

Public Comment Matric - Rural Lands, Phase 1

Wineries, Breweries, Cideries, Distilleries and Events

Version 2 | GMA #13609

Date / Event	Name	Topic	Comment	Specific Recommendation	Staff Recommendation Changes to Draft Regulations
02/23/18	Temp Event Permit Neighborhood Mtg: Mark Papitz	Event Regulation	Wineries not allowed to use cannons unless 1/2 mile from neighbors	Restrict use of cannons within 1/2 mile of residential	Discussion Item - NOISE use of cannons
02/23/17	Temp Event Permit Neighborhood Mtg: Mike Holatta	Event Regulations	No more temporary event permits to circumvent existing code; no temporary occupancy permits allowing winery or other entity to circumvent code	Concern about temporary policies	No Change - regulations will address these concerns
02/23/17	Temp Event Permit Neighborhood Mtg: Mike Holatta	Event Regulations	No outdoor events at wineries - any allowed inside; no outdoor amplification or public address systems outside or inside with open doors	Prohibit outdoor amplification and outdoor PA systems	Discussion Item - NOISE Outdoor Amplification
02/23/17	Temp Event Permit Neighborhood Mtg: Betty Snyder	Event Regulations	We need to have wineries on CA to have all events ruled on by the HE	All events on CA should be Type III permit	Discussion Item - PERMIT TYPES Permit types for events on CA
02/23/17	Temp Event Permit Neighborhood Mtg: Betty Snyder	Event Regulations	The separation between event structures and all parking areas need to be 500' buffer from rural residential areas	Minimum separation between parking and event structures and property lines 500' from all RR	Discussion Item - SETBACKS Minimum setbacks
02/16/18	Tim Kangas	Event Regulations	rural character and the reasons for not relying on noise levels, set-backs, buffering etc. in your code update. While not in bullet fashion this 2 page November 2015 writing is important today and you may not have seen it. rural events cause a systematic destruction of rural character. Digging	Absolute minimum requirements, rigorously consistent permit application, evaluation and enforcement processes including site specific assessment are needed.	No Change
02/20/18	Wineries Mtg - Comforts	Event Regulations	Event size should be scalable depending on property size. 5 acres - 50 or less 10 acres - 100 or less 20 acres - 150 or less 30+ acres - 300 or less	Scale event attendees by parcel size; allow events with 75 attendees or less to not count as event on parcels 10 acres or large	No Change - request to scale attendees based on parcel size - site plan review process will provide the scaling based on available parking, buffers, critical areas, proximity to neighbors (required buffers) and other considerations. Scaling attendees based on lot size is not consistent with this approach.
02/20/18	Wineries Mtg - Blooms	Event Regulations	Screening parking at events so it doesn't look like parking lot can be shrubs @ 6 ft. tall, not solid tree	Add clarity to screening requirements	Change - SCREENING staff recommends adding clarity on screening requirements (see previous comment about adding clarity)
02/28/18	Tim Kangas	Event Regulations	Comments about November 21 memo provided prior to regulations	Questions on overall approach	No Change
02/23/17	Temp Event Permit Neighborhood Mtg: Mark Papitz	Event Regulations	Wineries should be limited to 5 events a year with activities inside when not buffered from neighbors by 1/2 mile	Limit events to 5 per year inside when less than 1/4 mile from residential	Discussion Items - SETBACKS, BUFFERING DEFINITION Frequency, and setbacks, buffering
01/22/18	Tim Kangas	Event Regulations	World leader best practices, particularly the importance of a common event definition and process applicable to all, continues to be ignored	Include a common event definition	No Change - A definition is provided although some refinement may be needed.
01/22/18	Tim Kangas	Event Regulations	Adequate access" must be specifically defined in Island County/Public Works Department Terminology so there is no confusion	Define Adequate Access	No Change - Staff has coordinated minimum access requirements with PW - also language has been provided for occasions when a parcel is accessed from two different
01/22/18	Tim Kangas	Event Regulations	Page 6 is another table trying to show some of the attributes of two subcategories of events. Again the access section needs fixing with specifics replacing "adequate".	See above	No Change - see previous comment
01/22/18	Tim Kangas	Event Regulations	The Island County Code for rural event centers and related guidance and permit process already exists and should logically be used as the starting point for fixing rural event issues.	We have actually utilized some of the language for the new proposed category.	No Change
01/23/18	Lois Matthews	Event Regulations	We are not concerned of small groups enjoying get together and events for family and friends on private properties. We are mainly concerned that this small use of property was inappropriate for such a large group of people on a small parcel of property located in a neighborhood with small land parcels. The island is a great place to enjoy entertaining in the open air on beautiful Whidbey Island.	Provide regulations that regulate uses on private properties in small rural neighborhood to prevent large disruptive events - family forest fest related	No Change - Regulations, as provided, will address these concerns.

