



September 18, 2012

Planning Commission
San Joaquin County
C/o Kerry Sullivan
Community Development Department
1810 East Hazelton Avenue Stockton, CA 95205

RE: Status of Winery Ordinance Task Force

Dear Commissioners,

We are writing this report to give the Commission an update of our Wine Ordinance Task Force (WOTF) efforts. Per your request, from the July 19th Commission meeting we agreed to provide you and the Board of Supervisors our progress on developing solutions addressing concerns with winery activities that led to the Board of Supervisors proposing a moratorium on any modifications or new winery marketing events. We would like to thank you for the opportunity to allow for the agriculture, ag-tourism, wine-growing and wine-making, and marketing business entities to come together and propose solutions that do not risk the economic growth of this expanding industry.

To be clear, Supervisor Vogel, whose district contains approximately 90% of these businesses, on many occasions, related to us the following concerns of Supervisors and the genesis of complaints from winery neighbors, agricultural industry leaders and winery owners. Therefore, the following concerns are where we have centered our efforts:

- **Noise** created by winery marketing events has created an unacceptable nuisance to surrounding neighbors.
- **Vehicle Parking** at winery events that has spilled off of the winery property onto the neighbor's property or on county roads creating safety hazards, interference with neighboring agricultural activities, and rural neighbor angst.
- **Event Centers** in rural areas. We refer to this as "Winery First." We want to eliminate rural businesses whose business model is primarily events and secondarily

the sale of wine. Wineries must demonstrate they are a winery first as currently written in the ordinance, keeping this with this theme in any future versions of an updated Winery Ordinance.

- **Winery Clusters** or a congregation of wineries in close proximity. This is an area the WOTF has not addressed yet, but poses many questions. For example we will need to discuss how to control the various impacts listed above when they run the risk of becoming even more intense due to a compounding number of events?

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By way of background, the first thing the WOTF did was to listen to the neighbors of wineries represented on our WOTF. Based on those conversations, the WOTF crafted a “Good Neighbor Policy” that would become a part of the County’s documentation when a winery applies for and is granted event permits. The policy would be agreed to and signed by the winery owner prior to receiving permits for events. The WOTF draft neighbor policy is attached to this report. The intent and spirit of the policy is simply to be a good neighbor, not infringing on your neighbors space or enjoyment of their peaceful rural living with the recognition that the rural and agricultural environment is different than that of an urban zone.

Refining this Good Neighbor document and gaining consensus on the policy took several weeks. The WOTF then looked at some “winery first” issues and proposed putting greater capacities and case quantities on smaller & boutique wineries and off-site cellars. The WOTF believes in order to sell wine and hold events that promote the sale of “YOUR” wine, the winery must be making its own wine. We continue to work through the many variables that come into play creating many different scenarios in this one topic area.

As this year’s harvest kicked into high-gear we lost many of our key task force members to the task of bringing in this year’s grape harvest. Because of this, the WOTF has taken a break from its weekly meetings until October 22nd, at which time we will reconvene our weekly meetings and finish the task of developing solutions to the challenges and concerns.

As you might imagine we have had some very good and lengthy discussions on many topics revolving around noise and parking. While we have not captured in writing the exact solutions or positions on these two key impacts; we can share with you the WOTF is proposing the number of events with amplified sound should be cut dramatically. Also, the WOTF is addressing how to handle sound created by any event in order to mitigate noise heard by winery neighbors, and evoking the Good Neighbor premise. The vehicle to implement this is still under discussion as this may be new and different from the County’s current decibel requirement.

Parking at any winery event must be contained on the winery property; never should there be any overflow onto neighbor's property or the roadsides. The Good Neighbor Policy (signed by the winery owner) speaks to noise and parking, and neighbors will expect compliance. We have not developed punishment for winery infractions, but fines, reduction or revocation of permitted events all seem like possibilities at this point in our discussions. In short, the winery **must be** a good neighbor. The challenge will also remain in encouraging existing wineries with marketing events to voluntarily adopt this policy as well.

We the WOTF group leaders, representing the 4 organizations you asked to deliver alternative solutions are working when we can through this current committee "harvest-break" to help facilitate a speedier conclusion once we reconvene in mid October.

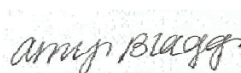
We do believe; we are making good progress, that we can improve and refine the current ordinance, address the impacts that caused the concerns of neighbors, as well as those of members of the agricultural community, winery owners, planners, Commissioners and Supervisors.

We would like to give you our final report at a November meeting of the Commission. That will give us approximately one more month after the task force begins its work again in mid October. We of course will be on hand September 20th to answer any questions you may have regarding our effort. We thank you for your patience and trusting us to be productive in this matter.

Sincerely,



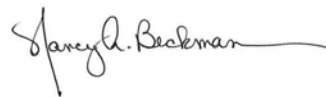
Pat Patrick
President/CEO
Lodi Chamber of
Commerce



Amy Blagg
Executive Director
Lodi District Grape
Growers Association



Bruce Fry
President
San Joaquin Farm
Bureau Federation



Nancy Beckman
President/CEO
Visit Lodi!

About the Winery Ordinance Task Force (WOTF)

The WOTF has held 8 meetings to date, with a cumulative of over 16 hours of meeting time plus volunteer time to seek solutions outside these meetings. Additionally, the committee is currently utilizing a website (www.wineryord.com) in order to track our progress and to share information within the group. The following participants have been at the table at one point or another throughout the process:

Tim Holdener – Macchia Winery, **Edward Van Diemen** – LDGGA President, **Craig Rous** – Ironstone Winery, **Amy Blagg** – LDGGA, Pat Stockar, **Nancy Beckman** – Visit Lodi!, **Bruce Fry** – Farm Bureau President, **Ryan Sherman** – Fields Family Winery, **Vern Vierra** – St. Jorge Winery, **Joe & Miles Berghold** – Berghold Estate Winery, **Pat Patrick & Ray Crow** – Lodi Chamber of Commerce, **Bob Colarossi** – Estate Crush, **Bruce Blodgett, Katie Patterson & Nick Bokides** – Farm Bureau, **Craig Miller** – Property Owner, **Larry Lawrence** – Viaggio Winery Inc., **Jason Ells** – Mettler Family Vineyards, **Fred Donald** – Neighbor, **Bob Hartzell** – Harmony Wynelands, **Jon Bjork** – Winery Consultant, **Lisa Isola** – Neighbor, **Adel Liebelt** – Neighbor, **Bill Prioste** – Tracy Hills Growers and Vintners, **Stuart Spencer** – Wine Grape Commission, and **David Lucas** – The Lucas Winery.

CC: Board of Supervisors

Enclosures (1): Good Neighbor Policy