

ANALYSIS

This ordinance amends Title 22 — Planning and Zoning of the Los Angeles County Code relating to the modification of application procedures and development standards for wineries, and to the creation of application procedures and development standards for tasting rooms and remote tasting rooms.

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LLH:sh

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COUNTY OF LOS ANGELES
BOARD OF SUPERVISORS
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FILED

ORDINANCE NO. 2010-0011

An ordinance amending Title 22 — Planning and Zoning of the Los Angeles County Code, relating to the modification of application procedures and development standards for wineries, and to the creation of application procedures and development standards for tasting rooms and remote tasting rooms.

The Board of Supervisors of the County of Los Angeles ordains as follows:

SECTION 1. Section 22.08.140 is hereby amended to read as follows:

22.08.140 N.

— "National recreation area" means any land or water area designated by an act of Congress as an area for public outdoor recreational use and enjoyment, which area is managed either by a relevant federal agency(ies), a State in which such area is located, or a relevant local agency(ies) within such State, or any combination thereof.

...

SECTION 2. Section 22.08.200 is hereby amended to read as follows:

22.08.200 T.

— "Tasting room" means an area or facility used for the sale and sampling of alcoholic beverages that is operated in conjunction with a winery, where the sale and sampling area or facility is located on the same lot or parcel of land as the winery.

— "Tasting room, remote" means an area or facility used for the sale and sampling of alcoholic beverages that is operated in conjunction with a separate alcoholic beverage production facility licensed under a Type 02 license issued by the

California Department of Alcoholic Beverage Control, where the sale and sampling facility is located on a different lot or parcel of land than the production facility.

...

SECTION 3. Section 22.08.230 is hereby amended to read as follows:

22.08.230 W.

...

— "Wineries" means facilities used for processing grapes or other agricultural products into wine, including mobile bottling or crushing facilities, operated under a Type 02 license issued by the California Department of Alcoholic Beverage Control, which where processing involves may include the fermentation, crushing, bottling, testing, or aging, storage, or shipping of wine.

...

SECTION 4. Section 22.24.100 is hereby amended to read as follows:

22.24.100 Uses subject to permits.

Property in Zone A-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of

Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

— Wineries, subject to the ~~conditions of Section 22.56.225~~ applicable

provisions of Part 23 of Chapter 22.52.

...

SECTION 5. Section 22.24.120 is hereby amended to read as follows:

22.24.120 Permitted uses.

Premises in Zone A-2 may be used for:

...

D. The following additional uses:

...

— Wineries, subject to the applicable provisions of Part 23 of Chapter 22.52,

provided that such wineries:

1. Have a production capacity no greater than 5,000 cases of wine per
year; and

2. Are not located in a national recreation area, or within one mile of a
national recreation area.

...

SECTION 6. Section 22.24.140 is hereby amended to read as follows:

22.24.140 Uses subject to dDirector's review and approval.

If site plans therefore are first submitted to and approved by the dDirector, premises in Zone A-2 may be used for:

A. The following uses, subject to the same limitations and conditions provided in Section 22.20.090 (Zone R-1):

...

~~Wineries, subject to the standards and conditions specified in Section 22.56.1763, except that a conditional use permit shall be obtained as provided in Section 22.56.225 for a winery: (1) which includes winery-related incidental visitor-serving uses, or (2) with an annual production capacity of over 5,000 gallons of wine, or (3) in a hillside management or significant ecological area, or (4) not otherwise in full compliance with Section 22.56.1763.~~

...

SECTION 7. Section 22.24.150 is hereby amended to read as follows:

22.24.150 Uses subject to permits.

Property in Zone A-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of

Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

— Wineries, ~~not in full compliance with Section 22.56.1763,~~ subject to the conditions of ~~Section 22.56.225~~ applicable provisions of Part 23 of Chapter 22.52, that either:

1. Have a production capacity in excess of 5,000 cases of wine per

year; or

2. Are located in a national recreation area, or within one mile of a

national recreation area.

...

SECTION 8. Section 22.28.110 is hereby amended to read as follows:

22.28.110 Uses subject to permits.

Premises in Zone C-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

SECTION 9. Section 22.28.160 is hereby amended to read as follows:

22.28.160 Uses subject to permits.

Premises in Zone C-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 10. Section 22.28.210 is hereby amended to read as follows:

22.28.210 Uses subject to permits.

Premises in Zone C-3 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 11. Section 22.28.230 is hereby amended to read as follows:

22.28.230 Permitted uses.

Premises in Zone C-M may be used for:

...