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01/24/18	Penelope Stuart Bourk	Event Regulations	The FFF notice, dated July 7, 2017, but delivered to residents on July 20, sounds so sweet and innocuous. However, in actual fact, the entire month preceding and including the event was a troubling and turbulent time for our neighborhood, deeply divisive, and hurtful. No neighborhood deserves such an assault, just so that some commercial group out of Oregon can profit, to our neighborhood's detriment, from lapses in the code! The ordinance is our only protection. If it is not clearly set out in the code that such events are inappropriate on such sites, will not be allowed, and will not be issued a permit - then the citizens of this island are not protected from any random commercial pop-up camping/festival that considers this island easy game.	Provide regulations that regulate uses on private properties in small rural neighborhood	No Change	Regulations, as provided, will address these concerns. - Site plan requirements will require the identification of critical areas, sanitation, parking, access, emergency access, noise, and other impacts to neighboring properties.
01/30/18	Tim Kangas	Event Regulations	Provide clear links to what is in code/policy now and what is proposed for all, not just Rural Event Centers; Ok with adding to RAIDS, where similar commercial uses are appropriate; Confused by Accessory Use vs. Primary Use; Thinks this will address what is occurring in his neighborhood; Like list of exceptions; Like minimum site requirements;	Reference previous code more clearly	Change	- will provide more context in regulations identifying clearly - what is existing and what is new; will clearly delineate that private roads are not allowed to be utilized for access
01/30/18	Tim Kangas	Event Regulations	Likes restriction on private road access - make more clear ; Make it more clear in the table that private roads are only allowed under strict review and not the preferred/default access; consider adding a reference to condition (h)	Add clarity to restriction on private access	Change	- will clearly delineate that private roads are not allowed to be utilized for access- will cross reference requirements for access priority. ADDRESS IN 2.0
01/30/18	Tim Kangas	Event Regulations	Take the word "use" off of the definition for Event Keep event definition simple – pull out the numbers and other qualifiers, 50 people or less (can be in exemptions), Remove "Events may be either incidental etc." Can be stated elsewhere is examples or other explanatory text about events, but not in definition.	Edit definition	Modify in final regulations	- Incidental language and "50 or less" language; No Change - Staff recommends that other qualifiers remain as being important to the definition itself.
01/30/18	Tim Kangas	Event Regulations	Add condition in reference to emergency access		Change	- Staff will add this condition. ADDRESS IN 2.0
01/30/18	Tim Kangas	Event Regulations	Do not allow outdoor amplified music (gave examples from recent events that were a mile or more from his house that shook the windows or were still clearly audible)	Restrict all amplified music	Discussion item	- NOISE Consider Alternate Text to address amplified music
01/30/18	Tim Kangas	Event Regulations	Site plan review should clearly state that the context/intent is for preserving the rural character (liked the phrase "Rural Stewardship" from another program)	Add intent statement for site plan application	No Change	- Intent of regulations will be clearly delineated in the adopting ordinance and has been clearly identified through this process.
✓ 01/30/18	Tim Kangas	Event Regulations	Make sure to delineate penalties for violations- Code enforcement is just as important as a clear code – there are those that violate the existing code, and they will violate the new one too	Provide penalties for violations	Discussion item	- ENFORCEMENT Consider text (San Luis Obispo) - Revocation of land use permit upon receipt of 2 or more substantiated complaints in any consecutive six month period.
01/31/18	Tim Kangas	Event Regulations	New event code is to be "scalable" and your three part convention relies on ever more stringent requirements and reviews as event scale goes up or event site gets smaller. By-right zoning is the exact opposite of your intent. By-right zoning "streamlines" the project approval process to allow and authorize any project stated in the "Vision" without any discretionary review process. As such it violates your stated intent of graduated review requirements thus can not be part of your scalable process.	Do not allow for events to take place "by right"	No Change	
02/15/18	Carrie McLachlan	Event Regulations	My house faces the Comforts directly. When there are weddings on summer nights and the doors are open (which they are), we hear every toast to the bride and groom, we hear music as if it were in our own	Concerns about amplified music and noise	Discussion Item	- on noise and amplification
02/15/18	Carrie McLachlan	Event Regulations	And it still stands, as it did in the article I submitted to the Hearing Examiner, back in 1998, that we value our quiet, rural life with its sounds of cows mooing, chickens cackling and eagles flying overhead, they represent the charm of living on Whidbey and if we wanted anything close to "city amenities" we would either not live on the island or live in one of the cute towns, who need business much more than outlying areas to keep them viable. Why should one family benefit to the detriment of so many of us who choose to live here, pay dearly (in both time and money) as we commute to jobs off-island to maintain our homes and shop local businesses on the weekends, and/or (as we do) own a small business	Maintain Rural Character	No Change	
02/16/18	Mike Holatta	Event Regulations	Draft created a new group called rural commercial events that seems to violate existing rural event center code:...why? How does this differ from the December 2013 Temporary 10 Event permit, also created without public input?	Code violates previous code and is not different than current policy	No Change	- Proposed code does introduce new event category currently managed by the temporary event policy. Public input is incorporated
02/19/18	Chris Hunter Ott & Murphy	Event Regulations	More flexibility in permitting should be incorporated to protect neighboring parcels. Types I, II and III permitting could be based on actual impacts demonstrated via conditional permitting of such events prior to granting the Type designation. The distinctions in frequency and attendees among types is not appropriately scaled. A limit of 2 Special Events a year seems too little and we suggest 12 per year (or one per month).	Allow 12 special events a year, scale based number of attendees and frequency	Discussion Item	- DEFINITION review frequency as a way of scaling and permitting. No change to frequency of special events recommended - these are not business plan events but public interest events

