

Appeal of the Vincent Winery

February 19, 2013

A mediated settlement of this Appeal has been achieved

This agreement has the support of P&D

Credit goes to all involved: the Vincent's, their attorney, our attorneys, members of P&D and County Counsel staffs

As the Appellants we recommend and request that the revised Findings, Project Description, and Conditions be adopted as a final settlement of our Appeal

History

Approved by the Planning Commission on a 3-2 vote

All issues were neighborhood concerns related to impacts of visitor-serving activities (i.e. wine tasting, events, safety of the roads, etc.)

But, the all-important Project Description and Conditions -- that actually control the project impacts post-approval -- were never given adequate consideration by the PC

The Appeal was filed on behalf of the neighborhood to finish this unfinished business

Chairman of the Planning Commission

Statement re: Vincent Winery

December 12, 2012)

number of the suggestions that were made today, and in correspondence to do with the conclusion -- probably accurately -- that what the Commission must have meant was to limit the activities to particular times to ease the traffic burdens on surrounding streets. While that may be true, **there were certain issues that we just didn't take up.** Included among those were references to the Winery Ordinance, to sales, and private tasting and so forth so I hope that these items can be taken up and discussed in advance of the Board -- or before the Board -- but I don't think it is the right process now for us to open up our hearing again because we wouldn't be able to limit any new hearing here to just those issues, and I know that it is quite likely that an appeal would be allowed even if everybody agreed on all the issues raised by Ms. Citrin and others today"

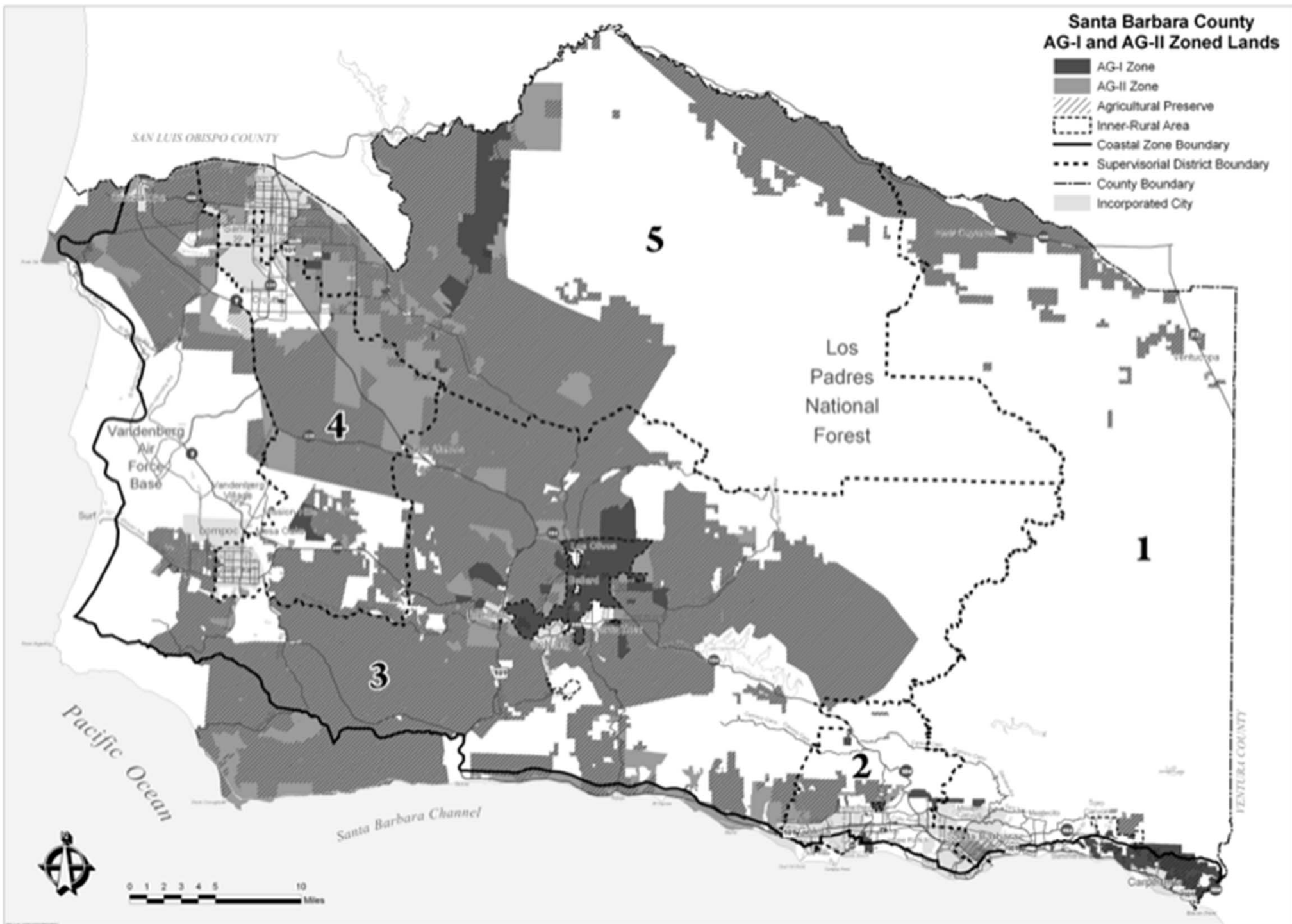
The General Problem

35.42.280 - Wineries

A. Purpose and applicability. This Section provides regulation 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. (Emphasis added)*

