

**ORDINANCE NO. \_\_\_\_\_**

An ordinance amending Title 22 – Planning and Zoning of the Los Angeles County Code related to the modification of procedures and standards for wineries.

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

**SECTION 1.** Section 22.08.200 is hereby amended to add the following definitions in alphabetical order as follows:

**22.08.200 T.**

...

-- “Tasting rooms” means facilities for the sale or sampling of alcoholic beverages, as operated in conjunction with a facility of alcoholic beverage production under a license issued by the California State Department of Beverage Control, that are located on the same lot or parcel of land as such production facility.

-- Tasting rooms, remote. “Remote tasting rooms” means facilities for the sale or sampling of alcoholic beverages, as operated in conjunction with a facility of alcoholic beverage production under a license issued by the California State Department of Beverage Control, that are not located on the same lot or parcel of land as such production facility.

...

**SECTION 2.** Section 22.08.230 is hereby amended to read as follows:

**22.08.230 W.**

...

-- “Wineries” means facilities of production used for processing grapes or other agricultural products into wine, ~~which where processing may includes the fermentation, crushing, bottling, testing, or aging, storage, or shipping of wine, as~~ operated under a Type 02 license issued by the California State Department of Beverage Control. Wineries may sell wine to licensed wholesalers and retailers on-site. Wineries may ship wine directly to the general public if sales transactions are made at off-site events, or via mail, phone and internet orders. Winery-related uses and wine sales offered on-site to the general public shall be considered tasting rooms.

...

**SECTION 3.** 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, as provided in Part 23 of Chapter 22.52.

-- Tasting rooms, remote, as provided in Part 23 of Chapter 22.52.

...

-- Wineries, ~~subject to the conditions of Section 22.56.255 as~~ provided in Part 23 of Chapter 22.52.

...

**SECTION 4.** 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 with a production capacity of 5,000 or fewer cases of wine per year, as provided in Part 23 of Chapter 22.52.

...

**SECTION 5.** Section 22.24.140 is hereby amended to read as follows:

**22.24.140 Uses subject to director's review and approval.** If site plans therefor are first submitted to and approved by the director, 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 6.** 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, as provided in Part 23 of Chapter 22.52.

-- Tasting rooms, remote, as provided in 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 with a production capacity exceeding 5,000 cases of wine per year, as provided in Part 23 of Chapter 22.52.~~

...

**SECTION 7.** 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, as provided in Part 23 of Chapter 22.52.

...

**SECTION 8.** 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, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 9.** 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, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 10.** 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, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 11.** 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, as provided in Part 23 of Chapter 22.52.  
-- Tasting rooms, remote, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 12.** 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, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 13.** 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, as provided in Part 23 of Chapter 22.52.~~

...  
**SECTION 14.** 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, as provided in 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 15.** 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, as provided in Part 23 of Chapter 22.52.~~

...  
**SECTION 16.** 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, as provided in Part 23 of Chapter 22.52.~~

...

...  
**SECTION 17.** 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 with a production capacity of 5,000 or fewer cases of wine per year, as provided in Part 23 of Chapter 22.52.

...  
**SECTION 18.** Section 22.40.210 is hereby amended to read as follows:  
**22.40.210 Uses subject to director's review and approval.** If site plans therefor 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 19.** 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, as provided in Part 23 of Chapter 22.52.  
-- Tasting rooms, remote, as provided in 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 with a production capacity exceeding 5,000 cases of wine per year, as provided in Part 23 of Chapter 22.52.~~

...  
**SECTION 20.** Section 22.52.1215 is hereby added to read as follows:  
**22.52.1215 Tasting rooms and remote tasting rooms.** Every tasting room and remote tasting room shall provide one parking space for each 100 square feet of enclosed floor area.

**SECTION 21.** Section 22.52.1225 is hereby added to read as follows:  
**22.52.1225 Wineries.** Every winery shall provide one parking space for each 500 square feet of enclosed floor area.