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02/20/18	Wineries Mtg - Comforts	Event Regulations	Raise the number of persons allowed without a permit from 50 to 75. Or, consider a different number if event indoors vs outdoors.		Discussion Item - DEFINITION consider increase to attendees allowed without a permit
02/20/18	Wineries Mtg - Comforts	Event Regulations	Charity events should be allowed and not count against money making events - 6 per year	Exempt charity events outright	Discussion Item - DEFINITION Charity event exemption
02/20/18	Wineries Mtg - Comforts	Event Regulations	Also, all wineries who have obtained permits and have followed the rules to host events, while Island County has been in the process (8 years) of defining wineries and events, should have the fees waived for any newly required permits waived, including but not limited to fees for any type 2 or 3 review.	Waive fees for those holding temporary use permits for new process	Discussion Item - FEE WAIVER
02/20/18	Wineries Mtg - Comforts	Event Regulations	Change commercial ag to a type 2 decisions for events.	Permit Type for Commercial AG	Discussion Item - PERMIT TYPES Consider lowering permit type for CA parcels
02/20/18	Wineries Mtg - Comforts	Event Regulations	Allow larger than 50 person events that do not count against Rural commercial events. If they are completely contained indoors. Within permitted facilities with parking. (Maybe 75 or 80). Walla Walla code		Discussion Item - DEFINITIONS Consider increase to attendees allowed without a permit
√ 02/20/18	Wineries Mtg - Comforts	Event Regulations	Larger than 50 people and 10 events for agritourism		Discussion Item - AGRITOURISM AND DEFINITIONS
02/20/18	Wineries Mtg - Comforts	Event Regulations	For all events (winery, commercial use, or agritourism): We are most comfortable with a db level restrictions for noise as well as abiding by the Island County noise ordinance already in place. All outdoor amplification of sound should use the db level of restriction to keep noise at a comfortable level for neighbors. Also noise ordinance regulations will balance neighborhood disturbances as these regulations are already in place and proved to work.	Noise and amplification could be measured by db	Discussion Item - NOISE Noise and outdoor amplification
02/21/18	Colleen Maschmedt	Event Regulations	Regarding nearby winery - Their extremely large facility is on a bluff that is just above my property. The bluff and where my home is situated below created a natural amphitheater of sorts and standing outside my home I can hear the pastor's instructions and the vows read by those getting married. The onslaught of music loudly playing is impossible for	Noise concerns	Discussion Item - NOISE Discussion on noise and amplification
02/23/18	Temp Event Permit Neighborhood Mtg: Tim Kangas	Event Regulations	No Amplified Music in any rural commercial events;	Eliminate amplified music from all rural events	Discussion Item - NOISE on outdoor noise and amplification
02/23/18	Temp Event Permit Neighborhood Mtg: Tim Kangas	Event Regulations	Remove number of attendees from event definition - remove use from event definition	Change event definition	Discussion Item - DEFINITION Event definition
02/23/18	Temp Event Permit Neighborhood Mtg: Tim Kangas	Event Regulations	Require Type III permit review for all events		Discussion Item - PERMIT TYPES Event Permit Types
02/24/18	Mary Walsh	Event Regulations	Acceptable noise levels cannot be enforced because both island and state officials are unable to afford required commercial sound measuring equipment or personnel to operate it. Given that reality, they do not respond to complaints and only occasionally are able to visit an event site to enforce the 10 PM closure. The county code enforcement officer	Amplified sound should be prohibited at all outdoor gatherings and restricted to indoor facilities with closed windows and doors. This includes all plugged in sound equipment.	Discussion Item - NOISE on outdoor noise and amplification
1-22-18 / Planning Comm. Mtg	Penelope Stuart Bourke	Event Regulations	Family Forest Fest Camping Event - Nothing in the proposed code would prevent this type of large scale event from occurring in a small neighborhood setting - lack of venues makes the problem worse.	Provide regulations that regulate uses on private properties in small rural neighborhood to prevent large disruptive events - family forest fest related	No Change - Regulations, as provided, will address these concerns. - Site plan requirements will require the identification of critical areas, sanitation, parking, access, emergency access, noise, and other impacts to neighboring properties.
02/20/18	Wineries Mtg - Comforts	Event Regulations	Change events to 75 max. without counting as an event on 10 acres or larger	Scale event attendees by parcel size; allow events with 75 attendees or less to not count as event on parcels 10 acres or large	Discussion Item - DEFINITION Consider exemption for events up to 75 for larger parcels.
√ 02/20/18	Wineries Mtg - Comforts	W, B, D, C Regulations and Event Code	Agritourism events: should be allowed outright if they are to support and promote agritourism. Per the Island County Comprehensive Plan farms and agriculture contribute to rural character. Events and activities that help sustain and promote farms and agriculture financially should be allowed based on current building structures, occupancy, and parking limitations.	Allow events by right as part of Agritourism	Discussion Item - AGRITOURISM Explore Agritourism option

