



**APPROVED**

November 1, 2022

## COUNTY OF SONOMA

### SUMMARY REPORT

575 ADMINISTRATION  
DRIVE, ROOM 102A  
SANTA ROSA, CA 95403

THE WITHIN INSTRUMENT IS A  
CORRECT COPY OF THE ORIGINAL  
ON FILE IN THIS OFFICE

ATTEST: November 1, 2022

SHERYL BRATTON, Clerk/Secretary  
BY *Noelle Francis*

**Agenda Date:** 11/1/2022

**#21**

**See Minutes**

**To:** Sonoma County Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Georgia McDaniel, Project Planner (707) 565-4919

**Vote Requirement:** 4/5th

**Supervisorial District(s):** Countywide

**Title:**

**1:45 PM - ORD16-0001 Winery Events Ordinance**

#### **Recommended Action:**

To conduct a Public Hearing and adopt an Ordinance of the Board of Supervisors of the County of Sonoma, State of California, amending Sonoma County Code Chapter 26 (Zoning Regulations) to add winery definitions and standards for new winery visitor serving uses on lands zoned Land Intensive Agriculture, Land Extensive Agriculture, and Diverse Agriculture (outside of the coastal zone); and determine the project to be exempt from the California Environmental Quality Act. (Countywide) (4/5<sup>th</sup> Vote Required)

#### **Executive Summary:**

On October 11, 2016, the Board of Supervisors directed staff to prepare zoning code amendments to address key issues associated with winery events and promotional activities, and to develop siting criteria and standards for areas of concentration. Three areas of local concentration were identified in the county: Sonoma Valley, Dry Creek Valley, and Westside Road. Stakeholders in each of the three areas of concentration have worked at the local level to establish local guidelines for their respective community.

On May 19, 2020, the Board of Supervisors directed Permit Sonoma staff to obtain additional public feedback and move forward with preparing a countywide winery events ordinance that defines key terms and addresses common issues identified across the local guidelines. After extensive community input, including facilitating a 195-person public workshop and working directly with local stakeholders, staff presented a draft ordinance to the Planning Commission.

On June 7, 2022, the Planning Commission voted in favor of recommending that the Board of Supervisors adopt the proposed draft Winery Events Ordinance. The draft ordinance defines key terms and sets standards for winery events, tasting rooms, sizing of events, hours of operation, access, parking, and food service. Neighborhood notification of upcoming events, on-site coordinators, traffic management, and compliance with General Plan noise limits would be required for all winery events. Stand-alone tasting rooms, third party rentals, and dedicated event space would be prohibited, as well as outdoor burning of solid fuel. The ordinance will apply to new and modified use permit applications for winery visitor serving uses and will be used by Permit Sonoma staff and decision makers when considering new and modified use permit applications

for winery visitor serving uses.

**Discussion:**

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 so long as the promotional activities were 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 periodic special events with an administrative zoning permit.

In 2008, the Board approved an update to the General Plan, which expanded on policies regulating winery events activity and agricultural promotional events. Since 1993, when zoning code amendments were adopted to allow promotional activities and events with a use permit, 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, industry-wide events and other gatherings that have, in some situations, resulted in neighborhood impacts and potential land use conflicts. Of the 464 winery and tasting room permits approved in the unincorporated areas of Sonoma County, 307 are permitted for visitor serving uses, such as tasting and events. 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.

Permit Sonoma continues to receive new and modified use permit applications for wineries and tasting rooms. Since 2016, Permit Sonoma has received 62 new and modified use permit applications for wineries and tasting rooms. Of these 62 applications, 27 have been approved through the public hearing process and 35 remain under discretionary review. Prior to 1997, an average of 1 to 2 winery and tasting room use permits were processed annually. Between 1997 and 2015, Permit Sonoma processed an average of 14 winery and tasting room use permits per year.

**Winery Events Policy History:**

The Winery Events Policy effort commenced on December 9, 2014 when the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included developing regulations to address winery events and potential overconcentration. Since that date, this effort has focused exclusively on winery events and not general agricultural promotional events because this class of land uses had generated controversy. The Work Plan would update countywide standards and procedures for regulating promotional activities on agricultural lands to better address land use compatibility and potential overconcentration. The Work Plan anticipated focused policies in Sonoma Valley, Dry Creek Valley, and Westside Road because of the relative concentration of preexisting wineries, with approved or legal non-conforming events, combined with restricted circulation networks that create the potential for event overconcentration.

To complete the policy project, the Permit Sonoma Director formed a Working Group of stakeholders that met for six months to review existing policies and inform staff of key issues and policy options. Discussions were organized around the three foci for regulating event activity in the General Plan Agricultural Resources Element: preserve groundwater, minimize traffic-related nuisances, and maintain rural character (AR Element

Policy AR-5g). The Winery Event Working Group (WEWG) comprised individuals representing both industry and neighborhood groups. A number of issues emerged through the WEWG: (1) a growing business need for direct marketing activities to remain competitive; (2) (rural and agricultural) neighborhood compatibility with regard to “character;” (3) effects on neighborhoods related to noise, traffic, dust and water supplies.

Following the Working Group meetings, staff conducted a public workshop attended by roughly 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 (a catalogue of active wineries in Sonoma), and contracted with qualified traffic and noise consultants to prepare analyses on issues associated with winery events in areas of concentration.

On October 11, 2016, after holding two Winery Event Study Sessions, the Board of Supervisors adopted a Resolution of Intention directing staff to “clarify the definition of events and food service” and “to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines.” Staff would work through the Dry Creek Valley Citizens Advisory Council, the Sonoma Valley Citizens Advisory Commission, and a stakeholders group for the Westside Road area to facilitate development of criteria and standards for each local area of concentration.

#### Local Guidelines:

The purpose of the local area guidelines is to provide guidance to winery applicants on the design of their projects, as well as a local framework for advisory body review and evaluation of use permit applications for new visitor serving agricultural uses. The Dry Creek Valley Citizens Advisory Council (DCVCAC) and Sonoma Valley Citizens Advisory Commission (SVCAC) adopted advisory guidelines are based on unique conditions to its area of concentration. The Winery Events Ordinance will apply countywide, including areas where local area winery event guidelines exist. Though advisory only, the local guidelines and CAC recommendations are important to inform the application submittal, review, and decision-making process.

#### *Dry Creek Valley Guidelines*

In 2017, the DCVCAC prepared the Dry Creek Valley guidelines for agricultural promotional activities, which provides a set of definitions and preferred guidelines for use by the DCVCAC in investigating, discussing and considering applications for new use permits that include visitor serving agricultural uses in agricultural and resource zones in the Dry Creek Valley watershed. On October 16, 2018, the Board of Supervisors adopted an amendment to the DCVCAC’s Blue Book, adding Guidelines for New Use Permits with Visitor-serving Agricultural Uses.

#### *Sonoma Valley Guidelines*

The Sonoma Valley Working Group (Stakeholders Group) was formed to develop local guidelines for Sonoma Valley and began meeting in 2017. On November 18, 2020, draft guidelines prepared by the Stakeholders Group were presented to the SVCAC. In spring of 2021, SVCAC formed a Winery Events Ad Hoc Committee to recommend changes to the draft guidelines. The SVCAC adopted the Ad Hoc Committee’s guidelines on May 26, 2021. Permit Sonoma staff provided support for this effort to ensure the final draft countywide ordinance harmonized with local guideline efforts and public input. SVCAC transmitted their guidelines to the Board of

Supervisors on their consent calendar for Nov 1, 2022.

*Westside Road Guidelines*

Currently, there is no Citizens Advisory Council/Commission (CAC) for the Westside Road area. The Westside Road Stakeholders Group, comprised of winery industry representatives and community members, met with the task of preparing winery guidelines for siting criteria and operational standards within the Westside Road area. The stakeholders were not able to reach consensus on siting criteria and operating standards therefore, draft guidelines have not been prepared and the meetings discontinued.

**Winery Events Ordinance:**

In response to October 2016 and May 2020 Board direction, Permit Sonoma staff developed a draft countywide winery events ordinance that provides consistency and clarity to the use permit evaluation process, reduces impacts to surrounding uses, protects agricultural land, and preserves rural character. To inform the development of the draft ordinance, staff used local guidelines, advisory and stakeholder group input, information from traffic and noise studies commissioned for this policy effort, as well as community input received during numerous stakeholder meetings and community workshops.

On June 3, 2021, the Planning Commission began reviewing the draft ordinance. During four public hearings, Commissioners received additional public input, considered the common issues identified across local guidelines, and made various revisions to the definitions and standards proposed in the draft ordinance. On June 7, 2022, the Planning Commission recommended the Board of Supervisors adopt the draft ordinance, as modified by the Planning Commission.

**Changes recommended by the Planning Commission:**

- New Definitions for Wine Tasting Rooms, Winery Events, Agricultural Promotional Events
- Remove Definitions and Standards for normal winery and tasting room business operations
- New Standards for Wine Tasting Rooms, Neighborhood Notification, Event Space, Access, Event Proposal, Outdoor Burning
- Other minor revisions to various Definitions and Standards

Attachment 3 provides a Winery Events Ordinance Comparison Table that reflects changes made by the Planning Commission to staff's original proposal for the draft Ordinance. These changes are underlined in the Comparison Table.

The draft Winery Events Ordinance proposes amendments to Sonoma County Code Chapter 26 (Zoning Code) by amending uses allowed in agricultural zoning districts to establish definitions and standards for winery visitor-serving uses. The ordinance will apply to new and modified use permits for winery visitor-serving uses in the agricultural districts, LIA (Land Intensive Agriculture), LEA (Land Extensive Agriculture), and DA (Diverse Agriculture), outside of the Coastal Zone.

The draft ordinance defines key terms, such as winery events and food service, and sets forth operating



standards that clarify existing General Plan policies, permit requirements, and standard conditions of approval. Operating Standards for winery events, tasting rooms, sizing of events, hours of operation, access, parking, and food service are included. Neighborhood notification of upcoming events, on-site coordinators, traffic management, and compliance with General Plan noise limits will be required. Stand-alone tasting rooms, third party rentals, and dedicated event space will be prohibited, as well as outdoor burning of solid fuel.

The new winery definitions and standards will be used by Permit Sonoma staff and decision makers when considering new and modified discretionary applications for winery visitor serving uses. All existing wineries and tasting rooms will continue to operate in accordance with their approved use permit, or if applicable, under the Zoning Code's regulations for legal nonconforming uses (often referred to as "grandfathered uses").

#### General Plan and Zoning Consistency:

The draft Winery Events Ordinance implements General Plan Land Use Element and Agricultural Resources Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and areas, as designated by the Board, while allowing for visitor serving uses that support and are secondary and incidental to agricultural production. The draft ordinance will not create an internal inconsistency in the General Plan or the Zoning Code. The proposed zoning amendments do not involve specific development nor do the amendments increase development beyond that which the Zoning Code currently allows by use permit in agricultural zones. The proposed amendments will clarify compatible agricultural promotional uses allowed with a use permit by adding definitions and establishing standards for these visitor serving uses. The Zoning Code will continue to require use permits for agricultural processing and tasting rooms.

#### CEQA Determination:

Staff finds the proposed ordinance is exempt from further review under the California Environmental Quality Act (CEQA) under Section 15308 exempting standards authorized by state law to assure protection of the environment; and under the general rule in Section 15061(b)(3) because it can be seen with certainty that adoption of the ordinance will not result in a significant effect on the environment. No exceptions listed under Section 15300.2 apply.

#### Community Input:

The draft ordinance is informed by community input received during numerous stakeholder meetings and community workshops starting in 2015 and culminating with a 195-person public workshop held on February 18, 2021, per direction of the Board on May 19, 2020. Additional public comment was received during the Planning Commission's review of the draft ordinance between June 2021 and June 2022. Public comments largely cover key issues that were identified early in the winery events policy effort.

- Wine-industry business need for direct marketing activities
- Neighborhood compatibility
- Potential impacts related to noise, traffic, dust, and water supplies

- Commercialization of agricultural lands and concentration
- Maintaining rural character
- Monitoring and enforcement
- Existing wineries

Since holding the public workshop in 2021, Permit Sonoma has received and considered comments from wine industry representatives, neighborhood groups, environmental groups, and other stakeholder groups. Wine industry members express concern about the industry's need for more flexibility to engage with consumers as they face ongoing challenges with wine wholesale and distribution consolidation. The wine community also points to impacts resulting from wildfire, smoke exposure, floods, power shutoffs, diminished tourism, and the pandemic. Wine industry members note that the wine community is a major employer and crucial contributor to the Sonoma County economy and supports hundreds of non-profit charitable organizations. Neighborhood and environmental groups, as well as a number of private citizens, continue to comment on the need for meaningful and enforceable definitions and standards. Other concerns raised include the loss of agricultural lands to development, maintaining rural character, event centers occurring on agricultural lands, and impacts on surrounding neighborhoods. Moreover, the draft Ordinance balances a number of considerations, such as key components of the local guidelines adopted by Dry Creek and Sonoma Valley CAC (See Attachment 3).

During the Sonoma County General Plan update, there will be an opportunity to look at these issues globally for visitor serving uses and events in agricultural areas beyond those sponsored by wineries, if that is desirable.

**Recommendation:**

On June 7, 2022, the Planning Commission recommended the Board of Supervisors adopt an Ordinance amending Chapter 26 of the Sonoma County Zoning Code to add Winery Definitions and Standards and find the action exempt from CEQA. Therefore, staff recommends the Board of Supervisors approve a resolution and adopt an Ordinance amending Chapter 26 of the Sonoma County Zoning Code to add Winery Definitions and Standards and find the action exempt from CEQA.

**Strategic Plan:** Not Applicable

**Prior Board Actions:**

Date	Board Action
May 2020	Board directed staff to prepare countywide winery event ordinance
June 2019	Board adopted 2017-19 Work Plan with Winery Events
October 2018	Board adopted an amendment to the DCVCAC Blue Book, adding local advisory guidelines for new visitor serving agricultural uses
October 2016	Board held a Winery Events Study Session and adopted a resolution of intent directing staff to prepare zoning amendments and policy options for local guidelines

<b>July 2016</b>	Board held a Winery Events Study Session
<b>December 2014</b>	Board adopted 2015-17 Work Plan with Winery Events Policy
<b>September 1996</b>	Board adopted a resolution of intent allowing limited food service in tasting rooms
<b>March 1993</b>	Board adopted Zoning Code amendments allowing agricultural promotional activities and events with a use permit, as part of implementation of the 1989 General Plan

**FISCAL SUMMARY**

Not Applicable

**Narrative Explanation of Fiscal Impacts:**

Not Applicable

**Staffing Impacts:** Not Applicable

**Narrative Explanation of Staffing Impacts (If Required):**

Not Applicable

**Attachments:**

Att 1 Ordinance

- a. Exhibit A "Table 6-1: Allowed Land Uses in Agricultural and Resource Zones"
- b. Exhibit B "Section 26-18-260 - Winery Definitions and Standards"

Att 2 Planning Commission Resolution (June 7, 2022)

Att 3 Winery Events Ordinance Comparison Table - comparing Planning Commission approved Ordinance with original staff recommendation

Att 4 Planning Commission Staff Report (June 3, 2021)

Att 5 October 2016 Board of Supervisors Resolution of Intent

Att 6 Related General Plan Agricultural Resource Element Policies

Att 7 Public Comments for Planning Commission Hearing

**Related Items "On File" with the Clerk of the Board:**

- 1. May 19, 2020 Winery Events Local Area Guidelines and Ordinance Update Board Summary Report
- 2. October 11, 2016 Winery Events Study Session Report
- 3. July 12, 2016 Winery Events Study Session Report

Resolution Number 22-02

County of Sonoma  
Santa Rosa, California

June 7, 2022  
ORD16-0001 Georgia McDaniel

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING CHAPTER 26 OF THE SONOMA COUNTY MUNICIPAL CODE TO ADD WINERY DEFINITIONS AND STANDARDS CONSISTENT WITH EXHIBITS A AND B, AND FIND THE ACTION EXEMPT FROM CEQA.

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, General Plan Policy AR-6g calls for the Board to "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"; and

WHEREAS, on October 11, 2016, the Board of Supervisors adopted a Resolution of Intention (Reso. No. 16-0394), directing staff to initiate zoning code amendments to address key issues associated with winery events and promotional activities, and to develop siting criteria and standards for areas of local concentration which include Dry Creek Valley, Westside Road, and Sonoma Valley areas; and

WHEREAS, on October 16, 2018, the Board of Supervisors adopted a Resolution approving the local advisory guidelines for visitor-serving agricultural uses in the Dry Creek Watershed, prepared by Dry Creek Valley Citizens Advisory Council (Reso. No. 18-0430); and

WHEREAS, on May 26, 2021, draft local advisory guidelines for winery visitor serving uses in the Sonoma Valley area were approved by the Sonoma Valley Citizens Advisory Commission and are expected to be presented to the Board of Supervisors; and

WHEREAS, members of the Westside Road Stakeholders Group did not reach consensus on siting criteria and operating standards for winery visitor-serving uses therefore, local advisory guidelines have not been prepared. In the future, a Westside Road Citizens Advisory Council may be formed by the Board of Supervisors and Westside Road local advisory guidelines prepared.