B. The following industrial uses, provided all activities are conducted within an enclosed building:

...

2. Food Processing.

...

— Wineries, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 12. Section 22.28.260 is hereby amended to read as follows:

22.28.260 Uses subject to permits.

Premises in Zone C-M may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

SECTION 13. Section 22.28.320 is hereby amended to read as follows:

22.28.320 Uses subject to permits.

Premises in Zone C-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

SECTION 14. Section 22.32.040 is hereby amended to read as follows:

22.32.040 Permitted uses.

Premises in Zone M-1 may be used for:

...

B. The following additional uses are permitted in Zone M-1, except that nothing in this subsection permits punch presses of over 20 tons rated capacity, drop hammers or automatic screw machines.

...

— Wineries, ~~except that winery-related incidental visitor-serving uses~~ shall be subject to a conditional use permit as provided in ~~Section 22.32.070~~the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 15. Section 22.32.070 is hereby amended to read as follows:

22.32.070 Uses subject to permits.

Premises in Zone M-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

~~— Winery-related incidental visitor-serving uses including, but not limited to, the sale of wine, winery tours, and wine tasting.~~

...

SECTION 16. Section 22.32.130 is hereby amended to read as follows:

22.32.130 Uses subject to permits.

Premises in Zone M-1½ may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 17. Section 22.32.190 is hereby amended to read as follows:

22.32.190 Uses subject to permits.

Premises in Zone M-2 or Zone M-4 may be used for:

A. The following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, except that in Zone M-4 a conditional use permit is required for uses in subdivisions 1, 2 and 3 of this subsection A only where the use listed is located within 300 feet of a public school, public park or a residential or A-1 Zone:

...

4. Uses.

...

Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 18. Section 22.40.190 is hereby amended to read as follows:

22.40.190 Permitted uses.

Premises in Zone R-R may be used for:

...

C. The following additional uses:

— Wineries, subject to the applicable provisions of Part 23 of

Chapter 22.52, provided that such wineries:

1. Have a production capacity no greater than 5,000 cases of wine per year; and

2. Are not located in a national recreation area, or within one mile of a national recreation area.

SECTION 19. Section 22.40.210 is hereby amended to read as follows:

22.40.210 Uses subject to ~~d~~Director's review and approval.

If site plans therefore are first submitted to and approved by the Director, premises in Zone R-R may be used for:

A. The following uses:

...

~~— Wineries, subject to the standards and conditions specified in~~

~~Section 22.56.1763, except that a conditional use permit shall be obtained as provided in Section 22.56.225 for a winery: (1) which includes winery-related incidental visitor-serving uses, or (2) with an annual production capacity of over 5,000 gallons of wine, or (3) in a hillside management or significant ecological area, or (4) not otherwise in full compliance with Section 22.56.1763.~~

SECTION 20. Section 22.40.220 is hereby amended to read as follows:

22.40.220 Uses subject to permits.

Premises in Zone R-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of

Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of

Chapter 22.52.

...

— ~~Wineries, not in full compliance with Section 22.56.1763,~~ subject to the conditions of ~~Section 22.56.225~~applicable provisions of Part 23 of Chapter 22.52, that either:

1. Have a production capacity in excess of 5,000 cases of wine per year; or

2. Are located in a national recreation area, or within one mile of a national recreation area.

...

SECTION 21. Section 22.52.1215 is hereby added to read as follows:

22.52.1215 Tasting rooms and remote tasting rooms.

The parking requirement for a tasting room or remote tasting room shall be one parking space for every 100 square feet of floor area, including any outdoor floor area.

SECTION 22. Section 22.52.1216 is hereby added to read as follows:

22.52.1216 Wineries.

The parking requirement for a winery shall be one parking space for every 500 square feet of enclosed floor area.