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02/20/18	Wineries Mtg - Comforts	W, B, D, C Regulations and Event Code	Use the Walla Walla County Code as a reference that wineries are outright permitted to do certain events including trade-related functions, wine club events, winemaker dinners, and regional promotional events.	Allow events by right at wineries	No Change - One objective of the study was to separate events from other primary activities - not consistent with approved objectives
02/23/18	Temp Event Permit Neighborhood Mtg: Carrie McLachlan	W, B, D, C Regulations and Event Code	N amplified music in rural areas especially those that abut residential uses; all events and winery activities must be held inside, wineries next to rural residential should not be allowed to have cannons or bird call	Eliminate amplified music from all rural events	Discussion Item - NOISE on outdoor noise and amplification
02/23/18	Temp Event Permit Neighborhood Mtg:	W, B, D, C Regulations and	Glare and traffic lights from cars at events are very disturbing in the rural area	Provide buffers from parking areas and drive aisles	Discussion Item PARKING BUFFERING AND SETBACKS - buffering parking and drive aisles
02/23/18	Temp Event Permit Neighborhood Mtg:	W, B, D, C Regulations and	"This table also must fix very weak descriptions for access. "Adequate access" must be specifically defined in Island County Public	Define access specifications more specifically	No Change - staff will default to acceptable road functional classifications as provided for in existing code and Comp Plan.
02/26/18	Tim Kangas	W, B, D, C Regulations and Event Code	Unfortunately by combining the event code fix with the creation of a new winery code and including statements like "adequate access" and "approved public roads" you opened the door to this problemThe current approach of trying to create draft regulations that simultaneously	Prepare Event Code First - address access there	No Change - we are addressing two items simultaneously - an approach approved by the BOCC
02/26/18	Tim Kangas	W, B, D, C Regulations and Event Code	Protecting existing private property and private access rights and restrictions to ensure protection of existing rural character and quality of life."	Restrict access on private drives	Discussion Item - ACCESS Private Access - new comments call for further discussion on this item
02/26/18	Tim Kangas	W, B, D, C Regulations and Event Code	Protecting existing private property and private access rights and restrictions to ensure protection of existing rural character and quality of life."	Specify clearly that access will not be permitted on private drive	Change -private access -this can be specified more clearly specified in code. Private access will need to be more fully discussed based on comments provided. Staff anticipates adding clarification.
02/20/18	Wineries Mtg	W, B, D, C Regulations	Food service is a concern, need to be able to make money in multiple ways. If not making food to order, bulk sandwiches or pizza for instance, then should be allowed.	Consider allowing packaged food; look at Yakima code for tasting rooms - allows Level 1 food service. Consider adding a definition for food service.	Discussion Item - FOOD SERVICE allow limited food service
02/20/18	Wineries Mtg	W, B, D, C Regulations	Concerned about parking regulations. Who should the parking be screened from (neighbors, public road)? If property at top of hill, visible from public road which is quite a ways away, why need to screen? Why need parking regulations at all? Why permanently screen a beautiful property when will not have parking all the time (negative impact to beautiful properties)?	Consider eliminating screening requirements	Discussion Item - SCREENING
02/20/18	Wineries Mtg	W, B, D, C Regulations	Want to be able to bring parking closer to the property line if screened with a fence/wall.	allow variable setbacks with screening	Discussion Item - PARKING SETBACKS consider variable parking setbacks based on screening type provided
02/20/18	Wineries Mtg	W, B, D, C Regulations	Hearing Examiner decision recommended removing restrictions on types of road based on transportation concurrency (2007).	review decision and remove access requirements	Potential Discussion Item - ACCESS Consider removing access preferences and restrictions.- This will need to be reviewed with Public Works more thoroughly
02/20/18	Wineries Mtg	W, B, D, C Regulations	Concerned about definition of tasting room not meeting state code about wineries being allowed to sell wine that they mix (not just produce).	Consider changing the language in the definition from "wine produced on the winery" to "wine of the winery"	Discussion Item - TASTING ROOM DEFINITION consider alternate language for definition of tasting room
02/20/18	Wineries Mtg - Blooms	W, B, D, C Regulations	Wineries should have to produce their wine in Island County or be called a tasting room, not a winery.		No Change
02/20/18	Wineries Mtg - Blooms	W, B, D, C Regulations	Signage off site - at highway as example - where we don't own property but have owner ok or easement	Address off site sign regulations	No Change - not in the purview of this project
02/20/18	Wineries Mtg - Comforts	W, B, D, C Regulations	Want to be able to allow parking on grass and not on paved or gravel surfacing.	allow unpaved parking areas	Discussion Item - PARKING allow alternative parking surface standards

