



2480 State Highway 193
Cool, CA 95614
530-802-0062
12/10/2024

Public Comment Received 12/10/24
#6
Item # 24-2141
12/11/24 Meeting

Dear Esteemed Commissioners,

We at Black Oak Mountain Vineyards are grateful for your time and attention in reviewing our application for a CUP to expand and better define the event element of our business.

A little bit about us- we are a combination small event venue, vineyard grower and hold an ABC type 02 wine producer license. We farm 5.5 acres of Petite Sirah, Pinot Noir, Cabernet Sauvignon, Malbec, Primitivo and Cabernet Franc. We produce 60-120 cases annually of a red blend: bottles currently on the shelf for sale are The Pantera 2021 and the Killer Bee 2022. Our next bottle will arrive in March of 2025. We also produce our Killer Bee honey from an apiary located on our property. It is not our business model to focus exclusively on wine. Our vision is a hybrid business that hosts ceremonial and community events like weddings, special occasion gatherings, prom parties, etc. hosted in a bucolic, agriculturally-tended landscape. The wine production is small, boutique and exclusive. The products are available only to the event clients and their guests. We acknowledge that the production side is modest, we produce enough for our client-based market to support. But having the ability for the wedding client to have an all-encompassing experience of being married on the land that produces the wine they are celebrating on, is an integral part of our value proposition. Our guests want to be married in the countryside and not an urban setting for a reason.

Though the agricultural side of things is not our only revenue right now, it is a fundamental part of our brand and our image. On the event side of things, our usual capacity for a wedding is 100-150 people. That is our largest event type. Much of our event allotment will be used in smaller, non-amplified events such meetings, retreats and social gatherings. (See attached matrix)

The process to get here has been difficult on all sides and we acknowledge that. We have heard and are earnestly taking into account the feedback we have received from staff and neighbors and would like to enumerate some of the solutions we propose to resolve them.

Amplified noise is a primary concern. We are proposing a reduction from the 24 allowable

outside amplified events to only 6 weddings with outdoor amplified music. This is 25% of what is currently allowed under Ranch Marketing. We have also already implemented, and will continue to, indoor/enclosed amplified music with silent-disco headphones for people who want to go outside. We also understand that due to the terrain sound may travel differently and affect houses on hills nearby- to understand this impact we have agreed to an additional County recommended sound study as well as a County recommended peer review of our existing sound study to verify technical accuracy so that we can really grasp how the sound is traveling and see what we can do to mitigate it to specific locations.

In response to complaints around activity and events at the house on the property we are proposing to do only low-key, social gatherings such as brunches and pre-wedding cocktail hours with acoustic instruments or simple sound from the house system, set at a background level.

We have already created and will continue a policy with clients against evening/late night use of the pool or outdoor activity that generates sound to educate and enforce a rural event etiquette. We look forward to the process of creating a proposal that will work for our business, the county and the neighbors.

Thank you for your consideration,

Signed:

A handwritten signature in black ink, appearing to read 'Brad Christian', written over a horizontal line.

Brad Christian
Owner, Black Oak Mountain Vineyards



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Black Oak Mountain Vineyards

Response to Staff findings and General Plan compliance for CUP 22-0013

RE: EL DORADO COUNTY GENERAL PLAN AGRICULTURE AND FORESTRY ELEMENT

OBJECTIVE 8.1.4: DEVELOPMENT ENTITLEMENTS

Consideration of the agricultural use of land prior to approvals for any development entitlements.

Policy 8.1.4.1 The County Agricultural Commission shall review all discretionary development applications and the location of proposed public facilities involving land zoned for or designated agriculture, or lands adjacent to such lands, and shall make recommendations to the reviewing authority. Before granting approval, a determination shall be made by the approving authority that the proposed use:

A. Will not intensify existing conflicts or add new conflicts between adjacent residential areas and agricultural activities;

Our current allowable amplified special events under the Ranch Marketing Ordinance (RMO) are 24, the proposed County revisions may reduce that to 12. We are proposing only 6 weddings with amplified outdoor music under this CUP. Half of the proposed RMO number.

This results in a REDUCTION, rather than an intensification of the type of activity that is considered the primary “nuisance” and source of conflicts. (Please see the attached 3 year projection for annual event growth rate)

Furthermore, the remaining events proposed will be indoor amplification only or acoustic (if music). Outdoor enjoyment of the music will be required to have “silent disco” style headphone systems. This change is also a REDUCTION, rather than an intensifying of conflict-causing nuisance complaints. This is also far less than the *by-right marketing uses* that this property inherently has the potential to generate should a fully commercial winery or farm business be operated here. Our hybrid vineyard/event business model and proposal is arguably less impactful than what a winery would be able to do by right. Unlimited marketing events, daily public traffic, unlimited amplified music at marketing events, tour buses, etc.