WHEREAS, during a Winery Events Policy update on May 19, 2020, the Board of Supervisors directed Permit Sonoma to obtain additional public feedback and move forward with preparing a countywide winery events ordinance that defines key terms and addresses common issues identified across local advisory guidelines. On February 18, 2021, Permit Sonoma held a public workshop on a draft framework for the county winery event standards.

WHEREAS, in accordance with the provisions of law, the Planning Commission held duly noticed public hearings on June 3, 2021, February 17, 2022, May 19, 2022, and June 7, 2022 at which time all interested persons were given an opportunity to be heard.

WHEREAS, WHEREAS, consistent with California Government Code Section 65855, the Planning Commission's recommendation to the Board of Supervisors on the proposed ordinance amendments will be transmitted with applicable findings in support thereof;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The foregoing recitals are true and correct, and incorporated into the findings herein.
2. CEQA. The proposed Ordinance is exempt from further review under the California Environmental Quality Act (CEQA) under Section 15308 exempting standards authorized by state law to assure protection of the environment; and, by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines, Section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. No exceptions apply. The basis for this determination is that the Ordinance does not involve specific development, does not increase development beyond that which the County Code currently allows by Use Permit in agricultural zones and would not create an intensification of use of land beyond what is currently allowed. Further, the Ordinance implements General Plan Land Use Element and Agriculture Resource Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor-serving uses.
3. General Plan Consistency. The proposed Ordinance implements General Plan Land Use Element and Agricultural Resources Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and areas while allowing for visitor serving uses that support and are secondary and incidental to agricultural production. The Ordinance is consistent with General Plan policies in that the Ordinance defines compatible agricultural promotional activities and provides a set of standards that prevent detrimental impacts to surrounding uses, agricultural lands and rural character. The Ordinance will not create an internal inconsistency in the General Plan, or inhibit the implementation of any other General Plan policies or program.
4. Zoning Consistency. The Ordinance proposes zoning amendments that do not involve specific development, do not increase development beyond that which the County Code currently allows by use permit in agricultural zones, and would not create an intensification of use of land

beyond what is currently allowed. The proposed amendments will not create an internal inconsistency within Chapter 26 but clarify compatible agricultural promotional uses allowed with a use permit by adding definitions and establishing standards for these visitor serving uses. The Zoning Code will continue to require use permits for agricultural processing and tasting rooms.

5. Additional Findings

- a. A notice of the public hearing was duly published for public review and comment at least 10 days prior to the public hearing.
- b. The Planning Commission has reviewed and considered the staff report and presentation, and all comments, materials and other evidence presented by member of the public prior to and during the public hearings held by the Commission on June 3, 2021, February 17, 2022, May 19, 2022, and June 7, 2022.

BE IT FURTHER RESOLVED that, based upon the entire record of proceedings herein and the findings above, the Planning Commission hereby determines that the proposed zoning amendments will not have a significant effect upon the environment.

BE IT FURTHER RESOLVED that, the Planning Commission recommends that the Board of Supervisors approve the proposed zoning amendments.

BE IT FURTHER RESOLVED that, the Planning Commission designates the Secretary of the Planning Commission 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 Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Koenigshofer, who motioned to approve, with proposed modifications and grammatical updates, that does not alter the intent of the Commission to the Board of Supervisors, seconded by Commissioner Carr, and passed on roll call by the following vote:

Commissioner Carr Aye  
Commissioner Gilardi Aye  
Commissioner McCaffery Aye  
Commissioner Koenigshofer Aye  
Commissioner Ocana Aye

Ayes: 5   Noes: 0   Absent: 0   Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.

# ORDINANCE NO. ( )

## AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY ZONING CODE FOR WINERY VISITOR SERVING USES BY AMENDING USES ALLOWED IN AGRICULTURAL ZONING DISTRICTS (LIA, LEA, AND DA), ADDING DEFINITIONS, AND ESTABLISHING STANDARDS FOR WINERIES, TASTING ROOMS AND WINERY EVENTS.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Purpose. The Board finds and declares that the adoption of this Ordinance is necessary and appropriate to implement the policies and programs of the Sonoma County General Plan, to ensure neighborhood compatibility, protect the general welfare of residents in the County, protect agricultural lands, and promote the economic viability of the local agricultural economy.

Section II. The Agricultural & Resource-Based Land Use Category in Table 6-1 of Section 26-6-030 of the Sonoma County Code is amended as shown in underline, in Exhibit A, attached.

Section III. New Section 26-18-260 is added to Sonoma County Code Chapter 26, Article 18 as shown in *Exhibit B*, attached.

Section IV. Sonoma County Code Chapter 26, Section 26-18-030(C) is amended to add new subsection 26-18-030(C)(5), as follows:

5. LIA, LEA, DA zones: Wineries, winery visitor serving activities, and winery events are subject to Winery Definitions and Standards in section 26-18-260.

Section V. Sonoma County Code Chapter 26, Section 26-18-210(B) is amended to add new subsection 26-18-210(B)(3), as follows:

3. LIA, LEA, DA zones: Wine tasting rooms, winery visitor serving activities, and winery events are subject to Winery Definitions and Standards in section 26-18-260.

Section VI. The Board of Supervisors hereby finds and declares that the project is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 15308 in that the standards set forth in the ordinance are authorized by state law to assure the protection of the environment; and Section 15061(b)(3) because it can be seen with certainty that adoption of the ordinance will not result in a significant effect on the environment. The basis for this determination is the Ordinance proposes zoning amendments that do not create an intensification of use of land, involve specific development, or increase development beyond what County Code currently allows by Use Permit in agricultural zones. Further, the Ordinance implements General Plan Land Use Element and Agriculture Resource Element policies and programs to protect and

enhance agricultural lands and the unique character of unincorporated communities and areas, as designated by the Board, while allowing for land uses and development associated with agricultural- production, processing, and visitor serving uses authorized by General Plan Land Use Element Policy 2.6, consistent with the General Plan Agriculture Resource Element policies for promoting and marketing agricultural products. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor serving uses. No exceptions listed under Section 15300.2 apply.

Section VII. Pipeline Projects. An application for winery, tasting room or winery event activity that was determined complete for processing prior to the effective date of this ordinance may continue to be processed and reviewed under the zoning code provisions pertinent to winery events and tasting rooms in effect at the time the applications were deemed complete or approved.

Section VIII. Severity Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IX. Effective Date. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the \_\_\_\_ day of \_\_\_\_\_, 202~~21~~, and finally passed and adopted this \_\_\_\_ day of \_\_\_\_\_ ~~2021~~2022, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Gorin:                      Rabbitt:                      Coursey:                      ~~Hopkins~~Gore:                      ~~Gore~~Hopkins:

Ayes:                      Noes:                      Absent:                      Abstain:



**WHEREUPON**, the Chair declared the above and foregoing Ordinance duly adopted and

**SO ORDERED.**

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Sonoma

ATTEST:

\_\_\_\_\_  
Sheryl Bratton,  
Clerk of the Board of Supervisors

Exhibit A: Table 6-1 of Section 26-6-030  
Exhibit B: New Section 26-18-260

**EXHIBIT “A”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 6. AGRICULTURE AND RESOURCE-BASED LAND USE**

**Table 6-1: Allowed Land Uses in Agricultural and Resource Zones**

Key of symbols for Table 6-1:

P = Permitted Use

P\* = Permitted Use, subject to discretionary approval criteria

C = Conditional Use

- = Prohibited Use

† = Permit requirement indicated in Use Regulations column

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
<b>Agricultural &amp; Resource-Based Land Use Category</b>						
Agricultural Crop Production and Cultivation	P	P	P	P	-	26-18-020
Agricultural Processing	C	C	C	C	-	26-18-030; 26-88-210, <u>26-18-260</u>
Agricultural Processing, Small Scale	P*	P*	P*	P*	-	26-18-040
Agricultural Support Services	P*/C	P*/C	P*/C	-	-	26-18-050
Animal Keeping: Beekeeping	P	P	P	P	P	26-18-060
Animal Keeping: Confined Farm Animals	P/C	P/C	P/C	C	-	26-18-070
Animal Keeping: Farm Animals	P	P	P	P	-	26-18-080
Animal Keeping: Livestock Feed Yards	C	C	C	C	-	26-18-090
Animal Keeping: Pet Fancier	P	P	P	P	-	26-18-100
Aquaculture	-	C	C	C	-	26-18-110
Composting, Commercial	-	C	C	C	-	26-18-120
Composting, Non-commercial	P	P	P	P	-	26-18-130
Farm Retail Sales	P	P	P	P	-	26-18-140
Farm Stands	P	P	P	P	-	26-18-150
Indoor Crop Cultivation	P	P	P	P/C	-	26-18-160
Land and Resource Management	P	P	P	P	P*	26-18-170
Mining, Surface	-	-	-	C	C	26-18-180; Chapter 26A
Mushroom Farming	C	C	C	C	-	26-18-190
Nursery, Wholesale	P	P	P	P	-	26-26-200
Tasting Rooms	C	C	C	C	-	26-18-210, <u>26-18-260</u>
Timber Management	-	-	-	P	P	26-18-220
Timber Operator Storage Yard, Off-Site	-	-	-	C	C	26-18-230
Timber Operator Storage Yard, On-Site and Incidental	-	-	-	P	P	26-18-230
Timber Saw Mills and Lumber Production	-	-	-	C	C	26-18-240

Exhibit A  
26-6-030  
Table 6-1 Amendments

Timberland Conversions, Major	-	-	-	C	C	26-18-250; 26-88-160
Timberland Conversions, Minor	P	P	P	P	-	26-18-250; 26-88-150
<b>Industrial, Manufacturing, Processing and Storage Land Use Category</b>						
Animal Product Processing	C	C	C	C	-	26-20-020
Fertilizer Plants	C	C	C	C	-	26-20-030
<b>Recreation, Education &amp; Public Assembly Land Use Category</b>						
Camp, Organized	-	-	-	C	C	26-22-020
Campgrounds	-	C	C	C	C	26-22-030
Community Meeting Facilities	C	C	C	C		26-22-050
Country Club	-	-	-	C	-	26-22-060
Educational Institution: Elementary and Secondary Schools	-	C	C	C		26-22-080
Golf Course	C	C	C	C	-	26-22-100
Parks and Playgrounds	P	P	P	-	-	26-22-110
Periodic Special Events	P*	P*	P*	P*	P*	26-22-120
Recreation and Sports Facilities: Rural Sports and Recreation	C	C	C	C	-	26-22-160
Studios for Art Crafts, Dance, Music	P	P	P	P	-	26-22-190
<b>Residential Land Use Category</b>						
Accessory Dwelling Unit	P	P	P	P	P	26-24-020; 26-88-060
Agricultural Employee Housing: Caretaker Dwelling	P	P	P	P	-	26-24-030
Agricultural Employee Housing: Full-Time	P	P	P	P	-	26-24-040
Agricultural Employee Housing: Seasonal	P	P	P	P	-	26-24-050
Agricultural Employee Housing: Temporary Camp	P	P	P	P	-	26-24-060
Agricultural Employee Housing: Year-Round or Extended Seasonal	P	P	P	-	-	26-24-070
Cottage Food Operation	P	P	P	P	P	26-24-100
Dwelling, Single-Family	P	P	P	P	P	26-24-130
Family Day Care Home, Large	P	P	P	P	P	26-24-150; 26-88-080
Family Day Care Home, Small	P	P	P	P	P	26-24-150
Farm Family Dwelling	P	P	-	-	-	26-24-160
Guest House	P	P	P	P	-	26-24-170
Home Occupation	P	P	P	P	-	26-24-180; 26-88-121
Junior Accessory Dwelling Unit	P	P	P	P	P	26-24-190; 26-88-061
Live/Work	C	C	C	C	-	26-24-200; 26-88-122
Permanent Supportive Housing	P	P	P	P	-	26-24-230
Residential Community Care, Large	C	C	C	C	-	26-24-240
Residential Community Care, Small	P	P	P	P	P	26-24-240
Temporary Occupancy of Travel Trailer	P	P	P	P		26-24-260; 26-88-010(p)

Exhibit A  
26-6-030  
Table 6-1 Amendments

Transitional Housing	P	P	P	P		26-24-270
<b>Retail Land Use Category</b>						
Firewood Yard	-	-	C	C	C	26-26-060
Nursery, Retail	C	C	C	C	-	26-26-120
<b>Services Land Use Category</b>						
Cemeteries	C	C	C	C	-	26-28-050
Commercial Horse Facilities	C	C	C	C	-	26-28-060
Commercial Kennels	C	C	C	C	-	26-28-070
Day Care Center	C	C	C	C	-	26-28-080
Horse Boarding	P	P	P	P	-	26-28-100
Lodging: Agricultural Farmstay	P	P	P	P	-	26-28-110; 26-88-085
Lodging: Agricultural Marketing Accommodations	C	C	C	-	-	26-28-120
Lodging: Bed and Breakfast (B&B)	-	C	C	C	-	26-28-130; 26-88-118
Lodging: Hosted Rental	P	P	P	P	-	26-28-140
Lodging: Vacation Rental	-	P	P	P	-	26-28-160; 26-88-120
Veterinary Clinic	-	-	-	C	-	26-28-230
<b>Transportation, Energy, Public Facilities Land Use Category</b>						
Airfield and Landing Strips: Agricultural, Resource or Personal Landing Strip	-	C	C	C	C	26-30-020
Low Temperature Geothermal Resource Development	C	C	C	-	C	26-30-050
Oil and Gas Exploration and Extraction	-	-	-	C	-	26-30-070
Public Safety Facilities	C	C	C	C	C	26-30-090
Public Utility Facilities	C	C	C	C	C	26-30-100
Renewable Energy Facilities	†	†	†	†	†	† See 26-30-110 and Section 26-88-200, -202, -206, and -208
Telecommunications Facilities	†	†	†	†	†	† See 26-30-120 and Section 26-88-130
<b>Other Land Uses</b>						
Cannabis Cultivation, Personal Use	P	P	P	P	P	26-88-258
Commercial Cannabis Uses	†	†	†	†	†	† See 26-88-250; 26-88-254

**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Definitions and Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving ~~activities and winery events~~uses. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used ~~to receive catered~~~~for the preparation of~~ food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, and administrative offices, as a whole that are proportionate to the production of the winery, ~~tasting rooms, event space, commercial kitchen, and catering kitchen.~~
  6. **Winery Events** means a gathering of people at a pre-scheduled date and time. Some events last for two or three days. In these cases, each day is counted as a separate event. Periodic Special Events are defined by Sec. 26-22-120 of the Zoning Code. ~~events held at wineries and tasting rooms for the purpose of promoting and~~

~~marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite and/or in the area and are consistent with General Plan Policy AR-6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.~~

7. **Agricultural Promotional Events** are events where the primary purpose is directly for public education, sales, promotion and/or marketing of agricultural products grown or processed in the local area. Agricultural Promotional Events support and are secondary and incidental to local agricultural production, and meet the standards of General Plan Policy AR-6d. Determination of secondary and incidental is advised by considering the following, but not limited to: site circumstances, comparative economic returns, physical development and infrastructure, and operational capacity directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release parties, and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a ~~recognized~~ wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Tasting Room** is a visitor serving use for the tasting, sampling and retail sales of wine made from locally grown wine grapes and other wine related products and may include food.
8. ~~**Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, winery or tasting room owner(s), winery employees, and tasting room employees.~~
9. ~~**Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor serving activities: Sales Activities and Wine Trade Activities.~~
10. ~~**Sales Activities** are wine tasting, pickup parties, tours, seminars and other hospitality related activities that support the promotion of wine sales.~~
11. ~~**Wine Trade Activities** are by invitation meetings, seminars, harvest parties and similar activities attended only by wine trade partners and are not advertised to the consumer.~~

E. Operating Standards.

1. ~~**Winery Visitor Serving Activities.** Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.~~

1. Winery Events. Winery events held at wineries and tasting rooms must:

- a. Promote and market agricultural products grown or processed onsite or in the local area; and
- b. Be secondary and incidental to agricultural production activities occurring onsite and/or in the area; and

c. Be consistent with General Plan Policy AR-6d; and

d. ~~must be~~ Be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit; and-

a-e. Comply with neighborhood notification requirements outlined in Operating Standards 5 and 11 below.

4.2. Wine Tasting Rooms. Wine Tasting Rooms must operate in accordance with the hours of operation, building occupancy limits, parking, food service, and operational requirements specified in the use permit. Wine Tasting Rooms shall meet the standards in General Plan Policies AR-6d and AR-6f summarized below:

a. Promote and market only agricultural products grown or processed in the local area. Incidental sales of items related to local area agricultural products are allowed.

b. Be compatible with and secondary and incidental to agricultural production activities in the area.

b-c. Stand-alone Wine Tasting Rooms are not allowed.

e-d. Not require extension of sewer and water.

e. Not result in a detrimental concentration of visitor serving uses.