SECTION 23. Part 23 of Chapter 22.52 is hereby added to read as follows:

PART 23

WINERIES AND TASTING ROOMS

SECTIONS:

22.52.2400	Wineries — General.
22.52.2410	Wineries — Development Standards.
22.52.2420	Wineries — Operating Regulations.
22.52.2430	Wineries — Permit Requirements.
22.52.2440	Tasting Rooms — Development Standards.
22.52.2450	Tasting Rooms — Operating Regulations.
22.52.2460	Tasting Rooms — Permit Requirements.
22.52.2470	Remote Tasting Rooms — Development Standards.
22.52.2480	Remote Tasting Rooms — Operating Regulations.
22.52.2490	Remote Tasting Rooms — Permit Requirements.

22.52.2400 Wineries — General

A. Purpose.

The purpose of this Part 23 is to provide comprehensive standards for wineries, tasting rooms, and remote tasting rooms, to facilitate the development of such agriculturally supportive businesses, while at the same time to minimize their potential impacts to surrounding uses.

B. Definitions.

For the purposes of this Part 23, the following definitions shall apply:

1. Net area. Net area shall have the same meaning as in Section 22.08.010 of this Title 22, but shall also exclude any area of a lot or parcel of land with a slope of 25 percent or greater;
2. Winery facilities. Winery facilities shall mean all structures and accessory structures used by a winery, as defined in Section 22.08.230, including the paved parking areas required by this Part 23 for mobile bottling or crushing facilities, but shall exclude any tasting room area or structure;
3. Wine events. Wine events shall mean events intended to provide instruction regarding the production and consumption of wine, and shall include private group wine tastings, property tours of a winery, and winery presentations regarding proper wine and food combinations and/or the preparation of such food; and

4. Incidental merchandise. Incidental merchandise shall mean small retail products related to the use and consumption of wine, such as wine glasses, corkscrews, or other small products, such as accessory clothing, key chains, and pens, which raise awareness of a winery's brand.

22.52.2410 Wineries — Development Standards.

A. Wineries shall comply with the development standards of the zone in which they are located, except as follows:

1. Parking shall be provided in accordance with Section 22.52.1216;
and
2. In Zones A-1, A-2, and R-R:
 - a. Wineries shall be permitted only:
 - i. On a lot or parcel of land containing existing agricultural products under cultivation for the purpose of wine production, or;
 - ii. On a lot or parcel of land adjoining a lot or parcel as described in subsection a.i., above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant in the office of the County Department of Registrar-Recorder/County Clerk, as approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot or parcel of land for as long as the winery remains in operation, with any violation of said covenant being subject to the enforcement procedures of Part 6 of Chapter 22.60;

b. The lot or parcel of land on which the winery is located shall have a minimum net area of two acres;

c. Wineries shall provide access to the nearest public roadway to the satisfaction of the County Departments of Public Works and Fire, and such access shall be a minimum of 28 feet in width;

d. In addition to any other parking requirement under this Part 23, a winery shall provide a minimum paved parking area of 12 feet by 35 feet for any mobile bottling or crushing facility used by the winery;

e. The lot coverage of the winery facilities shall be a maximum of 25 percent of the net area of the lot or parcel of land on which the winery is located or 50,000 square feet, whichever is less; and

f. All of the winery facilities, parking areas, and private waste disposal systems shall be located at least 100 feet from any stream bank.

B. Modification of any development standard in this Section 22.52.2410 shall require a full conditional use permit ("CUP") pursuant to Part 1 of Chapter 22.56.

22.52.2420 Wineries — Operating Regulations.

A. In addition to the other activities authorized by this Part 23, wineries may sell wine to licensed wholesalers and retailers both on- and off-site, and may ship wine directly to the general public if such shipping is the result of a wine sale transaction made at an off-site event or via an order made by United States mail, telephone, or the internet.

B. Wineries in Zones A-1, A-2, and R-R may only operate between the hours of 7 a.m. and 7 p.m. every day.

C. All wineries shall comply with the applicable provisions of the noise control ordinance set forth in Chapter 12.08 of the Los Angeles County Code.

D. Wineries may host wine events, as defined in Section 22.52.2400.B.3 of this Part 23, if a temporary use permit is first obtained pursuant to Part 14 of Chapter 22.56. Wine events may be hosted by the winery for its own financial gain, or for the financial gain of a private non-profit organization, as that term is defined in section 23356.1 of the California Business and Professions Code.