B. Will not create an island effect wherein agricultural lands located between the project site and other non-agricultural lands will be negatively affected;

The island effect has consistently and historically been understood, and applied accordingly, to be referring to the land itself, *not the activity or use*. It refers to the physical isolating and surrounding of agricultural parcels by residential or commercial zoning and development- *not the other way around, as staff is suggesting in their report*. Staff is defining the commercial activity of events as becoming an island surrounded by agriculture and that it is the Agricultural Commission's charge to prevent that. If this interpretation is applied, then is not every commercial activity on existing wineries and farms *that is not a farming activity* out of compliance with the general plan and to be disallowed? Would this not mean that the special event uses allowed under Ranch Marketing are also out of compliance? Many wineries and farms have retail areas that sell products not farm related and produced elsewhere. Craft vendors and any CUP permitted commercial activity would need to be denied on this “island effect” of commercial use becoming an island on an agricultural property. This is clearly not the intention of Policy 8.1.4.1

C. Will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjacent to agricultural lands.

Our project will sustain large parcel sizing. Allowing a viable, income-producing use that leverages and highlights the existing agriculture and open space as the primary value proposition to visitors and consumers, ensures that these large rural properties can afford to be maintained and continue to operate. The original owner of our land, a neighbor now, tried and failed to have this very parcel rezoned into a residential subdivision. This type of development- the conversion of agricultural and open space land to residential development- is the primary threat to agriculture that the Agriculture and Forestry Element seeks to defend against, *not a complimentary use like ours* that integrates cultural and community celebrations with the natural and cultivated landscape.



BLACK OAK MOUNTAIN VINEYARDS EVENT PLANNING & SUSTAINABLE GROWTH STRATEGY 3-5 YEAR PLAN

Focused on controlled growth and sustainable community integration

OUTDOOR AMPLIFIED MUSIC WEDDINGS

SPECS: OUTDOOR AMPLIFIED MUSIC

- ✔ REDUCED TO 6 EVENTS PER YEAR
- ✔ OUTDOOR MUSIC ENDS AT 9:30PM
- ✔ DECIBEL READINGS EVERY 30 MIN
- ✔ LIMITED TO 150 GUEST MAX

INDOOR AMPLIFIED MUSIC WEDDINGS

SPECS: INDOOR CONTAINED AMPLIFIED MUSIC

- ✔ PROJECTED 65 EVENTS PER YEAR
- ✔ LIMITED TO 150 GUEST MAX
- ✔ AMPLIFICATION IS INDOOR ONLY
- ✔ SILENT DISCO HEADPHONES OUTSIDE

BASIC SPACE RENTAL

SPECS: GATHERINGS AND RETREATS

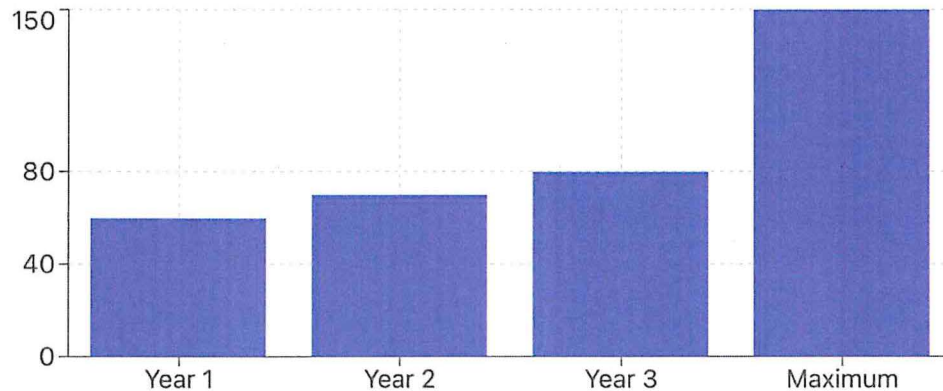
- ✔ UNDER 50 GUESTS
- ✔ NON-AMPLIFIED ONLY

CHARITABLE EVENTS

SPEC: SCHOOL FUNDRAISER / PROM

- ✔ UP TO 150 GUESTS
- ✔ INDOOR CONTAINED AMPLIFIED SOUND ONLY

Controlled Growth Strategy



Note: Maximum capacity of 150 events shows long-term potential, with careful scaling over initial years



KEY CONSIDERATIONS FOR THIS APPLICATION

- Guest capacity reduced to 150 max from 250 allowable
- Outdoor amplified event end time reduced to 9:30PM from 10PM
- Outdoor amplified events reduced from 24 allowable to just 6
- We have agreed to an additional County recommended sound study
- Diverse event mix to reduce impact
- Gradual growth approach over three years

