

Daly, Julia Rutherford

From: Stephen Pepe <steve@clospepe.com>
Sent: Thursday, October 27, 2016 3:43 PM
To: 'Francesca Lindley'; 'Andrew Turner'; 'Ben Van Antwerp'; ddk@kesslerhaakwine.com; Barbara@staritahills.com; 'Ofer Shepher'; 'Tom Davidson'; jason@zotovichvineyards.com
Cc: sbcob
Subject: FW: URGENT ACTION REQUESTED. Follow-up from last night's Industry Town Hall Meeting on the Draft Winery Ordinance
Attachments: SBCVA Winery Ordinance - Updated Talking Points (v2).docx; SBCVA Winery Ordinance - Sample Letter.docx; SBCVA Winery Ordinance - Actions Items.docx; Winery Ordinance - Existing vs. Draft (V3).docx
Importance: High

FYI. If you cannot attend the Tuesday meeting, a thoughtful personal email to the BOS would be helpful. It has to be received by noon on Friday - tomorrow. Email address sbcob@co.santa-barbara.ca.us .

Thank you. Steve.

Stephen Pepe
Clos Pepe Vineyards LLC
4777 E. Highway 246
Lompoc, CA 93436
T 805 735 7867
F805 736 4754

From: Morgen McLaughlin [mailto:morgen@sbcountywines.com]
Sent: Thursday, October 27, 2016 2:57 PM
To: Morgen McLaughlin
Subject: URGENT ACTION REQUESTED. Follow-up from last night's Industry Town Hall Meeting on the Draft Winery Ordinance
Importance: High

Thank you to those who were able to attend last night's Town Hall. We hope you found the information presented educational and worthy of action.

Unfortunately we don't have much time ahead of Tuesday's Board of Supervisors Hearing in Santa Maria.

Important follow-up information included on this email:

Follow-up Items:

- Review the existing Winery Ordinance -
http://longrange.sbcountyplanning.org/programs/winery_ord/wineryordinance.php

- Review the proposed Draft Ordinance – http://longrange.sbcountyplanning.org/programs/winery_ord/wineryordinance.php
- Review our attached comparison document (the County has yet to create a comparison document.)
- Talking points (see attached.)
- Action items: CALL, WRITE & ATTEND (see attached. Please note that all written comments need to be submitted by tomorrow by noon.)

As you know, the new Santa Barbara County Winey Ordinance has been approved by the Santa Barbara County Planning Commission against our recommendation. We have spent numerous hours attending hearings, private meetings, and working with the Santa Barbara County Planning and Development staff to create a fair and balanced winery ordinance for Santa Barbara County. Unfortunately the new ordinance is very restrictive and will **severely impact existing and future wineries** in Santa Barbara County.

The Draft Winery Ordinance will be presented and discussed for the first time by the Santa Barbara County Board of Supervisors on Tuesday, November 1st in Santa Maria. We need to galvanize the wine industry and have all aspects of our wine community present to speak about the negative impacts and unintended consequences of the proposed new ordinance.

We have provided a templated letter that you can use to help craft a message to each of the Board of Supervisors. However, we recommend that you send a personalized letter instead.

WHAT YOU NEED TO DO

✓ EMAIL & CALL each of the five Board of Supervisors offices as soon as possible to urge a NO vote on the Draft Winery Ordinance as written and to recommend the formation of an impacted stakeholder taskforce to work on the ordinance with a more collaborative process.

✓ WRITE a thoughtful and personalized letter that touches upon specifics of the draft ordinance and submit to the Board of Supervisors general email by 12:00 p.m. on Friday.

✓ ATTEND the Santa Barbara County Board of Supervisors Hearing on Tuesday, November 1st in Santa Maria. The public agenda has the hearing starting at 9:00 a.m. but we expect the Winery Ordinance discussion to start no earlier than 11:00 a.m. Please plan to spend the entire day at the hearing with a break for lunch.
http://longrange.sbcountyplanning.org/programs/winery_ord/wineryordinance.php

✓ INVITE five industry friends, industry colleagues, non-profit partners to CALL, WRITE, and ATTEND.

If you have any questions please let me know.

Thank you,
Morgen

Morgen McLaughlin

Executive Director, Santa Barbara Vintners
597 Avenue of Flags, Suite 102
Buellton, CA 93427
Office: (805) 688-0881 | Mobile: (805) 680-2602
www.sbcountywines.com



SANTA BARBARA VINTNERS

TALKING POINTS

1. The wine industry, and related stakeholders, can't support the draft winery ordinance because there has been a lack of collaborative dialogue on the formation of the regulations. This ordinance does not streamline or provide clarity to the winery permit process, and further restricts agriculture and the selling of wine.
2. Lack of legal understanding of impacts on grandfathered wineries. What "substantial" changes to a winery development plan will trigger compliance with the new, more restrictive regulations? County staff has simply responded "that what is substantial can only be determined on a project-by-project basis."
3. The draft winery ordinance is a much more restrictive special events ordinance that discriminately affects the wine industry. Winery special events can only be held with a conditional use permit, making them not allowed in Tier A and B.
4. Vineyards without wineries, and other agriculture parcels, are not subject to the new restrictions. Vineyards are able to host up to 300 people with a one day special event permit. We request that special events be pulled out of the winery ordinance and create a fair and equitable special events ordinance for all agriculture parcels in Santa Barbara County.
5. The EIR is based on flawed data from the number of states wineries to traffic study counts.
6. Planted acreage requirements doubles in two out of three winery tiers with no justification. This change will require significant more investment in vineyard development before the winery is approved and built. It also negatively effects small growers that sell all their grapes to wineries.
7. Winery visitor numbers are arbitrary and not based on known/stated benchmarks including Fire Code Regulations.
8. The Santa Barbara County Planning and Development staff has not provided a side-by-side comparison of the differences between the existing and the draft winery ordinance.
9. The Draft Winery Ordinance is not easily available for easy viewing on the SBC website as of October 25th.
10. SBC rushed to put the Winery Ordinance on the agenda before the November 8th election, only six weeks after approval from the SBC Planning Commission. While the Short Term Rental Ordinance with give more than three month of time between the Planning Commission and Board of Supervisors Hearings.

