3, Article 35.4 and Article 35.11 of Section 35-1, the Santa Barbara County Land Use and Development Code, of Chapter 35, Zoning, of the County Code, shall remain unchanged and shall continue in full force and effect.

SECTION 6:

This ordinance shall take effect and be in force 30 days from the date of its passage and before the expiration of 15 days after its passage a summary of it shall be published once together with the names of the members of the Board of Supervisors voting for and against the same in the Santa Barbara News-Press, a newspaper of general circulation published in the County of Santa Barbara.

PASSED, APPROVED AND ADOPTED by the Board of Supervisors of the County of Santa Barbara, State of California, this _____ day of _____, 2016, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

PETER ADAM, CHAIR
BOARD OF SUPERVISORS
COUNTY OF SANTA BARBARA

ATTEST:

MONA MIYASATO, COUNTY EXECUTIVE OFFICER
CLERK OF THE BOARD

By _____
Deputy Clerk

APPROVED AS TO FORM:

MICHAEL C. GHIZZONI
COUNTY COUNSEL

By _____
Deputy County Counsel

Plans and Policy Consistency Analysis

Consistency with Santa Barbara County Comprehensive Plan Policies

Policy Requirement	Discussion
AESTHETICS AND VISUAL RESOURCES	
<p><i>Land Use Element, Visual Resource Policy 2:</i> In areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment, except where technical requirements dictate otherwise. Structures shall be subordinate in appearance to natural landforms; shall be designed to follow the natural contours of the landscape; and shall be sited so as not to intrude into the skyline as seen from public viewing places.</p>	<p>Consistent: The Project would apply to new winery developments and operations in Rural and Inner-Rural Areas. The proposed Project contains development criteria for maximum square footages of winery structural development, minimum acreage requirements, minimum setback distances, and maximum height limits. These development criteria would limit the size and scale of development on winery premises and preserve the open space character of the surrounding natural environment. All winery tiers would be subject to design review by the Board of Architectural Review (BAR) and planning review to address appropriate design and scale of development. This would ensure that development is subordinate to natural landforms. Therefore, adoption of the proposed Project would be consistent with this policy.</p>
<p><i>Scenic Highway Element:</i> The County seeks to attain the following goals through the adoption and implementation of the Scenic Highway Element:</p> <ul style="list-style-type: none"> a) To enhance and preserve the valuable scenic resources located along roadways within the County, b) To consider every proposed new highway or major realignment as an opportunity to maintain the scenic quality of the County by evaluating them for scenic highway eligibility, c) To help maintain the economic contribution of tourism to the County, d) To accommodate State planning law. <p>The Scenic Highway Element contains preservation measures for eligible scenic routes. Such measures include the application of the Design Control Overlay District to require design review of structures or other development, additional grading and landscaping regulations, and control of outdoor signage.</p>	<p>Consistent: Winery development under the Project may occur along designated or eligible State Scenic Highways and in highly scenic areas identified by the County. Development standards included in the Project have the ability to reduce impacts to visual resources and maintain high scenic quality along designated and eligible scenic highways with measures that address screening from public roadways, design, lighting, height, and setbacks. All future winery developments would be subject to BAR and planning reviews to ensure compliance with any Design Control Overlay District and applicable design standards. Required setbacks and the screening of parking areas would also minimize the appearance of winery facilities along State Scenic Highways. Siting and potential visual impacts of larger winery establishments (Tier B and C wineries) would be assessed on a case-by-case basis through the Development Plan and CEQA processes. Further, winery development under the Project would be in line with the goal to maintain the economic contribution of tourism to the County. Therefore, adoption of the Project would be consistent with the goals of the Scenic Highway Element.</p>

Consistency with Santa Barbara County Comprehensive Plan Policies (Continued)	
Policy Requirement	Discussion
<p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-1: Development of property should minimize impacts to open space views as seen from public roads and viewpoints and avoid destruction of significant visual resources.</i></p>	<p>Consistent: The Project would apply to new winery developments and operations that may occur within the Santa Ynez Valley Community Plan area. The proposed Project contains development criteria for maximum square footages of winery structural development, minimum acreage requirements, required minimum setback distances, and maximum height limits. This would limit the size and scale of development on winery premises and preserve the open space character of the surrounding natural environment.</p> <p>Winery development would also be required to comply with design standards in the SYVCP Design Overlay District and development standards VIS-SYV-1.1 through 1.10 in the SYVCP, which requires development siting to be subordinate to natural landscapes, restricts ridgeline development, and requires earth tone paints and building materials. All future winery developments would be subject to BAR and planning reviews to ensure compliance with any Design Control Overlay District and applicable design standards. Siting and potential visual impacts of larger winery establishments (Tier B and C wineries) would be assessed on a case-by-case basis through subsequent Development Plan and CEQA processes. This would ensure that development is subordinate to natural landforms. Therefore, adoption of the Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy VIS-SYV-3: The night sky of the Santa Ynez Valley shall be protected from excessive and unnecessary light associated with new development and redevelopment.</i></p>	<p>Consistent: Wineries may introduce a new source of nighttime lighting into Rural and Inner-Rural Areas of the Santa Ynez Valley that typically experience little light pollution. Design standard D.5(d) under the Winery Ordinance Update regulates exterior lighting and dictates that lighting sources shall not be visible from areas outside the winery premises. The proposed Project also limits winery visiting hours and the number of visitors allowed on the premises, which would limit nighttime lighting use. Special events under Tier C may create temporarily adverse impacts associated with nighttime lighting, but would be infrequent in nature. Therefore, implementation of proposed Project would be consistent with this policy.</p>