E. Wineries shall dispose of winery waste and wastewater in accordance with the requirements of the Los Angeles Regional Water Quality Control Board for a winery use and shall keep and maintain the records showing compliance with these requirements on their premises. Such records shall be made available upon request to the County Department of Regional Planning.

F. Modification of any operating regulation in this Section 22.52.2420 shall require a full CUP pursuant to Part 1 of Chapter 22.56.

22.52.2430 Wineries — Permit Requirements.

A. Applicable use permit. If a CUP is otherwise required for a winery by the applicable zone under this Title 22, an applicant may request that the Director consider a winery application in accordance with the minor CUP provisions set forth in Section 22.56.085, unless:

1. The subject lot or parcel of land is located in a national recreation area, or within one mile of a national recreation area; or

2. The applicant requests a modification to any development standard or operating regulation for the winery set forth in Sections 22.52.2410 and 22.52.2420, respectively, of this Part 23.

B. Where a CUP is only required because the applicant requests a modification of any development standard or operating regulation for a winery set forth in Sections 22.52.2410 and 22.52.2420, respectively, of this Part 23, such CUP shall be a full CUP pursuant to Part 1 of Chapter 22.56.

C. Conditions of approval. In addition to any other condition imposed by the Director or the Commission, the development standards and operating regulations set forth in Sections 22.52.2410 and 22.52.2420 of this Part 23 shall be made conditions of approval for any winery CUP, except where modified by the Commission.

D. Application. In zones A-1, A-2, and R-R, an application for a winery CUP or minor CUP, as the case may be, shall contain the following information in addition to the information required by Section 22.56.030:

1. A map showing the existing topography of the subject lot or parcel of land, delineating all portions of such lot or parcel of land with a slope of 25 percent or greater;

2. Site plans showing the location and area of the subject lot or parcel of land, or the adjoining lot or parcel of land, as applicable, where the existing agricultural products that are under cultivation for the purpose of wine production are situated. Photographic evidence of such products shall also be submitted; and

3. A site plan showing the location and area of any existing or proposed paved parking areas for on-site mobile bottling and/or crushing facilities.

22.52.2440 Tasting Rooms — Development Standards.

A. Tasting rooms shall comply with the development standards of the zone in which they are located, except as follows:

1. A tasting room shall occupy no more than 20 percent of the total area of the associated winery facilities, as defined in Section 22.52.2400.B.2, or 10,000 square feet of floor area, whichever is less; and

2. Parking shall be provided in accordance with Section 22.52.1215.

22.52.2450 Tasting Rooms — Operating Regulations.

A. Tasting rooms are subject to the following operating regulations:

1. A tasting room shall comply with the applicable provisions of the noise control ordinance set forth in Chapter 12.08 of the Los Angeles County Code;

2. Within 90 days following their hiring, all tasting room employees who serve or sell alcoholic beverages in the tasting room shall complete a responsible beverage service training program meeting the requirements of the California Alcoholic Beverage Control Act. Records of such employee training shall be kept and maintained

on the tasting room premises and shall be made available upon request by the County Sheriff's Department or County Department of Regional Planning;

3. A tasting room shall serve a wine-tasting customer no more than three ounces of wine per day;

4. Tasting rooms may offer complimentary food items to wine-tasting customers along with the tasting room's wine, including but not limited to, fruit slices, cheese, and crackers, provided that:

a. No advertisements for such food items are placed on any signage for the associated winery; and

b. The food items are prepared and offered in accordance with any and all regulations and/or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such food items.

5. Tasting rooms may engage in the retail sale of packaged food for off-site consumption, including but not limited to, jam, jellies, and olive oil, provided that:

a. The packaged food is produced from agricultural products grown on lots or parcels of land owned or leased by the holder of a Type 02 license issued by the California Department of Alcoholic Beverage Control;

b. The associated winery's logo is permanently and prominently affixed to all such packaged food sold; and

c. The packaged food is prepared and offered in accordance with any and all regulations and/or requirements of the applicable government agencies regarding the preparation, licensing, and inspection of such packaged food.