SUBSTANTIAL, MORE RESTRICTIVE CHANGES IN EACH TIER OF THE WINERY ORDINANCE

Tier A (new) vs. Inland Area with Land Use Permit (existing)

- The existing Inland area allowed for four winery special events throughout the year with up to 150 people. Wineries can currently host these events when they want, around their specific marketing calendars including wine club ships dates, and are not restricted to the four industry-wide weekends.
- In the Tier A wineries are limited to 50 attendees for an industry-wide event, down from 150 attendees from the existing regulations. Overall wineries in Tier A will be able to host a maximum of 200 of industry-wide event attendees throughout the year, down from 600 under the existing ordinance.
- In the new Tier A up to 20 members of the trade can visit the winery at any one time. While this is a new permitted use, we also asked for appointment-only members of the retail public. Appointment-only will only be granted through a conditional-use permit, a very expensive and not guaranteed permitting process.
- In the new Tier A vineyard tours are limited to 20 trade visitors. Other agriculture parcels, including other commodity crops and vineyards, are not limited in providing educational tours to any type of visitor.

Tier B (new) vs. Inland Area with a Development Plan (existing)

- In the new Tier B the acreage requirement has doubled to 2 acres for every 1,000 cases. Also a minimum 10 acres of vineyards is required.
- The new Tier B restricts winery visitation counts for the first time. If you have a parcel of less than 40 acres, you are restricted to 50 visitors at any one time. In parcels of 40 acres and more, wineries are limited to 80 visitors at any one time. Since no special events are allowed in this new tier beyond the four allowed industry-wide events, this will have a very negative impact on winery and tasting room operations.
- Under the new Tier B, less than 40 acres, the maximum number of event-based winery visitors (wine maker meals and industry-wide events) is 600 people compared to 1,200 people in the existing ordinance.
- Winery special events are not allowed.

Tier C (new) vs. Inland Area with Development Plan (existing)

- In the new Tier C the acreage requirement has doubled to 1 acre for every 1,000 cases with a minimum 20 acres of vineyards is required.
- Wineries are limited to 80 visitors at any one time. There is no provision, even with a conditional use permit, to increase that number.
- Winery special events (not including wine maker meals and industry events) are only allowed with a conditional use permit. The existing ordinance allowed for 12 winery special events without a conditional use permit.

- Under the new Tier C with a conditional use permit, the maximum number of event-based winery visitors throughout the year (including wine maker meals and industry-wide events) is 3,680 people compared to 8,000 people in the existing ordinance.

SAMPLE LETTER

Dear Supervisor *[Fill in the Supervisors Name]*:

I, as the *[insert your name and title]* strongly urge you to vote against the Draft Santa Barbara County Winery Ordinance as written on Tuesday, November 1st.

I can't support the draft winery ordinance as written because there has been a lack of collaborative dialogue on the formation of the regulations and the resulting ordinance is overly restrictive. This ordinance does not streamline or provide clarity to the winery permit process, and only further restricts agriculture and the selling of wine.

Below are some of my concerns with the draft winery ordinance as written. *[Please provide specific examples using either our provided talking points or your own concerns. There are A LOT of changes written in the text of the ordinance that will significantly impact existing and new wineries with intended and unintended consequences.]*

- INSERT CONCERN
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- INSERT CONCERN
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The wine industry in California and around the world has changed considerably in the last five years. There has been a significant positive sales trend toward premium wines, like those crafted in Santa Barbara County. More people are traveling to wine regions to meet the wine makers and learn the history and culture of these unique places. For many wineries, the vast majority of their wine sales come from visitors coming directly to the winery, rather than purchasing the wines elsewhere. *[Feel free to add more details on how much wine you sell through the DTC channel and the importance of wine clubs.]*

Santa Barbara County wineries already face more land-use restrictions than our neighbors to the North in Sonoma, Monterey and San Luis Obispo Counties. We are at a competitive disadvantage in attracting wine country visitors and need the support of our County government to build successful and sustainable agriculture businesses here in Santa Barbara County.

The Santa Barbara County wine industry provides more than 9,000 full-time equivalent jobs, generates more than \$93,000,000 annually in local and states taxes, and contributes millions of dollars to Santa Barbara County-based charities. To keep the Santa Barbara County wine industry sustainable, we need land-use laws that help support our local, family-owned businesses.

I urge you to vote NO on the Draft Winery Ordinance as written.