Policy Requirement	Discussion
AGRICULTURAL RESOURCES	
<p><i>Agricultural Element, Goal I:</i> Santa Barbara County shall assure and enhance the continuation of agriculture as a major viable production industry in Santa Barbara County. Agriculture shall be encouraged. Where conditions allow (taking into account environmental impacts), expansion and intensification shall be supported.</p>	<p>Consistent: The proposed Project would conditionally allow wineries on agricultural land uses. Wineries are considered an agricultural support use (LUDC 35.21.030). Winery development under the Project would be reviewed to ensure that proposed uses are consistent with agricultural production and related activities both onsite and proximate to the proposed winery facility. Winery related activities may also enhance agricultural uses onsite. Adoption of the proposed Project would be consistent with this goal.</p>
<p><i>Agricultural Element, Goal V:</i> Santa Barbara County shall allow areas and installations for those supportive activities needed as an integral part of the production and marketing process on and/or off the farm.</p> <p><i>Agricultural Element, Policy V.A:</i> Santa Barbara County shall permit on-farm supportive installations for product handling and selling as prescribed in the Uniform Rules of the County’s Agricultural Preserve Program.</p>	<p>Consistent: Winery structural development and activities allowed by the Project would be supportive to wine grape production and processing. The Uniform Rules of the County’s Agricultural Preserve Program recognizes that some secondary uses inherently related to primary agricultural operations may be compatible and states the processing of wine grapes is compatible within contracted land. Compatibility of uses on a particular Agricultural Preserve is evaluated by the Agricultural Preserve Advisory Committee (APAC) on a case-by-case basis and is subject to development standards and requirements in County zoning ordinances. Individual winery development on these lands would also require County review for permit approval, and would be subject to conditions necessary to maintain compatible agricultural land uses under agricultural zoning. Therefore, winery development under the proposed Project would be consistent with this goal and policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy LUA-SYV-2:</i> Land designated for agriculture within the Santa Ynez Valley shall be preserved and protected for agricultural use.</p>	<p>Consistent: The proposed Project would conditionally allow wineries on agricultural land in the Santa Ynez Valley. Wineries are considered an agricultural support use (LUDC 35.21.030) and winery expansion under the Project would preserve agricultural uses on those lands. Therefore, adoption of the Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy LUA-SYV-3:</i> New development shall be compatible with adjacent agricultural lands.</p>	<p>Consistent: The proposed Project includes development standards that limit special events, winery visitors, and structural development that in turn would limit potential conflicts with adjacent agricultural lands. Development review under all winery tiers would address agricultural land use compatibility issues on a case-by-case basis. Winery development under the Project would also require conformance with the Right to Farm Ordinance and if applicable, the Uniform Rules. Therefore, adoption of the Project would be consistent with this policy.</p>