6. Tasting rooms may engage in the retail sale of incidental merchandise, as defined in Section 22.52.2400.B.4, provided that the associated winery's logo is permanently and prominently affixed to all such items sold;

7. Tasting rooms may host wine events pursuant to the same operating regulations as set forth in Section 22.52.2420.D for wineries; and

8. In zones A-1, A-2, and R-R, tasting rooms shall comply with the following additional requirements:

a. Tasting rooms may operate only between the hours of 10 a.m. and 7 p.m. every day.

b. A tasting room shall produce no external amplified sounds. Live music, both inside and outside the tasting room, is prohibited.

22.52.2460 Tasting Rooms — Permit Requirements.

A. Applicable use permit. An applicant may request that the Director consider a tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085, unless:

1. The subject lot or parcel of land is located in:
a. A national recreation area, or within one mile of a national recreation area;

b. An area of undue concentration for alcoholic beverage sale establishments, as undue concentration is described in Section 22.56.195.B.3 of this Title 22; or

c. A high crime reporting district, as described in the California Alcoholic Beverage Control Act and the regulations adopted under that Act; or

2. The applicant requests a modification to any development standard or operating regulation for the tasting room set forth in Sections 22.52.2440 or 22.52.2450, respectively, of this Part 23, including a request to allow the tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or quantities of alcohol, beyond what would otherwise be allowed by said Sections.

B. Conditions of approval. In addition to any other condition imposed by the Director or the Commission, the development standards and operating regulations set forth in Sections 22.52.2440 and 22.52.2450 of this Part 23 shall be made conditions of approval for any tasting room CUP, except where modified by the Commission.

C. Concurrent approvals. If an applicant seeks the concurrent approval of both a winery and an associated tasting room, the applicant may file one application for both uses and pay one fee for the CUP or minor CUP, as the case may be. In all other circumstances, separate approvals shall be required for a winery and an associated tasting room.

D. Application. An application for a tasting room CUP or minor CUP, as the case may be, shall contain the information required by Section 22.56.030 of this Title 22.

22.52.2470 Remote Tasting Rooms — Development Standards.

A. Remote tasting rooms shall comply with the development standards of the zone in which they are located except as otherwise required by this Section 22.52.2470.

B. Remote tasting rooms shall provide parking in accordance with Section 22.52.1215.

C. In zones A-1, A-2, and R-R, remote tasting rooms shall comply with the following:

1. The lot or parcel of land on which the remote tasting room is located shall have a minimum net area of two acres.

2. Remote tasting rooms shall be permitted only:

a. On a lot or parcel of land containing existing agricultural products under cultivation for the purpose of wine production, provided that such agricultural products cover at least 50 percent of the net area of such lot or parcel of land; or

b. On a lot or parcel of land adjoining a lot or parcel of land as described in subsection 2.a., above, that is owned or leased by the same person owning or leasing such adjoining property, provided that the owner or lessee records a covenant in the office of the County Department of Registrar-Recorder/County Clerk, as

approved by the Director prior to recordation, agreeing to continue to own or lease the adjoining lot or parcel of land for as long as the remote tasting room remains in operation, with any violation of said covenant being subject to the enforcement procedures of Part 6 of Chapter 22.60.

3. For purposes of subsections C.1 and C.2 of this Section 22.52.2470, net area shall exclude any significant ecological area in addition to those areas excluded from the definition of net area in Section 22.52.2400.B.1.

4. Remote tasting rooms shall provide access to the nearest public roadway to the satisfaction of the County Departments of Public Works and Fire, and such access shall have a minimum width of 28 feet.

5. The lot coverage of a remote tasting room shall be a maximum of 15 percent of the net area of the lot or parcel of land on which it is located or 15,000 square feet, whichever is less.

22.52.2480 Remote Tasting Rooms — Operating Regulations.

A. In zones A-1, A-2, and R-R, remote tasting rooms shall comply with the operating regulations for tasting rooms set forth in Section 22.52.2450.

B. In zones C-1, C-2, C-3, C-M, and C-R, remote tasting rooms shall comply with the operating regulations for tasting rooms set forth in Section 22.52.2450, except that they may hold a wine event, as defined in Section 22.52.2400.B.3, without a temporary use permit, provided that:

1. The wine event is limited to a maximum of 25 guests or customers;
2. The remote tasting room holds no more than 20 wine events in any 12-month period; and
3. A record of each wine event is maintained on the premises of the remote tasting room and is made available upon request by the County Sheriff's Department or County Department of Regional Planning.