Sincerely,

[Insert Name]

As you know, the new Santa Barbara County Wine Ordinance has been approved by the Santa Barbara County Planning Commission against our recommendation. We have spent numerous hours attending hearings, private meetings, and working with the Santa Barbara County Planning and Development staff to create a fair and balanced winery ordinance for Santa Barbara County. Unfortunately the new ordinance is very restrictive and will severely impact existing and future wineries in Santa Barbara County

The Draft Winery Ordinance is going to be presented and discussed for the first time by the Santa Barbara County Board of Supervisors on Tuesday, November 1st in Santa Maria. We need to galvanize the wine industry and have all aspects of our wine community present to speak about the negative impacts and unintended consequences of the potential new ordinance.

Attached you will find a letter that we encourage you to share with your team that you can use as a template in reaching out to the five Board of Supervisors.

WHAT YOU NEED TO DO

- ✓ EMAIL & CALL each of the **five Board of Supervisors offices** as soon as possible to urge a NO vote on the Draft Winery Ordinance and to recommend the formation of an impacted stakeholder taskforce to work on the ordinance in a much more collaborative structure.
- ✓ WRITE a thoughtful letter that touches upon specifics of the draft ordinance and submit to the Board of Supervisors general email by 12:00 p.m. tomorrow (Friday.)
- ✓ ATTEND the Santa Barbara County Board of Supervisors Hearing on Tuesday, November 1st. The public agenda has the hearing starting at 9:00 a.m. but we expect the Winery Ordinance to up for presentation no earlier than 11:00 a.m. Please plan to spend the entire day at the hearing with a break for lunch.
- ✓ INVITE five industry friends and industry colleagues to EMAIL, CALL, WRITE, and ATTEND.

SANTA BARBARA COUNTY DRAFT WINERY ORDINANCE COMPARISON

Inland Area with a Land Use Permit (Existing)	Tier A (Draft) Land Use / Conditional Use with Tasting Room
<ul style="list-style-type: none"> • 2 acres for every 1,000 cases 	<ul style="list-style-type: none"> • 2 acres for every 1,000 cases. 2 acre minimum
<ul style="list-style-type: none"> • 20,000 square foot winery premise • 20,000 case maximum • 4 Winery Special Events a year with no more than 150 people • Not open to the public • No tours and retail wine sales to the public 	<ul style="list-style-type: none"> • 20,000 square foot winery premise • No mention • No winery special events • Maximum of 50 attendees for a wine industry-wine event. 4 industry event a year. 10am-6pm • Maximum of 20 members of the trade at any one time • Vineyard and winery tours for 20 for trade only • No cooking classes • Food service for trade only • 51% of the grapes from SBC • Minimum acreage must be planted first.

Inland Area with a Development Plan by Zoning Administrator (Existing)	Tier B (Draft) with a Development Plan
<ul style="list-style-type: none"> • 1 acre for every 1,000 cases 	<ul style="list-style-type: none"> • 2 acres for every 1,000 cases • Inner-Rural: 40 acre minimum • Rural: 20 acres • Minimum planted is 10 acres
<ul style="list-style-type: none"> • 20,000 square foot winery premise • 50,000 case maximum • 400 square foot or 10% for tasting room • No mention of the number of visitors at any one time • 8 Winery Special Events with no more than 150 people. 80+ is a special event 	<ul style="list-style-type: none"> • 20,000 square foot winery premise • No mention • 600 square foot or 10% for tasting room • Less than 40 acres: Maximum of 50 visitors at any one time. • 4 Industry-Wide Events with no more than 100 people (less than 40 acres) • 40 acres and more: Maximum of 80 visitors at any one time. • 4 Industry-Wide Events with no more than 150 people • No winery special events • 10am-6pm. Winemaker meals until 10:00 p.m. • (4) wine maker meals. 50-80 maximum people • No cooking classes • 51% of the grapes from SBC

	<ul style="list-style-type: none"> • 10am-6pm winery visitors (until 10pm for Industry-Wide events, cooking classes, winemaker meals • Vineyard and winery tours
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Inland Area with a Development Plan by the Commission (Existing)	Tier C (Draft) with Development Plan / CUP for winery events and cooking classes
<ul style="list-style-type: none"> • ½ acre for every 1,000 cases 	<ul style="list-style-type: none"> • 1 acre for every 1,000 cases. No less than 20 planted acres
<ul style="list-style-type: none"> • 12 Winery Special Events with no more than 200 people. 80+ is a special event 	<ul style="list-style-type: none"> • Winery size is determined by Final Development Plan • Size of Tasting Room is determined by Final Development Plan • 80 winery visitors at any one time • (4) Industry-Wide Events with up to 200 people • 12 winery special events with 200 maximum for special events. More visitors can be approved by the Commission. • 10am-6pm • Cooking classes • 10am-6pm. Winemaker meals until 10:00 p.m. • (6) wine maker meals. Maximum people based on the maximum number of winery visitors.

Inland Area with a Conditional Use Permit by the Commission (Existing)	Tier C (Draft)
<ul style="list-style-type: none"> • ½ acre for every 1,000 cases 	<ul style="list-style-type: none"> • See above
<ul style="list-style-type: none"> • 40 Winery Special Events with no more than 200 people. 80+ is a special event 	

Daly, Julia Rutherford

From: Tim Rogers <tim@rp-construction.com>
Sent: Friday, October 28, 2016 10:32 AM
To: sbcob
Subject: Letter in Opposition of Proposed Wine Ordinance

Dear Supervisors,

My name is Tim Rogers and I am a partner at Rogers & Pedersen Construction, Inc. We are a small general construction company that operates primarily in Northern Santa Barbara County. I am writing to urge you to vote 'no' on the new winery ordinance. I come from a different view point and have a different background than most of the ordinance opposition that you have heard thus far. With that being said, I appreciate you reading through my letter and taking my points into consideration.