Policy Requirement	Discussion
<p><i>Santa Ynez Valley Community Plan Policy LUA-SYV-4:</i> Opportunities for agricultural tourism shall be supported where such activities will promote and support the primary use of the land as agriculture without creating conflicts with on-site or adjacent agricultural production or impacts to the environment.</p>	<p>Consistent: Wineries developed in the SYVCP area under the Project would provide opportunities for agricultural tourism by providing visitor-serving uses and special events. The Project sets out a framework for future projects that provides opportunities for agricultural tourism without creating conflicts with on-site or adjacent agriculture. The potential for agricultural land use conflicts would be analyzed on a case-by-case basis in the subsequent development review process. Therefore, adoption of the Project would be consistent with this policy.</p>
AIR QUALITY AND GREENHOUSE GAS EMISSIONS	
<p><i>Santa Barbara County Clean Air Plan (CAP) 2010 and 2013:</i> The California Clean Air Act requires the California Air Resources Board (CARB) to identify and evaluate air quality indicators for the Santa Barbara County Air Pollution Control District, and identify pollution-control measures needed to meet federal and state air quality standards. The CAP affects the development of regulations and programs within the Air Pollution Control District. Since the County is classified as “moderate” non-attainment for the state 8-hour ozone standard, it must track and meet transportation performance standards. The updated 2010 and 2013 CAP provided a long-range emissions estimate for the County that was consistent with regional growth and development plans.</p>	<p>Consistent: The 2013 CAP relies on the land use and population projections provided in the 2012 SBCAG Regional Growth Forecast. The anticipated build out of 40 wineries throughout the Primary Wine Region over the next 20 years, is based on existing winery growth trends captured in this Regional Growth Forecast and is therefore consistent with the CAP.</p>
<p><i>Santa Barbara Energy and Climate Action Plan (ECAP):</i> The ECAP is designed as a Qualified GHG Reduction Plan, consistent with CEQA Guidelines Section 15183.5(b) to reduce community wide GHGs by 15% below 2007 baseline levels by 2020. The ECAP provides a number of voluntary, phased, and mandatory measures to achieve this goal, based on CAP projected growth.</p>	<p>Consistent: The ECAP is based on CAP forecasted growth, as supplied by the 2012 SBCAG Regional Growth Forecast. The development of the proposed Project is based on existing growth trends that are consistent with the Regional Growth Forecast. Therefore, adoption of the Project would be consistent with this policy.</p>
BIOLOGICAL RESOURCES	
<p><i>Conservation Element, Recommendation:</i> In the Santa Ynez Valley canyon communities, unregulated, and haphazard development should be prohibited, roads should be kept narrow, and cattle grazing closely controlled.</p>	<p>Consistent: With adoption of the Project, winery development in the vicinity of Santa Ynez Valley canyon communities would be regulated by the County and subject to permit approval. Development review under all winery tiers would require compliance with LUDC development standards and review of the siting of structures. Development of larger winery establishments (Tier B and C wineries) would require discretionary approval with additional environmental review. Therefore, adoption of the Project would be consistent with this recommendation.</p>
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-4:</i> Sensitive habitats</p>	<p>Consistent: With adoption of the Project, winery development in the</p>

Policy Requirement	Discussion
<p>shall be protected to the maximum extent possible, and compensatory mitigation shall be prescribed when impacts to or loss of these areas cannot be avoided.</p>	<p>Santa Ynez Valley would be regulated by the County and subject to permit approval. Site-specific biological studies would be required on a case-by-case basis by the County as part of the discretionary applications for Tier B and C wineries under the Project. Development of Tier A wineries would require consistency with LUDC Development Standard 35.21.050(C.2), which requires setbacks from environmentally sensitive habitat areas. Therefore, winery development under the proposed Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-8:</i> Native protected trees and non-native specimen trees shall be preserved to the maximum extent feasible.</p>	<p>Consistent: Future winery development under the Project would be required to be consistent with the Oak Tree Protection Program in the Inland Rural Areas of Santa Barbara County (County of Santa Barbara 2009). Development Standards in LUDC Section 35.21.050(C.3) would apply to Tier A wineries, which require setback distances from native trees. Development of Tier B and Tier C wineries would require discretionary approval of a Development Plan, including review of siting of structures and additional CEQA review. This may include additional resource studies and/or site-specific conditions of approval to address impacts to trees. Therefore, winery development under the Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-10:</i> Areas of one or more acres of central coastal scrub shall be preserved to the maximum extent feasible.</p> <p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-11:</i> Areas of chaparral shall be protected from development to the maximum extent feasible.</p> <p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-12:</i> Areas of native grasslands shall be preserved to the maximum extent feasible.</p>	<p>Consistent: Winery development under the Project may occur in Rural Areas containing central coastal scrub, chaparral areas, and native grasslands. Development Standards in LUDC Section 35.21.050(C) would apply to Tier A wineries, which require setback distances from native plant communities identified by California Department of Fish and Wildlife, and the preservation or avoidance of natural features and native vegetation to the maximum extent feasible. Development of Tier B and Tier C wineries would require discretionary approval of a Development Plan, including review of proposed siting of structures and additional environmental review. This may include additional resource studies and/or site-specific conditions of approval to address impacts to plant communities and native vegetation. Therefore, winery development under the Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy BIO-SYV-14:</i> Where sensitive plant species and sensitive animal species are found pursuant to the review of a discretionary project, efforts shall be made to preserve the habitat in which they are located to the maximum extent feasible.</p>	<p>Consistent: Discretionary permits would be required for Tier B and C wineries under the Project. Development of Tier B and Tier C wineries would require a Development Plan, including review of proposed siting of structures and additional environmental review. This may include additional resource studies and/or site-specific conditions of approval to</p>