3. Sizing of ~~winery visitor serving activities and~~ winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses. Factors to be considered include, but are not limited to neighborhood compatibility, rural character, visual impacts, noise attenuation, available water supply, emergency access and evacuation, ,including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, ~~noise attenuation,~~ increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.

4. Hours of Operation. The maximum hours of operation for tasting rooms ~~winery visitor serving activities~~ and winery events are specified below, unless further limited by the use permit.

a. Tasting Rooms. Regular business hours for tasting rooms may occur no earlier than 10 am and no later than 5 pm.

~~b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor serving activities are specified below by activity type.~~

- ~~(1) Sales Activities: 10 am – 5 pm.~~  
~~(2)(1) Wine Trade Activities: 8 am – 10 pm.~~

e.b. Winery Events. The maximum hours of operation for events are specified below by event type.

- (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:30 pm – 10 pm.
- (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.

5. Neighborhood Notification. Early Neighborhood Notification of new and modified use permit applications for winery events and tasting rooms shall be sent to owners and occupants of lots within 1,000 feet of the winery/tasting room lot boundaries.

6. Third Party Rentals. All activities and events will be hosted by the proprietor, with on-site management by the proprietor's staff. The facility will not be rented out for use by a 3rd party and no rental fees will be charged.  
~~Wineries and tasting rooms shall not be rented out to third parties for events.~~

7. Event Space. No permanent structured dedicated to events shall be constructed or maintained. Events may be held in any indoor or outdoor area that is commonly used for the winery or tasting room facility.

8. Access. Access to the parcel on public roadways of at least 18 feet in width is required for use permits with visitor-serving agricultural uses.

5-9. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:

- a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
- b. Use of on-site unimproved overflow parking areas or shuttling may be allowed only to accommodate winery events, if specified in the use permit.
- ~~c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.~~

d.c. No parking is permitted along any public or private roadways or on shared vineyard roads.

6-10. Food Service. Food service is allowed as specified below.

- a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.



- b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
- c. Food and wine pairings featuring local foods and food products is allowed in conjunction with wine tasting. ~~ry visitor serving activities and winery events.~~
- d. Meals prepared by the winery/tasting room, caterer, or mobile food facility shall feature local foods and food products and is only allowed in conjunction with winery events. ~~Prepared meals featuring local foods and food products is allowed in conjunction with wine trade activities and winery events.~~
- e. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:
  - (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
  - (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
  - (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
  - (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.

7-11. Event Coordination and Traffic Management.

- a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:
  - (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
  - (2) ~~Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.~~
  - (2)(3) Send written notification to owners and occupants of lots within 1,000 feet of the winery/tasting room lot boundaries, plus any additional property owners who request notification, at least 10-days prior to each event.
- b. Event Proposal. Industry-wide events shall be added to the County's special events calendar.

The approved event plan should be clearly set forth as a standard Condition of Approval in all new use permits and should include provisions for event coordination. In order to monitor the effects of the permit, and to confirm that it is being followed, the Use Permit should require that data regarding the numbers of visitors from each winery event and the total tasting room attendance for the previous year be submitted to the County annually.

b-c. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during ~~winery visitor serving activities and~~ winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:

- (1) Provisions for event coordination to avoid local traffic delays.
- (2) Parking attendants for each day of the event.
- (3) A shuttle plan, if shuttling is ~~requested~~needed, to support each day of the event. A convenient and secure "park and ride" area must be provided.
- (4) A plan for on-site parking requirements and queuing of traffic.
- (5) Enforcement of the on-street parking restrictions.
- (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.

8-12. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, ~~winery visitor serving activities and~~ winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified <u>speech</u> /music, or loud instruments such as brass instruments, horns, or drums	<del>1,600 feet</del> <u>Project-specific noise study required</u>

A project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis is required for any:

a. Exceptions to setbacks listed in Table 18-2; and

b. Outdoor areas involving amplified speech/music, or loud instruments such as brass instruments, horns, or drums

~~Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise~~

~~Element due to intervening structures or natural features, available open land on noise sensitive parcels, or by incorporating noise mitigation measures.~~

9-13. Outdoor Burning. Outdoor burning shall be limited to code-compliant gas-fired appliances and barbecues. Gas-fired firepits shall be less than 3 feet in diameter. The burning of solid fuel is prohibited.

DEFINITION	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Catering Kitchen</b>	A facility used <u>to receive catered</u> food to be served in conjunction with winery visitor-serving activities and/or events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.	A facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
<b>Commercial Kitchen</b>	No change	A facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood and outdoor equipment such as pizza ovens or barbecues.
<b>Food &amp; Wine pairing</b>	No change	Providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
<b>Rural Area</b>	No change	Any area not located within an urban service area designated on the General Plan Land Use Map.
<b>Winery</b>	An agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, and administrative offices, <u>as a whole that are proportionate to the production of the winery.</u>	An agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
<b>Winery Events</b> (General Statement)	<u>A gathering of people at a pre-scheduled date and time. Some events last for two or three days. In these cases, each day is counted as a separate event. Periodic Special Events are defined by Sec. 26-22-120 of the Zoning Code.</u>	Events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite and/or in the area and are consistent with General Plan Policy AR-6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.
<b>Agricultural Promotional Events</b>	<u>Events where the primary purpose is directly for public education, sales, promotion and/or marketing of agricultural products grown or processed in the local area. Agricultural Promotional Events support and are secondary and incidental to local agricultural production, and meet the standards of General Plan Policy AR-6d. Determination of secondary and incidental is advised by considering the following but not limited to: site circumstances, comparative economic returns, physical development and infrastructure, and operational capacity.</u>	Events directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release parties, and wine club parties and similar events.
<b>Industry-Wide Events</b>	Promotional activities sponsored by a <u>(‘recognized’ removed)</u> wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.	Promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.

DEFINITION	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Wine Tasting Room</b> *new*	<u>A visitor serving use for the tasting, sampling and retail sales of wine made from locally grown wine grapes and other wine related products and may include food.</u>	No definition proposed
<b>Wine Trade Partners</b>	Definition removed	Distributors, wine trade buyers, restaurant owners and their representatives, winery or tasting room owner(s), winery employees, and tasting room employees.
<b>Winery Visitor Serving Activities</b> (General Statement)	Definition removed	Visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
<b>Sales Activities</b>	Definition removed	Wine tasting, pickup parties, tours, seminars and other hospitality related activities that support the promotion of wine sales.
<b>Wine Trade Activities</b>	Definition removed	By-invitation meetings, seminars, harvest parties and similar activities attended only by wine trade partners and are not advertised to the consumer.

OPERATING STANDARD	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Winery Visitor Serving Activities</b>	Standard removed	Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
<b>Winery Events</b>	<p>Winery events <u>held at wineries and tasting rooms must:</u></p> <ol style="list-style-type: none"> <li><u>Promote and market agricultural products grown or processed onsite or in the local area; and</u></li> <li><u>Be secondary and incidental to agricultural production activities occurring onsite and/or in the area; and</u></li> <li><u>Be consistent with General Plan Policy AR-6d; and</u></li> <li>Be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit; and</li> <li><u>Comply with neighborhood notification requirements outlined in Operating Standards 5 and 11 below. (“Neighborhood Notification”, “On-Site Coordinator”, “Event Proposal”, and “Traffic Management”)</u></li> </ol>	Winery Events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
<b>Wine Tasting Rooms</b> *new*	<p><u>Wine Tasting Rooms must operate in accordance with the hours of operation, building occupancy limits, parking, food service, and operational requirements specified in the use permit. Wine Tasting Rooms shall meet the standards in General Plan Policies AR-6d and AR-6f summarized below:</u></p> <ol style="list-style-type: none"> <li><u>Promote and market only agricultural products grown or processed in the local area. Incidental sales of items related to local area agricultural products are allowed.</u></li> <li><u>Be compatible with and secondary and incidental to agricultural production activities in the area.</u></li> <li><u>Stand-alone Wine Tasting Rooms are not allowed.</u></li> <li><u>Not require extension of sewer and water.</u></li> <li><u>Not result in a detrimental concentration of visitor serving uses.</u></li> </ol>	No standard proposed
<b>Sizing</b>	Sizing of winery events and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses. <u>Factors to be considered include, but are not limited to neighborhood compatibility</u> , rural character, visual impacts, noise attenuation, available water supply, emergency access and evacuation, septic capacity, availability of on-site parking, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.	Sizing of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.

OPERATING STANDARD	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Hours of Operation</b>	<p>Hours of Operation. The maximum hours of operation for tasting rooms and winery events are specified below, unless further limited by the use permit.</p> <p>a. Tasting Rooms. Regular business hours for tasting rooms <u>may occur no earlier than 10 am and no later than 5 pm.</u></p> <p><i>(Winery Visitor Serving Activities removed)</i></p> <p>b. Winery Events. The maximum hours of operation for events are specified below by event type.</p> <p>(1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:30 pm – 10 pm.</p> <p>(2) Industry-wide Events may occur during the hours of 10 am – 5 pm.</p>	<p>Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.</p> <p>a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.</p> <p>b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.</p> <p>(1) Sales Activities: 10 am – 5 pm.</p> <p>(2) Wine Trade Activities: 8 am – 10 pm.</p> <p>c. Winery Events. The maximum hours of operation for events are specified below by event type.</p> <p>(3) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:30 pm – 10 pm.</p> <p>(4) Industry-wide Events may occur during the hours of 10 am – 5 pm.</p>
<b>Neighborhood Notification</b> *new*	<u>Early Neighborhood Notification of new and modified use permit applications for winery events and tasting rooms shall be sent to owners and occupants of lots within 1,000 feet of the winery/tasting room lot boundaries.</u>	No standard proposed
<b>Third Party Rentals</b>	<u>All activities and events will be hosted by the proprietor, with on-site management by the proprietor’s staff. The facility will not be rented out for use by a 3rd party and no rental fees will be charged.</u>	Wineries and tasting rooms shall not be rented out to third parties for events.
<b>Event Space</b> *new*	<u>No permanent structured dedicated to events shall be constructed or maintained. Events may be held in any indoor or outdoor area that is commonly used for the winery or tasting room facility.</u>	No standard proposed
<b>Access</b> *new*	<u>Access to the parcel on public roadways of at least 18 feet in width is required for use permits with visitor-serving agricultural uses.</u>	No standard proposed
<b>On-Site Parking</b>	<p>The following on-site parking is required for wineries and tasting rooms:</p> <p>a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).</p> <p>b. Use of on-site unimproved overflow parking areas or shuttling may be allowed <u>only</u> to accommodate winery events, if specified in the use permit.</p> <p><i>(Winery visitor serving activities removed)</i></p> <p>c. No parking is permitted along any public or private roadways or on shared vineyard roads.</p>	<p>The following on-site parking is required for wineries and tasting rooms:</p> <p>a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).</p> <p>b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.</p> <p>c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.</p> <p>d. No parking is permitted along any public or private roadways or on shared vineyard roads.</p>



OPERATING STANDARD	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Food Service</b>	<p>Food service is allowed as specified below.</p> <ol style="list-style-type: none"> <li>All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.</li> <li>Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.</li> <li>Food and wine pairings featuring local foods and food products is allowed in conjunction with wine tasting.</li> <li>Meals prepared <u>by the winery/tasting room, caterer, or mobile food facility shall feature local foods and food products and is only allowed in conjunction with winery events. <i>(wine trade activities removed)</i></u></li> <li>Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations: <ol style="list-style-type: none"> <li>Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.</li> <li>Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.</li> <li>Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.</li> <li>Off-site signs advertising retail sales of pre-packaged food are prohibited.</li> </ol> </li> </ol>	<p>Food service is allowed as specified below.</p> <ol style="list-style-type: none"> <li>All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.</li> <li>Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.</li> <li>Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events.</li> <li>Prepared meals featuring local foods and food products is allowed in conjunction with wine trade activities and winery events.</li> <li>Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations: <ol style="list-style-type: none"> <li>Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.</li> <li>Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.</li> <li>Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.</li> <li>Off-site signs advertising retail sales of pre-packaged food are prohibited.</li> </ol> </li> </ol>
<b>On-Site Coordinator</b>	<p>An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:</p> <ol style="list-style-type: none"> <li>Ensure that the winery’s website prominently lists a telephone number for the public to make event-related complaints; and</li> <li>Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the “complaint hotline” telephone number.</li> <li><u>Send written notification to owners and occupants of lots within 1,000 feet of the winery/tasting room lot boundaries, plus any additional property owners who request notification, at least 10-days prior to each event.</u></li> </ol>	<p>An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:</p> <ol style="list-style-type: none"> <li>Ensure that the winery’s website prominently lists a telephone number for the public to make event-related complaints; and</li> <li>Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the “complaint hotline” telephone number.</li> </ol>
<b>Event Proposal</b> *new*	<p><u>Industry-wide events shall be added to the County’s special events calendar.</u></p> <p><u>The approved event plan should be clearly set forth as a standard Condition of Approval in all new use permits and should include provisions for event coordination. In order to monitor the effects of the permit, and to confirm that it is being followed, the Use Permit should require that data regarding the numbers of visitors from each winery event and the total tasting room attendance for the previous year be submitted to the County annually.</u></p>	No standard proposed



OPERATING STANDARD	PLANNING COMMISSION APPROVED	ORIGINAL STAFF RECOMMENATION
<b>Traffic Management</b>	<p>Traffic management and parking plans are required to address the maximum number of people visiting during winery events. <u>(winery visitor serving activities removed)</u> For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Provisions for event coordination to avoid local traffic delays.</li> <li>(2) Parking attendants for each day of the event.</li> <li>(3) A shuttle plan, if shuttling is <u>needed</u>, to support each day of the event. A convenient and secure "park and ride" area must be provided.</li> <li>(4) A plan for on-site parking requirements and queuing of traffic.</li> <li>(5) Enforcement of the on-street parking restrictions.</li> <li>(6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.</li> </ol>	<p>Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:</p> <ol style="list-style-type: none"> <li>(1) Provisions for event coordination to avoid local traffic delays.</li> <li>(2) Parking attendants for each day of the event.</li> <li>(3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.</li> <li>(4) A plan for on-site parking requirements and queuing of traffic.</li> <li>(5) Enforcement of the on-street parking restrictions.</li> <li>(6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.</li> </ol>
<b>Noise Attenuation Setbacks</b>	<p>Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, <u>(winery visitor serving activities removed)</u> winery events shall meet the required setbacks provided below (measured from the exterior property line of any adjacent noise sensitive land use):</p> <ul style="list-style-type: none"> <li>• Parking lots: 450 feet</li> <li>• Outdoor areas involving groups of people or non-amplified music (i.e. acoustic): 625 feet</li> </ul> <p>A project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis is required for any:</p> <ul style="list-style-type: none"> <li>• Exceptions to setbacks listed above, and</li> <li>• <u>Outdoor areas involving amplified speech/music, or loud instruments such as brass instruments, horns, or drums.</u></li> </ul>	<p>Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided below (measured from the exterior property line of any adjacent noise sensitive land use):</p> <ul style="list-style-type: none"> <li>• Parking lots: 450 feet</li> <li>• Outdoor areas involving groups of people or non-amplified music (i.e. acoustic): 625 feet</li> <li>• Outdoor areas involving amplified speech/music, or loud instruments such as brass instruments, horns, or drums: 1,600 feet.</li> </ul> <p>A project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis is required for any exceptions to setbacks listed above.</p>
<b>Outdoor Burning</b> *new*	<p><u>Outdoor burning shall be limited to code-compliant gas-fired appliances and barbecues. Gas-fired firepits shall be less than 3 feet in diameter. The burning of solid fuel is prohibited.</u></p>	No standard proposed



## Sonoma County Planning Commission **STAFF REPORT**

**FILE:** Winery Events Ordinance ORD16-0001

**DATE:** June 3, 2021

**TIME:** At or after 1:50 p.m.

**STAFF:** Georgia McDaniel, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **SUMMARY**

<b>Applicant:</b>	County of Sonoma
<b>Supervisory District(s):</b>	All
<b>Subject:</b>	Winery Events Ordinance
<b>Proposal:</b>	Consideration of amendments to the County Code, Chapter 26, adding standards for new winery visitor serving uses on lands zoned Land Intensive Agriculture, Land Extensive Agriculture, and Diverse Agriculture, outside of the coastal zone.
<b>CEQA Review:</b>	Exempt from the California Environmental Quality Act pursuant to Cal. Code Regulations, Title 14, § 15308 exempting standards authorized by State Law to protect the environment; and § 15061(b)(3) because the ordinance will not result in a significant effect on the environment.
<b>Ordinance Reference:</b>	Sonoma County Code Chapter 26 – Sonoma County Zoning Regulations, Article 6 – Agricultural and Resource Zones and Article 18 – Agricultural and Resource-Based Use Standards.

### **RECOMMENDATION**

Approve a resolution recommending that the Sonoma County Board of Supervisors adopt the draft Sonoma County Winery Events Ordinance.

### **EXECUTIVE SUMMARY**

Permit Sonoma is proposing a draft Winery Events Ordinance to address key issues associated with winery events and promotional activities. On October 11, 2016, the Board of Supervisors directed staff to prepare



zoning code amendments to address key issues associated with winery events and promotional activities, and to develop siting criteria and standards for areas of concentration.