Rogers & Pedersen Construction is a company that focuses on the niche market of winery, tasting room and winery estate home construction. Our livelihood, and those we employ, is based on the developing Santa Barbara County wine industry. I have been working in Santa Barbara County for seven years and in that time, I have issued over 220 subcontracts for winery or winery related projects. Each subcontractor we employ typically has six to twelve employees that will work on our projects at any given time. This is a significant amount of work created for residents of the Central Coast, all due to the development of the wine industry.

We are just one small general contractor and we only do a very small percentage of the wine industry related work in the county, yet the quantity of work created by us alone is significant. Now add in all of the other contractors that work on wine industry related construction jobs and the amount of work created for residents of the Central Coast is staggering. The value of the projects we have worked on in the past seven years exceeds \$40 million. That is \$40 million dollars injected into the local economy. Again, we do a very small percentage of the wine industry related work. Add in all of the other contractors in the area and the positive economic impact that wineries and associated developments bring to the local construction industry is astounding; hundreds of millions of dollars. This also brings in a large amount of local tax revenue and provides jobs locally for thousands of residents. This doesn't even include the 9,000 direct wine industry jobs and the tens of millions of dollars that the actual wine industry brings to our economy. Opposition to the ordinance has already presented the economic impact report of the direct wine industry in our area, but I encourage you to consider the vast economic impact of related industries, such as construction.

Voting a yes on this ordinance will make the process to build a winery/tasting room/facility even more difficult than it already is. It will severely limit our industry and effect all of those we employ. Further, this ordinance will encourage potential investors in the area to take their business elsewhere; like San Luis Obispo County or Monterey County, where they are more welcome. Having worked in this county for some time and dealt with an array of clients who have built projects ranging from small tasting rooms to state of the art wineries, I have firsthand experience of how difficult it already is to build in this county. I don't think many people realize that there are already very strict processes in place for developing a winery/tasting room project. It is already a timely and costly process. We should be encouraging controlled growth, not suppressing it.

This ordinance will make it extremely difficult for small producers to build their own tasting rooms or wineries. The premium wine sector of our industry has grown sharply, and a lot of this growth is attributed to our small producers. These are people that usually don't have millions of dollars. They can't afford to own vineyards, and often times they don't want to. However, they source fruit from local vineyards and need a place to make the wine. Let's be clear; you don't have to own vineyards to make wine or own a winery. They should have the right to build a small facility suited for their production. Tying the right to build a facility with mandatory vineyard acreage requirements squashes these small producers as does limiting traffic to their facilities, thus hampering sales. It may take someone 20 years to save up the money to build their own facility but now that they will have to own vineyards as well. It might take them a lifetime to

get to that point (or never at all). Let me ask you this. Do we require cabinet makers to own 5 acres of forest in order to build a cabinet shop? Do we require a local coffee roaster to own 5 acres of coffee trees in order to build a coffee roast/shop? Do we require a restaurant to own a 5 acre farm where they grow their own produce and raise their on animals in order to build a restaurant? The answer is no, and as you can see, there is no logic behind these restrictions in the proposed ordinance. This ordinance favors the large corporate producers who own thousands of acres and have the disposable income. By restricting the growth of the small producers and enabling the growth of large producers, this ordinance is doing exactly the opposite of what I believe it is intended to do. Yes, most people in this county (including myself) don't want to be overrun by wineries around every corner. We don't want to become a 'Napa'. However, by suppressing the small guys, this proposed ordinance is inadvertently creating more opportunities for the large, corporate wineries.

Further, this ordinance has no logic behind the special event restrictions. The strawberry farmer down the road can get a one day special event permit for 300 people, yet we are putting handcuffs on wineries from holding events? Why are we treating wineries differently? I encourage you all as the supervisors to pull the events requirements out of this ordinance and address them at a later time. I do believe there should be logical restrictions on events (no one wants 500 people showing up to a ½ acre property adjacent to houses for a party) however, I do feel that a common sense approach needs to be taken rather than brushing with such a wide stroke. Events should be handled on a case by case basis. To use my earlier example, if a 500 case winery requests an event at a ½ acre property adjacent to residences, they should be treated differently than the 500 case winery who's facility is in the middle of 500 acres with not a neighbor within ear shot or sight. We need common sense, not a general 'rule' that is unfair to many. Events, when regulated properly, bring in tourism which in turn bolsters our local economy; creating jobs and providing tax revenue. We should be encouraging this, not hampering it!

Rather than working against our local wine industry professionals, I encourage you to work WITH them in developing an ordinance that is beneficial to the county and economy as a whole. I urge you to vote 'no' on this ordinance as it will have a severe negative impact for years to come on the economy of this county.

Best Regards,
Tim Rogers
Rogers & Pedersen Construction, Inc.
Office: (805) 354-5400
Mobile: (805) 354-3658
www.rp-construction.com

Daly, Julia Rutherford

From: Clos Pepe <andrew@clospepe.com>
Sent: Friday, October 28, 2016 10:59 AM
To: sbcob
Subject: Winery ordinance

Hello!