Policy Requirement	Discussion
	address impacts to natural habitats. Therefore, winery development under the Project would be consistent with this policy.
CULTURAL RESOURCES	
<p><i>Land Use Element, Historical and Archaeological Sites Policy 1:</i> All available measures, including purchase, tax relief, purchase of development rights, etc., shall be explored to avoid development on significant historic, prehistoric, archaeological, and other classes of cultural sites.</p> <p><i>Santa Ynez Valley Community Plan Policy HA-SYV-1.1:</i> Archaeological resources shall be protected and preserved to the maximum extent feasible.</p> <p><i>Santa Ynez Valley Community Plan Policy HA-SYV-2.1:</i> Historic resources shall be protected and preserved to the maximum extent feasible</p>	<p>Consistent: Development review processes for all winery tiers under the Project would ensure compliance with development criteria under LUDC Section 35.60.050, which requires that development avoid impacts to cultural sites to the maximum extent feasible. In addition, consultations with Native Americans would take place if winery development would potentially impact significant archaeological or cultural sites. Development review processes for wineries could also include additional resource studies and/or site-specific conditions of approval to address historical and archeological impacts and consistency with applicable policies. Discretionary permit applications for Tier B and C development would undergo additional CEQA review for historical and archaeological resources, and be in compliance with the County Cultural Resource Guidelines (1986, Revised January 1993), which outline the steps for inventory, evaluation, mitigation and reporting. Therefore, winery development under the Project would be consistent with this policy.</p>
GEOLOGIC HAZARDS, SOILS, AND MINERAL RESOURCES	
<p><i>Seismic Safety and Safety Element, Geologic and Seismic Goal 1:</i> Protect the community to the extent feasible from risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards pursuant to Government Code §65302(g)(1), Chapter 7.8 (commencing with Section 2690) of Division 2 of the Public Resources Code, and other geologic hazards known to the legislative body.</p>	<p>Consistent: All winery tiers would allow for structural development associated with winery operations under the Project, which would result in the potential to expose habitable structures to strong ground shaking from earthquakes or other unstable earth conditions. Compliance with LUDC regulations, as well as the International Building Code would require an assessment of hazards related to unstable earth conditions prior to winery permitting and approval and application of standards and conditions of approval to address identified geologic hazards. Therefore, winery development under the proposed Project would be consistent with this goal.</p>
<p><i>Land Use Element, Hillside and Watershed Protection Policy 1:</i> Plans for development shall minimize cut and fill operations. Plans requiring excessive cutting and filling may be denied if it is determined that the development could be carried out with less alteration of the natural terrain.</p>	<p>Consistent: Construction activities associated with wineries under the Project would be required to comply with California Building Code Chapter 70 standards, which include certification of grading plans, cut and fill, and erosion control by a professional geotechnical engineer and professional engineering geologist. Furthermore, the County requires conformance with County Grading and Building Codes to address geologic hazards. Therefore, winery development under the Project would be</p>

Policy Requirement	Discussion
	consistent with this policy.
<p><i>Land Use Element, Hillside and Watershed Protection Policy 2:</i> All developments shall be designed to fit the site topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading and other site preparation is kept to an absolute minimum. Natural features, landforms, and native vegetation, such as trees, shall be preserved to the maximum extent feasible. Areas of the site which are not suited to development because of known soil, geologic, flood, erosion or other hazards shall remain in open space.</p>	<p>Consistent: Development review of winery operations under the Project would require, if applicable, approval of a geological study, soils engineering study, and erosion and sediment control plan to reduce cut and fill and grading impacts for both Land Use Permits and Development Plans. Development of Tier A wineries would require consistency with LUDC Development Standard 35.21.050(C.3), which requires minimal interference or avoidance of natural landforms and native vegetation. Therefore, winery development under the Project would be consistent with this policy.</p>
<p><i>Santa Ynez Valley Community Plan Policy GEO-SYV-1.1:</i> Development shall be sited and designed to minimize the potential for geologic hazards, including but not limited to seismic, soil, or slope hazards.</p>	<p>Consistent: Development review of winery operations under the Project would require, if applicable, approval of a geological study, soils engineering study, and erosion and sediment control plan to reduce cut and fill and grading impacts for both Land Use Permits and Development Plans. Winery developments would be subject to seismic standards contained in the Uniform Building Code, the California Building Code, and mitigative policies within applicable <i>General Plans</i>, Santa Barbara County Building Codes and Ordinances, and the additional mitigation measures provided. Therefore, implementation of proposed Project may be found to be consistent with this policy.</p>
HAZARDS	
<p><i>Seismic Safety and Safety Element, Goal 1:</i> Protect the community from unreasonable risks associated with the effects of wildland and urban fires pursuant to Government Code 65302(g)(1).</p>	<p>Consistent: Future winery developments are required to comply with all Santa Barbara County Fire Department development standards in addition to any applicable state or federal requirements. Implementation of these standards and requirements would minimize the hazards related to fires. Therefore, winery development under the Project would be consistent with this goal.</p>
<p><i>Hazardous Waste Element:</i> The Hazardous Waste Element emphasizes the need for proper management of current as well as future hazardous wastes with the goal of minimizing the amount of waste generated and reducing the hazard of what is generated. Goals and policies within the Hazardous Waste Element are aimed at protecting public health and safety, and the environment from risks due to the potential presence of hazardous materials.</p>	<p>Consistent: Section D.12 of the Winery Ordinance Update requires a Hazardous Materials Business Plan (HMBP) in the event that storage, or the use of hazardous materials occurs on the winery premises. With the standard requirement for an HMBP for future wineries, regular maintenance, use, and storage of chemicals are not anticipated to result in hazardous conditions. Therefore, adoption of the proposed Project would be consistent with the Hazardous Waste Element.</p>
HYDROLOGY AND WATER RESOURCES	
<p><i>Seismic Safety & Safety Element, Flood Protection Goal 1:</i> Protect the</p>	<p>Consistent: The construction and operation of wineries governed by the</p>