22.52.2490 Remote Tasting Rooms — Permit Requirements.

A. Applicable use permit. An applicant may request that the Director consider a remote tasting room CUP application in accordance with the minor CUP provisions of Section 22.56.085 unless:

1. The subject lot or parcel of land is located in:
 - a. A national recreation area or within one mile of a national recreation area;
 - b. An area of undue concentration for alcoholic beverage sale establishments, as undue concentration is described in Section 22.56.195.B.3 of this Title 22;
 - c. A high crime reporting district, as described in the California Alcoholic Beverage Control Act and/or the regulations promulgated thereunder; or
2. The applicant requests a modification to any development standard or operating regulation for the remote tasting room, as set forth in Sections 22.52.2470 or 22.52.2480, respectively, of this Part 23, including a request to allow the remote

tasting room to hold additional wine events, or to allow the on-site consumption of additional food items or additional types or quantities of alcohol, beyond what would otherwise be allowed by said Sections.

B. Conditions of approval. In addition to any other condition imposed by the Director or the Commission, the development standards and operating regulations set forth in Sections 22.52.2470 and 22.52.2480 of this Part 23 shall be made conditions of approval for any remote tasting room CUP, except where modified by the Commission.

C. Application. In zones A-1, A-2, and R-R, an application for a remote tasting room CUP or minor CUP, as the case may be, shall contain the following information, in addition to the information required by Section 22.56.030 of this Title 22:

1. Maps showing the existing topography of the subject lot or parcel of land on which the remote tasting room is located, delineating all portions of such lot or parcel of land with a slope of 25 percent or greater; and

2. Site plans showing the location and area of the subject lot or parcel of land, or the adjoining lot or parcel of land, as applicable, where the existing agricultural products that are under cultivation for the purpose of wine production are situated. Photographic evidence of such products shall also be submitted.

SECTION 24. Section 22.56.085 is hereby amended to read as follows:

**22.56.085 Grant or denial of minor conditional use permit by
Director.**

A. Any person filing an application for a conditional use permit may request the Director to consider the application in accordance with this section for the following uses:

...

— Tasting rooms, subject to the applicable provisions of Part 23 of Chapter 22.52.

— Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

— Wind energy conversion system, non-commercial (WECS-N).

— Wineries, subject to the applicable provisions of Part 23 of Chapter 22.52.

...

SECTION 25. Section 22.56.195 is hereby amended to read as follows:

**22.56.195 Alcoholic beverage sales, for either on-site or off-site
consumption.**

Additional Findings Prerequisite to Permit.

A. This section applies to the following uses, with the exception of tasting rooms and remote tasting rooms:

...

SECTION 26. Section 22.56.225 is hereby deleted in its entirety.

~~**22.56.225 Wineries Additional conditions.**~~

~~A. In approving a conditional use permit for a winery, the hearing officer shall specify the following, which shall be made conditions of such grant in addition to conditions imposed pursuant to Section 22.56.100, except that the hearing officer may modify any of the conditions set forth in subsections (A)(1) through (A)(6) of this section:~~

~~1. The winery shall be operated in conjunction with existing vineyards located on the same or adjacent parcels of land owned or leased by the applicant, except that the hearing officer may modify this requirement as long as such parcels are located within five miles of the winery and the winery is not located within one mile of the Santa Monica Mountains National Recreation Area. This distance shall be measured in a straight line, without regard to intervening structures, from the nearest property line of the parcel on which the winery is to be established to the nearest property lines of the vineyards;~~

~~2. The subject winery and vineyards shall be located on parcels of land with a combined area of not less than five acres. The area used to calculate this minimum acreage shall not include any portion of a parcel with a slope of 50 percent or more. The applicant shall submit a site plan showing the existing topography of the subject properties and delineate any land with a slope of 50 percent or more;~~

~~3. The annual production capacity of the winery shall not exceed 50,000 gallons of wine, of which not less than 50 percent of the wine shall be produced from grapes cultivated on the parcels of land designated on the site plan in satisfaction~~

~~of subsections (A)(1) and (A)(2) of this section. The annual production capacity and storage limits of the winery shall not exceed those specified in the conditions of the permit;~~

