



Los Angeles County  
Department of Regional Planning

*Planning for the Challenges Ahead*



Jon Sanabria

Acting Director of Planning

April 2, 2009

**TO:** Leslie G. Bellamy, Chair  
Wayne Rew, Vice Chair  
Esther L. Valadez, Commissioner  
Harold V. Helsely, Commissioner  
Pat Modugno, Commissioner

**FROM:** Mitch Glaser, AICP, Supervising Regional Planner  
Countywide Studies Section

**SUBJECT: APRIL 15, 2009 – AGENDA ITEM #6  
PROJECT NO. 2009-00002-(1-5)  
ENVIRONMENTAL ASSESSMENT CASE NO. 2009-00022-(1-5)  
AMENDMENT TO TITLE 22 (ZONING ORDINANCE) OF THE COUNTY  
CODE TO MODIFY THE DEVELOPMENT STANDARDS AND  
PERMITTING PROCEDURES FOR WINERIES AND TASTING ROOMS**

Staff has received additional correspondence regarding this matter, which is attached for your consideration. Should you have any questions, please contact me at (213) 974-6476 or [mglaser@planning.lacounty.gov](mailto:mglaser@planning.lacounty.gov).

MWG:mwg

Attachments

March 17, 20009

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Los Angeles County  
Regional Planning Commission  
320 West Temple Street  
Los Angeles, CA 90012

#### SUBJECT

Notice of public hearing of March 25, 2009, Hall of Records, 320 West Temple Street, Los Angeles, on proposed amendment to Title 22 of the Los Angeles County Code (Zoning Ordinance) for wineries and tasting rooms.

Enclosed is an article submitted to the Los Angeles County Regional Planning Commission and County Board of Supervisors. Included in this article are comments and suggestions regarding County Code Title 22 and proposed amendment to automatically provide Negative Declarations to wineries and wine tasting businesses without environmental review under the provisions of CEQA and the county guidelines.

#### COMMENTS

My first impression was that simulated nonfunctional wineries and wine tasting businesses were either already within or to be within urban and suburban locations. However, due to the scarcity of available undeveloped land within cities of the county this didn't seem feasible.

My second conclusion is that these businesses are seeking to locate in developed and undeveloped County Open Spaces and are hoping to automatically qualify and receive Negative Declarations on land to be used for vineyards, wineries, wine tasting rooms, and other purposes. In other words, they wish to use a Trojan Horse to invade the Open Spaces without worrying about environmental permits, controls, and restrictions.

Once provided the benefit of county issued automatic Negative Declarations, wineries, wine businesses, and wine outlets would be free to profit from expansions and additions beyond mere growth in size; Numerous roads, land alterations to change hills and slopes into terraces, installed utilities, vegetation clearance, wild animal control, destruction of nature, fire and sheriff departments, zoning, road and trash services, developments, increases in land and property values, etc. Growth and monetary rewards could be

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achieved with minimal consequences. Complaints from environmentalists and other segments of the public would have little effect and fall on deaf ears.

The potential detrimental consequences listed above mainly apply to the county's large, undeveloped open spaces in the upper parts of mountain ranges or hills. However, they may also apply to sparsely settled rural countrysides and agricultural areas dominated by large farms and zoned for large acreages of land.

## SUGGESTIONS

Submitted arguments and reasons for denial of automatic Negative Declarations for wineries and wine tasting businesses and corporations in Los Angeles County include the following listed ones.

1. All county undeveloped Open Spaces are composed of natural geomorphic and biological environments. Under ordinary circumstances, they must not be ignored and disregarded and destroyed through the issuance of Negative Declarations to land owners and developers.
2. For esthetic and recreational reasons citizens living in the general vicinity of undeveloped Open Spaces appreciate the few Open Spaces under county administration which are located within or reasonably close to urban and suburban areas. Most of these citizens disapprove of the county automatically providing Negative Declarations which will lead to alteration and destruction of Open Spaces.
3. Undeveloped county Open Spaces located within the small mountain ranges not regulated by the federal government or state contain important populations or native plants, animals, and biological communities. Included are the few remaining black bears, mountain lions, valley oak trees, and big-cone spruce-canyon oak forests. They should not be displaced or further curtailed in numbers by automatic Negative Declarations leading to habitat destruction by land owners and developers.
4. The Significant Ecological Areas should not be adversely affected by automatic Negative Declarations facilitating encroaching development of any type.
5. Natural water is usually scarce on remaining undeveloped county regulated open space land. Removing ground water with wells and pumps would be harmful to native plants and animals. Pumping sufficient water from valleys for vineyards placed on high mountains and ridges would be prohibitively expensive. Automatic Negative Declarations leading to wineries and water removal are inappropriate.
6. Rearranging the soil and ground on mountain slopes to create terraces or other terrain for vineyards would open the land to erosion during the winter-spring season and dust storms during the Santa Ana Winds of fall-early winter. Breathing in large quantities of dust is harmful to human health. Decisions by air quality specialists and health officers are needed; not Negative Declarations.

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7. Negative Declarations should not be issued for wineries, developments, or businesses in rural areas. Undeveloped parcels of land may be present serving as habitat for native plants and animals. Some of these may be endangered or threatened species.

Some of the occupants of rural districts may be allergic or sensitive to insecticides, herbicides, or fertilizers used in vineyards. They may also be intolerant of dust raised by vineyard operations or to odors created by winery operations. Automatic Negative Declarations to wineries could lead to the loss of long term residents.

Vineyards also require irrigation water. Obtaining ground water or water from the water table may deprive neighbors or other rural inhabitants of the water they are accustomed to securing and using. Studies by hydrologists are called for, not automatic Negative Declarations to wineries.

8. Future vineyards and wineries should not be totally prohibited or denied to Los Angeles County. Much fertile and relatively flat, open land exists in the Mojave Desert. However, sufficient water for the irrigation of vineyards is always a problem. Nevertheless, agriculture succeeds at many locations. Automatic Negative Declarations are not recommended for projects requiring the clearance of native vegetation and habitats for vineyards and wineries.

For reasons provided and described in this communication to the Regional Planning Commission of Los Angeles County, the proposed amendment to Los Angeles County Code, Title 22 - Zoning Ordinance, leads to numerous physical and biological changes and harm to both aspects of the environment. It also leads to valid questions and threats regarding the will of the people near wineries, the general public, public happiness and satisfaction, and aspects of personal and public health. Any proposed amendment leading toward a Negative Declaration for placement of wineries and tasting rooms is dangerous and not recommended for passage.

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