Policy Requirement	Discussion
<p>community from unreasonable risks of flooding pursuant to Government Code §65302(g) et seq.</p> <p><i>Seismic Safety & Safety Element, Flood Protection Objective 1:</i> Pursuant to SBCC Chapter 15A-Flood Plain Management, promote the public, health, and general welfare, and minimize public and private losses due to flood conditions.</p> <p><i>Land Use Element, Flood Hazard Area Policy 1:</i> All development, including construction, excavation, and grading, except for flood control projects and non-structural agricultural uses, shall be prohibited in the floodway unless offsetting improvements in accordance with federal regulations are provided. If the proposed development falls within the floodway fringe, development may be permitted, provided creek setback requirements are met and finished floor elevations are two feet above the projected 100-year flood elevation, and the other requirements regarding materials and utilities as specified in the Flood Plain Management Ordinance are in compliance.</p>	<p>Project may occur within or near flood hazards; and it is possible that some sites could result in an exposure of people and or property to flooding hazards. Development review processes for winery operations under the Project would ensure that development sited within or near a floodway contain the required setbacks, finished floor elevations, building materials, and utilities. Adherence to SBCC Chapter 15A, Floodplain Management, and Section 15A-16, Standards of Construction, would minimize or avoid flood hazards. Therefore, winery development under the Project would be consistent with these goals and policies.</p>
<p><i>Conservation Element, Policy 3.4:</i> The County's land use planning decisions shall be consistent with the ability of any affected water purveyor(s) to provide adequate services and resources to their existing customers, in coordination with any applicable groundwater management plan.</p> <p><i>Conservation Element, Policy 3.5:</i> In coordination with any applicable groundwater management plan(s), the County shall not allow, through its land use permitting decisions, any basin to become seriously over drafted on a prolonged basis.</p> <p><i>Conservation Element, Policy 3.6:</i> The County shall not make land use decisions which would lead to the substantial over commitment of any groundwater basin.</p> <p><i>Santa Ynez Valley Community Plan Goal WAT-SVY-1:</i> Protect the quality of surface and ground waters from degradation; maintain adequate, safe water supplies; and protect groundwater basins from prolonged overdraft.</p>	<p>Consistent: Operation of additional wineries may utilize on-site private wells for water supply. Groundwater extraction from these wells would impact the level of supply available in the aquifer. Development of Tier B and Tier C wineries would require discretionary approval of a Development Plan, including review of adequate water supply and resources. Development of Tier A wineries could also include additional resource studies and/or site-specific conditions of approval to address resource impacts and consistency with applicable policies in the Conservation Element. Therefore, winery development under the Project would be consistent with these policies.</p>
<p><i>Santa Ynez Valley Community Plan Policy FLD-SYV-1:</i> Flood risks shall be minimized through appropriate design and land use controls, as well as through feasible engineering solutions that address existing problems.</p> <p><i>Santa Ynez Valley Community Plan Policy FLD-SYV-2:</i> Short-term and long-</p>	<p>Consistent: The proposed Project could allow for construction and operation of additional wineries located in or near flood hazard areas. Adherence to SBCC Chapter 15A, Floodplain Management, and Sec. 15A-16, Standards of Construction would minimize or avoid risks related to flood hazards. Mitigation Measure MM GEO-1 would also apply, which</p>