I realize this issue has been under consideration for some time, and certainly appreciate the effort of the Planning Commission and staff to generate an update to the existing winery ordinance.

That said, I don't believe that just because a lot of time has been spent, it is justified to enact a flawed piece of regulation just to prove that something was accomplished for all of that effort.

There are several fundamental flaws in the reasoning, evidentiary support, and conclusions, in the proposed winery ordinance change. Thus, I believe further analysis should be the course of action, as opposed to enacting the changes as proposed.

Thank you for your consideration.

Cheers,
Andrew

Andrew Turner
Sommelier & Brand Manager
Clos Pepe Estate & Clos Pepe Vineyards
310.486.2080
andrew@clospepe.com

Daly, Julia Rutherford

From: Ben Van Antwerp <ben.vanantwerp@gmail.com>
Sent: Friday, October 28, 2016 11:06 AM
To: sbcob
Subject: SBC Winery Ordinance

My name is Ben Van Antwerp, I am the harvest enologist at Sanford Winery on Santa Rosa Road. I have worked and lived in Santa Barbara county for several vintages.

First of all let me apologize for not attending the ordinance meeting. As it happens, of all the weeks in the year, this meeting has been scheduled during the apex of our Santa Barbara county harvest.

The new ordinance and I entered the SBC wine industry at the same time, in 2012, since then the ordinance has proceeded as glacially and aimlessly as Ballard Canyon road. In fact, in the same time span as the new proposed ordinance and it's various revisions, I've worked eleven vintages in four countries. The French particularly loved when I recounted the air quality bit to them, noting, "Perhaps they should ban farts in California?" (Actually, I'd love to know if there is an actual record ever of a "fermentation smell" complaint? Especially considering San Joaquin valley is the only other place in the world that I've been able to find with air quality laws in relation to winery ethanol release, a valley which makes 45 times more wine than SBC. Are there other places with similar laws in place?)

In France, I lived and worked with a small family who made 10,000 cases, which was sold on their Bed and Breakfast located on the family dairy farm as well as to the occasional vineyard winery visitor, the vineyard being located a few miles away. In Australia I worked with a family, which made 20,000 cases. The small 30 covers-per-night farm to table restaurant on the vineyard with a modest tasting room kept the winery afloat during the first five vintages. I've worked for several family wineries in New Zealand, wineries propped up by DTC sales. These proposed regulations forget the small family farmer. In Sonoma our tasting was an upturned barrel with a few bottles at the entrance to the fermentation hall, if this new ordinance is realized this sort of bucolic, over-the-barrel transaction would be outlawed. There are good people, people invested in this community who are backing this regulation, not realizing it is these local farmers – local farmers, who's wine club's they are members of, which will be dealt a tough hand.

Reading through the EIR, I feel Mr. Lerner, Mr. Hagen, and several of the more legally inclined have been able to expose the inconsistent and unfounded traffic, growth, and air quality evaluations. Anecdotally, as most of the opposing comments have been, of all the wine regions I have worked in and visited, Santa Barbara is by far the most regulated. I'd like to point out the fact completely ignored by the EIR that Santa Barbara plays host to mostly small, sub-20,000 case wineries, virtually all of which have been forced into small industrial spaces in Lompoc and Buellton, due to the drawn-out and exorbitant permitting process. Industrial units which were not originally designed with wine production in mind; meaning they are inefficient in terms of water usage, energy, cooling, and all the frictional transportation between the vineyard and winery. A bespoke modern facility on the vineyard makes the most common sense if one is to actually be concerned with environmental consciousness.

There is a wonderful vein of solidarity within the Santa Barbara county wine industry (to the tune of 2.4 million in charitable donations), and outside of the politically charged there is a bubbling sentiment of shared sacrifice within the SBC community. As the lesser classes struggle to make ends meet should we really treat these squeaky wheels with the same protection as the snowy plover? This ordinance will affect actual blue-collar workers who make a pittance competitively, this regulation will effect workers who pay county taxes to use the same *public* roads and services the outspoken minority are so desperate to defend. These are SBC residents that will never have problems as vain and supercilious as an obstructed view of the Figueroa mountains or tractors operating on agriculture land. Don't coddle me, I can relocate and make wine in any of the American wine regions which are able to manage moderate growth with community interests. This regulation will change the lives of county citizens, small business owners, farmers, and all the auxiliary businesses, which support the wine industry who can't just uproot and decrease the surplus population.

Daly, Julia Rutherford

From: Lee Lathouwers <lee.lathouwers@vincentvineyards.com>
Sent: Friday, October 28, 2016 11:43 AM
To: sbcob
Subject: Winery Ordinance Letter to Vote No
Attachments: ordinance letter of protest.pdf

Dear S.B.County Clerk,

Please find attached a letter that is in support of our Supervisors voting against the draft of the Santa Barbara County Winery Ordinance. As submitted October 28th, 2016 at 11:50a.m.

Regards,

Lee Lathouwers, General Manager...