**SECTION 22.** Part 23 of Chapter 22.52 is hereby added to read as follows:

### **PART 23**

## WINERIES AND TASTING ROOMS

### Sections:

<b>22.52.2400</b>	<b>Purpose.</b>
<b>22.52.2410</b>	<b>Wineries -- Development Standards.</b>
<b>22.52.2420</b>	<b>Wineries -- Operating Standards.</b>
<b>22.52.2430</b>	<b>Wineries -- Permit Requirements.</b>
<b>22.52.2440</b>	<b>Tasting Rooms -- Development Standards.</b>
<b>22.52.2450</b>	<b>Tasting Rooms -- Operating Standards.</b>
<b>22.52.2460</b>	<b>Tasting Rooms -- Permit Requirements.</b>
<b>22.52.2470</b>	<b>Remote Tasting Rooms -- Development Standards.</b>
<b>22.52.2480</b>	<b>Remote Tasting Rooms -- Operating Standards.</b>
<b>22.52.2490</b>	<b>Remote Tasting Rooms -- Permit Requirements.</b>
<b>22.52.2400</b>	<b>Purpose.</b>

The purpose of this Part 23 is to provide a comprehensive series of standards for wineries and tasting rooms that facilitate the establishment of these agriculturally supportive businesses while minimizing potential impacts to surrounding uses.

### **22.52.2410 Wineries -- Development Standards.**

A. Where permitted by this Title 22, wineries shall comply with the development standards of the zone in which they are located, except where modified herein:

1. Parking shall be provided in accordance with Section 22.52.1225.
2. Winery waste and wastewater shall be disposed of in accordance

with the requirements of the Los Angeles Regional Water Quality Control Board. Records of compliance with such requirements shall be maintained on the premises and made available to personnel from the department of regional planning upon request.

B. Wineries in Zones A-1, A-2, and R-R shall also comply with the following development standards:

1. Wineries are permitted on a lot or parcel of land with a minimum net area of two acres. For the purposes of this subsection, the net area of a lot or parcel of land shall exclude any area with a slope of 25 percent or greater.

2. Wineries are permitted:

a. On a lot or parcel of land that contains existing agricultural products under cultivation for the purpose of being processed into wine; or

b. On a lot or parcel of land that adjoins a lot or parcel of land that contains existing agricultural products under cultivation for the purpose of being processed into wine, provided that:

i. The adjoining lot or parcel of land is owned or leased by the holder of a Type O2 license issued by the California State Department of Beverage Control; and

ii. The license holder records a covenant and agreement in the office of the county recorder that he will own or lease the adjoining lot or parcel of land for the duration of the operation of the winery, with any violation thereof being subject to the enforcement procedures of Part 6 of Chapter 22.60.

3. Wineries shall provide access to the nearest public roadway to the satisfaction of the department of public works and the fire department. Such access shall be at least 28 feet in width.

4. Mobile bottling or crushing facilities are permitted, provided that a paved parking area is provided for such facilities in addition to the parking required for the winery.

5. Winery facilities shall not occupy more than 25 percent of the net area of a lot or parcel of land, provided that such facilities do not cumulatively exceed 50,000 square feet of enclosed floor area. For the purposes of this subsection:

a. The net area of a lot or parcel of land shall exclude any area with a slope of 25 percent or greater; and

b. Winery facilities shall be defined as the total floor area of all structures and accessory structures used by the winery, plus paved parking areas for mobile bottling or crushing facilities.

6. Winery facilities, parking, and private waste disposal systems shall be located at least 100 feet from any stream banks.

C. Modification of these development standards shall require a conditional use permit, as provided in Part 1 of Chapter 22.56.

**22.52.2420 Wineries -- Operating Standards.**

A. Where permitted by this Title 22, wineries shall comply with the noise control provisions of Chapter 12.08 of the County Code.

B. The holder of a Type 02 license issued by the California State Department of Beverage Control may host wine events, including but not limited to private group tastings, tours, and lessons in wine and food combinations or preparation, at a winery or on a lot or parcel of land he owns or leases containing existing agricultural products for the purpose of being processed into wine, pursuant to a temporary use permit, as provided in Part 14 of Chapter 22.56, subject to the limitations provided in Section 22.56.1835 for exhibitions.