Policy Requirement	Discussion
term erosion associated with development shall be minimized.	requires minimizing grading and alterations of lands in order to reduce erosion. Therefore, winery development under the Project would be consistent with these policies.
LAND USE	
<p><i>The Santa Barbara County Comprehensive Plan:</i> The Santa Barbara County Comprehensive Plan contains overarching goals, which drive the policies, goals, and recommendations found within the individual elements of the Comprehensive Plan. Of particular importance to the CP/LUDC Amendments is the Land Use Element Regional Goal for Agriculture, which states: "In the rural areas, cultivated agriculture shall be preserved and, where conditions allow, expansion and intensification should be supported. Lands with both prime and non-prime soils shall be reserved for agricultural uses." All elements of the Comprehensive Plan are required to be internally consistent; therefore, this is a goal that is carried out by the various policies and recommendations found within applicable elements of the Comprehensive Plan.</p>	<p>Consistent: The proposed Project would apply to agricultural lands located mainly in Rural and Inner-Rural Areas throughout the County Inland area (excluding the Montecito Plan area). The Project includes development standards that limit special events, winery visitors, and structural development that preserve the primary agricultural use of wineries and compatibility with surrounding agricultural and residential land uses. Tier B and C wineries would be subject to the Development Plan review process, and would require further CEQA review wherein potential land use conflicts with surrounding agricultural operations resulting from a site-specific winery development would be analyzed in detail. Development review of Tier A wineries could also include site-specific conditions to address consistency with applicable policies. These review processes, in combination with winery development standards, would reduce the potential for land use conflicts. Therefore, adoption of proposed Project would be consistent with policies found in the Comprehensive Plan.</p>
<p><i>Santa Ynez Valley Community Plan:</i> The SYVCP provides policy direction for issues and development trends specific to the Santa Ynez Valley Plan area and sets the framework for planning future development. The SYVCP applies to the unincorporated urban areas of Santa Ynez, Los Olivos, and Ballard, EDRNs within the vicinity of these communities, and surrounding Rural and Inner-Rural Areas within the Community Plan area.</p>	<p>Consistent: Winery development within the Community Plan boundary would be subject to development standards and policies outlined in the Community Plan. Development review processes for all winery tiers under the Project would require compliance with these development standards.</p>
NOISE	
<p><i>Noise Element, Recommended Policy 1:</i> In the planning of land-use, 65 dB Day-Night Average Sound Level should be regarded as the maximum exterior noise exposure compatible with noise-sensitive uses unless noise mitigation features are included in project designs.</p>	<p>Consistent: The Project includes development standards and mitigation measures that address construction noise and winery visitor activities that would minimize exterior noise exposure to noise-sensitive land uses and noise propagation to surrounding properties. Mitigation Measure MM NOI-1 would require a Special Event Management Plan with the implementation of noise control measures. Therefore, adoption of proposed Project would be consistent with this policy.</p>

Policy Requirement	Discussion
TRANSPORTATION AND TRAFFIC	
<p><i>Circulation Element:</i> The Circulation Element identifies key roadway links throughout the unincorporated portion of Santa Barbara County and provides clear traffic capacity guidelines that are intended to maintain acceptable levels of service on roadways and intersections, while allowing for reasonable growth and development.</p> <p><i>Santa Ynez Valley Community Plan Policy CIRC-SVY-1:</i> The County shall allow reasonable development of parcels within the Santa Ynez Valley Community Plan Area while maintaining safe roadways and intersections that operate at acceptable levels of service.</p> <p><i>Santa Ynez Valley Community Plan Policy CIRC-SVY-2:</i> The County shall maintain a minimum Level of Service (LOS) B or better on roadways and intersections within the Santa Ynez Valley Community Plan Area.</p>	<p>Consistent: A traffic study was conducted for the Project that projects changes to the level of service for specific roadways (Winery Ordinance EIR, Appendix F). The traffic study also calculated existing accident rates for the study area roadway segments to determine which, if any street segments experience a higher-than expected vehicular accident rate when compared to similar road segments statewide. Accident assessments can only be prepared for existing conditions. Accident rate comparisons for future conditions with Project and cumulative projects' volumes cannot be calculated. For this reason the accident assessment data is not utilized to determine significant direct or cumulative impacts. The traffic study identified several study area road segments with accident rates higher-than the statewide. Use of this study, Project features, and additional mitigation measures address traffic activities to reduce congestion impacts. Under the proposed Project, Tier B and C wineries would be subject to the Development Plan review process and would require further CEQA review and traffic analysis prior to approval. Development of Tier A wineries would be restricted to a limited number of visitors and would therefore generate fewer trips; these would be absorbed by the existing roadway system. In addition, the proposed Project includes Mitigation Measure MM TRA-1, which increases the minimum premises area of a Tier B winery in the Inner Rural Area to 40 acres. This would reduce the number of potential visitor-attracting Tier B wineries and reduce potential traffic impacts. Additionally, the Project includes Mitigation Measure MM TRA-2, which requires an annual special event management plan to mitigate traffic and parking related impacts associated with winery events. With application of these mitigation measures, winery development under the Project would be consistent with these policies.</p>
<p><i>Santa Ynez Valley Community Plan Policy CIRC-SVY-7:</i> The County shall ensure that the circulation system maintains the quality of life in the Santa Ynez Valley Community Plan Area to the greatest extent feasible.</p>	<p>Consistent: Tier B and C wineries under the Project would be subject to the Development Plan review process, and would require further CEQA review and traffic analysis. Development of Tier A wineries would be restricted to a limited number of visitors and would therefore generate fewer trips; these would be absorbed by the existing roadway system. In addition to these Project features, Mitigation Measures MM TRA-1 and MM TRA 2 would address potential traffic impacts. MM TRA-1 requires a minimum premise area for Tier B wineries in the Inner Rural Area of 40</p>