The Vincent Vineyards & Winery

2370 North Refugio Road

Santa Ynez, CA 93460

Winery: 805-691-4200

Office Direct Extension: X110

Winery Fax: 805-691-4201

Mobile: 805-245-9453

Direct E-mail Address:

lee.lathouwers@vincentvineyards.com

Our Website Address in Cyberspace:

<http://www.vincentvineyards.com>

Dear Supervisor, Doreen Farr, Vice Chair

I, Mr. Lee Lathouwers as General Manager for The Vincent Vineyards and Winery strongly urge you to vote against the Draft Santa Barbara County Winery Ordinance as written on Tuesday, November 1st.

I can't support the draft winery ordinance as written because there has been a lack of collaborative dialogue on the formation of the regulations and the resulting ordinance is overly restrictive. This ordinance does not streamline or provide clarity to the winery permit process, and only further restricts agriculture and the selling of wine.

Below are some of my concerns with the draft winery ordinance as written.

- *A rushed and lack of collaborative dialogue on formation of regulations that should be fair and balanced for people on both sides of this very sensitive issue.*
- *The restrictive special events ordinance. And the use of conditional use permitting to comply.*
- *Why after five years of study and One Million dollars spent to date of tax payers monies. Is there still no clear side by side comparison between the old and existing and the newly drafted winery ordinance? Simply so all concerned here can make intelligent informed choices that make sense. It has taken five years to basically effect no changes whatsoever. Except to rush the entire package and throw it to the Santa Barbara County Board of Supervisors for a quick end and uninformed vote to clear it off the County docket. It is very clear that this very first and important step was completely overlooked in trying to fix the existing problem that needed to be much better throughout and better engineered.*

The wine industry in California and around the world has changed considerably in the last five years. There has been a significant positive sales trend toward premium wines, like those crafted in Santa Barbara County. More people are traveling to wine regions to meet the wine makers and learn the history and culture of these unique places. For many wineries, the vast majority of their wine sales come from visitors coming directly to the winery, rather than purchasing the wines elsewhere.

Our own exposure for the Vincent Vineyards is completely dependent on word of mouth advertising. We are very new to the Santa Barbara County Wine Scene. Our first year anniversary was just this past August, 2016. But with that being said, we have also made tremendous end roads with all of the patrons that visit Santa Barbara County wine country from far and wide. I can think of no other fact that would explain the tremendous growth that are own Wine Club has experienced in just that short twelve month period. .

This is also consistent with us being a very small family owned and operated business that must rely on this type of trade to survive. We are a small lot producer, so our on-site DTC and wine club venues are

this company's life blood. We are not in a position to wholesale our products to a much wider market place outside of our immediate area.

Santa Barbara County wineries already face more land-use restrictions than our neighbors to the North in Sonoma, Monterey and San Luis Obispo Counties. We are at a competitive disadvantage in attracting wine country visitors and need the support of our County government to build successful and sustainable agriculture businesses here in Santa Barbara County.

The Santa Barbara County wine industry provides more than 9,000 full-time equivalent jobs, generates more than \$93,000,000 annually in local and states taxes, and contributes millions of dollars to Santa Barbara County-based charities. To keep the Santa Barbara County wine industry sustainable, we need land-use laws that help support our local, family-owned businesses.

I urge you to vote NO on the Draft Winery Ordinance as written.

Sincerely,


Mr. Lee Kathouwers

General Manager

The Vincent Vineyards and Winery

Santa Ynez, CA

Daly, Julia Rutherford

From: Lee Lathouwers <lee.lathouwers@vincentvineyards.com>
Sent: Friday, October 28, 2016 11:49 AM
To: sbcob
Subject: Ordinance letter
Attachments: 2ND ordinance letter Vincent Vineyards L.L.C..pdf

Dear S.B. County Clerk,

Please find attached a second letter in support of our Supervisors up coming vote against the draft regarding the S.B. County Winery Ordinance. As submitted October 28th, 2016 at 11:55am.

Regards,

Lee Lathouwers, General Manager...

The Vincent Vineyards & Winery

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October 28, 2016

Dear Supervisor Doreen Farr, Vice Chair

I, as the Controller for Vincent Vineyards strongly urge you to vote against the Draft Santa Barbara County Winery Ordinance as written on Tuesday, November 1st.

I can't support the draft winery ordinance as written because there has been a lack of collaborative dialogue on the formation of the regulations and the resulting ordinance is overly restrictive. This ordinance does not streamline or provide clarity to the winery permit process, and only further restricts agriculture and the selling of wine.

Below are some of my concerns with the draft winery ordinance as written:

- The Planning Commission is not elected, but appointed and does not really have the support of the people they are supposed to represent. This should include businesses as well. They also do not possess the necessary knowledge to put forth these drastic changes
- They are not qualified to come up with such an ordinance that chokes the very business that has put the County of Santa Barbara on the map.
- Maximum number of 20 members of the trade is unwarranted and unnecessary
- Consideration for the wellbeing of the businesses that use only local labor
- This ordinance will choke the ability of wineries so sustain the business and the employees that they employ
- The ordinance should've been created to benefit the entire County of Santa Barbara and promote the ability to bring in more visitors

The wine industry in California and around the world has changed considerably in the last five years. There has been a significant positive sales trend toward premium wines, like those crafted in Santa Barbara County. More people are traveling to wine regions to meet the wine makers and learn the history and culture of these unique places. For many wineries, the vast majority of their wine sales come from visitors coming directly to the winery, rather than purchasing the wines elsewhere. Do we not want visitors to come to this beautiful county and enjoy what it has to offer?