C. Wineries in Zones A-1, A-2, and R-R shall operate only between the hours of 7 a.m. and 7 p.m.

D. Modification of these operating standards shall require a conditional use permit, as provided in Part 1 of Chapter 22.56.

**22.52.2430 Wineries -- Permit Requirements.**

A. Conditional Use Permit.

1. Any person filing an application for a winery conditional use permit may request that the director consider the application in accordance with the minor conditional use permit provisions of Section 22.56.085, unless modifications to the standards of Sections 22.52.2410 or 22.52.2420 are requested.

2. The standards of Sections 22.52.2410 and 22.52.2420 shall be made conditions of approval of any conditional use permit, except where modified by the regional planning commission.

B. Application. An application for a winery conditional use permit in Zones A-1, A-2, and R-R shall contain the following information, in addition to that required by Section 22.56.030:

1. Maps 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; and

2. Site plans showing the location and area of existing agricultural products under cultivation for the purpose of being processed into wine, as well as photographic evidence of such products, where required by Section 22.52.2410.B.2.

3. Site plans showing the location and area of paved parking areas for mobile bottling or crushing facilities.

**22.52.2440 Tasting Rooms -- Development Standards.**

A. Where permitted by this Title 22, tasting rooms shall comply with the development standards of the zone in which they are located, except where modified herein:

1. Tasting rooms shall not occupy more than 20 percent of the area of winery facilities on a lot or parcel of land, provided that such tasting rooms do not exceed 10,000 square feet of floor area. For the purposes of this subsection, winery facilities shall be defined as the total floor area of all structures and accessory structures used by the winery, plus paved parking areas for mobile bottling or crushing facilities.

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

B. Modification of these development standards shall require a conditional use permit, as provided in Part 1 of Chapter 22.56.

**22.52.2450 Tasting Rooms -- Operating Standards.**

A. Where permitted by this Title 22, tasting rooms shall comply with the following operating standards:

1. Tasting rooms shall comply with the noise control provisions of Chapter 12.08 of the County Code.

2. Any employee who serves or sells alcoholic beverages in any tasting room shall complete a responsible beverage service training program that meets the requirements of the State Alcoholic Beverage Control Act within 90 days of hire. Records of such training shall be maintained on the premises and made available to personnel from the sheriff's department and the department of regional planning upon request.

3. Wine tastings shall be limited to the serving of three ounces of wine per customer per day.

4. Complimentary food items may be offered with wine tastings, including but not limited to fruit slices, cheese, and crackers, provided that:

(a). Food items are not advertised on winery signage; and

(b). Food is prepared and offered in accordance with the licensing and inspection requirements of other government agencies.

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 State Department of Beverage Control;

(b). The winery logo is permanently and prominently affixed to all food sold; and

(c). Food is prepared and offered in accordance with the licensing and inspection requirements of other government agencies.

6. Tasting rooms may engage in the retail sale of merchandise, provided that the winery logo is permanently and prominently affixed to all items sold.

7. Tasting rooms may host wine events, including but not limited to private group tastings and lessons in wine and food combinations or preparation, pursuant to a temporary use permit, as provided in Part 14 of Chapter 22.56, subject to the limitations provided in Section 22.56.1835 for exhibitions.

B. Tasting rooms in Zones A-1, A-2, and R-R shall also comply with the following operating standards:

1. Tasting rooms shall operate only between the hours of 10 a.m. and 7 p.m.

2. External amplified sounds and live music are prohibited.

C. Modification of these operating standards, including but not limited to allowances for additional wine events or additional on-site consumption of alcohol or food, shall require a conditional use permit, as provided in Part 1 of Chapter 22.56.

**22.52.2460 Tasting Rooms -- Permit Requirements.**

A. Any person filing an application for a tasting room conditional use permit may request that the director consider the application in accordance with the minor conditional use permit provisions of Section 22.56.085, unless modifications to the standards of Sections 22.52.2440 or 22.52.2450 are requested.

B. The standards of Sections 22.52.2440 and 22.52.2450 shall be made conditions of approval of any conditional use permit, except where modified by the regional planning commission.