Policy Requirement	Discussion
	<p>acres, which would reduce the number of potential visitor attracting Tier B wineries and reduce traffic impacts to quality of life. MM TRA-2 requires an annual special event management plan to respond to traffic and parking related impacts associated with winery events. With these mitigation measures, winery development under the Project would be consistent with these policies.</p>
PUBLIC SERVICES	
<p><i>Land Use Element, LUDP 4 (excerpt):</i> Prior to the issuance of a development permit, the County shall make the finding...that adequate public or private services...are available to serve the proposed development.</p>	<p>Consistent: Development review processes for all winery tiers under the Project would be required to comply with County LUDC Ordinance 35.82.080, which requires adequate public services and utilities for a proposed Project. Tier B and C wineries would also be subject to additional CEQA review, including site-specific conditions of approval affecting public services and utilities. The Project would require a special events liaison to notify and notification of the County prior to special events in order to coordinate with law enforcement if numerous wineries intend to hold special events on any given weekend as well as to respond to neighbor concerns. Therefore, winery development under the Project would be consistent with this policy.</p>
<p><i>Energy Element, Goal 4: Water Use and Solid Waste:</i> The Energy Element provides goals, policies, and mechanisms to encourage energy efficiency and alternative energies in Santa Barbara County, including recycling, solid waste management, and resource efficiency. Goal 4 aims to reduce the amount of solid waste entering landfills by implementing source reduction, recycling and composting, and environmental transformation (incineration, pyrolysis, or biological conversion), with the final option being land disposal of waste.</p>	<p>Consistent: Provided within the Project are waste disposal requirements, including submittal and approval of a solid waste management plan and green waste reduction plan (Section D.7 of the Winery Ordinance Update). Winery development would also be required to comply with County Municipal Code Section 17.23, Construction and Demolition Waste, which requires recycling of 50 percent of all construction and demolition waste. Therefore, adoption of the proposed Project would be consistent with this goal.</p>
<p><i>Santa Ynez Valley Community Plan Policy WW-SVY-1.1:</i> Development and infrastructure shall achieve a high level of wastewater treatment, in order to best serve the public health and welfare.</p>	<p>Consistent: Section D.7 of the Winery Ordinance Update addresses wastewater discharge and requires compliance with the Regional Water Quality Control Board and County of Santa Barbara discharge requirements. By adhering to discharge requirements under the Project, the Winery Ordinance Update would ensure wastewater is treated and disposed of appropriately. Therefore, adoption of the proposed Project would be consistent with this policy.</p>

ATTACHMENT E

APPROVED WINERIES DATA						
	Name	Address	Area	Tasting Room	Special Events	Year Approved
1	Addamo*	2510 East Clark Avenue	Santa Maria Valley	Yes	Yes	2005
2	Andrew Murray (Prev. Curtis)	5249 Foxen Canyon Drive	Santa Ynez Valley	Yes	Yes	1996
3	Arita Hills*	7020 Santa Rosa Road	Santa Rita	Yes	Yes	2009
4	Austin Cellars	9100 Alisos Canyon Road	Los Alamos	No	Not Specified	1989
5	Babcock	5175 East Highway 246	Santa Rita	Yes	No	1998
6	Beckman Vineyards (Prev. Houtz Vineyards)	2670 Ontiveros Road	Santa Ynez Valley	Yes	Not Specified	1984
7	Bernat*	2650 Santa Ynez Street	Santa Ynez Valley	No	No	1999
8	Blackjack Ranch Vineyard	2205 Alamo Pintado Road	Santa Ynez Valley	Yes	Yes	1998
9	Brander	2401 Refugio Road	Santa Ynez Valley	Yes	Not Specified	1980
10	Bridlewood	3555 Roblar Avenue	Santa Ynez Valley	Yes	Yes	1989
11	Buttonwood Farm	1500 Alamo Pintado Road	Santa Ynez Valley	Yes	Not Specified	1992
12	C-2 Cellars	9050 San Antonio Road	Santa Ynez Valley	No	No	2008
13	Cambria	5475 Chardonnay Lane	Santa Maria Valley	Yes	Yes	1990
14	Carhartt	1691 Alamo Pintado Road	Santa Ynez Valley	No	No	2002
15	Casa Cassara	7661 Santos Road	Santa Rita	No	No	2002
16	Clos Pepe	4777 East Highway 246	Santa Rita	No	No	2006
17	Cottonwood Canyon	3940 Dominion Road	Santa Maria Valley	Yes	Yes	1999
18	Crown Point Winery (Prev. Three Creeks / Higgins-Cimarone)	1777 Fletcher Way	Santa Ynez Valley	No	No	2008
19	Demetria	6701 Foxen Canyon Road	Santa Ynez Valley	Yes	Not specified	1993
20	deWerd	3345 Foxen Canyon Road	Santa Ynez Valley	Yes	Yes	2009
21	Dierberg	2121 Alisos Avenue	Santa Ynez Valley	Yes	No	2004
22	Dierberg	1221 Drum Canyon Road	Santa Rita	Yes	No	2007