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02/20/18	Wineries Mtg - Comforts	W, B, D, C Regulations	Food Service allowed if used to help promote agriculture activities of the property.	Allow enhanced food service at wineries	<u>Discussion Item</u> - FOOD SERVICE
02/20/18	Wineries Mtg - Comforts	W, B, D, C Regulations	Allow wineries to have limited food service: Wineries will be allowed limited food service on-site. This food service does not include restaurants, unless otherwise allowed in the zoning district (deli-service of prepackaged food, winemaker dinners, food service for events... Food service can be used to enhance the wine experience and promote a safer tasting experience by pairing food with wine.		<u>Discussion Item</u> - FOOD SERVICE
√ 02/20/18	Wineries Mtg - David Ott	W, B, D, C Regulations	Growing of vines is allowed, not required.	Eliminate grow component	<u>Discussion Item</u> - DEFINITION - grow component
02/20/18	Wineries Mtg - David Ott	W, B, D, C Regulations	Food service is allowed, per IC Health Dept.	Allow more food service at wineries	<u>Discussion Item</u> - FOOD SERVICE
02/20/18	Wineries Mtg - David Ott	W, B, D, C Regulations	Allow wholesale or retail sales at W, B, C, & D	This is already allowed consistent with the definition	<u>No Change</u>
02/21/18	Brad Thompson - Dancing Fish	W, B, D, C Regulations	I am very concerned about the definition of "Tasting Room" - narrowly crafted and is written in such a way as to limit competition. If IC were to adopt this definition we would have to close our winery.	Consider Yakima County tasting room definition	<u>Discussion Item</u> - DEFINITIONS Tasting room definition
√ 01/29/18	Ryan Parcell	W, C, B, D Regulations	For the growth of a cider industry and for future cider makers here on Whidbey I ask that group 1 be allowed to used home orchard fruit. It seems odd that only those without apple trees can try to develop a home cider business.	Allow Grow in Home Industry - Group 1s	<u>Change</u> - DEFINITION Add text that clarifies that growing is allowed in all districts - it was never the intent to prevent growing where parcel size allows for it in any district where wineries cideries etc. are allowed.
01/30/18	Ryan Parcell	W, C, B, D Regulations	For my situation, I ask that the option of 5-10 acre site be included in group 3.	Minimum parcel size as 5 acres	<u>Discussion item</u> - SITE SIZE parcel size for cideries
√ 02/04/18	Bev Heising	W, C, B, D Regulations	I am in agreement with most of the changes except maybe the growing aspect. My biggest concern of the proposed changes, is the "to grow" element that has been added to the current regulations for adult beverage producers. Where does this come from? There is nothing in Washington State law that requires you to grow product for licensing or producing adult beverages.	Eliminate reference to state law regarding "grow" requirement - this is a local proposition and not provided for in state law.	<u>Change</u> - DEFINITION eliminate grow component
√ 02/08/18	Distillery Meeting - American Legion Hall	W, C, B, D Regulations	Separate out distilleries from other facilities: eliminate grow component and make the minimum acreage requirement 4 acres for Type 1 and Type 2 facilities (not in CA- where it becomes 10 acres for both Type 1 and Type 2) No change for Type 3.	Revise Matrix to adjust parcel sizes down but retain the elevated permit type for larger facility types	<u>Discussion Item</u> - SITE SIZE and PERMIT TYPES Distillery parcel size
02/16/18	Mike Holatta	W, C, B, D Regulations	Why combine wineries with ciders, distilleries and other hard liquor businesses?	Separate hard liquor from other facilities.	<u>Change</u> - staff recommends separating out distilleries and breweries from wineries and distilleries
02/19/18	Chris Hunter & Murphy	Ott W, C, B, D Regulations	IC Regulations should honor the community values and economic impact of current Island County small-scale wine producers, and they should not reduce the opportunities for the economic growth of current or new small-scale wine production in Island County.	General Comment in Support of Wineries	<u>No Change</u>
02/19/18	Chris Hunter & Murphy	Ott W, C, B, D Regulations	The Draft excludes some State licensed wineries from having tasting rooms where products are displayed, and sold. This exclusion has the same disastrous economic impact on a small home industry business as would excluding artists, artisans, potters, crafters, and other home industries from using their studios or showrooms to on-site showcase and sell their products. Limited days and hours of public access to the winery Home Industry production site should be considered a reasonable restriction of the impact of on-site product sales on site on surrounding parcels. This use could be conditional.	Allow sales and tasting rooms for home industries	<u>Discussion Item</u> - more evaluation needed for consistency with home industry standards. Winery Group IIIs are proposed for the rural area subject to lot size and other conditional restrictions.

