



## County of Sonoma Agenda Item Summary Report

Clerk of the Board  
575 Administration Drive  
Santa Rosa, CA 95403

**Agenda Item Number:**  
(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** July 12, 2016

**Vote Requirement:** No Vote Required

**Department or Agency Name(s):** Permit and Resource Management

**Staff Name and Phone Number:**

Jennifer Barrett 565-2336

**Supervisorial District(s):**

All

**Title:** Winery Events Study Session

### **Recommended Actions:**

Receive a presentation on the County's winery promotional and event activities and adopt a Resolution of Intention directing staff to prepare a draft ordinance addressing the key winery event issues.

### **Executive Summary:**

The purpose of this study session is to provide the Board with an overview of the County's wine industry trends from a regulatory perspective and adopted General Plan policies that guide visitor serving uses. This report summarizes key issues that have emerged and the policy options that could reduce the potential for neighborhood conflicts and provide more certainty to the permitting process for operators. Staff requests that your Board consider the report and presentation and adopt a Resolution of Intention directing staff to prepare a draft ordinance to amend the Zoning Code to include development criteria and standards for winery events.

### **BACKGROUND/HISTORY**

The wine industry is the largest agricultural sector in Sonoma County with 62,135 acres of vineyards producing a crop value of \$442 million. The total estimated retail value of wine produced in Sonoma County is estimated at \$7.6 billion. Wine-related tourism is the largest sector of the Sonoma County economy generating more than \$1.25 billion in 2012. The wine industry contributes an estimated \$13.4 billion annually in local economic value and provides over 54,000 jobs. Agriculture is also a critical driver in preserving open space and rural character. Important Farmlands mapped by the State Dept. of Conservation which include all irrigated cropland, comprise 15 percent of the total land area in Sonoma County.

## Business Need

Due to the decline of distributors across the country, the wine industry has increasingly shifted the mode of wine marketing to focus on direct-to-consumer sales. This shift has driven an increase in promotional activities and events that bring customers to agricultural areas for wine release parties, winemaker dinners, open house and industry-wide events and other gatherings that have, in some situations, resulted in neighborhood impacts and potential land use conflicts. As part of the review of the Comprehensive Planning Work Plan in 2015, the Board directed staff to work with industry and stakeholder groups to develop county-wide standards for promotional activities and events on agricultural lands balancing wine industry needs and protecting neighborhood character; and address land use compatibility issues due to local concentrations of events in some areas, particularly Sonoma Valley, Dry Creek Valley, and Westside Road.

## Stakeholder Input

The PRMD Director formed a Working Group of stakeholders that met for six months to review existing policies and zoning provisions and inform staff of key issues and policy options. Following the Working Group meetings, staff conducted a large public workshop attended by an estimated 500 people and received written comments from various groups. Staff reviewed regulations from other counties, completed an audit of use permits issued to date, updated the winery database and contracted with a qualified traffic and noise consultants to assist with the analysis. The traffic and noise reports are currently in progress.

## **GENERAL PLAN POLICIES**

An Agricultural Resources Element was added to the General Plan in 1989 to strengthen the county's policies to protect agricultural lands and support farming. The General Plan Agricultural Resources Element contains several goals, objectives, policies and programs intended to balance competing interests while maintaining the rural character of the area. Relevant General Plan policies are provided in Attachment 1 and include:

***Policy AR-6a:*** *Permit visitor serving uses in agricultural categories that promote agricultural production in the County, such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events that support and are secondary and incidental to local agricultural production. Limit recreational uses to the "Land Extensive Agriculture" and "Diverse Agriculture" categories, specifically to bed and breakfast inns and campgrounds of 30 or fewer sites.*

***Policy AR-6f:*** *Local concentrations of visitor serving and recreational uses, and agricultural support uses as defined in Goal AR-5, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and may constitute grounds for denial of such uses. In determining whether or not the approval of such uses would constitute a detrimental concentration of such uses, consider all the following factors:*

- (1) Whether the above uses would result in joint road access conflicts, or in traffic levels that exceed the Circulation and Transit Element's objectives for level of service on a site specific and cumulative basis.*

(2) Whether the above uses would draw water from the same aquifer and be located within the zone of influence of area wells.

(3) Whether the above uses would be detrimental to the rural character of the area.

**Policy AR-6g:**

*Define in the Development Code compatible visitor serving uses such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events which support and are incidental to local agricultural production, and define their permissible sizes and intensities.*

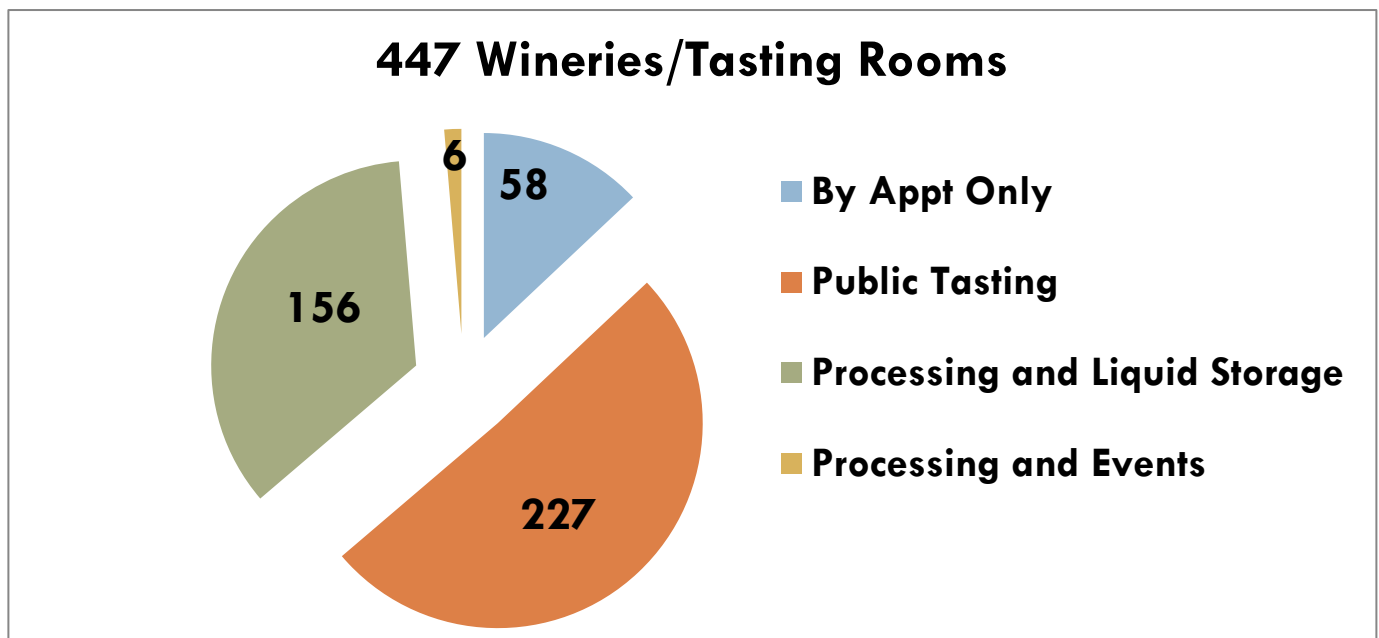
In accordance with General Plan policies, all event activities in agricultural and resource areas must promote local agricultural products and be secondary and incidental to local production. The key policy question that has been raised is:

What should be the permissible sizes and intensities for these types of promotional activities in agricultural areas?

Permit Requirements

Prior to 1989, the zoning code allowed agricultural cultivation by right and retail sales and tasting rooms with a use permit, but did not allow events or promotional activities. In 1989, the Agricultural Resources Element was added to the General Plan, which included a change in policy allowing agricultural promotional activities on agricultural lands where compatible with long-term agricultural use of the land. These policies were implemented in the 1993 zoning code update, which allows sales and promotion of agricultural products with a use permit, as well as occasional cultural events with an administrative zoning permit.

**Figure 1: Permitted Wineries and Tasting Rooms June 2016**

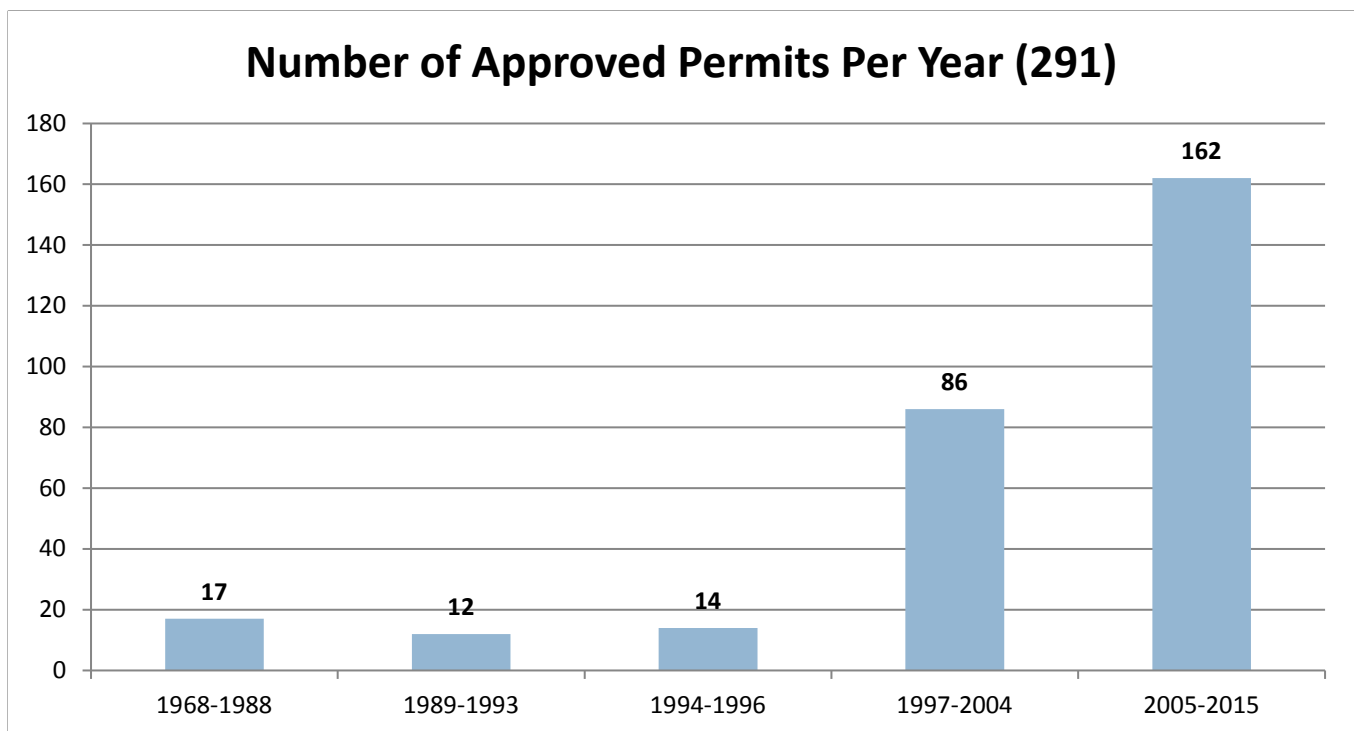


As of June 2016, there were 447 permitted wine-related facilities including 227 public tasting rooms, 58 by-appointment-only tasting rooms, 156 liquid storage or processing only wineries and 6 processing only with events, as shown in Figure 1. Most of the permitted tasting rooms are allowed to participate in industry-wide events (unless prohibited in the use permit). Use permits also specify other promotional activities and events depending upon site constraints and marketing plans of the operator.

### Active Permits by Year

Excluding the liquid storage and processing only permits, there are 291 active permits for winery or tasting rooms with potential for event activities. As can be seen in Figure 2 below, the number of use permits related to events has risen sharply since the 1993 code amendments with 262 use permits issued. As many wineries have applied for modifications to their use permits, there are only 29 wineries currently operating in Sonoma County with use permits issued prior to 1993. Since 2005, 166 permits have been issued with 101 permits for new wineries or tasting rooms and 65 modifications to prior use permits. Of the 65 modifications to prior permits, 38 were for addition of events or tasting rooms to existing wineries.

