

County of Sonoma
Winery Event Working Group
October 14, 2015

Development Criteria and Performance Standards for Concentrated Areas

At the September 9, 2015 working group meeting, staff presented key issues and policy options for development standards and performance criteria for agricultural promotional events at wineries and tasting rooms. Staff distributed maps of areas of potential over-concentration and received some comments. Feedback was received from the working group on county-wide policy options but the discussion on areas of concentration was deferred to the October meeting. At the October meeting the Working Group should continue their discussion of standards for concentrated areas based on the outline of policy options from the September Discussion Paper and policy options listed below.

The General Plan includes discussion of the location and intensity of visitor serving uses within agricultural areas. It acknowledges that agricultural tourism is critical in supporting the economic success and continued diversity of agriculture in the county. It also recognizes that agricultural tourism directly promotes the sale of agricultural products, and that promotional events attract customers, builds a customer base, markets products, and builds customer loyalty. The General Plan also directs that *“the economic benefits of agricultural tourism must be balanced against associated impacts such as increased traffic, particularly in areas such as in the Sonoma Valley or along routes where multiple visitor serving uses may be hosting events at the same time.”*

General Plan objectives emphasize that the highest priority in all agricultural land use categories shall be agricultural production activities; visitor serving uses shall be secondary and incidental to agricultural production. Also included in the General Plan is policy language that helps determine what constitutes a detrimental concentration: road access conflicts; traffic levels that exceed General Plan level of service on a site specific and cumulative basis; groundwater impacts; and uses that are detrimental to the rural character of the area (see General Plan Policy AR-6f below).

Two areas of concentration were identified in the County based on the numbers of wineries, tasting rooms, and the numbers of customers at approved agricultural promotional events while considering transportation constraints: Dry Creek/Westside Roads and Sonoma Valley. The concentration maps have been revised and are attached for further discussion. The following General Plan policies pertain to visitor serving uses, such as agricultural promotional events, in agricultural areas:

*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-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-6f specifically states that local concentrations of visitor serving uses, even if related to surrounding agricultural activities, are detrimental to the primary use of the land (agriculture) and may constitute grounds for denial of such uses.

Based on staff experience in processing use permits for agricultural promotional events and consultation with other jurisdictions, effective planning tools for addressing preservation of rural character is establishing minimum standards for visitor serving uses such as minimum lot size, increased setbacks for promotional event areas, and event hours of operation.

Larger parcel sizes generally disperse land uses and provide more options to lessen event impacts to surrounding neighbors because facilities can be located in a manner that reduces the need for urban-style noise mitigation (sound walls); on-site traffic circulation and parking can be more easily managed; and larger parcels can help disperse traffic on the public road system.

The policy options discussed below would only apply to new or modified Use Permit applications in concentrated areas. As a part of the discussion, the Committee should discuss whether different and more restrictive standards should apply to concentrated areas or should they be applied county-wide to prevent additional areas of concentration.

Thresholds for Parcel Size, People, and Annual Events:

Parcel Size

The agricultural zoning districts are Land Intensive Agriculture (LIA); Land Extensive Agriculture (LEA); and Diverse Agriculture (DA). Their respective General Plan land use densities and minimum parcel size requirements are 20 -100 acres density, 20 acre minimum lot size; 60-320 acres density, 1.5 acre minimum lot size; and 10-60 acre density, 10 acre minimum lot size. LEA zoning allows clustering of lots as small as 1.5 acres but as indicated above requires a minimum 60 acre density.

A significant amount of the Dry Creek and Sonoma Valleys are zoned LIA to enhance and protect lands best suited for permanent agricultural crops and their capability of relatively high production per acre of land. LEA-zoned land is best suited for grazing and annual crops which typically require larger parcel sizes. The DA zoning district includes lands that support farming but small acreage intensive farming and part-time farming activities are predominant.

Number of People at Events

The maximum number of people applied to the corresponding minimum parcel size is based on the average number of vehicle trips generated by event guests (the industry standard is 2.5 people per vehicle for an event), and adequate area for on-site vehicle circulation and parking. Other factors to consider are the ability to mitigate noise from events and providing an adequate buffer to preserve rural character.

In concentrated areas, cumulative impacts of large numbers of people attending events at multiple facilities on the same day or time can have a negative impact on rural character due to noise and traffic impacts. Limitations on the maximum number of annual events at a site based on the parcel size could help maintain rural character.

Number of Annual Events

For parcels 10-20 acres in size there are fewer options available to buffer neighbors so a smaller number of permitted annual events could be established. For parcels over 20 acres there are more on-site opportunities to design and locate event areas, driveways, and parking to maintain rural character and minimize impacts to immediate neighbors while dispersing traffic impacts. For those reasons, a maximum of 12 events is applied for parcels exceeding 20 acres.