Three areas of local concentration were identified in the county: Sonoma Valley, Westside Road, and Dry Creek Valley. Stakeholders in each of the three areas of concentration have worked at the local level to establish local guidelines for their respective community.

At the conclusion of a Winery Events Ordinance project update on May 19, 2020, the Board of Supervisors directed Permit Sonoma staff to move forward with preparing a countywide winery events ordinance with additional community input. Staff has developed a countywide ordinance based on stakeholder input, as well as information from traffic and noise studies commissioned for this policy effort. Moreover, the ordinance is informed by community input received during numerous stakeholder meetings and community workshops, including a 195-person public workshop on February 18, 2021.

The draft Winery Events Ordinance includes a set of standards for winery events and promotional activities. These standards will be used by Permit Sonoma staff and decision makers when considering new and modified use permit applications for winery visitor serving uses. The intent of the draft Ordinance is to provide consistency and clarity to the use permit evaluation process, reduce impacts to surrounding uses, protect agricultural lands, and preserve rural character. The draft Ordinance defines key terms and sets forth operating standards for maximum hours of operation, parking, food service, event coordination and traffic management, and setbacks for noise attenuation.

Staff will present a final draft Winery Events Ordinance to the Board of Supervisors for approval on August 17, 2021.

## **POLICY HISTORY**

On December 9, 2014, the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included developing regulations to address winery events and potential overconcentration. The Work Plan would update countywide standards and procedures for regulating winery-related promotional activities on agricultural lands to better address land use compatibility and potential overconcentration. The Work Plan anticipated focused policies in Sonoma Valley, Dry Creek Valley, and Westside Road because of the relative concentration of existing wineries with events and related traffic impacts.

To complete the policy project, the Permit Sonoma Director formed a Winery Event Working Group that met for six months to review existing policies and inform staff of key issues and policy options. The Winery Event Working Group comprised individuals representing both industry and neighborhood groups. A number of key issues emerged through this effort: 1) wine industry business need for direct marketing activities; 2) neighborhood compatibility; 3) potential impacts related to noise, traffic, dust and water supplies; 4) commercialization of agricultural lands and concentration; and 5) maintaining rural agricultural character.

Following the Working Group meetings, staff conducted a public workshop attended by roughly 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 (a catalogue of active wineries in Sonoma), and contracted with qualified traffic and noise consultants to prepare analyses on issues associated with winery events in areas of concentration.



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On July 12, 2016, the Board of Supervisors held a study session on winery events to consider key issues and policy options that could reduce the potential for neighborhood conflicts and provide more certainty to the permitting process. The Board discussed policy options, and directed staff to return with a summary of the Board of Supervisor's comments and a revised Resolution of Intention.

On October 11, 2016, the Board of Supervisors adopted a Resolution of Intention directing staff to initiate zoning code amendments to address key issues associated with winery events, and to develop siting criteria and standards for areas with potential overconcentration. Staff would work through the Dry Creek Valley Citizens Advisory Council, the Sonoma Valley Citizens Advisory Commission, and a stakeholders group for the Westside Road area to facilitate development of criteria and standards for each local area of concentration.

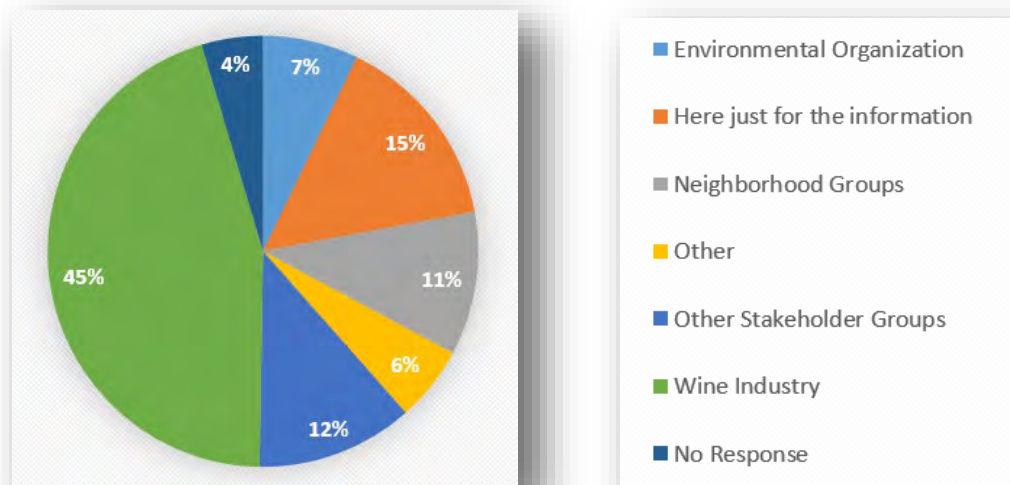
Preparation of local guidelines with siting criteria and operational standards began in 2016. The Dry Creek Valley Citizens Advisory Council (DCVCAC) completed their guidelines in 2017. The DCVCAC local guidelines were approved by the Board of Supervisors in 2018 and posted on the DCVCAC webpage. Sonoma Valley Stakeholders meetings began in 2017 with the goal of preparing guidelines with siting criteria and operational standards. The draft Sonoma Valley guidelines were presented to the Sonoma Valley Citizens Advisory Commission (SVCAC) on November 18, 2020. SVCAC is currently reviewing final revisions and expect to complete their guidelines in summer 2021. Westside Road Stakeholders met on a monthly basis in 2019, however, draft guidelines have not been prepared.

During a Winery Events Policy update on May 19, 2020, the Board directed Permit Sonoma to obtain additional public feedback and move forward with preparing a countywide winery events ordinance that defines key terms and addresses common issues identified across the local guidelines.

On February 18, 2021, Permit Sonoma held a public workshop on a draft framework for the county winery event ordinance. The workshop was attended by 195 people, including representatives from the wine industry, neighborhood groups, environmental groups, and other stakeholder groups. Workshop attendance is broken down into the identifying groups shown below.



Figure 1. Workshop Attendees by Identifying Groups



The workshop included a presentation on the history of winery events policy and community work, actions taken to reduce cumulative impacts, a brief overview of the local guidelines process, and developing a draft framework for county winery event ordinance. Participants were provided an opportunity to make public comments in 30-minute small group (breakout group) discussions. A summary of public comments documented by facilitators is available on the Winery Events project website (Attachment 4).

The summary of comments represent the diverse views on developing framework for a winery events ordinance and the distinguishing factors between normal business operations and events. Reducing impacts to surrounding uses and negative cumulative effects depends on a variety of site- and neighborhood-specific factors, such as parcel size and distance to neighbors, road and traffic conditions. Key themes emerged from the public comments.

#### Public Comments – Emerging Themes:

- Size is the major determining factor whether an activity or event
- Food and wine pairing is an activity. Full meal served is an event.
- Activities/parties during normal business hours are normal visitor-serving activities.
- Activities/parties after normal business hours are winery events.
- Wine industry meetings/parties are part of normal operations.
- Lack of monitoring and enforcement results in direct negative impacts to neighbors and contributes to negative cumulative effects.

**Written Public Comments Received February 2, 2021 - March 19, 2021:**

Over 30 public written public comments were received via email separately from the February 18, 2021 virtual public workshop. The comments largely cover topics raised in public comments received during the February 2021 workshop and past community and stakeholder meetings. Wine industry members raised concern about the relationship between preexisting wineries with vague permit approvals and the new ordinance. The Vintners Association proposed a set of draft winery definitions and guidelines they requested to be considered in the development of the ordinance. Comments were also received from Preserve Rural Sonoma County, Sonoma County Bicycle Coalition, Community Alliance with Family Farmers, Wine and Water Watch Board, Greenbelt Alliance, Friends of Atascadero Wetlands, Korbel Champagne Cellars, Rodney Strong Vineyards, Bacigalupi Vineyards, Peay Vineyards, Dry Creek Vineyards, and Valley of the Moon Alliance; as well as a number of private citizens.

Information regarding past meetings from 2016 through the Virtual Public Workshop in February 2021 can be accessed at <https://sonomacounty.ca.gov/PRMD/Regulations/Winery-Events/Past-Meetings/>

Documents from 2015 and 2016 may be accessed on the Winery Events Documents and Maps webpage at <https://sonomacounty.ca.gov/PRMD/Regulations/Winery-Events/Documents-and-Maps/>

Table 1 below summarizes prior project history and actions taken for the Winery Events Policy initiative.

**Table 1: Summary of Policy Milestones**

<b>Date</b>	<b>Policy Event/Milestone</b>
<b>December 2014</b>	Board adopted 2015-17 Work Plan with Winery Events Policy
<b>2015-2016</b>	Winery Event Working Group met on key issues and policy options
<b>November 2015</b>	Permit Sonoma held a public workshop; 500 attendees
<b>July/October 2016</b>	Board held a Winery Events Study Session; staff directed to prepare zoning amendments and policy options for local guidelines
<b>2017-2019</b>	Permit Sonoma facilitated Sonoma Valley Stakeholder Group meetings on preparation of local advisory guidelines
<b>October 2018</b>	Board approved local advisory guidelines prepared by Dry Creek Citizen Advisory Council
<b>November 2019</b>	Consultant completed noise guidelines and traffic studies for 3 areas of concentration
<b>June 2019</b>	Board adopted 2017-19 Work Plan with Winery Events
<b>2019-2020</b>	Permit Sonoma facilitated Westside Road Stakeholder Group meetings on preparation of local advisory guidelines
<b>May 2020</b>	Permit Sonoma provided Winery Events Policy update to Board; staff directed to prepare countywide winery event ordinance
<b>November 2020</b>	Sonoma Valley Stakeholders Group presented draft local guidelines to Sonoma Valley Citizens Advisory Commission
<b>January 2021</b>	Consultant presented traffic study recommendations to Sonoma Valley Citizens Advisory Commission to inform local area guidelines
<b>February 2021</b>	Permit Sonoma held a public workshop; 195 attendees



## **POLICY ANALYSIS**

### **Background**

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 so long as the promotional activities were 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.

In 2008, the Board approved an update to the General Plan, which expanded on policies regulating winery events activity and agricultural promotional events. Since 1993, when zoning code amendments were adopted to allow promotional activities and events with a use permit, 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, industry-wide events and other gatherings that have, in some situations, resulted in neighborhood impacts and potential land use conflicts. Many wineries have applied for modifications to their use permits.

Of the 464 winery and tasting room permits approved in the unincorporated areas of Sonoma County, 307 are permitted for visitor serving uses, such as tasting and events. 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.

### **General Plan Consistency**

The General Plan Agricultural Land Use Policy includes three agricultural use categories, "Land Intensive Agriculture", "Land Extensive Agriculture", and "Diverse Agriculture". Each category permits the full range of agricultural uses, including agricultural production, agricultural support uses and visitor serving uses as provided in the Agricultural Resources Element. The goal of the General Plan policies is to preserve agricultural lands and maintain the rural character of the area while enhancing the economic viability of farms. Goals and objectives of the Agricultural Resources Element identify the need to promote a healthy and competitive agricultural industry for locally produced products and to allow visitor serving uses that are beneficial to the agricultural industry and compatible with the long term agricultural use of the land. Agricultural Resources Element policies also call on the Board of Supervisors to develop regulations that further define compatible agricultural promotional activities including their permissible sizes and intensities. 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. Related Agricultural Resources Element General Plan policies are provided in Attachment 3.

The draft Winery Events Ordinance (Ordinance) implements General Plan Land Use Element and Agricultural Resources Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and areas, as designated by the Board, while allowing for visitor serving uses that support and are secondary and incidental to agricultural production. The Ordinance is consistent with General Plan policies in that the Ordinance defines compatible agricultural promotional activities and provides a set of



standards that prevent detrimental impacts to surrounding uses, agricultural lands and rural character. The Ordinance will not create an internal inconsistency in the General Plan, or inhibit the implementation of any other General Plan policies or program.

### **Zoning Code Consistency**

The Zoning Code currently requires agricultural processing and tasting rooms to be consistent with General Plan policies related to visitor serving uses in the agricultural zoning districts. The proposed zoning amendments do not involve specific development nor do the amendments increase development beyond that which the County Code currently allows by use permit in agricultural zones. The proposed amendments will not create an internal inconsistency within Chapter 26 but will clarify compatible agricultural promotional uses allowed with a use permit by adding definitions and establishing standards for these visitor serving uses. The Zoning Code will continue to require use permits for agricultural processing and tasting rooms.

### **CEQA Determination**

Staff finds the proposed ordinance is exempt from further review under the California Environmental Quality Act (CEQA) under Section 15308 exempting standards authorized by state law to assure protection of the environment; and under the general rule in Section 15061(b)(3) because it can be seen with certainty that adoption of the ordinance will not result in a significant effect on the environment. No exceptions listed under Section 15300.2 apply.

The basis for this determination is that the Ordinance does not involve specific development, it does not increase development more than what County Code currently allows by Use Permit in agricultural zones, and it does not create an intensification of use of land beyond what is currently allowed. Further, the Ordinance implements General Plan Land Use Element and Agricultural Resources Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and areas, as designated by the Board, while allowing for land uses and development associated with agricultural- production, processing, and visitor serving uses authorized by Land Use Element Policy 2.6, consistent with the Agricultural Resources Element policies for promoting and marketing agricultural products. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor serving uses.

### **Cumulative Impacts – Traffic, Noise, Water**

The County is also addressing cumulative impacts of traffic, noise and water. Permit Sonoma contracted with GHD, a traffic consultant, to prepare traffic studies in the Dry Creek Valley/Westside Road area and in Sonoma Valley. Many of the recommendations have become requirements for winery use permit applications or conditions of approval. Application requirements and conditions of approval include maintaining safe driveway access, no parking along adjacent County roads, requiring traffic studies with applications and implementing traffic mitigations recommended by those studies, plus traffic management plans. The GHD traffic studies are posted on the Winery Events webpage.

Permit Sonoma contracted Bollard Acoustical Consultants, Inc. (BAC) to prepare recommendations for screening applications for winery events. Applications for new and modified use permits for winery events and activities are screened in accordance with Bollard's "Recommendations for General Noise Standards for Winery Events" to determine if a site-specific noise study is required and to ensure compliance with Sonoma County General Plan





noise standards. Noise control in accordance with Sonoma County General Plan Table NE-2 (or an adjusted Table NE-2) is a standard condition. The required noise attenuation setback distances consistent with the Bollard recommendations and Permit Sonoma's February 2019 Guidelines for the Preparation of Noise Analysis are included in the Ordinance. The Bollard recommendations are posted on the Winery Events webpage.

The Water Resources Element of the General Plan includes goals and policies for managing groundwater as a valuable and limited shared resource. The County uses a four-tier classification system to indicate general area of groundwater availability: Class 1 = Major Ground Water Basin, Class 2 = Major Natural Recharge Areas, Class 3 = Marginal Groundwater Availability and Class 4 = Low or Highly Variable Water Yield). Water Resources Element Policy WR-2e requires preparation of groundwater studies to verify the quality and quantity of groundwater and assess cumulative impacts associated with discretionary projects located in the Class 3 and 4 areas of the county. Permit Sonoma also requires preparation of groundwater studies for discretionary projects located in the Sonoma Valley, Petaluma Valley, and Santa Rosa Plain priority groundwater basins. Winery visitor serving uses are subject to discretionary review therefore, wineries and tasting rooms located in Class 3 areas, Class 4 areas, and priority basins are required to: verify groundwater quality and quantity; and, assess the impact of the proposed project's groundwater use on overdraft conditions, land subsidence, saline intrusion, surface water resources, and neighboring wells. Professional water use estimates are required when applying for a winery Use Permit plus Water Conservation Plans to reduce demand. Groundwater monitoring, reporting and easements have become a use permit condition of approval. Zero net water use is required in high value watershed for Coho/Steelhead (Mark West, Green Valley and Mill Creeks) and in areas sensitive to stream flow depletion in late summer and fall.

### **Permitting Process**

The adoption of the Ordinance will not change the Zoning Code requirements for a discretionary review of use permit applications for new and modified winery visitor serving uses. The discretionary review process ensures site- and project-specific California Environmental Quality Act review. Use permit applications often require site specific studies, a public hearing, and can only be approved if found to be consistent with the Sonoma County General Plan, Zoning Code, applicable Area or Specific Plan, and if found to be compatible with the health, safety, and welfare of the neighborhood.

## **POLICY DESCRIPTION**

### **County Ordinance**

The Winery Events Ordinance (Attachment 2) proposes amendments to Sonoma County Code Chapter 26 (Zoning Code) by amending uses allowed in agricultural zoning districts to establish standards for winery visitor serving uses. The Ordinance would apply to new and modified use permits for winery visitor serving uses in the agricultural districts, LIA (Land Intensive Agriculture), LEA (Land Extensive Agriculture), and DA (Diverse Agriculture), outside of the Coastal Zone.

The intent of the Winery Events Ordinance is to provide consistency and clarity to the use permit application evaluation process, reduce impacts to surrounding uses, protect agricultural lands, and preserve rural character. The Ordinance defines key terms and includes a set of standards that clarify existing General Plan policies, permit requirements, and standard conditions of approval. The proposed "Winery Standards" would be used as



evaluation criteria by Permit Sonoma and decision makers when considering new and modified use permit applications for winery visitor serving uses, such as tasting rooms and winery events.