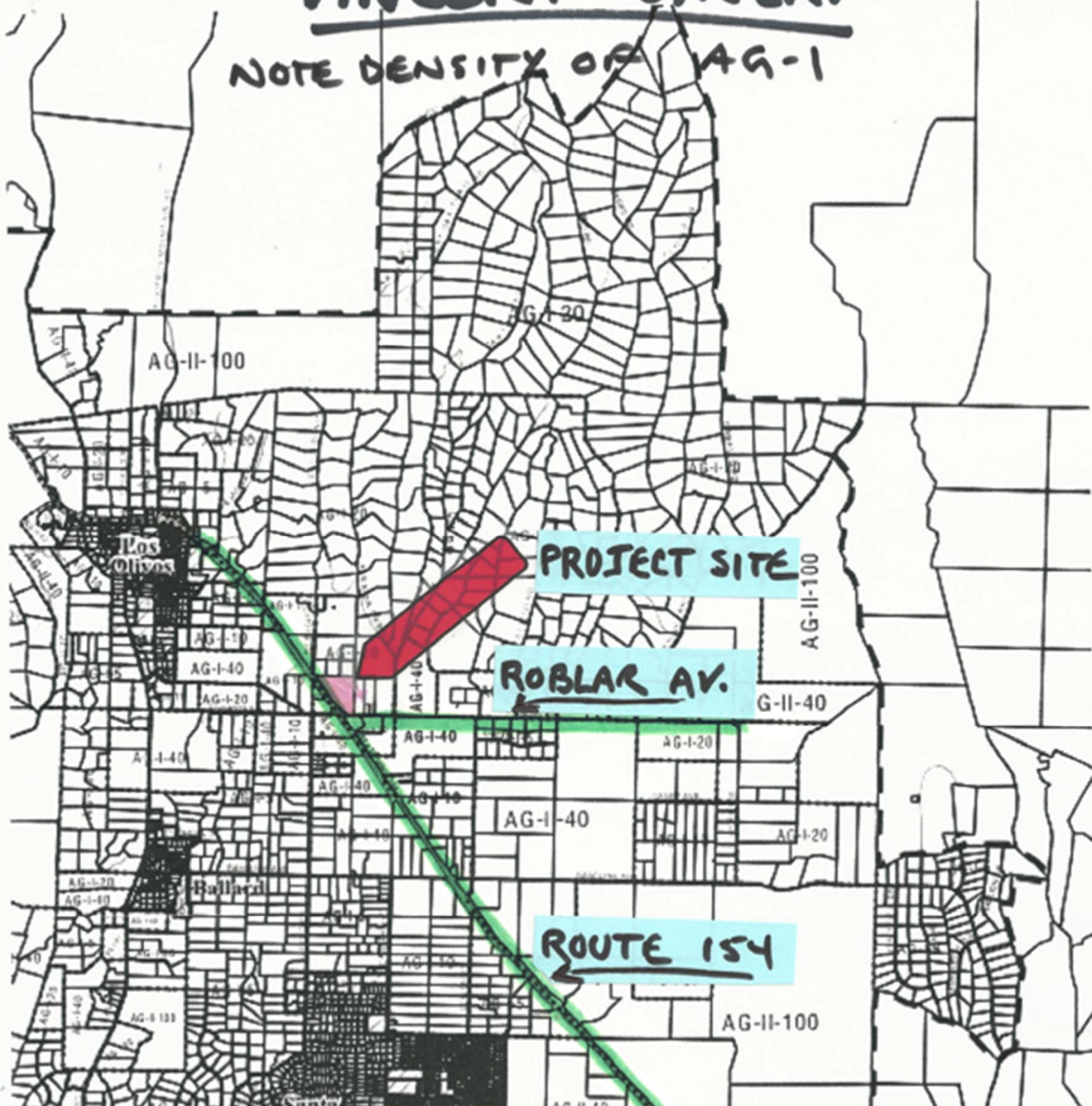
Santa Barbara County AG-I and AG-II Zoned Lands

- AG-I Zone
- AG-II Zone
- Agricultural Preserve
- Inner-Rural Area
- Coastal Zone Boundary
- Supervisorial District Boundary
- County Boundary
- Incorporated City



VINCENT WINERY

NOTE DENSITY OF AG-1



PROJECT SITE

ROBLAR AV.

ROUTE 154

The Specific Problems

The PC approved:

- 5 hours/day of public wine tasting**
- 4 “events”**
- maximum visitors onsite simultaneously of 75**

But -- due to undefined terms in Winery Ordinance, Glossary, and the Conditions -- “de facto” what was permitted :

- 24 hours/day of wine tasting by the public,**
- an unlimited number of “events”, and**
- virtually unlimited visitors onsite simultaneously**

Ambiguity made monitoring and enforcement nearly impossible

Re: Clear Language

terms not defined in Winery Ordinance or LUDC Glossary:

- > **General Public**
- > **Public**
- > **Private**
- > **Public Wine Tasting**
- > **Private Wine Tasting**
- > **Wine Club(s)**
- > **By Invitation**
- > **The Trade**
- > **Food service**
- > **Events**
- > **Private Gatherings**
- > **Organized Gatherings**
- > **Tours**
- > **Winery Tours**
- > **Vineyard Tours**
- > **Educational Tours**
- > **Incidental**
- > **Retail Sales (poor def.)**

Objectives of the Appeal

Modify the Findings, Project Description, and Conditions as necessary to have the activities allowed match the Planning Commission's intention

Make the Conditions clear, unambiguous, and enforceable

Control *public* visitation while not restricting normal *trade* activity of the wine business

Conclusion

**This is a good agreement in the best interests of all involved
--- including the County**

We request that the Board of Supervisors:

-- Accept staff's recommendation

**-- Adopt the proposed Findings, Project Description and Conditions
as the final and mutually agreeable resolution of this matter**