**Figure 2: Winery and Tasting Room Permits Approved by Year**



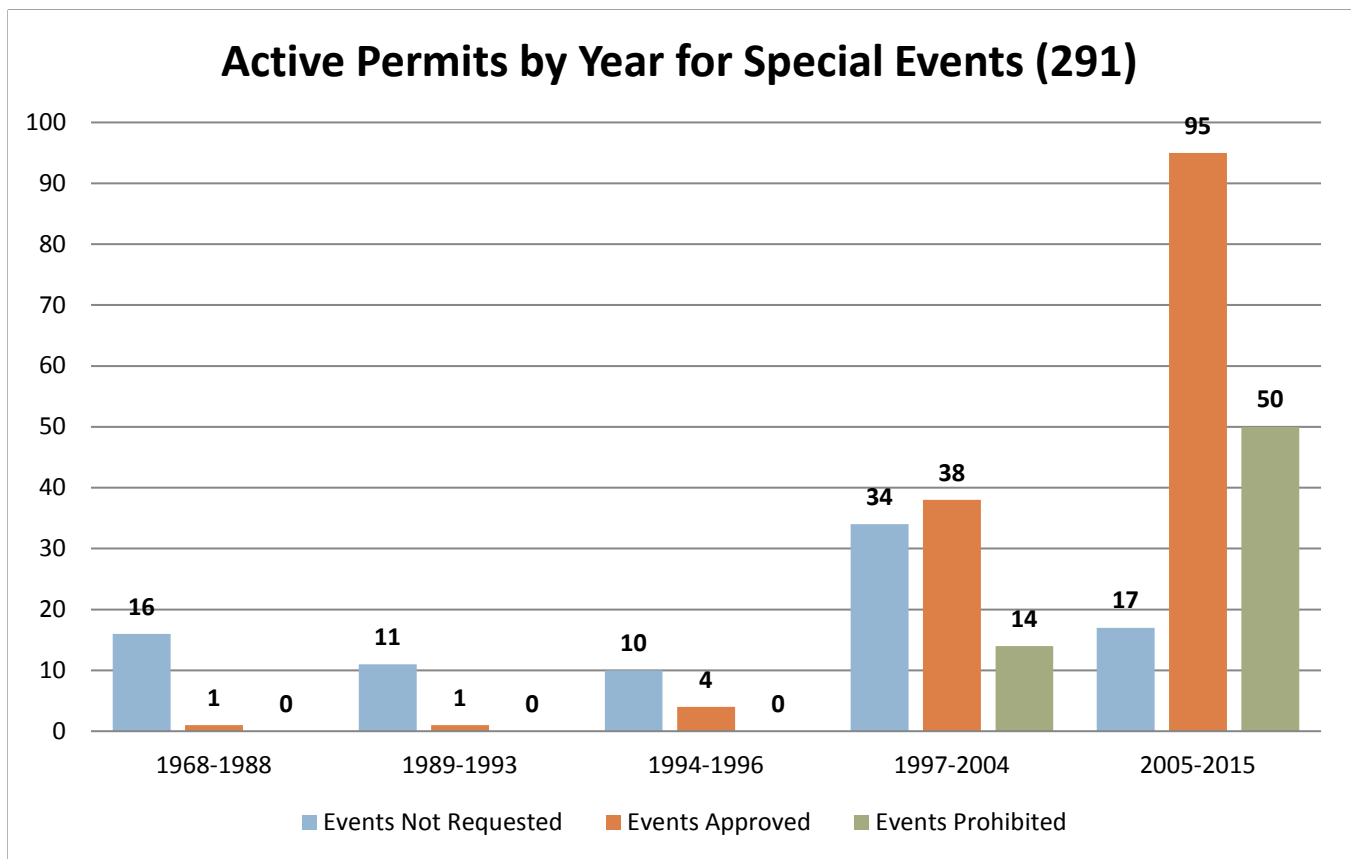
### Permitted Event Activity

As illustrated in Figure 3 below, most event activity has been approved since 1993, the year zoning code amendments were adopted to allow promotional activities and events with a use permit. Of the 291 winery/tasting room permits issued since 1968, a total of 139 winery/tasting room permits are approved to hold special events (48 percent). Another 88 winery/tasting room permits did not request special events and were not approved for events (30 percent). In addition, 64 winery/tasting room permits are specifically prohibited from hosting special events due to site constraints (22 percent). With one

exception, all event activity noted in use permits has been approved since the 1989 General Plan update to allow promotional activities. The one exception is an historic winery that was conditioned to obtain administrative approval (i.e. cultural event permits) for special events.

Winery and tasting room use permit approvals have analyzed the impacts of promotional activities and events in terms of traffic, noise, lighting and neighborhood compatibility and established conditions to ensure land use compatibility. Industry-wide events have been allowed at most public tasting rooms, unless events are specifically prohibited in the use permit. Some permits limit events to industry-wide only either because the site is constrained or because the owner did not want to conduct other events.

**Figure 3: Active Permits with Special Events**



Winery Database Audit

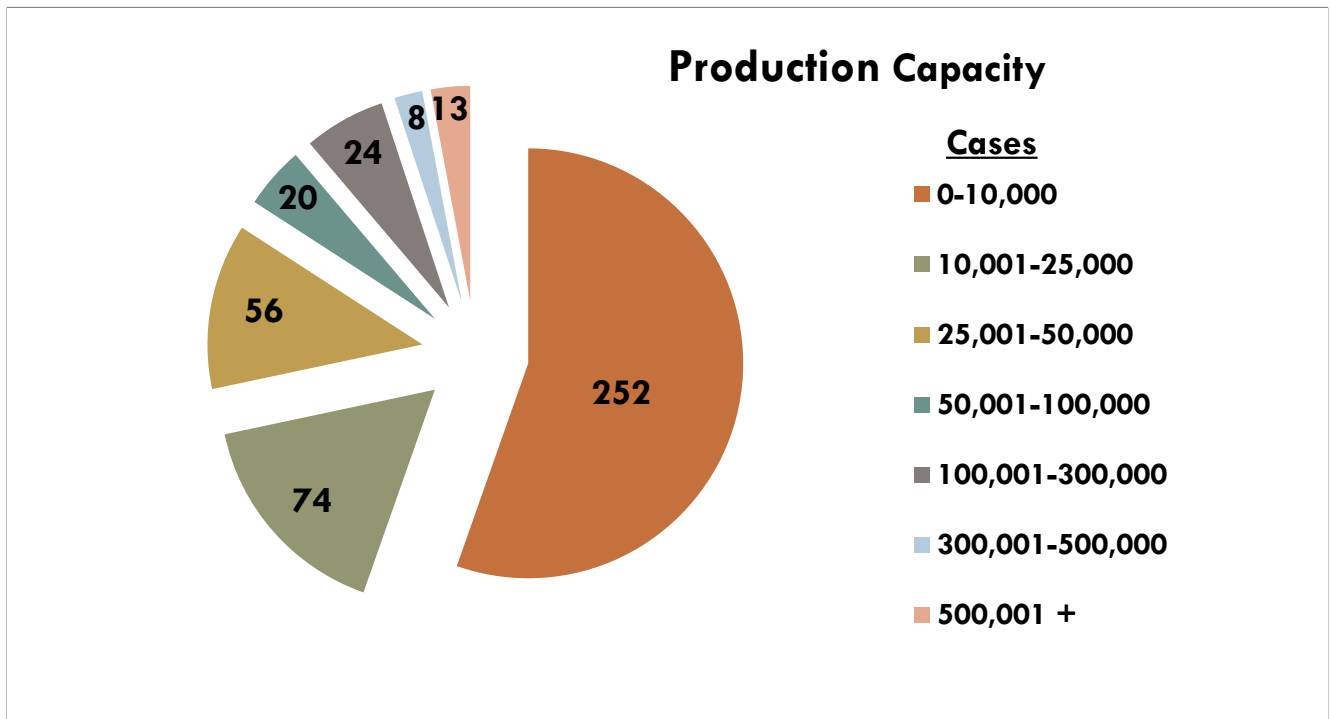
Following the Working Group discussion, staff conducted an audit of the winery database to verify the number of events allowed of the remaining 291 winery or tasting room use permits. During this audit, staff separated industry-wide events from permitted special or agricultural promotional events and focused on review of use permits that were silent or that prohibited events. Staff reviewed the original proposal statements, environmental documents, traffic studies, technical reports, staff reports, resolutions and the conditions of approval for each winery and if any indication was identified that events were proposed, evaluated or planned, staff corrected the database. Staff also reviewed websites and social media to determine if there were unpermitted events advertised or otherwise promoted at

wineries whose use permits were silent or did not allow events. Staff found that the majority (92 percent) of the wineries without permitted events appeared to be in compliance with their use permits.

Production Capacity

Most of the wineries in Sonoma County are small, producing less than 50,000 cases of wine annually as shown in Figure 4. An estimated 56 percent of all wineries produce less than 10,000 cases of wine. Another 17 percent produce 10,000 to 25,000 cases; and, 13 percent produce 25,000 to 50,000 cases. Only 15 percent of all wineries in Sonoma County have production capacity greater than 50,000 cases.

**Figure 4: Production Capacity**



**LOCAL CONCENTRATIONS**

Figure 5 illustrates the type of wineries by viticultural area. The Russian River appellation is the largest comprising over 126,000 acres of land, including 15,000 acres of planted vineyard and 105 approved wineries. In contrast, the Dry Creek Valley appellation comprises approximately 20,000 acres of land, including 9,000 acres planted with 79 approved wineries. Sonoma Valley AVA comprises 60,200 acres of land, including 10,250 acres of vineyard with 82 approved wineries. Alexander Valley comprises approximately 32,500 acres of land, with 15,000 acres of vineyard and has 63 approved wineries.