### Proposed Zoning Amendments

- The Agricultural and Resource-Based Use Standards, Article 18 of the Zoning Code, will be amended to add new section “26-18-260 – Winery Standards”.
- The Agricultural and Resource-Based Use Standards for “Agricultural Processing”, Section 26-18-030(C) of the Zoning Code, will be amended to add new subsection 26-18-030(C), as follows:
  - 5. *LIA, LEA, DA zones: Wineries, winery visitor-serving activities, and winery events are subject to Winery Standards in section 26-18-260.*
- The Agricultural and Resource-Based Use Standards for “Tasting Rooms”, Section 26-18-210(B) of the Zoning Code, will be amended to add new subsection 26-18-210(B)(3), as follows:
  - 3. *LIA, LEA, DA zones: Wine tasting rooms, winery visitor-serving activities, and winery events are subject to Winery Standards in section 26-18-260.*
- The Agricultural and Resource-Based Land Use Table 6-1 “Allowed Land Uses in Agricultural and Resources Zones”, Section 26-6-030 of the Zoning Code, will be amended to include reference to section 26-18-260 – Winery Standards, in the Land Use Categories for Agricultural Processing and Tasting Rooms.

Section 26-18-260 – Winery Standards includes:

- **Definitions** of key terms related to winery visitor serving activities and events – Catering and Commercial Kitchens, Food and Wine Pairing, Rural Area, Winery, Winery Events, Wine Trade Partners, and Winery Visitor Serving Activities.
- **Winery Standards** for sizing of winery visitor serving activities and events, maximum hours of operation, parking, food service, event coordination and traffic management, and setbacks for noise attenuation. Table 2 below summarizes operating standards specific to winery visitor serving activities; activities which are considered part of normal winery and tasting room business operations. A summary of operating standards specific to winery events is provided in Table 3.

Table 2: Typical Visitor Serving Activities

Visitor Serving Activities		Maximum Hours of Operation	Attendees*	Food Service
TYPE	EXAMPLES			
SALES	Wine tasting, pickup parties, tours, seminars	10am – 5pm	ANY	Food & Wine Pairing, Retail Pre-packaged Food
WINE TRADE	Meetings or harvest parties for wine trade partners	8am - 10pm	Wine Industry	Food & Wine Pairing, Retail Pre-packaged Food, Prepared Meals
* Attendees means members of the public, club members and/or wine industry members				

Table 3: Typical Winery Events

Winery Events		Maximum Hours of Operation	Attendees*	Food Service
TYPE		EXAMPLES		
AGRICULTURAL PROMOTIONAL	Winemaker lunches & dinners, release parties, club parties	10am - 10pm	ANY	Food & Wine Pairing, Retail Pre-packaged Food, Prepared Meals
INDUSTRY - WIDE	Association-sponsored, up to 3 days	10am - 5pm		
* Attendees means members of the public, club members and/or wine industry members				

## Local Guidelines

The purpose of the local area guidelines is to provide guidance on new use permits that include visitor serving agricultural uses, (e.g. tasting rooms or events) in agricultural zones within the specific local area of concentration. The local area guidelines provide a local framework for evaluating new or modified use permit applications on land that is zoned Agricultural (LIA, LEA, DA) and Resource and Rural Development (RRD). The local advisory group such as a Citizens Advisory Council adopts advisory recommendations based on unique conditions to its area of concentration.

The Guidelines are intended to advise applicants on the design of their projects and on the events-related facilities and programs when preparing a use permit application. Each project is regarded as unique in the



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evaluation process, and each will be reviewed on a case-by-case basis. Although the Winery Events Ordinance applies countywide, including areas where local area winery event guidelines exist, the local guidelines are important to the decision-making process.

### *Dry Creek Valley Guidelines*

The Board created the Dry Creek Valley Citizens Advisory Council (DCVCAC) in 2012, Resolution 12-0410). The purpose of the DCVCAC is to provide guidance on new use permits that include visitor serving agricultural uses (e.g. tasting rooms or events) in agricultural and resource zones in the Dry Creek Watershed. The DCVCAC prepares advisory recommendations that help inform decision-making by the Sonoma County Board of Supervisors, the Sonoma County Board of Zoning Adjustments, and the Sonoma County Planning Commission.

In 2017, the Dry Creek Valley Citizens Advisory Council (DCVCAC) prepared the Dry Creek Valley guidelines for agricultural promotional activities, which provides a set of definitions and preferred guidelines for use by the DCVCAC in investigating, discussing and considering applications for new use permits that include visitor serving agricultural uses in agricultural and resource zones in the Dry Creek Valley watershed. The Dry Creek Valley Guidelines for New Use Permits with Visitor-serving Agricultural Uses are posted on the DCVCAC webpage at Permit Sonoma: <https://sonomacounty.ca.gov/Dry-Creek-Valley-Citizens-Advisory-Council/Guidelines/>

### *Sonoma Valley Guidelines*

The Board of Supervisors and Sonoma City Council Resolution 93-1552 created the Sonoma Valley Citizens Advisory Commission (SVCAC) on October 12, 1993. On December 11, 2018, the Board approved another continuance of the SVCAC for an additional 5 years to December 31, 2023 via Resolution 18-0510. On December 17, 2018, the City of Sonoma approved Resolution 84-2018 concurrently.

SVCAC's purpose can be summarized as: (1) provide a regular forum for citizen participation in the formation of public policy; (2) consider local planning issues concerning the Sonoma Valley; (3) evaluate solutions to these issues; (4) advise elected officials and other decision makers and (5) form a bridge for communication between governmental agencies and the public.

The Sonoma Valley Working Group (Stakeholders Group) was formed to develop local guidelines for Sonoma Valley and began meeting on June 27, 2017. Two workshops were facilitated on September 5, and September 28, 2017. Tasting Room Siting Criteria and Operating Standards were discussed. The Complex Fire occurred on October 8, 2017 and the Sonoma County Stakeholders Group was put on hold.

On June 7, 2019, Permit Sonoma began facilitating meetings of the Sonoma County Stakeholders Group again. Permit Sonoma staff prepared a workbook and discussion materials to assist guideline development. The Stakeholder Group reviewed data on winery events in Sonoma Valley, discussed development criteria and operating standards for wineries, and crafted definitions of winery events (event types, standards of review, and facilities). Following delays due to 2019 Public Safety Power Shutoff events and the Kincadee Fire, the draft Sonoma Valley guidelines were ready for review and comment by the SVCAC.

The Sonoma County Stakeholders Group and Permit Sonoma presented draft Sonoma Valley Winery Guidelines to the SVCAC meeting on November 18, 2020. GHD, the traffic consultant hired by Permit Sonoma to prepare a cumulative traffic impact study for the Sonoma and Dry Creek Valleys, presented the Sonoma Valley Capacity Threshold Study at the SVCAC meeting on January 27, 2021. The SVCAC is currently revising their draft guidelines and expect to adopt a final set of guidelines in summer 2021.



### *Westside Road Guidelines*

Currently, there is no Citizens Advisory Council/Commission (CAC) for the Westside Road area. The Westside Road Stakeholders Group, comprised of winery industry representatives and community members (including members of the Westside Community Association), met with the task of preparing winery guidelines for siting criteria and operational standards within the Westside Road area.

In July 2019, invitations to join the Westside Road Stakeholders Group were sent to individuals that represent neighborhood groups and the agricultural industry. In August 2019, Permit Sonoma began facilitating monthly meetings with the Westside Road Stakeholders Group. Seven monthly meetings occurred from August 2019 through February 2020. Copies of the DCVCAC guidelines plus the draft Sonoma Valley winery guidelines were provided for reference. The stakeholders' were not able to reach consensus on siting criteria and operating standards therefore, draft guidelines have not been prepared and the meetings discontinued. In the future, a Westside Road CAC may be formed and Westside Road winery guidelines prepared.

### **CONCLUSION**

In response to October 2016 and May 2019 Board direction, Permit Sonoma developed a countywide winery events ordinance to address key issues associated with winery events and promotional activities. The Winery Events Ordinance includes a set of Winery Standards that provide consistency and clarity to the use permit evaluation process, reduce impacts to surrounding uses, protect agricultural land, and preserve rural character. The proposed Winery Standards are based on the development of local guidelines, advisory and stakeholder group input, information from traffic and noise studies commissioned for this policy effort, and community input received during numerous stakeholder meetings and community workshops. The local guidelines for Dry Creek Valley are complete and available on the DCVCAC website. Sonoma Valley local guidelines are expected to be adopted by the SVCAC in summer 2021. Local guidelines provide guidance to winery applicants on the design of their projects, as well as a local framework for advisory body review and evaluation of use permit applications for new visitor serving agricultural uses.

The Ordinance meets the intent of the Board of Supervisors with the proposed zoning amendments to add "Winery Standards" to the agricultural use standards for wineries and tasting rooms on lands zoned LIA, LEA, and DA, outside of the coastal zone. Staff recommends Planning Commission approve a resolution recommending that the Board of Supervisors adopt the draft Winery Events Ordinance.

### **ATTACHMENTS**

1. Draft Planning Commission Resolution
2. Draft County Winery Events Ordinance
  - a. Exhibit A "Section 26-6-030 – Allowed Land Use Table"
  - b. Exhibit B "Section 26-18-260 – Winery Standards"
3. Related Agriculture Resources Element General Plan Policies
4. Summary of Public Comments made in February 18, 2021 Workshop
5. Public Comments Received from January 28, 2021 – May 12, 2021
6. Public Comments Received from May 13, 2021 – May 28, 2021



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
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Resolution Number

County of Sonoma  
Santa Rosa, California

June 3, 2021  
ORD16-0001 Georgia McDaniel

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING CHAPTER 26 OF THE SONOMA COUNTY MUNICIPAL CODE TO ADD WINERY STANDARDS CONSISTENT WITH EXHIBITS A AND B, AND FIND THE ACTION EXEMPT FROM CEQA.

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, General Plan Policy AR-6g calls for the Board to "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"; and

WHEREAS, on October 11, 2016, the Board of Supervisors adopted a Resolution of Intention (Reso. No. 16-0394), directing staff to initiate zoning code amendments to address key issues associated with winery events and promotional activities, and to develop siting criteria and standards for areas of local concentration which include Dry Creek Valley, Westside Road, and Sonoma Valley areas; and

WHEREAS, on October 16, 2018, the Board of Supervisors adopted a Resolution approving the local advisory guidelines for visitor-serving agricultural uses in the Dry Creek Watershed, prepared by Dry Creek Valley Citizens Advisory Council (Reso. No. 18-0430); and

WHEREAS, draft local advisory guidelines for winery visitor serving uses in the Sonoma Valley area are expected to be considered by the Sonoma Valley Citizens Advisory Commission and presented to the Board of Supervisors in 2021; and

WHEREAS, members of the Westside Road Stakeholders Group did not reach consensus on siting criteria and operating standards for winery visitor-serving uses therefore, local advisory guidelines have not been prepared. In the future, a Westside Road Citizens Advisory Council may be formed by the Board of Supervisors and Westside Road local advisory guidelines prepared.

WHEREAS, during a Winery Events Policy update on May 19, 2020, the Board of Supervisors directed Permit Sonoma to obtain additional public feedback and move forward with preparing a countywide winery events ordinance that defines key terms and addresses common issues identified across local advisory guidelines. On February 18, 2021, Permit Sonoma held a public workshop on a draft framework for the county winery event standards.

WHEREAS, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on June 3, 2021 at which time all interested persons were given an opportunity to be heard.

WHEREAS, WHEREAS, consistent with California Government Code Section 65855, the Planning Commission's recommendation to the Board of Supervisors on the proposed ordinance amendments will be transmitted with applicable findings in support thereof;

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The foregoing recitals are true and correct, and incorporated into the findings herein.
2. CEQA. The proposed Ordinance is exempt from further review under the California Environmental Quality Act (CEQA) under Section 15308 exempting standards authorized by state law to assure protection of the environment; and, by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines, Section 15061(b)(3). Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. No exceptions apply. The basis for this determination is that the Ordinance does not involve specific development, does not increase development beyond that which the County Code currently allows by Use Permit in agricultural zones and would not create an intensification of use of land beyond what is currently allowed. Further, the Ordinance implements General Plan Land Use Element and Agriculture Resource Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor-serving uses.
3. General Plan Consistency. The proposed Ordinance implements General Plan Land Use Element and Agricultural Resources Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and areas while allowing for visitor serving uses that support and are secondary and incidental to agricultural production. The Ordinance is consistent with General Plan policies in that the Ordinance defines compatible agricultural promotional activities and provides a set of standards that prevent detrimental impacts to surrounding uses, agricultural lands and rural character. The Ordinance will not create an internal inconsistency in the General Plan, or inhibit the implementation of any other General Plan policies or program.
4. Zoning Consistency. The Ordinance proposes zoning amendments that do not involve specific development, do not increase development beyond that which the County Code currently allows by use permit in agricultural zones, and would not create an intensification of use of land

beyond what is currently allowed. The proposed amendments will not create an internal inconsistency within Chapter 26 but clarify compatible agricultural promotional uses allowed with a use permit by adding definitions and establishing standards for these visitor serving uses. The Zoning Code will continue to require use permits for agricultural processing and tasting rooms.

5. Additional Findings

- a. A notice of the public hearing was duly published for public review and comment at least 10 days prior to the public hearing.
- b. The Planning Commission has reviewed and considered the staff report and presentation, and all comments, materials and other evidence presented by member of the public prior to and during the public hearing held by the Commission on June 3, 2021.

BE IT FURTHER RESOLVED that, based upon the entire record of proceedings herein and the findings above, the Planning Commission hereby determines that the proposed zoning amendments will not have a significant effect upon the environment.

BE IT FURTHER RESOLVED that, the Planning Commission recommends that the Board of Supervisors approve the proposed zoning amendments.

BE IT FURTHER RESOLVED that, the Planning Commission designates the Secretary of the Planning Commission 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 Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner \_\_\_\_\_, who moved its adoption, seconded by Commissioner \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner  
Commissioner  
Commissioner  
Commissioner  
Commissioner

Ayes:      Noes:      Absent:      Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.



# ORDINANCE NO. ( )

## **AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY ZONING CODE FOR WINERY VISITOR SERVING USES BY AMENDING USES ALLOWED IN AGRICULTURAL ZONING DISTRICTS (LIA, LEA, AND DA), ADDING DEFINITIONS, AND ESTABLISHING STANDARDS FOR WINERIES, TASTING ROOMS AND WINERY EVENTS.**

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The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Purpose. The Board finds and declares that the adoption of this Ordinance is necessary and appropriate to implement the policies and programs of the Sonoma County General Plan, to ensure neighborhood compatibility, protect the general welfare of residents in the County, protect agricultural lands, and promote the economic viability of the local agricultural economy.

Section II. The Agricultural & Resource-Based Land Use Category in Table 6-1 of Section 26-6-030 of the Sonoma County Code is amended as shown in underline, in Exhibit A, attached.

Section III. New Section 26-18-260 is added to Sonoma County Code Chapter 26, Article 18 as shown in *Exhibit B*, attached.

Section IV. Sonoma County Code Chapter 26, Section 26-18-030(C) is amended to add new subsection 26-18-030(C)(5), as follows:

5. LIA, LEA, DA zones: Wineries, winery visitor serving activities, and winery events are subject to Winery Standards in section 26-18-260.

Section V. Sonoma County Code Chapter 26, Section 26-18-210(B) is amended to add new subsection 26-18-210(B)(3), as follows:

3. LIA, LEA, DA zones: Wine tasting rooms, winery visitor serving activities, and winery events are subject to Winery Standards in section 26-18-260.

Section VI. The Board of Supervisors hereby finds and declares that the project is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 15308 in that the standards set forth in the ordinance are authorized by state law to assure the protection of the environment; and Section 15061(b)(3) because it can be seen with certainty that adoption of the ordinance will not result in a significant effect on the environment. The basis for this determination is the Ordinance proposes zoning amendments that do not create an intensification of use of land, involve specific development, or increase development beyond what County Code currently allows by Use Permit in agricultural zones. Further, the Ordinance implements General Plan Land Use Element and Agriculture Resource Element policies and programs to protect and enhance agricultural lands and the unique character of unincorporated communities and

areas, as designated by the Board, while allowing for land uses and development associated with agricultural- production, processing, and visitor serving uses authorized by General Plan Land Use Element Policy 2.6, consistent with the General Plan Agriculture Resource Element policies for promoting and marketing agricultural products. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor serving uses. No exceptions listed under Section 15300.2 apply.

Section VII. Pipeline Projects. An application for winery, tasting room or winery event activity that was determined complete for processing prior to the effective date of this ordinance may continue to be processed and reviewed under the zoning code provisions pertinent to winery events and tasting rooms in effect at the time the applications were deemed complete or approved.