~~4. Where approved in the conditional use permit, winery-related incidental visitor-serving uses including, but not limited to, the following may be permitted: (a) the sale of wine produced on the premises; (b) winery tours and wine-tasting by appointment only; (c) noncommercial social activities; and (d) noncommercial food service. These visitor-serving uses shall be directly related to and clearly secondary to the winery. Adequate parking, fire protection, water supply, and sanitation facilities for these visitor-serving uses shall be required;~~

~~5. Structures for the winery, visitor-serving uses, and/or private waste disposal system shall be located not less than 50 feet from exterior lot lines and 100 feet from any stream banks. They shall be located and designed to minimize adverse impacts to adjoining properties and to minimize water quality impacts to nearby streams, with design features and/or best management practices such as, but not limited to, fences, walls, landscaping, and buffer areas;~~

~~6. Amplified sound and/or live music are prohibited;~~

~~7. Sound levels of the winery operations and visitor-serving uses shall comply with noise standards for residential properties as specified in Section 12.08.390;~~

~~8. Parking and loading shall be provided in accordance with Part 11 of Chapter 22.52;~~

~~9. Operating hours of the winery and, where applicable, visitor-serving uses shall be as specified in the conditions of the permit, recognizing the unique requirements of winery operations during the harvest season;~~

~~10. Winery operations, visitor-serving uses, and/or private sewage disposal systems shall be conducted in accordance with applicable department of health services, department of public works, and California Regional Water Quality Control Board standards and requirements. In no case shall any waste be treated, stored, or disposed of in a manner that could result in runoff into any surface stream or leach into groundwater; and~~

~~11. The conditional use permit shall be contingent upon the applicant obtaining all required permits and complying with all applicable provisions of state and local laws, ordinances, regulations, and policies.~~

~~B. In addition to the information required by Section 22.56.030, the application shall contain the following information:~~

~~1. Where private waste disposal systems are to be utilized, they shall be adequate to serve the use. The director may accept clearance and/or recommendations from the department of public works, department of health services, and California Regional Water Quality Control Board in satisfaction of this requirement. Such recommendations shall be considered in determining conditions of approval;~~

~~2. There shall be sufficient water supply for the use. The director may accept clearance and/or recommendations from the department of public works or the county forester and fire warden in satisfaction of this requirement. Such~~

~~recommendations shall be considered in determining conditions of approval; and~~

~~3. There shall be no adverse soil erosion or sedimentation impacts on water quality from any building, grading, or excavation. Preliminary geologic/soils reports, drainage, and/or grading plans shall be submitted where required by the director of public works. The director may accept clearances and/or recommendations from the department of public works and California Regional Water Quality Control Board in satisfaction of this requirement. Such recommendations shall be considered in determining conditions of approval.~~

SECTION 27. Section 22.56.1763 is hereby deleted in its entirety.

~~**22.56.1763** — **Director's review — Winery — Standards and conditions.**~~

~~A. Notice Requirements.~~

~~1. In all cases where an application is filed, the director shall cause a notice indicating the applicant's request at the location specified to be forwarded by first-class mail, postage prepaid, to:~~

~~a. All persons whose names and addresses appear on the latest available assessment roll of the county of Los Angeles as owning property adjacent to the exterior boundaries of the property on which the winery is to be established; provided, however, that where the closest point that the winery is to be established is 500 feet or more from such adjoining property, this subsection shall not apply;~~

~~b. A notice addressed to "occupant" or "occupants" in all cases where the mailing address of any owner of property required to be notified under the~~

~~provisions of subsection (A)(1)(a) is different from the address of such adjacent property; and~~

~~_____ c. Such other persons whose property in the director's judgment might be affected by such application or permit.~~

~~_____ 2. Such notice shall also indicate that any individual opposed to the granting of the approval may express such opposition by written protest to the director within 15 days after receipt of such notice.~~

~~_____ B. In addition to the principles and standards contained in Section 22.56.1690, a winery shall also comply with all of the following standards and conditions:~~

~~_____ 1. The winery shall be operated in conjunction with existing vineyards located on the same or adjacent parcels of land owned or leased by the applicant, except that the director may modify this requirement as long as such parcels are located within one mile of the winery. This distance shall be measured in a straight line, without regard to intervening structures, from the nearest property line of the parcel on which the winery is to be established to the nearest property lines of the vineyards;~~