Figure 5: Type of Winery by Viticultural Area

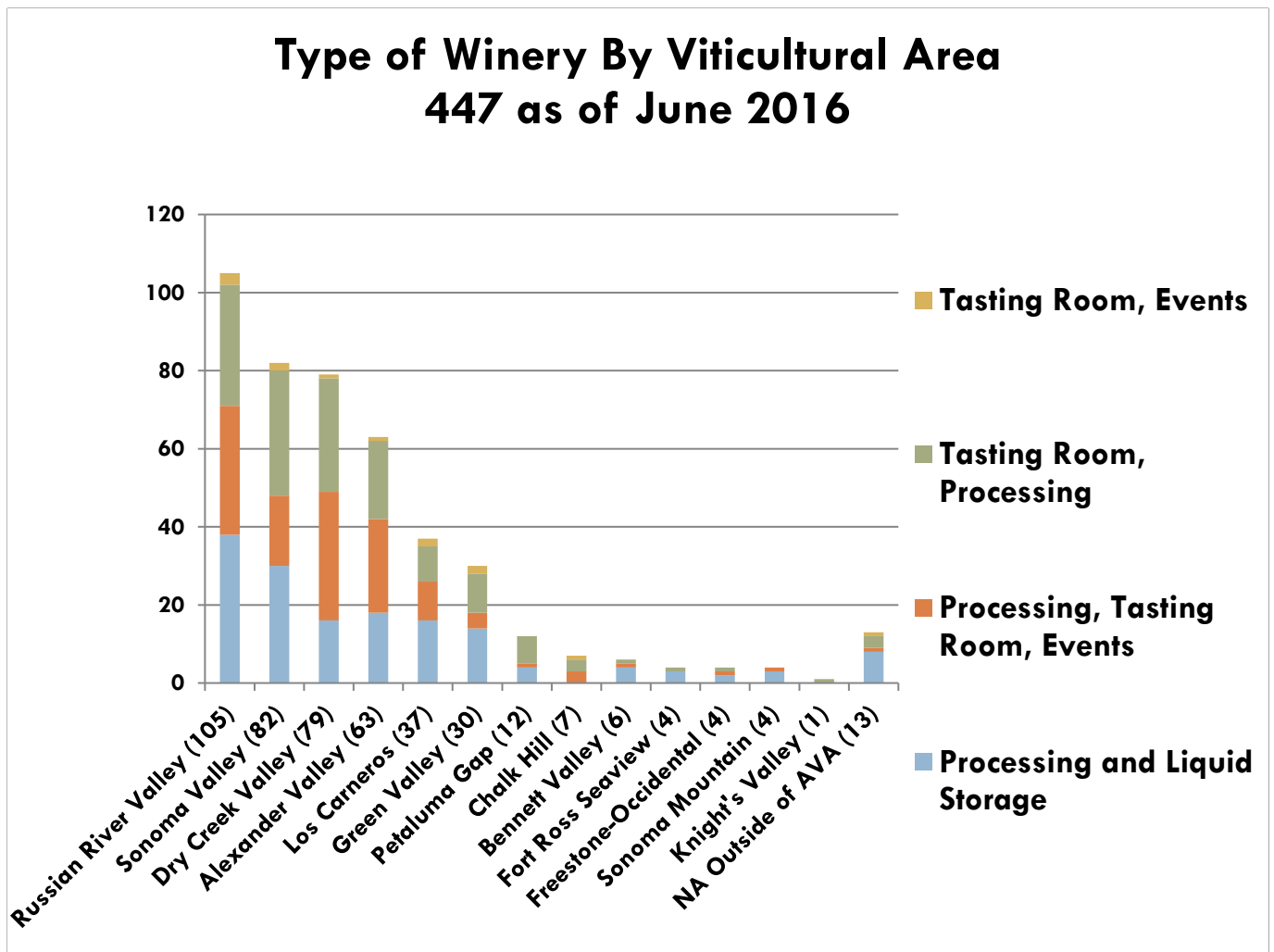


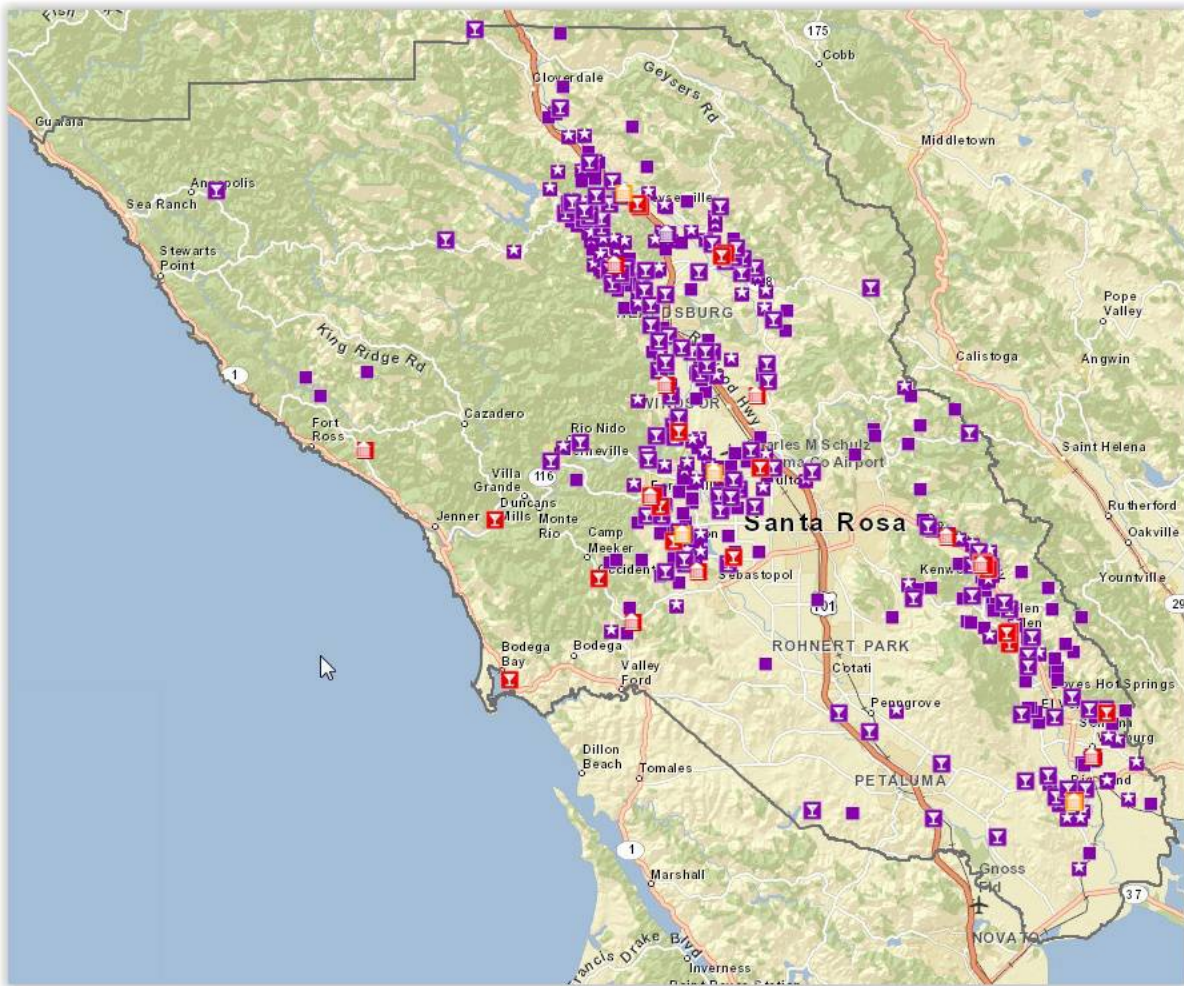
Figure 6: Sonoma County Viticultural Appellations





Local concentration of wine facilities occur primarily in the prime wine growing regions of the Russian River/Westside Road Area, Dry Creek, Sonoma and Alexander Valleys as illustrated in Figure 7 below.

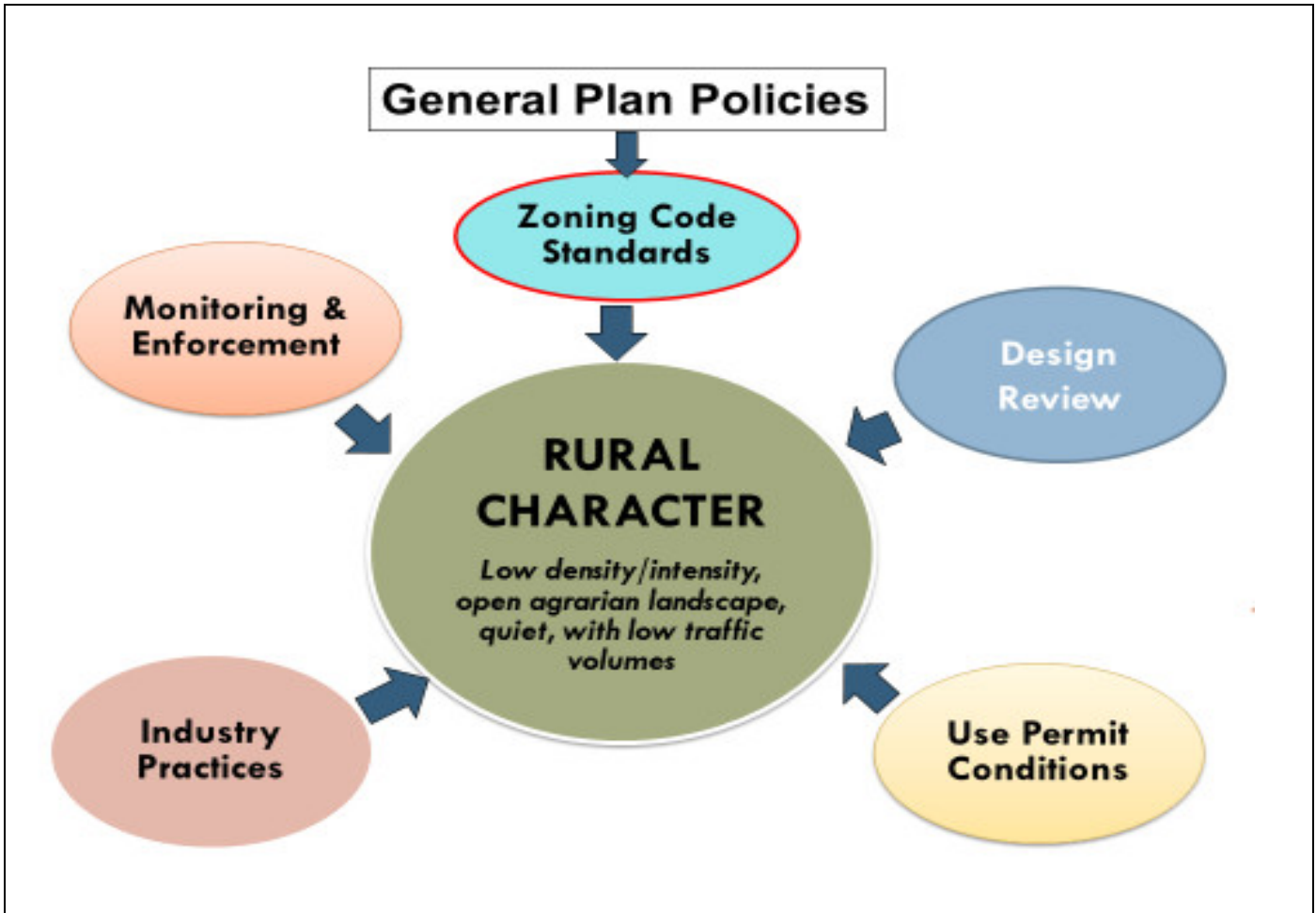
**Figure 7: Approved Winery and Tasting Room Sites**



The General Plan includes existing policies that address local concentration of visitor serving uses. General Plan Policy AR-6f states that local concentrations of visitor serving uses, even if related to agriculture, are detrimental to agricultural use of the land and should be avoided. The General Plan also includes factors to consider when evaluating detrimental concentration of uses:

- Road conflicts – traffic conflicting with pedestrians, bicyclists and local neighborhood motorists;
- Traffic levels that exceed General Plan objectives on a specific or cumulative basis;
- Groundwater impacts to the aquifer and surrounding neighbor’s wells; and
- Rural character – whether the uses would be detrimental to rural character.





Many people describe rural character as low density/intensity development, open agrarian landscape, quiet, with low traffic volumes. There are many factors and tools that can be used to maintain rural character, including:

- Zoning Code standards that address operating standards and cumulative impacts;
- Design Review process assures that project architecture, building materials, site layout, lighting and landscaping compliment rural character environment;
- Use Permit conditions of approval address site specific and operation impacts such as hours of operation, limits on number of events, limits on number of visitors at events;
- Industry Practices – such as effective traffic and parking controls that limit impacts to the surrounding neighborhood; and,
- Monitoring and Enforcement is a County responsibility to address Use Permit condition of approval compliance.

## **CUMULATIVE IMPACTS**

Cumulative impacts can result from several facilities conducting events in the same area or along the same route. Cumulative impacts are small incremental effects that are not significant by themselves, but may be significant when added together with the impacts of past, present, and probable future projects. For example, one small winery might request 10 events with 50 people in 20 cars, which may not be considered significant at a project level. But if 80 other permits in the local area have similar events, those 10 events become 800 events per year; 50 people becomes 4,000 people at a time; or 1,600 cars generating 3,200 trips. Cumulative impacts related to traffic, rural character, or other resources can be addressed at a policy or zoning level to apply equitably and fairly to new uses going forward.