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02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	The relationship between Groups of Wineries should be collapsed into no more than 2 groups. Home Industry/Group 1 and Group 3 production activities are the same, though on-site commercial activity is only included for Group 3 wineries.	Group 1 wineries and Group 2 wineries should be combined	Discussion Item - Combine Group 1 and 3 wineries
02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	Consider regulating wineries based on scale of production - small family winery (under 10,000 cases per year) impact is minimal - all IC wineries combined less than that now; anticipate new industrial site regulations for larger wineries and distinguish from small-scale production wineries	add another category with different conditions for large-scale production facilities	No Change
02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	Suggest that "food service" should be included as a conditional use allowed for all wineries when other Health Department regulations on food service are met and there is no impact on the rural character of the	Allow food service	Discussion Item - Allow food service at wineries
√ 02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	Alt 5 acres seems adequate and conforms to other Home Industry zoning regulations.	Minimum site for wineries less than 3,500 sf to five acres	Discussion Item - reduce minimum site requirement for wineries to 5 acres
√ 02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	We recommend that "grow and produce" be changed to produce alone so that it conforms to WA State LCB licensing.	Eliminate grow component clarify	Discussion Item - eliminate grow component
02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations	Why couldn't an island winery have a tasting room 40 miles away in a different part of the county if it is a rural location? This would allow a winery to grow in an organic way that enhances Island economies and maintains rural character.	Allow remote tasting rooms in the rural area	Discussion Item - location of remote tasting rooms
02/23/18	Temp Event Permit Neighborhood Mtg: Tim Kangas	W, C, B, D Regulations	Add detailed descriptions for Group 1 Winery		No Change - staff is proposing adding Group 1 wineries to the home industry conversation and related updates. We will only provide a definition in this section.
02/23/18	Temp Event Permit Neighborhood Mtg: Tim Kangas	W, C, B, D Regulations	No tasting room in any Group 1 Winery	Maintain definition of home industry to exclude tasting room	Discussion Item - TASTING ROOM HOME INDUSTRIES keep the no-tasting requirement for home industries.
√ 2/7/2018 & 2/8/2018	Bob Zymurgy and Scott Stallman	W, C, B, D Regulations	The Distilleries propose that the minimum acreage for distilleries in the Rural zone be 4 acres.	4 acre minimum for Group 3 facilities	Discussion item - MINIMUM SITE Distillery regulations
√ 2/7/2018 & 2/8/2018	Bob Zymurgy and Scott Stallman	W, C, B, D Regulations	The Distilleries are concerned that the "grow"/agriculture distinction between Group 2 and Group 3 businesses is problematic in its difficulty to define and enforce, and adding an agriculture element to our sites could pose complications with our federal requirements.	Eliminate grow component or clarify	Discussion Item - DEFINITION grow component
√ 2/7/2018 & 2/8/2018	Bob Zymurgy and Scott Stallman	W, C, B, D Regulations	Compliance with existing state and federal codes. The Distilleries agree that any Island County codes related to distilled spirits should use existing state and federal codes as a basis, and should be structured as a set of additions/amendments to those higher codes. State and federal codes have an established structure and terminology, and are constantly changing, so we should have a county code that is consistent with and changes with the higher codes. We realize that the subject of this discussion is zoning and land use, but we want to make sure that zoning/land use requirements for distilleries are compatible with our state and federal requirements.	Utilize and default to state and federal codes.	Change DEFINITION and add clarity that cites state regulations.
√ 2/7/2018 & 2/8/2018	Bob Zymurgy and Scott Stallman	W, C, B, D Regulations	a Regulation of distilleries vs wineries, breweries, cideries. We think the County will benefit from separating regulations of distilleries from those of wineries to the extent feasible. These businesses are regulated separately at state and federal levels and local codes should be as consistent as feasible.	Separate Distilleries from other adult beverage producers	Discussion Item - Distillery regulations
√ 2/7/2018 & 2/8/2018	Bob Zymurgy and Scott Stallman	W, C, B, D Regulations	Terminology. We have identified several terms in the Draft Rural Regulations that are difficult to define or unnecessarily vague, including "grow", "adult beverage". We encourage the use of established terminology in the county, state and federal codes in these draft regulations.	Align terminology with state and federal industry requirements which address "production"	Discussion item - DISTILLERY DEFINITION clarify production requirements per state
√ 02/04/18	Bev Heising	W, C, B, D Regulations	Did not find any county that requires growing anything - the following study shows multiple county requirements. https://kingcounty.gov/-/media/depts/executive/performance-strategy-budget/regional-planning/Sammamish-Study-Area/MayWorkshop/RogerPorterSammamishValleyStudies.ashx?la=en	Eliminate the "grow" component for Group 3 facilities and make all wineries, breweries, cideries and distilleries compliant with state laws (RCW and WACs) which does not require growing but does require processing/manufacturing- alternatively separate out wineries and distilleries and use the state definition.	Discussion Item - DEFINITION Eliminate grow component and separate out distilleries from wineries and cideries.
02/04/18	Bev Heising	W, C, B, D Regulations	Production should not be a menu item in the zones it is allowed - it should be a requirement to ensure authenticity of products on Whidbey island - this is more important than growing which is not consistent with other codes and hard to enforce (The LCB is having a difficult time interpreting the WAC's and RCW's for production of adult beverage. There is an ongoing debate on what production means in the adult beverage industry)	Require production in all groups except remote tasting rooms in accordance with the RCW's and the WACs	Change -TASTING ROOMS providing this requirement will ensure that remote tasting rooms do not site in the rural areas.