~~_____ 2. The subject winery and vineyards shall be located on parcels of land with a combined area of not less than five acres. The area used to calculate this minimum acreage shall not include any portion of a parcel with a slope of 50 percent or more;~~

~~_____ 3. The annual production capacity of the winery shall not exceed 5,000 gallons of wine, of which not less than 50 percent of the wine shall be processed from grapes cultivated on the parcels of land designated on the site plan in satisfaction of~~

~~subsections (B)(1) and (B)(2) of this section. The annual production capacity and storage limits of the winery shall not exceed those specified in the conditions of the approval;~~

~~4. Winery-related incidental visitor-serving uses, such as, but not limited to, the sale of wine, winery tours, wine tasting, events, and food service, are prohibited;~~

~~5. Structures for the winery and/or private waste disposal system shall be located not less than 50 feet from exterior lot lines and 100 feet from any stream banks. They shall be located and designed to minimize adverse impacts to adjoining properties and to minimize water quality impacts to nearby streams, with design features and/or best management practices such as, but not limited to, fences, walls, landscaping, and buffer areas;~~

~~6. Amplified sound and/or live music are prohibited;~~

~~7. Sound levels of the winery shall comply with noise standards for residential properties as specified in Section 12.08.390;~~

~~8. Parking and loading shall be provided in accordance with Part 11 of Chapter 22.52;~~

~~9. Operating hours of the winery shall be between 7 a.m. to 7 p.m., except that during the harvest season operating hours shall be as specified by the director;~~

~~10. Signage that advertises the winery is prohibited; and~~

~~11. The site plan approval shall be contingent upon the applicant obtaining all required permits and approvals and complying with all applicable provisions of state and local laws, ordinances, regulations, and policies.~~

~~_____ C. The application to the director shall provide the following information in addition to that required by Section 22.56.1680:~~

~~_____ 1. Site plan showing the existing topography of the subject property and delineating any land having a slope of 50 percent or more;~~

~~_____ 2. Photographs of existing vineyards, as designated on the site plan, and the total area of said vineyards;~~

~~_____ 3. Plans for the proposed crushing, processing, bottling, and storage facilities, and where applicable, private waste disposal and parking facilities; and~~

~~_____ 4. Estimate of: (a) annual production capacity; (b) quantity of grapes cultivated on the parcels of land designated on the site plan; (c) quantity and source of grapes to be imported from other areas; and (d) wine storage capacity.~~

~~_____ D. The application shall also contain the information required in subsection B of Section 22.56.225.~~

~~_____ E. The director shall deny the application in all cases where:~~

~~_____ 1. Two protests to the granting of the application are received. Protests received from both the owner and the occupant of the same property shall be considered to be one protest for purposes of this section; or~~

~~_____ 2. Where the applicant has not met all required standards and conditions of the site plan approval.~~

~~_____ F. In all cases where the director denies an application, the director shall so inform the applicant in writing of such action. Said notice of denial shall also inform the applicant that the zoning ordinance contains provisions permitting the filing of a~~

~~conditional use permit for a winery which is not in full compliance with the requirements of this section.~~

[2208200LHCC]

SECTION 28. This ordinance shall be published in The Daily Commerce a newspaper printed and published in the County of Los Angeles.



Gloria Molina
Chair

ATTEST:

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that at its meeting of March 9, 2010 the foregoing ordinance was adopted by the Board of Supervisors of said County of Los Angeles by the following vote, to wit:

<u>Ayes</u>		<u>Noes</u>	
Supervisors	<u>Mark Ridley-Thomas</u>	Supervisors	<u>None</u>
	<u>Zev Yaroslavsky</u>		
	<u>Don Knabe</u>		
	<u>Gloria Molina</u>		

Effective Date: April 8, 2010

Operative Date: _____

Sachi A. Hamai
Sachi A. Hamai
Executive Officer -
Clerk of the Board of Supervisors
County of Los Angeles

I hereby certify that pursuant to Section 25103 of the Government Code, delivery of this document has been made.

SACHI A. HAMAI
Executive Officer
Clerk of the Board of Supervisors

By [Signature]
Deputy



APPROVED AS TO FORM:
ANDREA SHERIDAN ORDIN
County Counsel

By Leela Kapur
Leela Kapur
Chief Deputy County Counsel