## **EVENT DEFINITION**

One of the issues that emerged during the public outreach is the differing opinions among industry and neighborhood groups over what is considered “an event” and thus subject to the limitations in the use permits. Promotional activities and events are generally the most intensive activities for many wineries involving increases in traffic, noise, and concentrations of people in an otherwise quiet rural setting. While the number and type of events allowed at each site are generally described in the approved proposal statements, technical reports and use permit conditions, some older use permits are not as specific. Industry representatives have stated that many marketing staff and tasting room managers are unaware of the conditions in their respective use permits, or may interpret the language differently than staff or the Board.

In response, staff conducted an audit and review of each winery use permit in order to update the database and determine how events have been defined in proposal statements and each use permit. The review indicates a fairly consistent approach using several criteria for defining an allowed agricultural promotional or special event. Past permits indicate that an event is generally any activity conducted at a winery or tasting room for the education, marketing, sale and promotion of wine involving groups other than drop-in or by-appointment tasting, including activities involving any of the following:

- Service of full meals (other than food and wine pairing as discussed below);
- Outside the tasting room hours of operation;
- Fee for event;
- Entertainment, music, outdoor amplified sound, or similar activities; or
- Advertised to consumers (via web, press, radio, flyers, or email, including wine club members or other similar mailing lists or targeted groups).

## **EVENT TYPES**

Many use permits distinguish between different types of winery promotional activities and events. One approach is to categorize the different types of promotional activities as follows:

Industry-wide events: Promotional activities sponsored by a recognized industry organization that involve multiple tasting rooms. Special event permits are required to be obtained by the industry

sponsor and participation is limited to public tasting rooms, unless otherwise restricted by use permit. Industry-wide events can be limited to a specified number of days per year in any given appellation or area. Within Agricultural Preserve areas, events are limited to no more than 2 consecutive days to conform to the County's Uniform Rules for Agricultural Preserve and Farmland Security Zones.

Agricultural promotional event: Events that are directly related to the education and marketing of wine to consumers including but not limited to: winemaker dinners, release parties, and wine club parties. These are the primary types of events permitted in agricultural areas.

Business trade activities: Business trade meetings with distributors, wine trade buyers, restaurant owners, and employees of the winery are not counted as events.

Private and other events: Weddings/receptions, corporate retreat/dinners, private parties, concerts, film or theatrical presentations, and charitable or political fundraising events allow for the sale of wine, but the wine related content is subordinate to the primary purpose of the event. These types of event activities have been prohibited or limited in number in many use permits.

## **KEY ISSUES**

A number of issues and concerns have emerged that focus on several key areas including:

- Wine-Industry Business Needs
- Neighborhood Compatibility
- Impacts of Noise, Traffic, Water
- Commercialization of Agricultural Lands
- Preserving Rural Character/Local Concentrations
- Monitoring and Enforcement
- Existing Wineries

### **Winery Event Working Group**

The Winery Event Working Group was comprised of individuals representing both industry and neighborhood groups who met over a five month period to provide input to staff on the key issues and possible options. While the group did not agree on many of the policy options identified, there were areas of general agreement that emerged through the discussions as noted by staff including:

- Event Coordination is needed.
- Industry-wide events must follow best management practices.
- Event areas need to meet General Plan Noise standards.
- Parking management and queuing must be on site.

- No stand-alone tasting rooms – must have agricultural processing or production on-site.
- No third-party rentals.
- Allow food and wine pairing during tasting room hours.
- Public access roads must meet safety standards.

## **POLICY OPTIONS**

Development criteria and standards can be used to balance the needs of the wineries with the general welfare of neighboring property owners while maintaining the rural character and integrity of agricultural lands. Staff compiled ordinances from other jurisdictions to review the development criteria and performance standards commonly used in zoning as noted in the Summary of Other Jurisdictions provided in Attachment 2. The following discussion closely follows the Summary of Other Jurisdictions table for ease of reference. Different standards could be developed for areas of local concentration. The criteria and standards would be applied only to new applications received after the effective date of the ordinance. New regulations establishing criteria and standards would not affect any vested rights in previously approved use permits.

## **SITING AND DEVELOPMENT CRITERIA**

Development or siting criteria are often used to ensure that a site is suitable for the type of use proposed. Siting and development criteria are effective means of addressing impacts because they focus on the site design and physical features, rather than operational behaviors. Site development criteria address the impacts by-design and are easy to enforce at the outset, whereas operational conditions apply on an ongoing basis. The following discussion highlights siting and development criteria used in other jurisdictions and outlines policy options.

**Minimum Site Area:** A minimum site area or lot size is often used to disperse development intensities and ensure that cumulative impacts are minimized. Minimum site area requirements could be applied only to event areas, or could be applied as development criteria for new tasting rooms and wineries. Minimum site area or lot sizes could ensure sufficient space between more intensive land uses and disperse traffic and noise. However, a larger minimum site area could also limit the ability of owners of smaller parcels to conduct events. The minimum lot size for commercial agriculture is 10 acres of land with a minimum of 6 acres planted under the County’s Uniform Rules for Agricultural Preserves. Minimum parcel sizes in the Zoning Code range from 10 acres (Diverse Agriculture) to 20 acres (Land Intensive Agriculture). However, many parcels in agricultural zones are smaller than the minimum lot size required for creation of new parcels due to historic subdivisions. The Land Extensive Agriculture zone allows clustering with a 1.5 acre minimum parcel size. The range of minimum lot sizes indicated in the Summary of Other Jurisdictions ranges from 2 acres for a small winery to 40 acres for large wineries. Some jurisdictions also require a minimum area of planted acreage.

### Policy Options

- Establish a minimum lot size for development of new tasting rooms.

- Establish a minimum site area for sites with events.
- Establish a graduated site area based on numbers of visitors attending events.
- Establish a larger minimum lot size for areas of local concentration.

**Setbacks:** Setbacks are used to establish open space between land uses or along roads to ensure neighborhood compatibility and maintain rural character. Because noise is attenuated by distance from the noise source, setbacks are often used to minimize impacts related to noise. (Noise levels decrease an estimated 6 dBA for every doubling of distance.) Setbacks are effective ways to mitigate noise because they focus on site design elements rather than regulating ongoing behaviors.

The County General Plan Noise standards must be met for winery activities and are included as a condition of approval in use permits. In accordance with General Plan policies, the maximum noise levels are adjusted for event activities where the noise consists of music or speech (45 dBA up to 60 dBA max) and an additional adjustment is made when the noise source exceeds ambient conditions by 10 dBA or more (40 dBA up to 55 dBA max). Events that occur for 30 minutes or more must meet the lower standard, which has been consistently used in Noise Studies to evaluate the impact of event activities.

Based on analysis from two qualified noise consultants, and peer reviewed by a third consultant, the following setback distances for events was determined to meet the noise standards of the General Plan adjusted for music or speech without mitigation measures. These distances are generally used to determine when a noise study is required, but also could be used as general siting criteria to avoid potential noise impacts. The following table summarizes the noise levels for event activities and the distances required to attenuate noise with no mitigation or other attenuation from typography, buildings or other factors.

**Typical Noise Levels and Attenuation Distance for Event Activities**

<b>Event Activity</b>	<b>Noise Level @ 50-feet (dBA)</b>	<b>Distance to Attenuate</b>
Amplified Music	72 dBA	1,125
Amplified Speech	71 dBA	1,000
Non-amplified Music	67 dBA	625
Raised Conversation	64 dBA	450

Source: Illingworth and Rodkin, Noise Consultants

Mitigation measures

In some cases the event areas can be sited behind the winery or tasting room building or there may be intervening terrain or other structures that block the line of sight that can attenuate noise to some degree. A minimum of 5 dBA of attenuation could be accomplished by blocking the line-of-sight between the noise source and receptor.

Adjustment factors for interior noise levels are generally 12-15 dBA assuming the windows or doors are open and 20 to 25 dBA if the windows and doors are closed.

Sound walls can also be used to attenuate noise, but are considered undesirable in rural areas and detract from the scenic beauty, sense of open space and rural character of agricultural areas.

#### Policy Options

- Consider minimum setback standards for outdoor event areas, for both amplified and non-amplified sound.
- Allow reduction of setback with a sound study where existing terrain or structures attenuate the noise without the use of sound walls.
- No minimum setback requirements; establish on a case-by-case basis in the use permit process.

**Number of Tasting Rooms:** A key issue that has been raised for tasting rooms is the allowance for stand-alone tasting rooms currently allowed in the agricultural zones. The Board of Zoning Adjustments has denied tasting room permits when there has been no agricultural production or processing on a site. The Working Group appeared to reach agree on revising the code to allow tasting rooms only where accessory to a winery or where there is a commercial vineyard located on-site. Most jurisdictions only allow tasting rooms in agricultural areas when they are accessory to a winery processing facility.

Additional concerns have been raised about allowing more than one tasting room on a site. Similar concerns have been raised with multiple wineries represented at a single site. Custom crush facilities and multiple wineries promoting from a single tasting room could provide needed agricultural support services to smaller vineyard owners and reduce potential impacts of each site needing their own facilities.

#### Policy Options

- Allow tasting rooms only when there is processing or a commercial vineyard on-site.
- Limit the number of tasting rooms per site and allow tasting rooms only when accessory to a winery (no stand-alone tasting rooms in agricultural zones).
- Limit the number of custom crush operations in agricultural zones.
- Establish a maximum site area devoted to tasting room and visitor serving uses to ensure the use is incidental to agriculture.

**Access:** Conflicts regarding access roads and public safety has also been raised, particularly in more remote locations or where rural roads do not have adequate sight distance or pavement widths to accommodate two-way traffic. Fire safe standards typically require a minimum road width of 18 feet for emergency access. Both Public Works staff and Emergency Services have recommended a minimum width of 18 feet for access roads to winery sites proposing event activities.



### Policy Options

- Require access from public roads or within ½ mile of a publicly maintained road for event activities.
- Require minimum pavement width for access roads to sites with events and/or new tasting rooms.
- Review access on a case-by-case basis.

### **OPERATING STANDARDS**

Operating standards generally address ongoing operational conditions needed to minimize impacts, ensure compatibility or comply with County standards or policies. Operating standards related to event activities include the hours of operation, limitations on the type, number and size of events, allowable food service, parking management, and noise limits. Operational conditions can be more difficult to enforce due to the ongoing nature of the activity and the difficulty in providing measurable standards.

**Visitor Hours:** Hours of operation are routinely used to limit the intensity of land uses and ensure neighborhood compatibility. Hours of operation can also be used to avoid peak hour traffic and avoid noise impacts during evening and night time hours when people are more sensitive to noise. The Board has directed staff to limit tasting room activities from 10 am to 5 pm, but have allowed events up to 10 pm, including clean up. More recent use permits limit the hours of events to end by 9 pm and allow clean up by 10 pm.

### Policy Options

- Limit events to tasting room hours only
- Limit events to the daytime noise standard to end by 10 pm.
- Establish operating hours on a case-by case basis through use permit

**Food Service:** Prior to 1996, food service was generally not allowed at tasting rooms on agricultural lands. In 1996, the Board directed staff to develop standards for food service at wineries following certain parameters, which became the genesis of the standard food service condition found in use permits issued since the Board directive. Food service at tasting rooms has generally been limited to appetizers or tastes of local food products. Full meal service has been allowed on a limited basis only for events. Restaurants, cafes, cooked to order foods, menus and table service has been prohibited in use permit conditions for tasting rooms. For many years, commercial stoves were not allowed in tasting rooms, though a commercial “caterer’s” kitchen with warming ovens was allowed. All tasting rooms are required to obtain a commercial kitchen permit from the County Public Health Division. Limiting the type of equipment allowed in a commercial kitchen limits the type of food that can be served and prevents tasting rooms from becoming de facto restaurants. The intent of these policies was to limit commercialization of agricultural lands, while allowing for limited promotional activities.