Policy Option: The thresholds listed in the table below include minimum parcel size with the corresponding maximum number of people allowed at events and the maximum number of allowed annual events.

<u>Min. Parcel Size</u>	<u>Max. # People at Event</u>	<u>Max. # Annual Events</u>
10 acres	< 50	6
20 acres	< 100	12
40 acres	< 200	12
60 acres	< 300	12

Discussion Point: Consider the standards noted above.

Distance between Promotional Event Sites

It has been suggested that promotional event facilities be limited to no more than two within a half-mile on public roadways in concentrated areas.

Discussion Point: Consider the standard listed above.

Industry-wide Events:

Discussion Point: See the September 9 development criteria and performance standards that include a limit of 15 industry-wide event days in any appellation/area with no more than two consecutive days in designated Agricultural Preserve areas. Should this limit be more restrictive in concentrated areas?

Vehicular Access:

The Department of Transportation and Public Works states that a minimum 18-foot road width is required to safely serve the public for two-way traffic. For that reason, a minimum 18-foot wide paved roadway is recommended for road safety reasons. In concentrated areas vehicular access for tasting rooms with or without agricultural promotional events (including Industry-wide events) could be subject to minimum roadway standards.

Policy Options:

- A. Require a minimum 18-foot wide pavement width, two-way public or private road providing access to a site with a tasting room with or without events.
- B. All event traffic queuing must be located on-site and is subject to approval of a parking plan with a requirement for a parking coordinator.
- C. A Traffic Study is required for events of 100 or more people to analyze cumulative traffic impacts, event queuing, and parking plan.

Discussion Point: All of these traffic standards could be applied county-wide to help ensure traffic safety and preservation of rural character.

Minimum on-site agricultural production area:

General Plan policies require that the primary use of land in agricultural zones shall be agriculture. Additionally, "The Land Conservation Act and Uniform Rules for Agricultural Preserves" requires a minimum of 50% of contracted land to be continuously used or maintained for agricultural uses to be considered to be devoted to agricultural uses. Facilities used for tasting and agricultural promotion could become the dominate use of a site without minimum on-site acreage devoted to agriculture.

Policy Option:

A minimum of 50% of a site shall be continuously used or maintained for agricultural uses to allow a tasting room with or without promotional events.

Discussion Point: Consider standards noted above.

Multiple Tasting Rooms and Crush on one Winery Site:

Small producers cannot always build a winery to process fruit for their own winery label. For that reason, they use custom crush facilities, some of which already have approved tasting rooms. To allow direct marketing for multiple wineries, some tasting rooms will provide tastes of more than one winery. Prior group discussion included the idea that in concentrated areas only one winery and one tasting room be permitted for each parcel.

Another trend is for multiple on-site tasting rooms to support a variety of customer marketing needs and services for one label. A winery will often have a primary tasting room plus one or more additional tasting rooms for private tastes, wine club members or private food/wine pairings. There is concern that multiple tasting rooms on one site can potentially turn the site into more of an event center since all of the tasting rooms could operate concurrently. This can further intensify the number of on-site customers and associated traffic and noise impacts that negatively impact rural character.

Policy Options:

- A. Limit of one on-site winery and tasting room per parcel.
- B. Limit of one on-site winery with a maximum of two tasting rooms for the winery.
- C. Allow multiple wineries on one site with tasting for each winery in one tasting room as long as all wine is processed on-site.

Discussion Point: Options A and B would prohibit custom crush in concentrated areas. This would force fruit to be exported to custom crush facilities out of the concentrated area. Options A and B would also require tasting and promotional events for labels with no on-site winery to take place outside of the concentrated area.

De minimus Promotional Activities:

In the context of promotional activities, de minimus promotional activities would be so minor as to merit disregard. Examples of de minimus activities may include small groups of people at a private tasting, distributor meeting/tasting, or food/wine pairing. Such activities couldn't have any significant or cumulative impacts in terms of noise, traffic or parking. If each winery or tasting room in a concentrated area was conducting such activities at the same time there could be no negative cumulative impacts. The Winery Group has discussed some level of promotional activities that are de minimus and are considered to be part of tasting room activities. To be considered a part of tasting room activities, de minimus promotional activities must be analyzed as a part of the scope of tasting room activities. For instance, the activities would only occur during tasting room hours and would not include any exterior amplified sound.

Policy Options:

- A. Allow small events of a maximum of 25 people that occur during permitted tasting room hours and inside the tasting room, or if occurring outside the tasting room no music or amplified sound is permitted.
- B. Food/wine pairings for a maximum of 15 people in the tasting room.

Discussion Point: The impacts associated with the above thresholds should not be distinguishable from tasting room traffic. Option A is based on levels established and analyzed in other winery use permits and prior Board of Supervisors directives. Option B is based on a Board of Zoning Adjustments Use Permit approval with food/wine pairing. Other thresholds could be examined.