Section VIII. Severity Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IX. Effective Date. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the \_\_\_\_ day of \_\_\_\_\_, 2021, and finally passed and adopted this \_\_\_\_ day of \_\_\_\_\_ 2021, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Gorin:	Rabbitt:	Coursey:	Gore:	Hopkins:
Ayes:	Noes:	Absent:	Abstain:	

**WHEREUPON**, the Chair declared the above and foregoing Ordinance duly adopted and

**SO ORDERED.**

\_\_\_\_\_  
Chair, Board of Supervisors  
County of Sonoma

ATTEST:

\_\_\_\_\_  
Sheryl Bratton,  
Clerk of the Board of Supervisors

Exhibit A: Table 6-1 of Section 26-6-030  
Exhibit B: New Section 26-18-260

**EXHIBIT “A”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 6. AGRICULTURE AND RESOURCE-BASED LAND USE**

**Table 6-1: Allowed Land Uses in Agricultural and Resource Zones**

Key of symbols for Table 6-1:

P = Permitted Use

P\* = Permitted Use, subject to discretionary approval criteria

C = Conditional Use

- = Prohibited Use

† = Permit requirement indicated in Use Regulations column

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
<b>Agricultural &amp; Resource-Based Land Use Category</b>						
Agricultural Crop Production and Cultivation	P	P	P	P	-	26-18-020
Agricultural Processing	C	C	C	C	-	26-18-030; 26-88-210, <u>26-18-260</u>
Agricultural Processing, Small Scale	P*	P*	P*	P*	-	26-18-040
Agricultural Support Services	P*/C	P*/C	P*/C	-	-	26-18-050
Animal Keeping: Beekeeping	P	P	P	P	P	26-18-060
Animal Keeping: Confined Farm Animals	P/C	P/C	P/C	C	-	26-18-070
Animal Keeping: Farm Animals	P	P	P	P	-	26-18-080
Animal Keeping: Livestock Feed Yards	C	C	C	C	-	26-18-090
Animal Keeping: Pet Fancier	P	P	P	P	-	26-18-100
Aquaculture	-	C	C	C	-	26-18-110
Composting, Commercial	-	C	C	C	-	26-18-120
Composting, Non-commercial	P	P	P	P	-	26-18-130
Farm Retail Sales	P	P	P	P	-	26-18-140
Farm Stands	P	P	P	P	-	26-18-150
Indoor Crop Cultivation	P	P	P	P/C	-	26-18-160
Land and Resource Management	P	P	P	P	P*	26-18-170
Mining, Surface	-	-	-	C	C	26-18-180; Chapter 26A
Mushroom Farming	C	C	C	C	-	26-18-190
Nursery, Wholesale	P	P	P	P	-	26-26-200
Tasting Rooms	C	C	C	C	-	26-18-210, <u>26-18-260</u>
Timber Management	-	-	-	P	P	26-18-220
Timber Operator Storage Yard, Off-Site	-	-	-	C	C	26-18-230
Timber Operator Storage Yard, On-Site and Incidental	-	-	-	P	P	26-18-230
Timber Saw Mills and Lumber Production	-	-	-	C	C	26-18-240

Exhibit A  
26-6-030  
Table 6-1 Amendments

Timberland Conversions, Major	-	-	-	C	C	26-18-250; 26-88-160
Timberland Conversions, Minor	P	P	P	P	-	26-18-250; 26-88-150
<b>Industrial, Manufacturing, Processing and Storage Land Use Category</b>						
Animal Product Processing	C	C	C	C	-	26-20-020
Fertilizer Plants	C	C	C	C	-	26-20-030
<b>Recreation, Education &amp; Public Assembly Land Use Category</b>						
Camp, Organized	-	-	-	C	C	26-22-020
Campgrounds	-	C	C	C	C	26-22-030
Community Meeting Facilities	C	C	C	C		26-22-050
Country Club	-	-	-	C	-	26-22-060
Educational Institution: Elementary and Secondary Schools	-	C	C	C		26-22-080
Golf Course	C	C	C	C	-	26-22-100
Parks and Playgrounds	P	P	P	-	-	26-22-110
Periodic Special Events	P*	P*	P*	P*	P*	26-22-120
Recreation and Sports Facilities: Rural Sports and Recreation	C	C	C	C	-	26-22-160
Studios for Art Crafts, Dance, Music	P	P	P	P	-	26-22-190
<b>Residential Land Use Category</b>						
Accessory Dwelling Unit	P	P	P	P	P	26-24-020; 26-88-060
Agricultural Employee Housing: Caretaker Dwelling	P	P	P	P	-	26-24-030
Agricultural Employee Housing: Full-Time	P	P	P	P	-	26-24-040
Agricultural Employee Housing: Seasonal	P	P	P	P	-	26-24-050
Agricultural Employee Housing: Temporary Camp	P	P	P	P	-	26-24-060
Agricultural Employee Housing: Year-Round or Extended Seasonal	P	P	P	-	-	26-24-070
Cottage Food Operation	P	P	P	P	P	26-24-100
Dwelling, Single-Family	P	P	P	P	P	26-24-130
Family Day Care Home, Large	P	P	P	P	P	26-24-150; 26-88-080
Family Day Care Home, Small	P	P	P	P	P	26-24-150
Farm Family Dwelling	P	P	-	-	-	26-24-160
Guest House	P	P	P	P	-	26-24-170
Home Occupation	P	P	P	P	-	26-24-180; 26-88-121
Junior Accessory Dwelling Unit	P	P	P	P	P	26-24-190; 26-88-061
Live/Work	C	C	C	C	-	26-24-200; 26-88-122
Permanent Supportive Housing	P	P	P	P	-	26-24-230
Residential Community Care, Large	C	C	C	C	-	26-24-240
Residential Community Care, Small	P	P	P	P	P	26-24-240
Temporary Occupancy of Travel Trailer	P	P	P	P		26-24-260; 26-88-010(p)

Exhibit A  
26-6-030  
Table 6-1 Amendments

Transitional Housing	P	P	P	P		26-24-270
<b>Retail Land Use Category</b>						
Firewood Yard	-	-	C	C	C	26-26-060
Nursery, Retail	C	C	C	C	-	26-26-120
<b>Services Land Use Category</b>						
Cemeteries	C	C	C	C	-	26-28-050
Commercial Horse Facilities	C	C	C	C	-	26-28-060
Commercial Kennels	C	C	C	C	-	26-28-070
Day Care Center	C	C	C	C	-	26-28-080
Horse Boarding	P	P	P	P	-	26-28-100
Lodging: Agricultural Farmstay	P	P	P	P	-	26-28-110; 26-88-085
Lodging: Agricultural Marketing Accommodations	C	C	C	-	-	26-28-120
Lodging: Bed and Breakfast (B&B)	-	C	C	C	-	26-28-130; 26-88-118
Lodging: Hosted Rental	P	P	P	P	-	26-28-140
Lodging: Vacation Rental	-	P	P	P	-	26-28-160; 26-88-120
Veterinary Clinic	-	-	-	C	-	26-28-230
<b>Transportation, Energy, Public Facilities Land Use Category</b>						
Airfield and Landing Strips: Agricultural, Resource or Personal Landing Strip	-	C	C	C	C	26-30-020
Low Temperature Geothermal Resource Development	C	C	C	-	C	26-30-050
Oil and Gas Exploration and Extraction	-	-	-	C	-	26-30-070
Public Safety Facilities	C	C	C	C	C	26-30-090
Public Utility Facilities	C	C	C	C	C	26-30-100
Renewable Energy Facilities	†	†	†	†	†	† See 26-30-110 and Section 26-88-200, -202, -206, and -208
Telecommunications Facilities	†	†	†	†	†	† See 26-30-120 and Section 26-88-130
<b>Other Land Uses</b>						
Cannabis Cultivation, Personal Use	P	P	P	P	P	26-88-258
Commercial Cannabis Uses	†	†	†	†	†	† See 26-88-250; 26-88-254

**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving activities and winery events. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
  6. **Winery Events** means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite and/or in the area and are consistent with General Plan Policy AR-

6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.

7. **Agricultural Promotional Events** are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release parties, and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, winery or tasting room owner(s), winery employees, and tasting room employees.
10. **Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
11. **Sales Activities** are wine tasting, pickup parties, tours, seminars and other hospitality related activities that support the promotion of wine sales.
12. **Wine Trade Activities** are by-invitation meetings, seminars, harvest parties and similar activities attended only by wine trade partners and are not advertised to the consumer.

E. Operating Standards.

1. Winery Visitor Serving Activities. Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
2. Winery Events. Winery events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
3. Sizing of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.
4. Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.
  - a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.



- b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.
  - (1) Sales Activities: 10 am – 5 pm.
  - (2) Wine Trade Activities: 8 am – 10 pm.
- c. Winery Events. The maximum hours of operation for events are specified below by event type.
  - (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:30 pm – 10 pm.
  - (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.
- 5. Wineries and tasting rooms shall not be rented out to third parties for events.
- 6. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:
  - a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
  - b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.
  - c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.
  - d. No parking is permitted along any public or private roadways or on shared vineyard roads.
- 7. Food Service. Food service is allowed as specified below.
  - a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.
  - b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
  - c. Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events.
  - d. Prepared meals featuring local foods and food products is allowed in conjunction with wine trade activities and winery events.

- e. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:
  - (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
  - (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
  - (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
  - (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.
- 8. Event Coordination and Traffic Management.
  - a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:
    - (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
    - (2) Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.
  - b. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:
    - (1) Provisions for event coordination to avoid local traffic delays.
    - (2) Parking attendants for each day of the event.
    - (3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.
    - (4) A plan for on-site parking requirements and queuing of traffic.
    - (5) Enforcement of the on-street parking restrictions.
    - (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.
- 9. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified music, or loud instruments such as brass instruments, horns, or drums	1,600 feet

Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise Element due to intervening structures or natural features, available open land on noise sensitive parcels, or by incorporating noise mitigation measures.

ATTACHMENT 3.  
RELATED AGRICULTURAL RESEROUCES ELEMENT GENERAL PLAN POLICIES

The following General Plan Agricultural Resources Element policies are related to visitor serving uses which promote and enhance marketing of local agricultural products:

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

The following General Plan Agricultural Resources Element policies relate to defining compatible visitor serving uses in agricultural zones and avoiding detrimental concentration of such uses:

**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.\**

**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.*

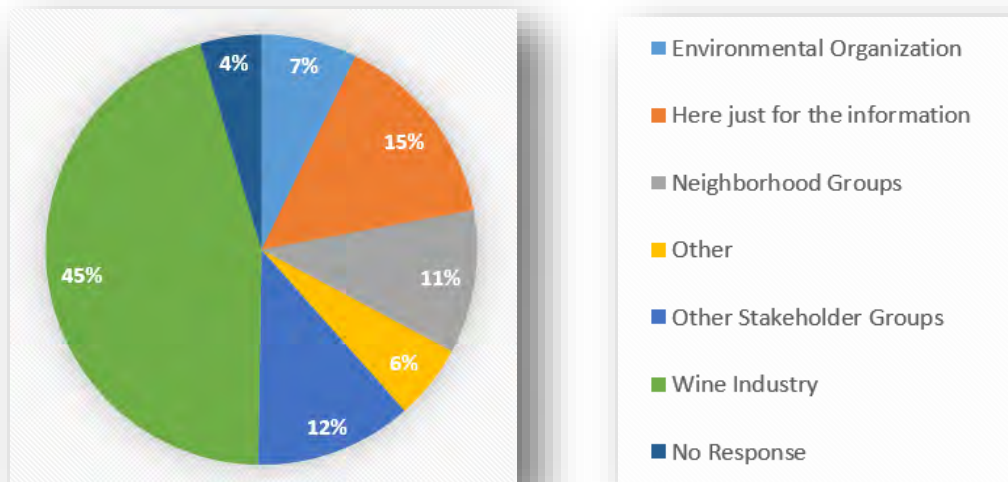
**Policy AR-6f:** *Local concentrations of visitor serving and recreational uses, and agricultural support uses as defined in Goal AR-5, even if related to surrounding agricultural activities, are detrimental to the primary use of the land for the production of food, fiber and plant materials and may 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.*

**ATTACHMENT 4**  
**WINERY EVENTS POLICY**  
FEBRUARY 18, 2021 VIRTUAL PUBLIC WORKSHOP

***Workshop Attendees by Identifying Groups***



*Total Workshop Attendance: 195 People*

***Summary of public comments made in breakout group discussions:***

**Amplified Sound**

- Lots of discussion on music. Everyone thought that music played over a PA system to an outdoor tasting area would be fine at all times as part of normal operations, and that small live music groups could also be fine, as long as the resulting volume of each was still ambient background noise to enhance the tasting experience. But, for example, music played specifically for dancing, like at a wedding, whether live or over a PA, would not be background for the tasting experience and would therefore be associated with an event.
- Amplified music may be ok for normal operations depending on number of people and type of music venue.
- No amplified sound should be allowed at either normal operations or a winery event. It does not have a place at all
- Outdoor amplified sound - could be variable depending potentially based on time or level of sound (decibel levels), band size/live band
- Terminology around 'outdoor amplified music' needs to be defined/clarified carefully. If the guitarist plugs into an amp and plays background music for ambiance and is not heard by neighbors, why would that constitute an event?
- Need a better definition of amplified noise (levels, etc.)

### **Distinguishing Winery Events from Normal Operations**

- The amount of people shouldn't be the distinguishing factor between events and tasting room activities. Size and scale of both events and tasting room activities should be on a site specific basis.
- In general, group thought that the number of attendees was more important than what the attendees were doing in distinguishing normal ops and events.
- Number of people attending seems to be a major factor
- Scale of events is a major determining factor, either events are small and part of normal operations or large and part of winery events
- Concern with table – anything other than tasting rooms is a winery event
- Winery Events:
  - Everything with event in the name is an event
  - If there are invites, they are events
  - If there is a full meal after business hours
  - Harvest parties
  - If a full meal is served at all
  - Any event is an event, parties are an event
- Normal operations vs. event:
  - Food is appropriate with wine. Meals may be ok for normal operations depending on number of people and overall scale of operation.
  - Meals served to a small group of high end clients is not really an event.
  - If an activity is advertised, it's likely an event.
  - Participation in Industry wide events is an event
  - Operations after 5pm are not necessarily an event.
- Normal Operations: With distributors visit with their Xanadu's, they may arrive at 10:00 a.m. and then serve them at lunch time, not open to the public, invite only. Having distributors come to have a luncheon should be considered a winery event. It is not part of the ag lands mission.
- Wineries are for production of wine. Marketing is a different activity which does not have to be done at the winery that do not impact the wine country. It is not either a normal or winery event.
- Events can be mitigated at wineries in ag zoned districts, e.g., not allowed to have a tasting room without a use permit. One way to allow more in the way of events to have them at other locations and not just the winery.
- Wine club member parties during typical business hours:
  - Scale and capacity of the site and the impacts of noise, traffic. Winery can have a dinner for 12 after hours that won't disturb the neighborhood more than a resident has a party of 12.
  - Activities that take place after hours it is considered a winery event.
  - Classify as events and not normal business.
  - Distinguishing factor such as the size of the site and the quantity of people attending.

- The county should provide specific criteria should be set forth of what classifies as an event. A known number of people, noise level, traffic mitigation and traffic control would be the deciding factors on what classifies something a normal business or an event.
- Industry-wide events:
  - It is an event.
  - Large event should be offsite and more conducive to large events.
  - Site by site location as it depends on where the event is being held.
  - It depends on how often they happen and the size of the groups.
- If you can't accommodate the amount of people, then it's an event.
- What's an event depends on the number of the people and the purpose
- Wine industry/staff seminars or harvest parties:  
Harvest parties are something different and do not fit into either category of normal business or a winery event.
- Criteria for distinguishing events from standard tasting room activities:
  - group size, cumulative size
  - not making it more difficult
  - Business activities – where to draw the line
- Ticket purchase and food service required at afterhours club member parties make them events otherwise normal course
- Wedding, concert, industry wide coordinated events, are essential to sales but might be might be different category of event from above
- Sonoma county vintners came up with definitions of events vs tasting, did this inform this project?
- Majority of participants don't think distinguishing between activities is useful/logical
- One said the categories should be 1) activities that are standard part of running a wine business - including all of the wine selling activities listed above 2) everything else?
- Consensus that focus should be on impacts and not activities, since impacts depend more upon the scale / location and unique conditions of the business - not the different categories of sales related activities
- Tasting room activities are typical/normal while winery events have more impact.
- If the neighbors to the winery/tasting room are impacted by noise and traffic, the activity is probably an event. The net effect on neighbors is what matters.
- If the activity exceeds the normal septic capacity and water use, the activity is an event.
- Using 'after business hours' is a clean and simple way to distinguish events from standard tasting room activities.
- If the activity is advertised and a fee is charged, it is probably an event.
- One member in the group felt that activities involving anything beyond wine tasting should all be considered events.
- Metaphor used several times for defining events: If it walks like a duck and quacks like a duck it is probably a duck.