Increasingly, food and wine pairing is seen as an important component of wine marketing that helps support other locally grown agricultural products, diversifies the agricultural sector, and reduces the potential for impaired behaviors among wine tasters. In recent use permits, the BZA has allowed food and wine pairing separate from event activities, with limited seating and full-scale commercial kitchens with stove tops and hoods. In several cases, outdoor barbecues and pizza ovens have been requested, but denied as beyond the business needs for direct marketing of wine and in conflict with the prohibition on cooked-to-order foods.

Issues related to food service include: the difficulty in limiting the use to distinguish from a restaurant; the intensification of land use and related impacts of traffic, noise, light, and odors; and, the commercialization of agricultural lands. Restaurant uses are typically characterized by the provision of commercial stoves; seating areas with dining tables; table service, kitchen and wait staff; menus providing cooked-to-order foods; and, being open during meal hours. These same types of facilities are required for food and wine pairing, winemaker dinners and event functions, but have been limited to a certain number of event days, such that the facilities would not support a restaurant-level of intensity.

#### Policy Options

- Allow food and wine pairing during tasting room hours only.
- Limit the number of seats or area where food service is provided.
- Limit full meals to permitted events only.
- Limit kitchen facilities to a caterer's kitchen only.

**Promotional Activities:** There are a number of promotional activities that occur at wineries and tasting rooms that are permitted through the use permit process. "Special events" or "Agricultural Promotional Events" are terms that have been used in use permits to define types of promotional activities other than drop-in tasting. Event activities allowed in use permits include winemaker dinners, food and wine pairings, wine release or pick-up parties, weddings, and outdoor concerts. These activities are distinguished from normal tasting room activities by larger groups of people, the availability of food service, music, advertising, and specific dates or start times.

General Plan policies limit promotional activities in agricultural areas to the promotion of agricultural products that are grown or processed in the local area. There have been some concerns raised about whether corporate retreats, weddings, parties and charitable events are related to promotion of agricultural products. Some have suggested that these types of events should not be permitted by use permit that runs with the land, but rather by separate Cultural Event permits. The BZA has limited the number of these types of events in use permits to avoid the use becoming an event center. While there are many different types of activities that can be classified as events, they typically involve larger groups of people that can have detrimental impacts on a neighborhood, regardless of the type. Likewise, the impacts related to events is not based on whether a fee is charged, or a wedding is conducted, but more so on the size of the event, the location of the event and event parking areas, the access to the event and the type of outdoor activities, (i.e. amplified music). Nonetheless, in order to preserve the integrity

of agricultural areas, General Plan policies limit events in agricultural areas to only those that directly promote local agricultural products and are secondary and incidental to the agricultural operation.

Even though all tasting room and promotional activities are permitted and defined by use permit, it is helpful to have a clear definition of common terms and thresholds for events allowing a minimum level of promotional activities that are considered part of normal tasting room activities.

#### Policy Options

- Limit the number of events by size thresholds.
- Limit the type of events allowed.
- Require separate event permits for non-agricultural events (i.e. weddings, fundraisers).
- Distinguish between indoors versus outdoors activities.
- Distinguish by whether the event involves outdoor amplified sound.

#### **INDUSTRY-WIDE EVENTS**

Industry-wide events involve several tasting rooms within a given area that are advertised and sponsored by a recognized industry organization. Industry-wide events occur during normal tasting room hours and have been considered part of normal tasting room activities. Operators with use permits for public tasting are generally allowed to participate in industry-wide events, unless the use permit specifically prohibits them. Some of the industry-wide events have occurred in Sonoma County since the early 1980s. These events contribute to the local economy, not only from wine sales, but also from the tourism dollars they generate.

In the past decade, the number of industry-wide events have grown in popularity to span several days or weekends and require separate event areas located outside the tasting rooms. Industry-wide events are often the days that have the largest amount of traffic and visitors and thus more conflicts or issues with traffic, parking, noise, trespass, and compatibility concerns.

Currently there are 10 annual industry-wide events in Sonoma County each spanning several days. The largest industry-wide event has been Barrel Tasting, which lasts for two weekends and three days each weekend, generating 7,500 visitors per day in the Dry Creek, Russian River and Alexander Valleys. The Dry Creek and Alexander Valleys are designated by the Board as Agricultural Preserves where events on contracted lands are limited to two consecutive days by the County's Uniform Rules for Agricultural Preserves. In the past several years, the BZA has limited events by the number of event-days to be consistent with the Uniform Rules and clarify in the use permit what constitutes an event. Staff has worked with industry representatives to help identify best management practices that will address the cumulative impacts of industry-wide events.

### Policy Options

- Require an annual event permit for industry-wide events (each participating tasting room must have a valid use permit).
- Set a limit on the number of industry-wide event participants starting at each winery host site to spread out the impact.
- Limit industry-wide event days per year in any given appellation/area.
- Require a parking management plan and consider restricting large tour buses.

### **MONITORING AND ENFORCEMENT**

Monitoring and enforcement are additional issues that have been raised by many concerned citizens and winery operators alike. Enforcement of event conditions can be problematic due to the fact that events generally occur in the evening and weekend hours when code enforcement staff is not available. Vague or unmeasurable conditions that regulate behaviors are also difficult to enforce. Monitoring of noise levels by a qualified consultant during events is generally required as a condition of approval that is triggered whenever there are valid complaints. Since 2004, use permits with event activities have included a standard condition that events are subject to an event coordination program including annual reporting of events, and payment of a monitoring fee, but the program has not been implemented yet.

### Policy Options

- Establish an annual monitoring and educational program to periodically review use permits.
- Hire contract services to respond to complaints of unpermitted event activities on nights and weekends.
- Increase fines and penalties for unpermitted event activities.
- Require an on-site coordinator to address complaints.
- Require events to be calendared at the beginning of each year and annual reports.

**Legal Nonconforming Uses:** Legal nonconforming uses are those that were lawful when established, but no longer conform to County zoning laws, often referred to as “grandfathered uses”. Legal nonconforming uses may continue indefinitely, but may not be significantly enlarged or increased. In addition, if a legal nonconforming use ceases for a year, any subsequent use must be in conformance with current law. The County has an administrative process for determining the existence and extent of legal nonconforming uses.

**Existing Wineries:** With regard to events, the Winery Working Group discussed how to address existing wineries that have been conducting promotional activities that were not evaluated or expressly permitted in their use permits. Industry groups have asked whether these historic activities could be approved via an expedited or administrative process, perhaps similar to that used for verifying legal nonconforming uses. Alternatively, unpermitted event activities can be approved via a use permit modification. Use permit modifications can be administratively approved with a hearing waiver if certain criteria are met and, after notice, no party timely requests a hearing.

Policy Options

- Establish an expedited permit process for existing wineries that have been conducting events with older use permits.
- Require all wineries to obtain use permits for event activities.

**NEXT STEPS**

Once the Board adopts the recommended Resolution of Intention, staff will complete the policy analysis, including the Traffic and Noise Studies that are underway. Staff will prepare a recommended draft ordinance that will go to the Planning Commission for consideration and a public hearing. Government Code Section 65855 requires that the Board receive a written recommendation from the Planning Commission on zoning code amendments, prior to your consideration.

**Prior Board Actions:**

- December 9, 2014 – Approve the Comprehensive Planning Work Plan
- September 10, 1996 – Adopt resolution of intention to allow limited food service
- March 9, 1993 – Adopt Ordinance updating Zoning Code to reflect new policies for agricultural promotion
- March 23, 1989 – Adopts General Plan including new Agricultural Element

**Strategic Plan Alignment**      Goal 2: Economic and Environmental Stewardship

Agricultural promotional activities and events are considered essential to the economic viability of the wine industry. These activities can also impact neighborhoods as well as agricultural operations and create potential conflicts with incompatible uses. The goal of existing General Plan policies is to balance these competing interests and preserve agricultural lands while maintaining rural character of the area.

**Fiscal Summary - FY 16-17**

<b>Expenditures</b>		<b>Funding Source(s)</b>	
Budgeted Amount	\$ 153,296	County General Fund	\$ 153,296
Add Appropriations Req'd.	\$ 68,272	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 68,272
	\$		\$
<b>Total Expenditure</b>	<b>\$ 221,568</b>	<b>Total Sources</b>	<b>\$ 221,568</b>

PRMD planning staff hours for this effort were estimated at \$96,510 in the approved Winery Events Work Plan and are included in the approved budget for FY16/17.

Additional legal review by County Counsel is required and is estimated at \$68,272 for FY 16/17. This adjustment would be made at first quarter consolidated budget adjustments.


Draft Board of Supervisors Resolution of Intention  
 Attachment A: Relevant General Plan Policies  
 Attachment B: Summary of Other Jurisdictions  
 Attachment C: Public Correspondence for the Study Session






# County of Sonoma

## State of California

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Date: July 12, 2016

Item Number: \_\_\_\_\_  
Resolution Number: 16- \_\_\_\_\_

ORD16-0001 Jennifer Barrett

4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Directing Staff To Initiate Zoning Code Amendments To Address Key Issues Associated With Winery Event And Promotional Activities**

**Whereas**, the General Plan Agricultural Resources Element allows for the sale and promotion of agricultural products grown or processed in the County, including promotional events that support and are secondary and incidental to local agricultural production; and

**Whereas**, the General Plan Agricultural Resources Element contains a number of policies relating to the definition and limitations for agricultural promotional events; and

**Whereas**, General Plan Policies AR-6f and AR-6g state that local concentrations of visitor serving and recreational uses can be detrimental to the primary use of the land for production of food, fiber and plant materials and may constitute grounds for denial of such uses. Detrimental concentration can be caused by the following factors: road access conflicts, negative impacts to neighboring wells, and rural character; and

**Whereas**, in 2015 the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included development of regulations addressing agricultural promotional events and potential overconcentration. The Work Plan includes an ultimate goal of developing county-wide standards for promotional activities and events on agricultural lands that addresses land use compatibility issues due to overconcentration of events in some areas, including Sonoma Valley, Dry Creek Valley, and Westside Road; and

**Whereas**, the PRMD Director formed a Winery Working Group of County stakeholders to provide input and guidance on potential regulation of promotional event activities at wineries and tasting rooms and policies to address areas of concentration. The Working Group was comprised of community

volunteers, including representatives from the wine industry, grape growers and neighborhood groups. The Working Group met over a period of six months and a number of issues and concerns emerged from their meetings, including: 1) business need for direct marketing activities; 2) neighborhood compatibility; 3) potential impacts related to noise, traffic, dust and water supplies; 3) commercialization of agricultural lands and concentration; and 4) maintaining rural agricultural character; and

**Whereas**, following the Working Group meetings, staff conducted a public workshop attended by an estimated 500 people and received written comments from various groups. Staff reviewed regulations from other counties, completed an audit of use permits issued to date, updated the winery database and contracted with qualified traffic and noise consultants to assist with the analysis. The traffic and noise reports are currently in progress.

**Now, Therefore, Be It Resolved** that the Board of Supervisors hereby directs staff to prepare a draft ordinance, amending the County Zoning Code, to address key issues associated with winery promotional and event activities.