Public Comment Matric - Rural Lands, Phase 1

Wineries, Breweries, Cideries, Distilleries and Events

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Date / Event	Name	Topic	Comment	Specific Recommendation	Staff Recommendation Changes to Draft Regulations
02/05/18	Ryan Parcell	W, C, B, D Regulations	addressing [the] gap", pertaining to cideries that grow and produce cider without a tasting room: I'd propose that "permitted uses" be appended to specifically callout and allow this type of agricultural processing. - could add fixed percentage to address the "grown in island county requirement.	Add specific language in 17.03.060 that allows orcharding and viticulture with small scale production as a permitted use similar to other agricultural processing- percentage requirement provided to ensure most of production is related to agricultural use	Discussion Item - AGRICULTURAL PROCESSING recommends this change to 17.03.060 or alternatively this home industry standards could include contiguous parcels under the same ownership
02/14/18	Ott Murphy	W, C, B, D Regulations	Have property (30 acres) that just purchased and want to move winery there, have at minimum a tasting room and 3-5 events a year. Concerned about not being able to do so because of the proposed restriction for properties on a private drive.	Develop an option for conditional approval for private drives. Consider limitations on size of tasting room, hours of operation, revised road maintenance agreement	Discussion Item - ACCESS Consider allowing private drives with conditions
02/14/18	Ott Murphy	W, C, B, D Regulations	30 acres just purchased not good for growing grapes (soils, trees)	Consider removing the grow requirement for Group 3	Discussion Item - DEFINITION
02/14/18	Ott Murphy	W, C, B, D Regulations	Would like to option of having a private tasting room (no open to the public) for B&B guests	Consider allowing private tasting rooms for Home Industries	Discussion Item - TASTING ROOM to allow remote tasting rooms in the rural are represents a shift in the approach.
02/14/18	Ott Murphy	W, C, B, D Regulations	Group 1 (Home Industries) do not allow tasting rooms & sales - is that consistent with state law?	Question	No Change
√ 2/4/2018 and 2/7/2018	Bev Heising	W, C, B, D Regulations	Minimum acreage should reflect the industry standard established on the island	Minimum acreage for adult beverage facilities should be 4 acres not 10	Discussion Item - MINIMUM SITE Minimum acreage for distilleries. Similar concern raised by the cidery representative
01/22/18	Tim Kangas	W, C, B, D Regulations and Event Code	Citizen input through 4 years of meetings consistently demanded clarity, consistency, and fairness to in event code update; the draft is complex, confusing and contradictory to existing processes	Simplify code	Modify in final regulations - Staff will work to consolidate sections in the final strike through
01/22/18	Tim Kangas	W, C, B, D Regulations and Event Code	Page 7 is titled "notes" and as written appears to be some select subset of conditions to be met. As previously noted about page 4, these are redundant to and inconsistent with existing event conditions which all acknowledge need review, revision and update ONCE, not multiple times for different purposes.	Eliminate duplicative language and problematic language	Modify in final regulations - Where the different types of events share conditions - staff will consolidate - some of this may be duplicative of the site plan requirements in 17.03.180. Where unique criteria exist they will be provided for in the final ordinance update
01/22/18	Mike Holata - Planning Commission Mtg.	W, C, B, D Regulations and Event Code	Disappointed at regulations and it seems that residents are not going to be cared for. There are items that don't address the history here. 10 events is still not is what we have been dealing with. Amplified music is a problem.	Define who the administrator is - administrator is to ambiguous. Address amplified music.	Discussion Item - NOISE More discussion needed on amplified music.
01/22/18	Mike Holata - Planning Commission Mtg.	W, C, B, D Regulations and Event Code	Draft uses "administrator" or "hearing examiner" for many things (repeated throughout the draft). Why not make the draft update clear, well defined and self-explanatory so judges and lawyers are not needed to interpret? (this particular bullet has been brought up in previous PC mtgs)	Define who the administrator is - administrator is to ambiguous. Address amplified music.	Change - Administrator is Planning Director or his designee.
01/30/18	Tim Kangas	W, C, B, D Regulations and Event Code	Need to provide context (slide from PDF, etc.) to show what exists now and how we are drawing from that to inform this. Also helpful to have connections to simple to clear goals (to combine all event regulations under one section; clarify that there is a single event definition & regulatory subcategories, etc.).	Add more context and show exiting code- also demonstrate compliance with stated goals	Change
01/30/18	Tim Kangas	W, C, B, D Regulations and Event Code	Make it more clear that wineries and events are separate codes - Wants/likes them separate; likes events all in one section	Make it more clear that wineries and events are separate codes	Change - Staff will try to clearly delineate the separation in format and text
02/05/18	Wayne Cesaro	W, C, B, D Regulations and Event Code	Comforts, as well as all other Whidbey wineries, has an establishment that offers a wine bar and seating. A wine bar is another form of their business and a source of revenue. Nothing is keeping the wineries from promoting their bars or other lines of revenue. Patrons at their bars would not be playing amplified music and parking on the side of a 50 MPH road. No problem, right? But the amplified events with the heavy traffic and parking on the 50 MPH road (parking that could be argued as hazardous) are problems to the neighbors.	Put in place parking requirements that do not allow overflow parking on street	No Change - on site parking will be required per approved site plan.
02/05/18	Wayne Cesaro	W, C, B, D Regulations and Event Code	Patrons at their bars would not be playing amplified music and parking on the side of a 50 MPH road. No problem, right? But the amplified events with the heavy traffic and parking on the 50 MPH road (parking that could be argued as hazardous) are problems to the neighbors.	Put in place standards that restrict amplified music (not after 10:00 during summer months only.	Discussion Item - NOISE More discussion needed on amplified music.
02/08/18	Distillery Meeting - American Legion Hall	W, C, B, D Regulations and Event Code	Eliminate language that refers to processing - link to state terminology- Chapter 314-28-030 WAC which indicates that licensed distilleries may sell and provide free samples of spirits of "their own production"	Link Distillery Definition to RCWs /state definition reference RCW 66.04.010 and RCW	Change - Revise definition to state: Distillery - A facility licensed under RCW 66.24.145 or RCW 66.24.140 engaged in the sale or sampling of spirits of its own production- in accordance with state law.
02/08/18	Distillery Meeting - American Legion Hall	W, C, B, D Regulations and Event Code	Recommend waiving fees for amended permit as may be required by the new code.	Waive fees for amended permits	Discussion Item - FEE WAIVERS Consider waiving fees for amended permits for permit holders who want to seek new permit under new code
02/08/18	Distillery Meeting - American Legion Hall	W, C, B, D Regulations and Event Code	Conditions provided are not problematic.		No Change
02/08/18	Kristin Griffith Ebey's Reserve Manager	W, C, B, D Regulations and Event Code	Urging Island County to prevent loss of agriculture for non-agricultural purposes. Urging protection of historic/cultural resources and agricultural uses.	General Comment	No Change