Santa Barbara County wineries already face more land-use restrictions than our neighbors to the North in Sonoma, Monterey and San Luis Obispo Counties. We are at a competitive disadvantage in attracting wine country visitors and need the support of our County government to build successful and sustainable agriculture businesses here in Santa Barbara County.

The Santa Barbara County wine industry provides more than 9,000 full-time equivalent jobs, generates more than \$93,000,000 annually in local and states taxes, and contributes millions of dollars to Santa Barbara County-based charities. To keep the Santa Barbara County wine industry sustainable, we need land-use laws that help support our local, family-owned businesses.

I urge you to vote NO on the Draft Winery Ordinance as written.

Sincerely,

Mario Caceres, Controller-Vincent Vineyards

Daly, Julia Rutherford

From: Morgen McLaughlin <morgen@sbcountywines.com>
Sent: Friday, October 28, 2016 1:19 PM
To: sbcob
Subject: CORRECTED VERSION ATTACHED: Statement letter from the Santa Barbara Vintners - Draft Winery Ordinance
Attachments: SBCVA Winery Ordinance - Letter to BOS FINAL (v2).pdf

Please see the revised version of our statement letter.

Thank you,
Morgen

Morgen McLaughlin
Executive Director, Santa Barbara Vintners
597 Avenue of Flags, Suite 102
Buellton, CA 93427
Office: (805) 688-0881 | Mobile: (805) 680-2602
www.sbcountywines.com

From: Morgen McLaughlin
Sent: Friday, October 28, 2016 1:14 PM
To: 'sbcob@co.santa-barbara.ca.us'
Subject: Statement letter from the Santa Barbara Vintners - Draft Winery Ordinance

See attached.

Morgen McLaughlin
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SANTA BARBARA VINTNERS

October 28, 2016

Dear Santa Barbara County Board of Supervisors,

On behalf of the Santa Barbara County Vintners Association we strongly urge you to vote against the Draft Santa Barbara County Winery Ordinance as written on Tuesday, November 1st.

We can't support the draft winery ordinance as written because there has been a lack of collaborative dialogue on the formation of the regulations and the resulting ordinance is overly restrictive. This ordinance does not streamline or provide clarity to the winery permit process, and only further restricts agriculture and the selling of wine. We have been active participants in the winery ordinance draft process meeting with Santa Barbara County Planning and Development staff numerous times, providing requested information, and attending all the public workshops and Planning Commission Hearings.

Below are many of our concerns that remain with the draft winery ordinance as written.

1. There is a lack of legal understanding of the impacts on grandfathered wineries (prior to the 2004 creation of the current winery ordinance) and existing wineries (after 2004.) What "substantial" changes to a winery development plan will trigger compliance with the new, more restrictive regulations? County staff has simply responded "that what is substantial can only be determined on a project-by-project basis." This will negatively affect winery property values and disincentive structural investments like upgrades to wine production facilities and tasting rooms.

2. The draft winery ordinance is a much more restrictive special events ordinance that discriminately affects the winery industry. Winery special events can only be held with a conditional use permit, making them not allowed in Tier A and B.

3. Vineyards without wineries, and other agriculture parcels, are not subject to the new restrictions. Vineyards are able to host up to 300 people with a one day special event permit. We request that special events be pulled out of the winery ordinance and create a fair and equitable special events ordinance for all agriculture parcels in Santa Barbara County.

4. The EIR is based on flawed data from the number of stated wineries to traffic study counts.

5. Planted acreage requirements doubles in two out of three winery tiers with no justification. This change will require significant more investment in vineyard development before the winery is approved and built. It also negatively impacts small growers that sell their grapes to wineries.

6. Winery visitor numbers are arbitrary and not based on known/stated benchmarks including Fire Code Regulations and are unrelated to the acreage of the property.

7. The Santa Barbara County Planning and Development staff has not provided a side-by-side comparison of the differences between the existing and the draft winery ordinance in table format.

8. There has been a lack of communication and transparency in the scheduling of the Draft Winery Ordinance Board of Supervisors Hearing.

9. The SBC Planning Commission approved the Draft Winery Ordinance (with changes) on September 19th. On October 5th at the Agriculture Advisory Committee (AAC) hearing Dr. Glenn Russell gave a winery ordinance update that included the date of the SBC Board of Supervisor Hearing on November 1st. There was no time to ask the AAC for a letter of support because the AAC meets only once a month. It was only at Morgen McLaughlin's request to Dr. Russell that the Interested Parties email was sent out on October 6th giving less than 30 days to prepare for the November 1st hearing.

10. The Draft Winery Ordinance (with updates from the SBC Planning Commission Hearing) was not available for easy viewing on the SBC website as of October 25th (was buried in the October 18th Board of Supervisors agenda), giving less than 7 days to prepare. A call to Dr. Glenn Russell on October 25th got document links added to the Winery Ordinance Website page.

11. Note the timeline difference in the communications regarding Short-Term-Rentals (STRs). The STR Ordinance was approved the SBC Planning Commission on August 10th. Terry Rodriguez's Interested Parties email went out on October 4th more than two months in advance of the December 6th Board of Supervisors Hearing.