**Be It Further Resolved** that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

**Supervisors:**

Gorin:	Rabbitt:	Zane:	Gore:	Carrillo:
Ayes:	Noes:	Absent:	Abstain:	

**So Ordered.**

## **GENERAL PLAN AGRICULTURAL RESOURCES ELEMENT POLICIES RELATED TO PROMOTING AND MARKETING AGRICULTURAL PRODUCTS**

**GOAL AR-1:** *Promote a healthy and competitive agricultural industry whose products are recognized as being produced in Sonoma County.*

**Objective AR-1.1:** *Create and facilitate opportunities to promote and market all agricultural products grown or processed in Sonoma County.*

**Objective AR-1.2:** *Permit marketing of products grown and/or processed in Sonoma County in all areas designated for agricultural use.*

**The following policies shall be used to achieve these objectives:**

**Policy AR-1a:** *Permit a wide variety of promotional and marketing activities of County grown and processed products.\**

**Policy AR-4a:** *The primary use of any parcel within the three agricultural land use categories shall be agricultural production and related processing, support services, and visitor serving uses. Residential uses in these areas shall recognize that the primary use of the land may create traffic and agricultural nuisance situations, such as flies, noise, odors, and spraying of chemicals.\**

**Policy AR-5g:** *Local concentrations of any separate agricultural support uses, including processing, storage, bottling, canning and packaging, agricultural support services, and visitor-serving and recreational uses as provided in Policy AR-6f, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and shall be avoided. In determining whether or not the approval of such uses would constitute a detrimental concentration of such uses, consider all the following factors:*

*(1) Whether the above uses would result in joint road access conflicts, or in traffic levels that exceed the Circulation and Transit Element's objectives for level of service on a site specific and cumulative basis.*

*(2) Whether the above uses would draw water from the same aquifer and be located within the zone of influence of area wells.*

*(3) Whether the above uses would be detrimental to the rural character of the area. In cases where the proposed processing use would process only products grown on site, such use would not be subject to this concentration policy.\**

**GOAL AR-6:** *Allow new visitor serving uses and facilities in some agricultural areas but limit them in scale and location. These uses must be beneficial to the agricultural industry and farm operators and compatible with long term agricultural use of the land.\**

**Objective AR-6.1:** *Give the highest priority in all agricultural land use categories to agricultural production activities. Visitor serving uses shall promote agriculture and*

enhance marketing of Sonoma County agricultural products, but shall be secondary and incidental to agricultural production.

**Objective AR-6.2:** Permit visitor serving uses in all agricultural land use categories if they support and do not adversely affect the agricultural production activities of the area. Bed and breakfast inns of five or fewer rooms, and campgrounds of up to 30 sites, are permissible recreational uses only in the "Land Extensive Agriculture" and "Diverse Agriculture" categories, if they do not adversely affect the agricultural production activities of the area.

**Objective AR-6.3:** Develop a pilot event coordination program for the Sonoma Valley Planning Area that provides for monitoring and scheduling of special events on agricultural lands and for agriculture related events on other lands so as to minimize the adverse cumulative impacts of such uses, particularly in areas where agriculture related support uses and/or visitor serving uses are concentrated.

**The following policies, in addition to those of the Land Use Element, shall be used to achieve these objectives:**

**Policy AR-6a:** Permit visitor serving uses in agricultural categories that promote agricultural production in the County, such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events that support and are secondary and incidental to local agricultural production. Limit recreational uses to the "Land Extensive Agriculture" and "Diverse Agriculture" categories, specifically to bed and breakfast inns and campgrounds of 30 or fewer sites.

**Policy AR-6b:** Except as allowed by Policy AR-6a, prohibit new restaurants and lodging. Recognize existing restaurants or lodging facilities and those which were approved prior to adoption of this plan, but limit their expansion or intensification.

**Policy AR-6c:** Nonagricultural land use categories shall not be applied to lands surrounded by agricultural land use categories for purposes of permitting visitor serving or recreational uses or facilities.

**Policy AR-6d:** Follow these guidelines for approval of visitor serving uses in agricultural areas:

- (1) The use promotes and markets only agricultural products grown or processed in the local area.
- (2) The use is compatible with and secondary and incidental to agricultural production activities in the area.
- (3) The use will not require the extension of sewer and water.
- (4) The use is compatible with existing uses in the area.
- (5) Hotels, motels, resorts, and similar lodging are not allowed.

*(6) Activities that promote and market agricultural products such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products are allowed.*

*(7) Special events on agricultural lands or agriculture related events on other lands in the Sonoma Valley Planning Area will be subject to a pilot event coordination program which includes tracking and monitoring of visitor serving activities and schedule management, as necessary, to reduce cumulative impacts.*

**Policy AR-6f:** *Local concentrations of visitor serving and recreational uses, and agricultural support uses as defined in Goal AR-5, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and may constitute grounds for denial of such uses. In determining whether or not the approval of such uses would constitute a detrimental concentration of such uses, consider all the following factors:*

*(1) Whether the above uses would result in joint road access conflicts, or in traffic levels that exceed the Circulation and Transit Element's objectives for level of service on a site specific and cumulative basis.*

*(2) Whether the above uses would draw water from the same aquifer and be located within the zone of influence of area wells.*

*(3) Whether the above uses would be detrimental to the rural character of the area.*

**Policy AR-6g:** *Define in the Development Code compatible visitor serving uses such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events which support and are incidental to local agricultural production, and define their permissible sizes and intensities.*

**Policy AR-8b:** *Encourage programs for promotion and marketing of agricultural products grown in the County.*

**Policy AR-9d:** *Approve administratively temporary use permits for special events if the requirements of all appropriate agencies have been met.*

County	Napa	Monterey	Santa Clara	Yolo	Placer	El Dorado	San Luis Obispo	Santa Barbara	San Joaquin	San Diego
Authority	Ordinance (adopted 1990; amended in various years)	Agricultural and Winery Corridor Plan (adopted October 26, 2010)	Ordinance (adopted December 2, 2014)	County Code (updated July 2014)	Ordinance (adopted 2008; amended 2012 and 2014)	Ordinance (adopted January 16, 2009)	Ordinance (adopted in 1992; amended in 1995)	Draft Ordinance	Ordinance (adopted November 4, 2014)	Ordinance (adopted August 4, 2010; in process of being amended)
Size thresholds	No thresholds	No thresholds	Small < 10,000 cases/yr Medium > 10,000 cases/yr Large - any winery with events > 250 persons	Small < 21,000 cases/yr < 15,000 sq ft Large > 21,000 cases/yr > 15,000 sq ft	Small < 20,000 cases/yr Large > 20,000 cases/yr	Micro-winery < 250 gal/ac of vineyard Winery - no size thresholds	No thresholds	Small < 20,000 sq ft max Medium < 20,000 sq ft max Large - max size est. by use permit	Small - 201 - 36,000 gal/yr (15k cases) Medium > 36,000 - 99,000 gal/yr (42k cases) Large > 100,000 gal/yr (> 42k cases)	Wholesale or Boutique < 12,000 gal/yr (5k cases) Small < 120,000 gal/yr (50k cases) Large >120,000 gal/yr (>50k cases)
Minimum Site Area	10 ac min	None	None	None	Winery - 4.6 ac min; min 1 ac vineyard Small event center - 10 ac < 100 people Medium event center - 20 ac < 200 people Large event center - 40 ac < 400 people	By right: Micro - 5 ac min 10 ac min w/5 ac vineyard in ag zones 20 ac min w/5 ac vineyard in non-ag zones Use Permit >10 ac w/5 ac vineyard in non ag zone	None	Small > 2 acres vineyard Medium > 20 acres > 10 acres vineyard Large > 40 acres > 20 acres vineyard	Small - 5 ac min Medium/Large - 10 ac min	Boutique or Wholesale < 1 ac - 1,000 sf 1-2 ac - 1,500 sf 2-4 ac - 2,000 sf for every ac over 4 ac +200 sf up to 5,000 sf max Small/Large - no min
Setbacks	600' setback on arterial roads  300' setback on other roads including private roads	100' from property line and 200' from existing residences all winery structures and outdoor use areas  200' from property line and 400' from existing residences for wineries with public tours, tasting, retail sales, or special events	None specified	None specified		200' setback from streams; > 20 acre lot size; < 2.5 ac max used for structures	100' from property line 200' from residence not owned by applicant for winery  200' from property line 400' from residence not owned by applicant for winery with tasting and events  Special event setback of 1,000 ft from residential zone	Special event setback of 1,000 ft from residential zone	300' from roads  300' to property line of existing residence (if residence is setback 200' can be reduced to 100')	None specified
Tasting Room	Set by Use Permit	Accessory to winery only	Accessory to winery only  Off-site tasting room - use permit	Accessory to winery only: includes wholesale, retail sales, wine tasting and winery tours	Allowed with zoning clearance or conditional use permit	Micro - no public tasting, sales, tours accessory to a winery only Allowed by right on lots > 10 ac in ag zones Allowed by use permit > 10 ac in non-ag zones	Accessory to winery only Located within 200' of winery Limit to 1 per site Wineries may share a tasting room	Small - not allowed Medium - not larger than 600 sq ft or 10% of winery structure area Large - size est. by use permit	No more than 30% of wine production area (retail sales max 500 sq ft)	Wholesale - not allowed Boutique - 1 tasting/retail sales room allowed
Visitors	Set by Use Permit	Events < 150 visitors	Small - may include limited public gatherings and promotional events	< 150 allowed by right		50 - 250 persons at one time allowed by right > 20 ac or > 10 ac in ag zones  >250 persons by use permit		Small - not allowed except for trade members Medium: < 40 acres < 50 visitors > 40 acres < 80 visitors Large < 80 visitors		
Visitor Hours	Events end by 10:00 pm		No standard - by use permit	Use Permit if ends after 10 pm	Wineries: by use permit Ag Event Centers: 10am-10pm (Fri-Sat), 10am-8pm (Sun-Thurs)	By use permit	By use permit	10:00 am - 6:00 pm winemaker meals until 10:00 pm	Events shall end by 10 pm	Wholesale - not allowed Boutique - 10am-legal sunset (7 days/week) Small - by minor use permit
Food Service	Commercial kitchen w/use permit. Food and wine pairing allowed. No menu options, no meal service such that the winery functions as a café or restaurant	With Permit (Ministerial or Administrative): Use must be incidental, related, and subordinate in nature to the winery Located in same structure Max 1500 sq ft of kitchen and dining area (including outdoor dining) Catering kitchen	Commercial kitchen allowed ancillary to winery operations	Restaurant allowed in Agricultural Commercial Zone	Allowed as Agricultural Event Center Conditional Use Permit. Restaurants are not allowed	Snack foods during wine tasting allowed Commercial kitchen > 20 acre parcels Dining facilities by use permit		Small - Not allowed except for members of the trade Medium/Large May be allowed	Commercial kitchen allowed for events and shall not be used as a restaurant	Boutique Winery: sales and consumption on-site of pre-packaged food or catering Small Winery: outdoor eating, max 5 tables, no more than 20 people