- If the winery has to hire someone that is not usually part of daily operations to be part of the event then it should be considered something outside of daily operations. For example, typically a winery does not have a photographer on staff and that would be required for a wedding therefore the activity would be outside of daily operations.
- If a customer is coming to the winery just to go to the restaurant then the group would consider the restaurant to be outside of daily operations and would be considered an event or something outside of the typical daily operations of a winery.
- The lines are blurred on normal vs event. For smaller wineries, the club parties are small.
- An event that is industry wide may be very small, limited at some wineries.
- Neighbors felt that an event might be more than 10 people.
- What types of visitor-serving activities should be a part of standard tasting room operations and which should be considered an event? Depends on size and invitation of public
- 2016 Winery Event Study Session defined events (why are we doing this again?)
- Thoughts that events were things you advertise and publicize that are out of the ordinary wine tasting- perhaps over 100 in attendance. It would also be based on traffic and noise implications.
- Educational and trade events should not be considered “special events” but just doing business.
- That after normal business hours should be considered events
- People want activities with wine and food. One off time scheduled event. What makes it an event is the size and specific start and end and is marketed. Percentage of the tasting rooms capacity
- After hours all industry people that might crush collaboration. If it gets too big after hours is where you get the impact
- Outside of normal business hours networking is important
- Types of events: Tasting clubs, Pickup parties, Harvest parties, Private events: Weddings, Harvest association events
- Lives in Dry Creek... it depends if it doesn't have more people than it accommodates
- Parties -- Based on number of people
- After hours would be considered winery event
- Depends on number of people on the property

#### **Food Service**

- General plan – full meal is not allowed
- Full meal needs to be defined
- Full meal serve should be considered an event
- Meal pairing opportunities to bring wine into the forefront.
- Defining what a full meal involves. At Chalk Hill experience with a bucket of chicken during normal tasting hours.
- How much do full meals matter in an event?
- Question in response: What about impact on local restaurants? Answer by another: The food comes from local chefs and restaurants.

- Lunch and dinner are food and wine pairing. Whole point is to showcase food with wine so it can be with lunches and dinners. Showcasing wine and how it relates to food.
- Advocating for food service to be addressed and allowed at wineries, food service to be allowed on AG lands. More important to allow food service to guests at wineries
- Very difficult to establish food operations at an existing winery and the ability to add food to winery operations is beneficial to both the winery and the people that the winery serves.
- Concern of not allowing full-blown restaurants on wineries in the AG area as there are plenty of restaurants in town and the surrounding areas which could be impacted negatively if full restaurants were allowed at wineries, but okay with food services such as catering at the wineries
- Most important: Ability to have food services implemented to permits on AG lands.
- Food should be paired with wine
- Define what constitutes a full meal.
- For food service, if there is an onsite chef, it would be part of normal business. The main distinction was catering.
- Food and wine go together. To sell wine you want to show the correlation between the two. Concern about DUI-by offering food not only are customers able to appreciate the product more but we are protecting their physical being by having full meals served and should be normal operations. It is an entitlement (what is permitted) that is too limited for the wineries.
- Terminology around 'full-meal' served needs to be defined/clarified carefully. If you don't serve dessert, does that constitute a full meal?

#### **Guidelines General**

- Guidelines for siting criteria like parcel size, parking and design
  - Parcel size ties into defining event
  - Concentration
  - Scalability
- Need to be careful of the guidelines, prefer hard and fast guidelines, glad that each one will be reviewed individually, standard is a rule.
- Guidelines first then become standards after the standards
- Need flexibility
- Guidelines not so wide that the individual site approvals are predictable
- Concerns about water consumption and pollution
- Water issues-environmental issues are missing in the guidelines. They might fall under the siting criteria and should be stated.
- Water issue-long term drought, overall use of water for the watershed and the productivity and protection is of paramount importance. No mention of wastewater treatment, management the toxic elements of herbicides, by-products, pesticides need to be kept out of the water for the planet and human health.
- Sustainable development should be considered as part of design
- Addressing greenhouse gas generation and traffic impacts were specific concerns

- Group agreed that parcel size should be considered, but cautioned against just giving very large parcels carte blanche because they are large (i.e., sound still carries across large parcels, depending on site-specific topography, surrounding land uses, etc.)
- Draft framework is adequate.
- Environmental impacts and water use missing from framework
- Believes that there should be expanded and adopted definitions for things like events, number of events, gathering (to name a few) so that everyone is on the same page.
- Location specific
- Business is harder than ever, idea of implementing further restrictions is worrisome
- Concerns expressed for inclusion in draft guidelines:
  - Groundwater impacts
  - Handling Solid waste and wastewater impacts
  - Parking management, onstreet parking and spillover
  - Safety concerns regarding drinking and driving
  - Some say tasting rooms should be tied to onsite production
  - Others: Shouldn't have a constraint to produce wine onsite, a winery actually produces more traffic than a tasting room alone.
- The majority of the group feel that the criteria for limiting events should be based on the physical components of the property. For example if the property is 10 acres and has a large tasting room and plenty of parking they should be allowed to host as many people and events as that space can handle.
- There is a strong desire to have the criteria have a built in flexibility component related to the physical components of the parcel site (size, location, structures).
- The question came up regarding guidelines and criteria for site/ wineries located in areas of concentration vs. areas that are not concentrated. The group thinks that there should be a difference in guidelines between these two areas.
  - Small family winery side of concerns, there is a lack of clarity in small family wineries regulations vs the new wineries that come in.
- Want to make sure that they can stay in business by knowing what an older permit holder can and cannot do with their winery as it seems to be in more of a grey area with the older permits, and the newer permits seem a lot clearer cut to operation limitations.
- A need for clarity in Use Permit operation standards vs the guidelines, and which are needed to be followed.
- Clarity in Use Permit operations standards vs the Winery events guidelines, which will wineries need to abide by.
- Newer Use permits are now clearer to what they can and cannot do now VS older use permits which are more unclear to operation standards and in a grey area that permit holder are a little more unclear on
- Operational criteria: Need to look at the production capacity of winery (from own grapes) in proportion to the number of visitors and visitor services (could a winery be much larger than it's own production could provide and have significant visitor serving activities?)

- Operational criteria: Traffic analysis should be focused on access to public transportation arteries - distance from public transportation (not just vehicle traffic)  
Include that in VMT
- This framework assumes a static group of wineries but the guidelines should also apply to other event type venues, not just static wineries
- We need to think about how 1) this framework could be expanded to other industries and also that 2) the wine industry has grown and there may be an assumed level of what's acceptable regarding events
- There is a need for community notification (residents specifically); participant had no notification of when an event center was approved. He recommends Next Door would be a great tool to notify residents so that they don't need to monitor PRMD website or BOS agendas.
- Regulate after hours impacts, not during business hours
- Should right size the ordinance to take varying sized into account
- What about cannabis?
- Needs guidelines to be flexible for a number of reasons – evolving industry, local economic impacts
- Conservation should be critical
- Disagreement on General Plan consistency using ag land
- Question is about what is ag vs commercial... more importantly, what is commercial?
- Missing component – number of people
- Missing component – monitoring alcoholic consumption
- Consensus of the group that no major components are missing from the proposed framework
- How will this effect existing use permits for winery's currently in operation?
- I would hate to see this go down policy road being driven by organizations within the sub-areas - everything should be site specific analysis
- Wineries are generally respectful of one another and still need the ability to thrive as a business with the adoption of this framework.
- We should be focusing on expanding the wine industry and being business friendly as the more restrictions we place on this industry we are going to begin to lose our Sonoma county tourism surrounding the wine industry.
- Wildfire risk must be considered. Roads, on-site mitigation, etc.
- Rural Character must be preserved. Relating to size of operation and some aesthetic concerns. SR overlays - winery operations must be in harmony with SR requirements
- Cumulative Impacts:
  - Air travel to area must be considered with Environmental review
  - Road impacts from traffic volume and large vehicles (buses, limo, etc.)
  - Limit the size of industry-wide events to reduce impacts
  - Events coordinator role to require scheduling of events to reduce impacts
  - Greater review of traffic related safety issues including a focus on site distance from driveways
- Sonoma County has allowed more wineries than contemplated by the General Plan.
- Guidelines seem complete; policy vs ordinance?

- Assessment of business model – reliance on tasting room to support the business model  
Appointment only (brand, premium) vs party hub, large groups outdoor games, vs creating a brand  
How much are wineries depending on tasting vs other revenues.
- Traffic mitigation: consider bicycles; passenger vehicles; farm equipment, all sharing small rural road; inherently unsafe
  - Pressure is on wineries for safety
  - Permits for bicyclists, specially during harvest and industry events
  - Support for this comment
- Quite a few thought with the advances in mitigation measures there should be greater flexibility and less hard and fast rules.
- General plan and 50 db
- Get away from event or ops, but focus on impact of the activity

#### **Minimum Site Area**

- The size of the property should be considered because they could be
- Number of people to be served is important in relation to site context and constraints
- Group agreed that parcel size should be considered, but cautioned against just giving very large parcels carte blanche because they are large (i.e., sound still carries across large parcels, depending on site-specific topography, surrounding land uses, etc.)
- Does not like large structures that over the ag land and cause flooding.
- Minimum parcel size for winery = GP/zoning minimum (i.e. LIA - 20 acre)

#### **Monitoring and Enforcement**

- Wants review with a view of cumulative impact. Wants standards rather than guidelines so that there is enforcement.
- Need for more law enforcement activity
- Ability to monitor and enforce is important
- Monitoring and enforcement. Events need to be registered in order for the county to monitor wineries, to ensure the wineries hold their activities/events in compliance with the permitted use permit. Lack of monitoring and enforcement results in direct negative impacts to neighbors and contributes to negative cumulative effects. Monitoring will help the county measure and understand the cumulative effects of winery events and tasting room activities.
- Why does PRMD ignore complaints of the surrounding citizens and the 'little guys' that are negatively affected by winery events?
- Enforcement aspect of events in the past was of great concern as it virtually wasn't there. How will enforcement will be handled in the future?
- Numerous events happening the same day with no oversight, wine clubs have picks on same. No over sights as to who is having events and when.
- How will enforcement be handled in the future, there has been a lack in enforcement in the past with multiple events happening on the same day as regular operations.

- Enforcement Criteria: What happens when people get permits - and those who don't get permits and aren't operating in compliance - what is the punitive damage - how does that factor into all of this?
- Enforcement Criteria? What happens to those who are not permitting - where does that factor into all of this
- If Permit Sonoma focused on those wineries not operating in compliance this alone might solve some of the cumulative issues surrounding wineries and events.

### **Normal Operations**

- Group also placed special emphasis on timing of the visitor-serving activity as being at least equally important to what the activity is, i.e., the same activity could be considered an event if outside regular hours.
- We had some discussion on whether the final guidelines should identify so many types of activities or if activity categories should be more general, and although it took a while to get there, the consensus was to be lumpers rather than splitters (i.e., fewer, more inclusive general categories better than a long list of specific activities).
- Wine trade is not an event. It's usually outside of normal tasting room hours.
- If you can accommodate the amount of people, then it's normal operations
- During business hours it is normal ops
- Picking up is not an event
- Wine industry/staff seminars or harvest parties: Very different issues-wine industry and staff seminars can be various sizes, these are staff events and are necessary are part of normal operations.
- Standard selling activities include wine tasting room, food and wine educational experience, wine club pick up party, new release activity, educational seminars including wine pairing
- Wine industry seminars attended by wine industry members and harvest parties held for employees can be considered part of normal tasting room activities.
- If the activity is appropriately scaled in proper proportion with the site and preapproved uses, with no increase in typical water, septic, parking and traffic needs, the activity should not be considered an event.
- Wine tasting is just one of many wine selling activities - participants felt like County sees activities other than wine selling as optional while the participants view these as standard/essential practices and no optional or "extra"
- Biggest concern - normal winery operations are starting to be regulated. A lot of these activities are normal to survive.
- The majority of the group agreed that Visitor Serving Activities that are part of normal operations focus on the relationship with the consumer as they enjoy the product that is produced as part of the daily operations of the winery. As opposed to things not directly related to the daily operations/ wine relations. For example weddings or restaurant.
- Picnic for two – normal ops
- During business hours is normal ops
- Normal Operations:

- Sales/tours
- Visitors
- Sound OK on weekends
- Staff seminars
- Member parties during normal operation hours (possibly including harvest parties)
- Full meals during COVID
- Amplified sound if part of ambience is okay

#### **Other**

- Setbacks from residential and other uses pre-defined by code, not based on impacts/technical reports
- Question - Whether there is a density standard for tasting rooms
- After hours criteria?
- Concerned with cannabis increasing the number of events.
- 4 years trying to get a winery permit that will sell 400 cases. Use only for industry events need to grade and pave their dirt road access. Will have to overly commercialize/hurt ag character in order to accommodate the uses. Currently entitled to two events a year
- There are wineries with older/grandfathered use permits and we want to know about their eligibility for industry wide events.
- Old Use Permits not clear on what they can and cannot do.
- Winery existing in a residential zone, not a retail zone.

#### **Parking**

- Parking availability - site specific analysis rather than a general ratio/standard
- Participants confused by 2.5 visitor-per-vehicle standard and were not aware that is not codified
- Off-site parking requirements - Think about requiring shuttles (comment: contradictory to rural character, road impacts, etc.)

#### **Promotional Activities General**

- Concerns about noise and traffic levels
- Risks to cyclists from traffic and drunk driving
- Need for established quiet hours
- Some caterers have implemented soft shutdowns prior to quiet hours so that there is a hard shutdown by the start of quiet hours
- Concerned with safety since people are drinking.
- Reliance on tasting rooms for business – yes direct marketing is key. Direct vs going through distributor; more profit with direct sales.
- Pick up bar is dying. Many going appointment only. This year is bad. Tasting rooms are closing.
- Small wineries depend on tasting room customers.
- Discussion also on how the wine touring industry has changed over the years so that when early use permits were issued, tasting was really the only thing offered (and mostly free!), whereas now competition between so many wineries has required them to expand their visitor-

serving/product promotion offerings to include all sorts of other activities, which almost all wineries do now as part of normal operations. Everyone agreed that this is occurring.

- There was an interesting split between the wine industry and non-industry, that all the new normal operations should be allowed by right for a permitted winery vs. are an unpermitted expansion and should all be permitted separately.
- Industry changes due to COVID
- There's wine making and wine selling
- Different clients include walk-in consumers, wine club members, trade / wine buyers, media/ reviewers
- For the most part - member recognition such as wine club member parties or pick up - are generally not for profit business models or cost centers - Wineries can only support so many events as they are not the primary function - primary function is to run wine production and tastings.
- The topic of events and visitor serving activities shouldn't be considered a permit issue rather a business operations issue.
- When there are a lot of people, traffic, noise at night, lights - greater impacts.
- Concern raised about drunken drivers with the thought that more people allowed, the bigger the problem.
- Limits on attendees – dependent on case by case basis site specific
- That there must be flexibility of designations based on winery space, parking , road capacity, septic capacity, noise
- Invitation v not invitation drop ins are not appropriate without large impact the invitation shouldn't be a problem
- Outside of normal business hours networking is important
- Majority of small group participants don't think distinguishing between activities is useful/logical

#### **Table Surveys: Normal Operations vs Event**

*About half of the breakout groups (11 out of 21) completed table surveys during the 30-minute small group discussion. The other breakout groups focused their conversation on the Discussion Questions, Guideline Framework, and/or the Winery Events Policy in general rather than completing a table survey.*

Type of Visitor serving activity	Normal Operations	Event
Full meal served	7	1
Outdoor amplified sound	7	1
Parties during business hours	8	0
Parties after business hours	7	1
Industry-wide events	2	5
Wine industry meetings/parties	8	0



Type of Visitor serving activity	Normal Operations	Event	Notes
Full meal served		X	
Outdoor amplified sound		X	
Parties during business hours	X		
Parties after business hours			Depends on # of attendees
Industry-wide events			Depends on # of attendees
Wine industry meetings/parties			Depends on # of attendees

Type of Visitor-Serving Activity	Normal Operations	Winery Event
Full meal served	x	
Outdoor amplified sound	x	x
Wine club member parties during typical business hours	x	
Wine club member parties after typical business hours	x	x
Industry-wide (Association sponsored) events	x	x
Wine industry/staff seminars or harvest parties	x	x

Type of Visitor serving activity	Normal Operations	Event	Notes
Full meal served	x		Could be both normal and should be considered normal if that food service is secondary. Food highlighting agricultural which is good
Outdoor amplified sound			Depends, look at location, based on impact to neighbors
Parties during business hours	x		Normal if during normal business hours. Also a big gathering for a long time could be an event vs. normal.
Parties after business hours			
Industry-wide events			Winery event depending on size and impact on neighbors.
Wine industry meetings/parties		x	Winery event depending on size and impact on neighbors

Type of Visitor-Serving Activity*	Normal Operations	Winery Event
Full meal served		6
Outdoor amplified sound	5	1
Wine club member parties during typical business hours	6	1
Wine club member parties after typical business hours		7
Industry-wide (Association sponsored) events	6	1
Wine industry/staff seminars or harvest parties	6	1

Type of Visitor-Serving Activity*	Normal Operations	Winery Event
Full meal served	12	1121
Outdoor amplified sound		111111
Wine club member parties during typical business hours	11122	1221
Wine club member parties after typical business hours	1	11111
Industry-wide (Association sponsored) events	1	11111
Wine industry/staff seminars or harvest parties	12	11121

Discussion comments for Table above:

- “2” in the table represent counts of people who thought “it depends” on variables whether it is normal operations or an event.
- Number of attendees, time of day are more important criteria.
- Neighbors cannot distinguish who is attending events, industry/staff/club/ general public.
- Wine tasting, 20-30 people onsite is fine. Pickups are 100+, so it is an event.
- Club parties are events depending on size.
  - Some think that full meals depend on size. 20-30 ppl are normal operations
  - Others think that full meals cannot occur after regular business hours or it is an event.
- Staff/harvest parties depends on size, time of day, and day of week.
- Industry events after hours are necessary to maintain regular work hours.