The wine industry in California and around the world has changed considerably in the last five years. There has been a significant positive sales trend toward premium wines, like those crafted in Santa Barbara County. More people are traveling to wine regions to meet the wine makers and learn the history and culture of these unique places. For many wineries, the vast majority of their wine sales come from visitors coming directly to the winery, rather than purchasing the wines elsewhere.

Santa Barbara County wineries already face more land-use restrictions than our neighbors to the North in Sonoma, Monterey and San Luis Obispo Counties. We are at a competitive disadvantage in attracting wine country visitors and need the support of our County government to build successful and sustainable agriculture businesses here in Santa Barbara County.

The Santa Barbara County wine industry provides more than 9,000 full-time equivalent jobs, generates more than \$93,000,000 annually in local and states taxes, and contributes millions of dollars to Santa Barbara County-based charities. To keep the Santa Barbara County wine industry sustainable, we need land-use laws that help support our local, family-owned businesses.

We urge you to vote NO on the Draft Winery Ordinance as written and create an industry taskforce to develop an ordinance that helps foster and preserve sustainable agriculture in Santa Barbara County.

Sincerely,

Morgen McLaughlin

Morgen McLaughlin
Executive Director, Santa Barbara Vintners

Daly, Julia Rutherford

From: Alan Davenport <alandavenport1713@gmail.com>
Sent: Friday, October 28, 2016 1:49 PM
To: sbcob
Subject: Winery Ordinance Update
Attachments: Letter to BOS - 102816.docx

Attached please find my comments to be submitted to the Board.

Thank you,

Alan Davenport

ALAN & CLAUDIA DAVENPORT

October 28, 2016

Dear Chair Adam and Supervisors,

We have followed the long and arduous process that has gone into crafting the proposed Winery Ordinance Update. We have many friends who are involved in the wine industry and we are proud of the quality of wine produced here and the recognition given to Santa Barbara County vintners. We also recognize the importance of the wine industry to the economic vitality of the County.

We have lived in Ballard Canyon in the Santa Ynez Valley since 1999 and are now very concerned that the future quality of life of the Santa Ynez Valley is being decided by people who don't live here. To my knowledge, no one involved in drafting the Winery Ordinance, or any of the planning commissioners live in the area that will be subject to the greatest impact of the proposed ordinance. It is my hope that this responsibility will weigh heavily on you as you adopt policies that will affect our families and future generations for years to come.

The proposed ordinance has its flaws, but it is a culmination of much effort by Staff and the Commissioners to address the long term development of this important sector while protecting the quality of life for residents in rural areas. We feel that the final draft mostly achieves this result with one exception. Throughout the course of all the hearings and community meetings, it was pointed out numerous times that caution must be used when considering the creation of more wineries and the resulting tasting rooms and events on substandard roads. Specific language to address these concerns was suggested to correct this. While Staff and the Commissioners acknowledged the problem and expressed agreement with the issue, nothing was done to protect residents of these roads from increased traffic and the higher risk resulting from an ever increasing flow of non-resident visitors to more tasting rooms and events.

This can still be corrected at the Board of Supervisor level by the adoption of common sense language in the ordinance. This will give future planners and commissioners the guidelines for mitigating the cumulative impact of additional wineries on substandard roads like Ballard Canyon Road which has 1) a higher rate of accidents than the statewide average 2) well known deficiencies such as poor sight lines, multiple blind curves, steep drop offs and narrow sections that make it difficult for two vehicles to pass. Furthermore, Ballard Canyon Road has heavy use by recreational cyclists which, when combined with weekend tasting room traffic, creates a higher probability of danger.

For those residents concerned about unfettered winery development in the Santa Ynez Valley, it has never been about opposing agriculture. We strongly support the growing of grapes for wine production and even have no problem with winery facilities being developed on local ag lands. It is the non-agricultural commercial activities of tourism and events that are the problem for residents when that takes place on dangerous roads where we drive with our families every day. For the most part, local wineries are good neighbors in the community as they provide some jobs, support local charities and contribute taxes to the local governments. However, there are a relative few wineries that have NOT been good neighbors and reflect poorly on the entire industry.

It has been suggested by some that complaints about loud noise and additional traffic resulting from wineries are unfounded and should be disregarded. This is an injustice to the long term residents who have made their home here for years, many of whom have been here long before the rapid growth of winery development in recent years. The small ranches, farms and estates that have come to define the character of the Santa Ynez Valley are as much or more of a contributor to the tax base and the economy as the winery industry.

The biggest concern of many Santa Ynez Valley residents is the *cumulative* impact on the region's quality of life. The proposed ordinance does address those concerns to a certain extent, but must include a requirement for a "traffic management plan" for any wineries on known dangerous roads that meet specific criteria. This would be similar to the restrictions on tasting rooms and events for Tier A wineries.

Please do not let the interests of a relatively small group of landowners who produce wine overwhelm the majority of residents who have quietly paid our (substantial) property taxes and have also supported the community for years. While the wine industry likes to say that they are being opposed by a "vocal minority", it is the winery owners who are in the minority and it is the vast majority of Santa Ynez Valley landowners who are concerned that unregulated development of this industry in rural and inner rural areas will threaten the unique culture and character of the Valley in a way that cannot be reversed. We don't want to be a Napa – we want to remain what Santa Barbara County and the Santa Ynez Valley is known for – a special place where we raise our families and enjoy a quality of life that is one of the best in the world.

Sincerely,

Alan and Claudia Davenport