County	Napa	Monterey	Santa Clara	Yolo	Placer	El Dorado	San Luis Obispo	Santa Barbara	San Joaquin	San Diego
Event Definitions	Marketing of wine: activity conducted at a winery for the education of customers and may include cultural and social events (may include food service such as food and wine pairing) Business events can be marketing of wine if part of approved marketing plan	Winery-related Events: Fundraising events; Winemaker Dinners; Weddings Private Winery Events: Company Holiday Party; Employee-Related Private Parties	Industry/Marketing events: any activity to market wine and winemaking, barrel tasting, wine club dinners, passport, harvest festivals and industrywide. Small events: < 50 persons Medium events: < 250 persons Large events: > 250 persons Private events: includes fund raising for non profit organizations	Small event 12 events/yr, < 150 attendees, < 100 vehicle trips Site Plan Review required  Large event > 12 events/yr > 150 attendees > 100 vehicle trips Minor Use Permit required		Marketing events: intended for promotion and sale of facility's products  Special events: charitable events, promotional events, facility rentals events (weddings, parties, company picnics, and reunions)	Special event: any event with 50 or more attendees including concerts, weddings, winemaker dinners, and advertised events (including fund raising, but not industry-wide events)	Winery special event: > 80 people including amplified sound, weddings, concerts, fund raising events; does not include industry-wide events	Accessory Winery event: promotes and marketing of wine and wine industry may (includes wine release parties, barrel tasting, and wine club activities) Marketing event: include weddings and concerts; may include food service	
Agricultural Promotional Events	Set by Use Permit	For Winery-related Events: Allowed up to 150 people With Permit (Administrative): Allowed from 151-500 people With Special Event Permit (notice and referral): Allowed over 500 people	Industry/Marketing events: 12/yr allowed; use permit required for additional events Small events: allowed if lot is 5 acres or larger Medium events: 12/yr Large events: use permit required Private events: no limit		Wineries: 2 events/yr temp use permit 6 events/yr w/use permit  Agricultural Event Centers: 26 events/yr or as est. by Use Permit	Non ag events: 48/yr <50 people do not count; < 250 people allowed by right in ag zones > 10 ac allowed by use permit in non-ag zones > 20 ac  Non ag "special" events: more than 48/yr > 250 people at one time allowed by use permit on > 10 ac in ag zones	< 6 events < 80 people minor use permit > 6 events or > 80 people use permit  For all: 20 ac min limited to 40 days/yr  Outdoor amplified sound only from 10 am-5 pm	Small - Not allowed Medium - Max 4 winemaker meals/yr Large - Max 6 winemaker meals/yr	Small: 12 events/yr, 150 people Medium: 15 events/yr, 300 people Large: 20 events/yr, 300 people Industry events and Accessory winery events are not included in the total number of events	Wholesale Limited Winery, Boutique Winery: Not allowed Small Winery: Allowed, with standards
Industry-wide Events	Set by Use Permit	Allowed	See above	See above	Not mentioned	See above	Not mentioned	All max allowed 4/yr small < 50 visitors max medium: < 40 acres <100 visitors; > 40 acres <150 visitors large < 200 visitors industry-wide or ag promo event		
Other Events (weddings, private parties, corporate, charitable)	No weddings. Events must related to wine education.	For Weddings and Charitable Dinners, see Special/Agricultural Promotional Events) For other events: Allowed			Allowed as Agricultural Event Center w/Use Permit	Facility rental 12/year < 20 acres 24/year > 20 acres	See Special Events	Small/Medium: Not allowed Large: Max 12/yr with use permit		
Cooking Demonstrations				None	allowed for Agricultural Event Center			small/medium - not allowed large by use permit		
Parking	No standards. Reviewed individually with use permits	Development Plan required  Included requirements: 1 space per employee; visitor parking = 2.5 persons/vehicle with enough for max capacity; event (> 20 persons) requires adequate on-site or off-site parking	1 space/1,000 sf of warehouse area 1 space/200 sq ft of tasting room area  Medium/Large wineries also need 1 space per 3 attendees for events	Must be on-site  Special events, weddings, marketing promotional events may use temporary overflow parking	Small - min 5 spaces Large - 1 space/300 sf of tasting rm/office 1 space/1,500 sq ft of production area 1 space/2.5 people for events Agricultural Event Center: 1 space/2.5 people, 1 space/FTE	Permanent parking required for winery, tasting room, and accessory uses Temporary parking can be unsurfaced All parking must be on-site and meet fire code requirements	400 sf/car Larger projects conditioned on parking plan and events no parking on any adjoining ROW	Parking plan for special events to include a parking coordinator for events attended by 100 or more persons	Parking attendant	Boutique - min of 6 spaces, min of 3 employee spaces, no off-site parking allowed
Noise	45 & 50 dba at receiving residential use property line	Noise standards	Noise standards	Noise standards	Noise standards	None	65 dB at property line	Outdoor amplified sound ceases at 7 pm (inner-rural areas) or 10 pm (rural areas)	Outdoor amplified sound per use permit Permitted 10am-9pm	Noise standards Boutique - amplified sound is not allowed

County	Napa	Monterey	Santa Clara	Yolo	Placer	El Dorado	San Luis Obispo	Santa Barbara	San Joaquin	San Diego
Enforcement	Annual audit of % of use permit; annual fee						Enforcement Plan required prior to effective date			
Misc	Categorically exempt allowance for small wineries defined as 30,000 gallons production, 5,000 sq. ft. building, and limit on visitors and marketing		Must have adequate septic capacity for maximum number of visitors	Agritourism: for the enjoyment and education of visitors, guests, or clients. Uses include, wine tasting, sale of local agricultural products, and event centers that accommodate weddings, music, and limited dining.	Agricultural Event Center: facility located on agriculturally zoned land that has an ongoing agricultural use that provides a facility for any type of social gathering and consisting of multipurpose meeting and/or recreational facilities, typically consisting of multipurpose rooms and a kitchen that are available for use by various private groups for activities such as weddings, parties, receptions, etc.	50% local fruit required	Principal access driveway shall be located on or within one mile of an arterial  Outdoor tanks require 100% screening		Marketing Calendar shall be filed with the Community Development Department on a biannual basis and updated monthly as needed; must be kept on-site at all time	Fruit requirements: Wholesale Limited Winery: up to 75% of fruit may be imported Boutique Winery: 75% grown in the County, 25% grown on-site Small Winery: 50% grown in the County, 25% grown on-site

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**From:** Tennis Wick  
**Sent:** June 21, 2016 6:17 AM  
**To:** Jennifer Barrett; Dean Parsons; Traci Tesconi; Jeff Brax; Alegria De La Cruz  
**Subject:** Fwd: Please consider the rural character of Sonoma County and limit heavy wine activity to appropriate locations

FYI

Tennis Wick, AICP  
Director  
Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, California 95403  
707-565-1925

Sent from my iPhone

Begin forwarded message:

**From:** Angie Monette <[angiemonette@gmail.com](mailto:angiemonette@gmail.com)>  
**Date:** June 21, 2016 at 05:55:25 PDT  
**To:** Susan Gorin <[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)>, <[david.rabbitt@sonoma-county.org](mailto:david.rabbitt@sonoma-county.org)>, Shirlee Zane <[shirlee.zane@sonoma-county.org](mailto:shirlee.zane@sonoma-county.org)>, <[james.gore@sonoma-county.org](mailto:james.gore@sonoma-county.org)>, "Efren Carrillo" <[efren.carrillo@sonoma-county.org](mailto:efren.carrillo@sonoma-county.org)>  
**Cc:** <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>  
**Subject: Please consider the rural character of Sonoma County and limit heavy wine activity to appropriate locations**

Dear Supervisors,

I hear there is a briefing at the July 12 BOS meeting regarding winery related events and developments. I am unable to attend, but respectfully request that you consider my input here in your decision-making.

As a resident and business owner in west Sonoma County (4000 Harrison Grade Road, Sebastopol), I would like to urge you to please preserve the rural character of Sonoma County by limiting heavy wine event and vineyard production activities to those areas that are appropriate for such use.

Attachment C

"Appropriate" is where our roads can support the activity - not on our back roads that are in perpetual disrepair. Appropriate is where alternative transportation is easily accessible so that intoxicated visitors are not encouraged to drive drunk. Appropriate is where late night events don't disturb local residents.

We spend countless resources designing a general plan, knowing that not all uses are appropriate in all places. In keeping with this age-old human knowledge, please support plans that are located where heavy commercial use may be supported by - not conflict with - existing uses and soft and hard infrastructure.

We all know how special Sonoma County is -- to live, work, and play. Thank you for your efforts to help keep it that way.

Sincerely,  
Angie Monette Harrison

Angie Monette Harrison  
[707-479-0236](tel:707-479-0236)

*For urgent items, please consider a call or text message for fastest response.*

*This email is private and confidential unless otherwise specified. This communication may contain information protected by attorney-client privilege and should be treated as such. Please do not share this message unless expressly directed.*

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**From:** Tennis Wick  
**Sent:** June 23, 2016 9:50 PM  
**To:** Jennifer Barrett; Dean Parsons; Traci Tesconi; Jeff Brax  
**Subject:** Fwd: Winery Events

Tennis Wick, AICP  
Director  
Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, California 95403  
707-565-1925

Sent from my iPhone

Begin forwarded message:

**From:** Carol V <[carolvsr@sonic.net](mailto:carolvsr@sonic.net)>  
**Date:** June 23, 2016 at 18:43:00 PDT  
**To:** 'James Gore' <[James.Gore@sonoma-county.org](mailto:James.Gore@sonoma-county.org)>, 'Shirlee Zane' <[Shirlee.Zane@sonoma-county.org](mailto:Shirlee.Zane@sonoma-county.org)>, 'Susan Gorin' <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>, Efren Carrillo <[Efren.Carrillo@sonoma-county.org](mailto:Efren.Carrillo@sonoma-county.org)>, <[david.rabbitt@sonoma-county.org](mailto:david.rabbitt@sonoma-county.org)>  
**Cc:** <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>  
**Subject:** Winery Events

June 23, 2016  
Dear Supervisors,

Saturday June 18<sup>th</sup> the traffic on highway 12 by Kenwood was backed up for a mile in each direction because of the yearly Lavender festival at the Sonoma Lavender Barn. Over 3,000 people showed up over the course of two days. The owners were caught off guard because this has never happened before. What was different? They had advertised on social media. This festival has always been a favorite local event. I personally support Sonoma Lavender products.

What did this influx of people mean to the residents who live in the

Sonoma/Kenwood area? It meant they were stuck, frustrated, in traffic trying to get to work or back to their homes. This scenario happens each weekend during peak tourist season for winery events. It is clear that events along Highway 12, Westside Road, Dry Creek Road, and many other county roads, can negatively affect the near-by rural community. Many residents have lived in their homes for decades and now find their quality of life suffers more each year because of the increased traffic, noise, litter, and other cumulative effects. Some have lost the water in their wells and had to have new deeper wells drilled because of increased water use by nearby vineyards, wineries, etc. The county has been spending tax payer dollars for many years promoting tourism. Advertising has been extremely successful for businesses benefiting from tourism. However the quality of life for county homeowners affected by increased events on ag land is a negative impact. Many organizations have been asking the county for years to address these issues, to uphold the intent of the General Plan, to address cumulative impacts, and to not turn ag land into entertainment venues and parking lots. The public has lost faith in the technical studies that the county provides as witnessed in the many meetings where the public has taken time out of their daily schedule to attend meetings pertaining to the permitting process. Please act in the best interest of the whole community and uphold the concerns of the Preserve Rural Sonoma County citizens group. Thank you so much for your time. Please show concern for your citizens by carefully reviewing existing policies and zoning provisions and provide clarity on all concerns.

Sincerely, **Carol Vellutini**

Carol Vellutini Mt. Jackson Watershed Protection Group  
610 Willrush St.  
Santa Rosa, Ca 95401  
707-546-6308

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**From:** Tennis Wick  
**Sent:** June 23, 2016 4:21 PM  
**To:** Jennifer Barrett; Dean Parsons; Traci Tesconi  
**Subject:** Fwd: winery event center over-development

Tennis Wick, AICP  
Director  
Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, California 95403  
707-565-1925

Sent from my iPhone

Begin forwarded message:

**From:** Jennifer LaPorta <[jenniferlaporta1@gmail.com](mailto:jenniferlaporta1@gmail.com)>  
**Date:** June 23, 2016 at 16:18:52 PDT  
**To:** <[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)>, <[david.rabbitt@sonoma-county.org](mailto:david.rabbitt@sonoma-county.org)>, <[shirlee.zane@sonoma-county.org](mailto:shirlee.zane@sonoma-county.org)>, <[james.gore@sonoma-county.org](mailto:james.gore@sonoma-county.org)>, Supervisor Efren Carrillo <[efren.carrillo@sonoma-county.org](mailto:efren.carrillo@sonoma-county.org)>, <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>  
**Subject: winery event center over-development**

(Mr. Carrillo is my supervisor)

Dear Supervisors:

Don't you want Sonoma County to retain its status as a premier destination, a great place to live, for farming, ranching and viticulture? Let's ensure land speculation and the commercialization of Ag lands do not destroy our differentiating characteristic – Rural Character!

I'm concerned that many winery developments are being approved on viable agricultural land, which the General Plan specifically protects, and which are being turned into entertainment venues and parking lots. Please act in the best interest of the ENTIRE community to

uphold the protective policies in our General Plan (GP).

In that vein, we are asking you to enforce and where necessary, enact the following regulations that are in keeping with the provisions of the General Plan for Sonoma County.

**1. Locate highly commercial activities in city-centers or along the Highway 101 corridor to protect the integrity of our Ag zoned lands.** Preserve the rural character of Ag lands - defined as areas with low density, low intensity development, open agrarian landscapes and a sense of serenity – i.e. quiet atmosphere with low traffic volumes.