**22.52.2470 Remote Tasting Rooms -- Development Standards.**

A. Where permitted by this Title 22, remote tasting rooms shall comply with the development standards of the zone in which they are located and shall provide parking in accordance with Section 22.52.1215.

B. Remote tasting rooms in Zones A-1, A-2, and R-R shall also comply with the following development standards:

1. Remote tasting rooms are permitted on a lot or parcel of land with a minimum net area of two acres. For the purposes of this subsection, the net area of a lot or parcel of land shall exclude any area with a slope of 25 percent or greater.

2. Remote tasting rooms are permitted:

a. On a lot or parcel of land that contains existing agricultural products under cultivation for the purpose of being processed into wine, provided that such 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 that adjoins a lot or parcel of land that contains existing agricultural products under cultivation for the purpose of being processed into wine, provided that:

i. Such products cover at least 50 percent of the net area of such adjoining lot or parcel of land; and

ii. The license holder records a covenant and agreement in the office of the county recorder that he will own or lease the adjoining lot or parcel of land for the duration of the operation of the remote tasting room, with any violation thereof being subject to the enforcement procedures of Part 6 of Chapter 22.60.

c. For the purposes of this subsection, the net area of a lot or parcel of land shall exclude any area with a slope of 25 percent or greater or in a significant ecological area.

3. Remote tasting rooms shall provide access to the nearest public roadway to the satisfaction of the department of public works and the fire department. Such access shall be at least 28 feet in width.

4. Remote tasting rooms shall not occupy more than 15 percent of the net area of a lot or parcel of land, provided that such tasting rooms do not exceed 15,000 square feet of enclosed floor area. For the purposes of this subsection, the net area of a lot or parcel of land shall exclude any area with a slope of 25 percent or greater.

C. Modification of these development standards shall require a conditional use permit, as provided in Part 1 of Chapter 22.52.

**22.52.2480 Remote Tasting Rooms -- Operating Standards.**

A. Remote tasting rooms in Zones A-1, A-2, and R-R shall comply with the operating standards of Section 22.52.2450.

B. Remote tasting rooms in Zones C-1, C-2, C-3, C-M, and C-R shall comply with the operating standards of Section 22.52.2450, except that remote tasting rooms may host wine events, including but not limited to private group tastings and lessons in wine and food combinations or preparation, without a temporary use permit, provided that:

1. Wine events are limited to no more than 25 persons;
2. There are no more than 20 wine events within any 12 month period;

and

3. A record of wine events shall be maintained on the premises and made available to personnel from the sheriff's department and the department of regional planning upon request.

C. Modification of these operating standards, including but not limited to allowances for additional wine events or additional on-site consumption of alcohol or food, shall require a conditional use permit, as provided in Part 1 of Chapter 22.56.

**22.52.2490 Remote Tasting Rooms -- Permit Requirements.**

A. Conditional Use Permit.

1. Any person filing an application for a remote tasting room conditional use permit in Zones C-1, C-2, C-3, C-M, and C-R may request that the director consider the application in accordance with the minor conditional use permit provisions of Section 22.56.085, unless modifications to the standards of Section 22.52.2470 or 22.52.2480 are requested.

2. The standards of Sections 22.52.2470 and 22.52.2480 shall be made conditions of approval of any conditional use permit, except where modified by the regional planning commission.

B. An application for a remote tasting room conditional use permit in Zones A-1, A-2, and R-R shall contain the following information, in addition to that required by Section 22.56.030:

1. Maps 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; and

2. Site plans showing the location and area of existing agricultural products under cultivation for the purpose of being processed into wine, as well as photographic evidence of such products, where required by Section 22.52.2470.B.2.

**SECTION 23.** 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, as provided in Section 22.52.2460

-- Tasting rooms, remote, as provided in Section 22.52.2490.

...

-- Wineries, as provided in Section 22.52.2430.

...

**SECTION 24.** 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 establishments, with the exception of tasting rooms and remote tasting rooms:

...

**SECTION 25.** Section 22.56.225 is hereby repealed in its entirety.

**SECTION 26.** Section 22.56.1763 is hereby repealed in its entirety.