Public Comment Matrix - Rural Lands, Phase 1

Wineries, Breweries, Cideries, Distilleries and Events

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Date / Event	Name	Topic	Comment	Specific Recommendation	Staff Recommendation Changes to Draft Regulations
02/16/18	57 Residents - originally dated on December 1, 2015	W, C, B, D Regulations and Event Code	Large events should be located in the urban areas of the islands, leaving our rural neighborhoods free of noise, traffic, and activities that compromise public safety. The rural character so highly valued by both residents and visitors to the islands is easily destroyed by large parking lots, industrial lighting, and oversized buildings that are required to host partygoers. Amplified music and sound, crowd noise, traffic, and unpredictable behavior has no place in our rural neighborhoods.	Large Events should be in urban areas; amplified music, crowd noise, traffic all are inappropriate for rural neighborhoods	Discussion Item - NOISE AND TRAFFIC regarding restriction large events to urban areas and amplified music and noise.
√ 02/16/18	Mike Holatta	W, C, B, D Regulations and Event Code	Current draft still confusing, complex and does not incorporate past public comments.; Draft acknowledges other communities have fixed event related challenges/issues/problems, but does not apply the demonstrated lessons of those.	Simply code - reflect lesson learned from other communities	Change - staff will continue to work to simplify final code edits - to date only summary sheet has been created -
02/16/18	Mike Holatta	W, C, B, D Regulations and Event Code	Draft creates several new definitions instead of following San Luis Obispo experience; why not one definition for events? Why combine wineries with ciders, distilleries and other hard liquor businesses?	Use one definition for events similar to San Luis Obispo	No Change. San Luis Obispo has two definitions as well and three categories of events.
02/16/18	Mike Holatta	W, C, B, D Regulations and Event Code	Noise is a huge problem. What is the intent of page 9, reference to chapter 9.60.030 (.020?) How will the County enforce? Who will enforce? (In development of this draft, has it been considered to say no amplified music at any event unless conducted at a major approved rural event center?)	Question about amplified music and was no amplified music an option presented?	Discussion Item - NOISE Amplified Music
02/17/18	Mike Holatta	W, C, B, D Regulations and Event Code	Why make changes to our current codes at all? What economic data or public input is driving this update? Or is this about one winery's push to change the code to benefit their business?	Question	No Change
02/18/18	Mike Holatta	W, C, B, D Regulations and Event Code	The draft is void of several past decisions (Hearing Examiner, Planning Department, Building Department) that would have major impacts on any new winery and event regulations. Why? Are they to be ignored or not included in the development of this new winery and event regulations draft?	Where are the references to departmental processes.	No Change - ICC provides for departmental processes - this will be incorporated into the established procedures for review.
02/19/18	Chris Hunter & Murphy	Ott W, C, B, D Regulations and Event Code	Use of a private road as access should be approved as a conditional use when it incorporates appropriate agreements among all parcels also using that private road for access. Amend the Access condition to: "The facility shall have adequate access from a state highway, arterial collector, approved public or conditionally approved private road.	Allow use of private drives based on certain criteria	Potential Discussion Item - will require input from Public Works Director - more information needed.
02/19/18	Chris Hunter Ott & Murphy	W, C, B, D Regulations and Event Code	A licensed Winery operating primarily as a Rural Commercial Event site should be regulated as an Rural Event Center if its on-site financial gain from Events exceeds its income from grape growing and/or sales of wine.	Require Rural Event Permit only if winery exceeds certain income thresholds for events	No Change Recommended - if a winery anticipates that the primary use will shift to events - the rural event permit should be obtained by the property owner. Approved permits should precede utilization of the facility as an event center.
1-22-18 / Planning Comm. Mtg	Mutiny Bay Distillery /Scott Stahlman	W, C, B, D Regulations and Event Code	Draft Regulations are in conflict with future aspirations for his site - he is hoping to have other avenues for input on specific measures.	Continue the public input	No change
1-22-18 / Planning Comm. Mtg	Rita Comfort	W, C, B, D Regulations and Event Code	Appreciates all the effort going into the project. A great deal of work is still needed. Agritourism is essential to allow agricultural businesses to continue. Wineries and events will bring families back to the Island.	Continue the public input	No Change
1-22-18 / Planning Comm. Mtg	Tim Kangas	W, C, B, D Regulations and Event Code	Citizen is the customer and the buyer of the process. Thanking PC for opportunity and referenced email sent the same day.	Continue the public input	No Change
√ 2/6/2018 - Phone call	Rita Comfort	W, C, B, D Regulations and Event Code	Utilize Yakima method and allow events by right for agritourist uses- with varying permitting types based on impact - other rural commercial event can apply for non-agricultural uses	Separate out agritourism uses and allow events, recreation, entertainment to those unique uses that are compatible and support agriculture	Discussion Item - AGRITOURISM event code should be specific for agritourism