APPROVED WINERIES DATA

	Name	Address	Area	Tasting Room	Special Events	Year Approved
23	El Camino Real*	1 Zaca Station Road	Santa Ynez Valley	Yes	Yes	2012
24	Fess Parker	6250 Foxen Canyon Road	Santa Ynez Valley	Yes	Yes	1990
25	Firestone Vineyard	5017 Zaca Station Road	Santa Ynez Valley	Not specified	Yes	1975
26	Foley Rancho Santa Rosa	6121 East Highway 246	Santa Rita	Yes	Yes	2002
27	Forbidden Fruit	4001 Forbidden Fruit Lane	Santa Rita	No	No	2012
28	Foxen Dore	7600 Foxen Canyon Road	Santa Maria Valley	Yes	Yes	2007
29	Gainey (Santa Rosa)*	7130 Santa Rosa Road	Santa Rita	Yes	Yes	2005
30	Gainey (Santa Ynez)	3950 East Highway 246	Santa Ynez Valley	Yes	No	1983
31	Grassini Vineyard	5775 Genuine Risk	Santa Ynez Valley	No	No	2008
32	Happy Canyon / Barrack	Secretariat Drive	Santa Ynez Valley	No	No	2008
33	Harrison	2825 Tapedero Road	Santa Ynez Valley	No	Yes	2007
34	Hilliard Bruce	1891 Vineyard View Lane	Santa Rita	No	Yes	2013
35	Honea	2201 Alamo Pintado Road	Santa Ynez Valley	No	Yes	2007
36	Kalyra (Vina de Santa Ynez)	365 North Refugio Road	Santa Ynez Valley	Yes	Not Specified	1978
37	Kenneth Volk (Prev. Byron)	5230 Tepesquet Road	Santa Maria Valley	No	No	1996
38	Koehler	5350 Foxen Canyon Road	Santa Ynez Valley	Yes	No	2000
39	LaBarge Vineyards	2380 Sweeney Road	Santa Rita	No	No	2011
40	Lafond	166 Santa Rosa Road	Santa Rita	Yes	Yes	1998
41	Landa*	2610 Calzada Avenue	Santa Ynez Valley	No	No	2009
42	Lavender Oak	9450 Santa Rosa Road	Santa Rita	No	Yes	2013
43	Lincourt (Prev. J. Carey Cellars)	1711 Alamo Pintado Road	Santa Ynez Valley	Yes	No	1988
44	Linn/Tantara	2900 Rancho Tepesquet Road	Santa Maria Valley	Yes	None	1998

APPROVED WINERIES DATA

	Name	Address	Area	Tasting Room	Special Events	Year Approved
45	Lucas and Lewellen*	Highway 101	Los Alamos	Yes	Yes	2008
46	Martian	8900 Alisos Canyon Road	Los Alamos	No	No	2012
47	Melville	5185 East Highway 246	Santa Rita	Yes	Yes	1998
48	Mosby (Previously Vega Vineyard)	9496 Santa Rosa Road	Santa Rita	Not Specified	Not Specified	1978
49	Nolan (Freddi Ranch)*	9303 Alisos Canyon Road	Los Alamos	Yes	Yes	1995
50	Presquille (Prev. ARC Vineyards)	5290 Presquille Drive	Santa Maria Valley	Yes	Yes	2010
51	Rancho Sisquoc	6600 Foxen Canyon Road	Santa Maria Valley	Yes	Not Specified	1987
52	Rideau (Prev. Longoria/Rideau)	1562 Alamo Pintado Road	Santa Ynez Valley	Yes	Yes	1997
53	Riverbench	6020 Foxen Canyon Road	Santa Maria Valley	Yes	Yes	2007
54	Roblar (Prev. Royal Oaks)	3010 Roblar Avenue	Santa Ynez Valley	Yes	Yes	2000
55	Rusack (Prev. Ballard Canyon)	1819 Ballard Canyon Road	Santa Ynez Valley	Yes	Yes	1995
56	Shoestring	800 East Highway 246	Santa Ynez Valley	Yes	Yes	2001
57	Sierra Madre*	2719 Vineyard Trail Road	Santa Maria Valley	Yes	No	2013
58	Sunstone	125 Refugio Road	Santa Ynez Valley	Not specified	Not Specified	1993
59	Sweeney Canyon, LLC*	2050 Sweeney Road	Santa Ynez Valley	Yes	Yes	2010
60	Teixeira/Tres Hermanos	9660 Foxen Canyon Road	Santa Maria Valley	Yes	Yes	2005
61	Terlato (Prev. Sanford/Rancho Rinconada)	5010 Santa Rosa Road	Santa Rita	Yes	Yes	1998
62	Vincent Vineyards	Roblar Avenue	Santa Ynez Valley	Yes	Yes	2013
63	Zaca Mesa	6907 Foxen Canyon Road	Santa Ynez Valley	Yes	Yes	2002
64	Huber Cellars	4892 Hapgood Rd	Santa Rita	Yes	No	1986

* Permitted by the County but non-operational