**2. Address hospitality –related impacts both to neighbors and public resources:** Land use conflicts are impact driven and the solutions need to address the impacts, both on-site and on a cumulative area-wide basis (road safety, water, etc.). As the Direct to Consumer model intensifies more visitor-serving and hospitality uses on each winery property, the impacts on adjacent properties and public costs escalate.

**3. Fix the Use Permit Process:** Set standards that are balanced, fair, more consistent and reliable. The public has lost faith in technical studies that the county provides. There is an inherent conflict of interest when an applicant pays a consultant to do noise and traffic studies with specific results required for permit approval. Measurable standards and improved integrity of technical studies will address impacts to water sources, ensure peaceful enjoyment of our homes and our neighborhoods, and reduce safety issues on our sub-standard roads.

**4. Level the Playing Field:** Everyone should follow the rules! Facilities operating outside the protections of their Use Permit should not be given competitive advantage. Require facilities with winery or tasting room permits that are silent or do not specify events to conduct necessary studies to determine the appropriate size, duration and number of permitted Ag Promotional events for the site - then require a Use Permit modification.

**5. Food Service** – Set criteria to prevent wineries morphing into restaurants: On-premise seated food and wine service, given the county's lack of enforcement, is essentially a quasi- restaurant; the GP specifically prohibits expansion of restaurants and lodging on Ag lands.

We support wine pairing with limited food options (offsite prepared foods from permitted food facilities) during tasting room hours only, by appointment with service in separate enclosed seating areas. Let's limit meal service to permitted Events only, using catering kitchens or



mobile caterer's facilities – do not permit on-site commercial kitchens.

**6. Minimum Site Area and Setbacks to address noise impacts on-site:** Address cumulative impacts and detrimental concentrations: Set minimal parcel size of 10 acres or 20 acres for any facility requesting outdoor events and define separation criteria for adjacent parcels to prevent detrimental concentrations. Uphold noise and scenic setbacks for all new development. In sensitive locations, set protective guidelines as the cumulative impacts resulting from small increases in number of events, extended hours of operation, and food service at tasting rooms have strong ripple effects that together undermine rural character.

**7. Uphold the Sonoma County quality brand:** 75% of wine content on permitted parcels should be from locally sourced Sonoma County AVA grapes.

**8. Address road safety concerns:** Require minimum 18-foot width for access roads to ensure emergency vehicle access and sufficient site-lines for driveway access and egress.

In order to achieve the above, we would suggest that Measurable standards will ease the permitting process and provide clarity for monitoring enforcement activities. Clear standards are required if use permit compliance is to remain “complaint based”.

We would also request the County hire enforcement staff and establish a process for random audits. And, per the GP, hire an event coordinator and utilize the calendaring system developed by the County to fairly allocate and disperse event impacts.

Sincerely,  
Jennifer LaPorta

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**From:** reuben weinzveg [mailto:preserveruralsonomacounty@gmail.com]

**Sent:** June 20, 2016 4:12 PM

**To:** David Rabbitt; Efren Carrillo; James Gore; Shirlee Zane; Jennifer Barrett; Susan Gorin; Tennis Wick; Traci Tesconi

**Subject:** AS YOU PREPARE FOR THE JULY 12 WWG STUDY SESSION



Dear Supervisors:

We are asking you as our Supervisors to act in the best interest of the whole community, and to uphold the protective policies in our General Plan (GP). If Sonoma County is to retain its status as a premier destination and a great place to live, and for farming, ranching and viticulture, we must ensure land speculation and the commercialization of Ag lands do not destroy our differentiating characteristic – Rural Character. Our concern is that many winery developments are being approved on viable agricultural land, which the General Plan specifically protects, and which are slowly being turned into entertainment venues and parking lots.

In that vein, we are asking you to enforce and where necessary, enact the following regulations that are in keeping with the provisions of the General Plan for Sonoma County.

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**3. Fix the Use Permit Process:** Set standards that are balanced, fair, more consistent and reliable. The public has lost faith in technical studies that the county provides. There is an inherent conflict of interest when an applicant pays a consultant to do noise and traffic studies with specific results required for permit approval. Measurable standards and improved integrity of technical studies will address impacts to water sources, ensure peaceful enjoyment of our homes and our neighborhoods, and reduce safety issues on our sub-standard roads.

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facility requesting outdoor events and define separation criteria for adjacent parcels to prevent detrimental concentrations. Uphold noise and scenic setbacks for all new development. In sensitive locations, set protective guidelines as the cumulative impacts resulting from small increases in number of events, extended hours of operation, and food service at tasting rooms have strong ripple effects that together undermine rural character.

**7. Uphold the Sonoma County quality brand:** 75% of wine content on permitted parcels should be from locally sourced Sonoma County AVA grapes.

**8. Address road safety concerns:** Require minimum 18-foot width for access roads to ensure emergency vehicle access and sufficient site-lines for driveway access and egress.

In order to achieve the above, we would suggest that Measurable standards will ease the permitting process and provide clarity for monitoring enforcement activities. Clear standards are required if use permit compliance is to remain "complaint based".

We would also request the County hire enforcement staff and establish a process for random audits. And, per the GP, hire an event coordinator and utilize the calendaring system developed by the County to fairly allocate and disperse event impacts.

Respectfully submitted,  
Preserve Rural Sonoma County  
Padi Selwyn & Judith Olney, Co-Chairs

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## Neighbors to Preserve Rural Sonoma County (PRSC)

*We are a 100% volunteer organization. Please consider making a donation to help us advance our mission. Donations can be made by sending your tax deductible checks made out to Sonoma County Tomorrow (our fiscal sponsor), c/o PRSC, P. O. Box 983, Sebastopol, Ca. 95473. Or donating online via Paypal <http://preserveruralsonomacounty.org/donate/>*

Visit our website at - <http://www.preserveruralsonomacounty.org>

Like us on Facebook - <https://www.facebook.com/preserveruralsonomacounty>

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**From:** Tennis Wick  
**Sent:** July 02, 2016 8:22 AM  
**To:** Jennifer Barrett; Dean Parsons; Traci Tesconi; Jeff Brax; Alegria De La Cruz  
**Subject:** Fwd: Sonoma County overdevelopment of the winery/event center industry

Tennis Wick, AICP  
Director  
Sonoma County Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, California 95403  
707-565-1925

Sent from my iPhone

Begin forwarded message:

**From:** Tibby Elgato <[chinacat1970@gmail.com](mailto:chinacat1970@gmail.com)>  
**Date:** July 2, 2016 at 07:35:20 PDT  
**To:** <[susan.gorin@sonoma-county.org](mailto:susan.gorin@sonoma-county.org)>, <[david.rabbitt@sonoma-county.org](mailto:david.rabbitt@sonoma-county.org)>, <[shirlee.zane@sonoma-county.org](mailto:shirlee.zane@sonoma-county.org)>, <[james.gore@sonoma-county.org](mailto:james.gore@sonoma-county.org)>, <[efren.carrillo@sonoma-county.org](mailto:efren.carrillo@sonoma-county.org)>  
**Cc:** <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>  
**Subject: Sonoma County overdevelopment of the winery/event center industry**

There are already enough wineries and wine events in Sonoma County. Many of us enjoy a nice glass of local wine but it is the responsibility of the Supervisors to regulate and put a stop to the rampant development that turns agricultural land into wine industry tracts and brings heavy traffic to our back roads. We the residents of Sonoma County want no new event centers in the country, no more forests cut for wine grapes, no more production centers (like Dairyman) and no more foreign owned exploitation of our county land. Very few individuals profit from all this over development.

This is a beautiful, relative unspoiled place and we want to keep it like that. The wine industry will destroy our land and take all the water for a few more years of unsustainable profitability. Understand that the wine industry is experiencing a bubble. There is no growth in domestic consumption and in a few years competition for the foreign growers will push California growers out. It is obvious that wineries now need every gimmick in the books to maintain profitability. What's next, rollercoasters and ride for the kiddies? When the bubble bursts and

the wine industry goes the way of apples and hops, is the County prepared to pay the cleanup costs?

How about the impacts of wine tourism on housing? Converting houses to unregulated wine country weekend condos anonymously through airbnb and VRBO makes people homeless and drives up the cost of everyone's home. This may be a destination area but people have to live here too.

John W. Cruz  
Sebastopol

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**From:** Jim Dreisback [mailto:jmdreisback@yahoo.com]

**Sent:** July 05, 2016 3:48 PM

**To:** Efren Carrillo <Efren.Carrillo@sonoma-county.org>; James Gore <James.Gore@sonoma-county.org>; Susan Gorin <susan.gorin@somona-county.org>; david.rabbit@sonoma-county.org; Shirlee Zane <shirlee.zane@sonoma.county.org>

**Cc:** Tennis Wick <Tennis.Wick@sonoma-county.org>; Jennifer Barrett <Jennifer.Barrett@sonoma-county.org>

**Subject:** July 12th Study Session

## Board of Supervisors

I am writing in reference to the up coming Study Session scheduled for July 12th. As a member of the County's Winery Working Group and a 63 year resident of Westside Road, Healdsburg, I have had the opportunity gain many insights into the grape farming and wine making activities in Sonoma County. Having watched first hand the evolution of various agricultural activities here, and their impacts on the economy of the region, I recognize the importance of this industry and the tourism dollars that it brings to our county. I have many friends who are grape growers and wine producers and also have family members that work at wineries. It is of utmost importance that the Board of Supervisors recognize the value of this agricultural product and make the right decisions that will insure it's prosperity for generations to come. This said, I have concerns about the permitting process that I have witnessed over the past few years and what appears to be a disregard for the General Plan guidelines when it comes to permitting events at wineries. I feel that the following should be considered when the Board of Supervisors adopts regulations for promotional activities and events at wineries.

There are areas within the County that are not appropriate for continued growth of wineries and winery events due to road conditions, (West Dry Creek Road, Healdsburg), a concentration of wineries and events, (Westside Road, Healdsburg) or traffic issues, (Kenwood /Sonoma areas). Special consideration needs to given to these areas when adopting new regulations. There is room for growth in the County, but these areas are reaching a critical point and need to be protected in order to preserve the rural character that brings tourists from all over the world.

Minimum parcel size plays a critical role in determining if a winery with visitor services and events are appropriate. It was suggested in the Winery Working Group that a minimum parcel size of 10 acres be required for any winery/tasting room site in order to mitigate noise. In areas of concentration a 20 acre parcel would be more appropriate to control growth. These parcel size regulations would go a long way in

allowing the proper application of the noise ordinance that is already part of the general plan. This noise ordinance needs to be adopted as part of the new regulations for winery events and the BZA needs to understand and properly apply these regulations when approving new applications. And please, no more sound walls on agricultural lands. They are a permanent scar on our beautiful landscape.

Food service and over-night lodging are becoming popular at wineries. There seems to be a move from chocolates and crackers to full out lunch menus and dinners. Recognizing that there are some winery locations that would be appropriate for these activities, most of our farm lands should be preserved for farming. There needs to be clear regulations written that will prevent our rural farm lands from becoming restaurants and hotels.

Industry wide promotional events, think Barrel Tasting, are becoming a very popular draw to our area. Up to this point there has been minimal regulation of these activities. Because of their popularity these events now require additional regulation. Limiting the number of allowed industry event days to 8 within a specific region would limit the impacts while only allowing those wineries to participate that have appropriate parking and facilities to accommodate the number of anticipated participants.

These are but a few of the many issues that need to be discussed when formulating new regulations for winery events. I look forward to the discussion on July 12th.

Thank you in advance for your efforts to preserve our agricultural heritage and rural character that makes Sonoma County a very special place for it's residents and visitors alike.

Jim Dreisback  
9545 Westside Road  
Healdsburg  
292-7352

cc: Tennis Wick, Jennifer Barrett