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Planning, Building & Environmental Services

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Brian D. Bordona
Director

MEMORANDUM

To:	Board of Supervisors	From:	Michael Parker, Planning Manager
Date:	Tuesday, February 24, 2025	Re:	BOS Agenda 02/25/2025, Item 13A Public Hearing, Hillwalker Vineyards Winery Appeal

In January 2024, the applicant for Hillwalker Vineyards submitted a revised project description proposing: 306 days of tours and tastings with up to 19 visitors per day and 5 employees.

In June of 2024, the applicant submitted another revised project description decreasing the 19 visitors to 13 visitors and 5 employees per day. As part of this resubmittal, the applicant also submitted a revised WAA (dated February 9, 2024), reflective of the change from 19 visitors to 13 visitors.

The decrease from 19 to 13 visitors per day was erroneously not updated in the Final Condition of Approval that was adopted by the Planning Commission, which is *Attachment E* of Item 13A.

Attachment E – Adopted PC Condition of Approval, page 3 of 22, 4.2 Tours and Tastings/ Visitation, Section C currently reads:

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings by appointment only as follows, with a weekly maximum of 113 visitors:

- Seven days per week, Monday through Sunday
- Frequency: 47 days of tours and tastings with up to 35 visitors maximum.
- Frequency: 306 days of tours and tastings with up to 19 visitors maximum.
- Frequency: 25 or more people will be allowed at the winery for a maximum of 59 days per year.
- Hours of visitation: 10:00 am to 6:00 pm.

Staff Requests *Attachment E – Adopted PC Condition of Approval*, page 3 of 22, 4.2 Tours and Tastings/ Visitation, Section C, be amended to read:

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings by appointment only as follows, with a weekly maximum of 113 visitors:

- Seven days per week, Monday through Sunday
- Frequency: 47 days of tours and tastings with up to 35 visitors maximum.
- Frequency: 306 days of tours and tastings with up to 13 visitors maximum.
- Frequency: 25 or more people will be allowed at the winery for a maximum of 59 days per year.
- Hours of visitation: 10:00 am to 6:00 pm.

The Planning Commission may implement an audit program if compliance deficiencies are noted. If evidence of a compliance deficiency is found to exist by the Planning Commission at some time in the future, the Planning Commission may institute the program at the applicant's expense (including requiring a deposit of funds in an amount determined by the Commission) as needed until compliance assurance is achieved. The Planning Commission may also use the data, if so warranted, to commence revocation proceedings in accordance with the County Code.

PART II

4.0 OPERATIONAL CHARACTERISTICS OF THE PROJECT

Permittee shall comply with the following during operation of the winery:

4.1 GENERAL PROVISIONS

Consistent with the County Code, tours and tastings and marketing may occur at a winery only where such activities are accessory and "clearly incidental, related, and subordinate to the primary operation of the winery as a production facility."

Tours and tastings (defined below) may include food and wine pairings, where all such food service is provided without charge except to the extent of cost recovery and is incidental to the tasting of wine. Food service may not involve menu options and meal service such that the winery functions as a café or restaurant.

Retail sales of wine shall be permitted as set forth in the County Code.

4.2 TOURS AND TASTINGS/VISITATION

Tours and tastings by appointment only as follows, with a weekly maximum of 113 visitors:

- a. Seven days per week, Monday through Sunday
- b. Frequency: 47 days of tours and tastings with up to 35 visitors maximum.
- c. Frequency: 306 days of tours and tastings with up to 49 13 visitors maximum.
- d. Frequency: 25 or more people will be allowed at the winery for a maximum of 59 days per year.
- e. Hours of visitation: 10:00 am to 6:00 pm.

"Tours and tastings" means tours of the winery and/or tastings of wine, where such tours and tastings are limited to persons who have made unsolicited prior appointments for tours or tastings. To the maximum extent feasible, scheduling of reoccurring vehicle trips to and from the site for employees and deliveries shall not occur during peak travel times (2:30 p.m. to 3:30 p.m. on weekdays and 2:00 p.m. to 3:00 p.m. on Saturdays and Sundays).

A log book (or similar record) shall be maintained to document the number of visitors to the winery (for either tours and tastings or marketing events), and the dates of the visits. This record of visitors shall be made available to the Planning, Building and Environmental Services (PBES) Department upon request.