Type of Visitor serving activity	Normal Operations	Event	Other
Full meal served	2	2	
Outdoor amplified sound	1	2	Either
Parties during business hours	4		
Parties after business hours	2	2	
Industry-wide	1	3	
Wine industry meetings/parties	3		?

Type of Visitor serving activity	Normal Operations	Winery event
Full Meal Served	1	5
Outdoor Amplified Sound	4	3
Wine Club member parties during typical business hours	3	3
Wine Club parties after typical business hours	0	6
Industry wide (Association sponsored) events	2	3
Wine industry/staff seminars or harvest parties * Important to note that these activities were thought of as only allowing staff and not members of the general public by the group.	4	1

Discussion comments for Table above:

- Group seemed to either tie in thought process or to lean way one way or the other in regards to normal operations to an event.
- Full meals served were essentially considered an event with only one person voting for normal operations.
- Outdoor amplified sound was more of a stalemate. The point of location was brought up for the thought of event vs normal operation, some wineries are located way out in AG lands where there are not as many neighbors such as those wineries in downtown Geyserville for example. So the presence of outdoor amplified sound like music through a speaker in wineries out in those AG lands wouldn't be as much of an impact.
- Wine club member parties during business hours was a dead even vote. Wine club parties after typical business hours were considered an event with all participants voting unanimously for this option.
- Industry wide events was again a close vote with an ultimate vote as being considered a winery event.
- The last question the point was raised that this should be clarified if this is staff exclusive or if members of the general public would be allowed to attend. For our purposes we looked at the

question as staff exclusive with no members of the general public in attendance. The group consensus was that in this sense this activity was considered more of normal operation standards, rather than an event.

Type of Visitor-Serving Activity*	Normal Operations	Winery Event	Notes
Full meal served	2	4/5	Depends on who you are serving? How many people? Why? If hosting associates or distributors, then normal operations. This is an activity that can fulfill both categories (wine and food pairings is doing business as usual but full catering at a wedding is an event). Depends on size of group and when (wedding is outside of normal business hours); small gathering of industry for lunch is different. Facilities meal is prepared in (boxed lunch is one thing but winery kitchen is a restaurant); Way to get around that is catering kitchen only. Commercial kitchen is sometimes required by the county which upsets the community. Need to define full meal.
Outdoor amplified sound		6	
Wine club member parties during typical business hours	4	2	Depends on number of people (intensifies impacts)
Wine club member parties after typical business hours			Did not have time to discuss.
Industry-wide (Association sponsored) events			Did not have time to discuss.
Wine industry/staff seminars or harvest parties			Did not have time to discuss.

Type of Visitor-Serving Activity*	Normal Operations	Winery Event	Notes
Full meal served	X		Representative from B.R Cohn – all considered normal operations Representative from Deletto vineyards – all considered normal operations Mitch – normal operations – qualified with the impacts of the area – winery in a residential area would pose different impacts than one in an area of other wineries or commercial uses. Question: How will an existing
Outdoor amplified sound	X		Limit on dB(s) is an appropriate approach – there is a difference between background noise and a live metal band, background music at a low dB should be considered a component of normal operations. Potential live music, events associated with music should be considered in analysis of project in regards to impacts of offsite noise. Reasonable outdoor noise.
Wine club member parties during typical business hours	X		Wine club member party's usually consist of wine club pick up events which can be considered an essential part of doing business and winery function.
Wine club member parties after typical business hours	X		Hours of activity's after 'typical business hours' need to be limited to reasonable hours to limit any potential off site impacts. Existing use permits – at various wineries – have
Industry-wide (Association sponsored) events	X		Industry wide event framework – should be much looser in the requirements than other winery activities – as it is expected that the whole area is participating in this event and should be considered a less of an impact to an area as people are rotating and not all at one winery at one time.
Wine industry/staff seminars or harvest parties	X		Harvest parties – generally only consist of growers and workers – rarely do they include invitations to the general public.

Winery Events Policy

February 18, 2021 Virtual Public Workshop

Public Comments Made in Breakout Group Discussions

Page 17

Type of Visitor-Serving Activity*	Normal Operations	Winery Event	Notes
Full meal served		X	
Outdoor amplified sound		X	
Wine club member parties during typical business hours		X	1 participant did not agree that this constituted an event.
Wine club member parties after typical business hours		X	
Industry-wide (Association sponsored) events		X	*Fundraisers should be included in this category. * No 3 <sup>rd</sup> -party rentals
Wine industry/staff seminars or harvest parties		X	

## **Attachment 5**

**Public Comments Received from January 28, 2021 - May 12, 2021**

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**From:** Padi Selwyn <[padi.selwyn10@gmail.com](mailto:padi.selwyn10@gmail.com)>

**Sent:** Monday, February 1, 2021 11:17 AM

**To:** Tennis Wick <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>; Lynda Hopkins <[Lynda.Hopkins@sonoma-county.org](mailto:Lynda.Hopkins@sonoma-county.org)>; [James.gore@sonoma-county.org](mailto:James.gore@sonoma-county.org); Chris Coursey <[Chris.Coursey@sonoma-county.org](mailto:Chris.Coursey@sonoma-county.org)>; David Rabbitt <[David.Rabbitt@sonoma-county.org](mailto:David.Rabbitt@sonoma-county.org)>; Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>

**Subject:** Request for Delay of Feb 18 Winery Event Ordinance - TIME SENSITIVE

**\*\*\* TIME SENSITIVE \*\*\***

Dear Supervisors and Tennis Wick:

We are writing to respectfully request that the February 18 workshop for the Winery Event Policy be cancelled and rescheduled for a later date for the reasons below.

Here's why:

1. In 2016, the Board of Supervisors voted unanimously to pass a **Winery Event Ordinance** to mitigate the negative cumulative impacts of nearly 500 wineries and tasting rooms and their multitude of events. Impacts to public safety and quality of life in neighborhoods where some tasting rooms were permitted were key drivers.

**Our question: when and how did the Ordinance morph into a Policy?**

If this is not an error, the Board needs to vote to change the Ordinance into a policy, not the Permit department. The October 2016 resolution set the understanding that the Staff would develop and the Board adopt an County-wide ordinance and also standards/ guidelines for areas of local concentration. This discrepancy between approved Board direction and new direction needs to be settled by the Board of Supervisors prior to any public workshop on the "policy" option.

2. The Sonoma Valley Advisory Group has not completed their standard and checklist item recommendations for the Sonoma Valley Guidelines. Without the input from one of the most impacted regions of the county, it is unacceptable, disrespectful and irresponsible to hold a workshop until



they complete their work.

3. The May 2020 Supervisors Workshop agenda included a briefing on the Technical studies. This did not happen, and the technical study findings need to be presented to the public prior to the workshop. These studies have not been made available – public input has not been incorporated into the studies and thus, they must be reviewed to inform the public prior to any public workshop.

4. For the month of February, the County has scheduled within days of each other, critical reviews of a number of important environmental issues besides the Winery Event proposal. A) The Cannabis Part 2 – which has morphed from an Ordinance to a General Plan Amendment – another unexplained change in direction with little public notice. B) The Board of Forestry is requiring comments on the new SRA Regulations for Fire Safe Roads. C) The community has just learned of the “Healthy Trees Initiative” (and its Biogeneration component).

**Bottom Line:** The environmental community expects to participate in governmental actions in a meaningful way regarding these issues – which means we need time to review documents and respond in a constructive manner. PRSC and our coalition groups participated in the 2015 stakeholder group and public hearings prior to the October 2016 Board Resolution. The tax paying residents of Sonoma County have waited five long years for a Winery Event ORDINANCE that prevents future areas of concentration, and provides protective standards for existing areas of concentration. Rushing to conduct a public workshop at this time, when the above issues must first be addressed, is not in the best interests of the county or its residents.

Please advise us by February 5th if you will postpone this workshop as we must inform our membership.

Thank you,

Padi Selwyn

Co-chair

Padi Selwyn  
(707) 569-6876

**PRESERVE RURAL SONOMA COUNTY**

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

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**From:** [Jennifer LaPorta](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Events mtg 2/18  
**Date:** Saturday, February 13, 2021 11:54:05 AM

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Please STOP permitting winery events in Sonoma County.  
Actually, STOP permitting any more wineries!  
We have too many, and you haven't been doing your job vis a vis  
the General Plan to keep their #s down.  
Too much traffic, too much burden on emergency services,  
too much groundwater use, too much!!!

Jennifer LaPorta  
BS Environmental Health  
Santa Rosa

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**From:** [Chris Koch](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Virtual Public Workshop on the Draft County Winery Events Policy Confirmation  
**Date:** Tuesday, February 16, 2021 12:19:56 PM

---



You are creating ambiguity and confusion with definitions, particularly “events” and “activities”. The wine industry will want to pack the term “activities” and the neighboring communities will resent that.

Events include activities held after hours, that provide food service other than wine pairing bites, that have amplified sound, that charge admission, or that are advertised. There may be some de minimis size criteria that could be used to keep an activity from being an event (e.g., no more than 10 people), but great care needs to be exercised here.

You also need to be clear about what these guidelines apply to. Is it just new permit applications? Or do existing wineries with use permits get to jump up to the new limits being considered? That could be a problem.



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**From:** [Nancy and Brantly Richardson](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** WINERY EVENTS WORKSHOP  
**Date:** Wednesday, February 17, 2021 8:52:51 AM

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**To Whom It May Concern:**

This workshop boils down to providing a definition of an “event”. Now bowing to pressure from the wine industry the County wants redefine the term to allow “events” in all the Ag zones. Clearly the wineries must not be making it financially so they must now be allowed to have unfettered promotional activities which have nothing to do with agriculture. These events can cause serious problems for the environment and for the residents who live nearby. It is very shortsighted for the wine industry to promote this redefinition and for the County to support it. The wineries in Napa County limit the events and realize that allowing overnight stays, parties, amplified music, admission charges, after hours promotional uses and other such events is detrimental to the overall health of the wine industry. Obviously Napa cares more about the industry than does Sonoma County’s myopic wine industry and equally myopic County officials. What kind of future do you all foresee? It ain’t pretty! Allowing more event competition among the 400 or so wineries is not a healthy solution to their financial health.

**Nancy Richardson**

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**From:** [Eris Weaver](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Preserve Rural Sonoma County](#)  
**Subject:** public workshop tomorrow Feb 18  
**Date:** Wednesday, February 17, 2021 2:31:47 PM  
**Attachments:** [image006.png](#)  
[image009.png](#)  
[Guidelines\\_Winery\\_Events\\_Workshop\\_Feb\\_2021\\_3\\_SCBC\\_COMMENTS.pdf](#)

---

Hello! I've signed up for this workshop, but there are two other meetings happening at the same time so I may not make all of it. I thought I would offer my comments in advance.

The Sonoma County Bicycle Coalition's chief concern about winery events are echoed in your traffic studies – the increase in vehicular traffic at the same time that many cyclists are out on these roads, which were NOT built for the level of traffic that they sustain during peak periods. Several of the activities that are listed as “visitor-serving activities” in your Draft Framework document (I've attached one with my comments) are still, to my mind, EVENTS...they bring a large number of people to the site at the same time for a specific purpose. I also think the LENGTH of an event – and thus how much attendees are likely to drink during that time period – is also a consideration for traffic safety.

Under traffic management, we would want wineries to be prohibited from obstructing the bike lanes, site lines, etc. with signs, people directing traffic, etc. You should also prohibit on-street parking, as it interferes with cyclist access to the shoulder. (That might mean limiting event size!) I would like to see some sort of enforcement mechanism in this regard, not just for these events but in general: when I have registered complaints about signs, etc. obstructing bike lanes, no matter who I direct them to (PRMD, Sheriff, TPW, etc.) I am told that “we don't handle that, it's [somebody else]'s job.”

I would also advocate to limiting industry-wide events as those are the WORST for traffic safety!! If we're not going to re-engineer our roads to handle more capacity – and personally I'm not sure we should – we need to limit events that draw more participants than those roads can handle safely.

Thank you for your consideration.

*Eris Weaver*



Eris Weaver, Executive Director  
Sonoma County Bicycle Coalition  
[eris@bikesonoma.org](mailto:eris@bikesonoma.org)  
707-545-0153 office • 707-338-8589 cell  
[www.bikesonoma.org](http://www.bikesonoma.org)



[Take the pledge!](#)

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## Draft Framework for County Winery Events Guidelines

### 1. What is a visitor-serving activity vs. a winery event?

Winery Visitor-Serving Activities		Hours of Operation	Attendees	Food Service	Outdoor Amplified Sound
TYPE	EXAMPLES				
SALES	Wine tasting, tours, food and wine pairing, <del>by invitation release days, pickup parties</del>				
WINE TRADE	<del>By invitation meetings or seminars</del>				
Winery Events					
TYPE	EXAMPLES				
AGRICULTURAL PROMOTIONAL	Winemaker lunches & dinners, release parties, club parties				
OTHER	By-invitation meetings or harvest parties, Association-sponsored				

### 2. Guidelines for Siting Criteria

- a. Min parcel size
- b. Access (fire safety)
- c. Setbacks
- d. # of tasting rooms
- e. On-site parking
- f. Design

### 3. Guidelines for Operations

- a. Food service
- b. Event coordination and traffic management
- c. Noise standards

Refrain from obstructing the bike lanes, site lines, How are these things I've struck out not EVENTS?etc. with signs, people directing traffic, etc.They bring a larger group to the site for a special purpose, and most important from OUR perspective, increase vehicular



**From:** [Nancy Citro](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Fwd: What is a winery event  
**Date:** Wednesday, February 17, 2021 3:51:06 PM  
**Attachments:** [ORD16-0001 Winery Events BOS Summary 07-12-2016.pdf](#)

---

EXTERNAL

>

> Thank you for the opportunity to join the Zoom Workshop tomorrow. I look forward to it. I would like to submit this attached document as reference to the question to be discussed. The attached report from 2016 is titled Winery Events Study Session. In it, the report from the working winery group defines event. In this review of each audit and review of every winery use permit, an event is “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 involving any of the following:

- > Service of full meals
- > Outside the tasting room hours of operation
- > Fee for event
- > Entertainment, music, outdoor amplified sound, or similar activities or
- > Advertised to consumer”

>

> Please refer to attached PDF for event definition on page ten. Why are we back to answering this question five years later? The definition of an event work has already been accomplished through the process of approving all our use permits!

> Regarding the hours of operation, attendees food service and outdoor amplified sound considerations, is this for new use permits, or all use permits regardless of their language or age that we are considering? I hope this is clarified in the workshop.

> Look at the big picture regarding hours food music and look at all of the cumulative impacts in our neighborhood so that all visitors can share in the enjoyment of our beautiful valleys. Chairwoman Hopkins mentioned wanting events for small farmers. Don't forget cannabis growers want events, the recreational boater, recreational biking tours, pro races, count everyone. Don't forget to include farming and most important, harvest traffic. Add up all the parts of the sum and then divide them up. Give grape growers the priority on LIA parcels, no events during harvest. I have seen the danger of bike events during harvest mornings! Keep our roads safe, Westside Road does not meet rural collector road capacity design standards, nor do the others in your threshold traffic study. No paved shoulders with a “significant portions of Westside Rd clearance from the edge of the traveled way to unyielding objects average clearance 1 to 7 feet!

Amplified music is NOT farming noise.

Best,  
Nancy Citro  
4160 Westside Road  
Healdsburg, Ca 95448

> Thank you  
> Nancy Citro  
> <https://sonomacounty.ca.gov/WorkArea/DownloadAsset.aspx?id=2147548917>  
>

>

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**From:** [Wendy Krupnick](#)  
**To:** [PRMD-WineryEvents](#); [district5](#); [district3](#); [district4](#); [Susan Gorin](#); [David Rabbitt](#)  
**Cc:** [Tennis Wick](#)  
**Subject:** Winery Events Ordinance Workshop  
**Date:** Thursday, February 18, 2021 10:01:53 AM  
**Attachments:** [WineryEvents intro 2-18-21.pdf](#)

---

Good morning Sonoma County Supervisors and Planning Staff.

Attached please find an introductory letter from Community Alliance with Family Farmers (CAFF) Sonoma County regarding this afternoon's workshop on the proposed Winery Events Ordinance.

We have submitted extensive comments and suggestions for this much-needed ordinance in recent years and will be doing so again after we learn more at today's workshop. As stated in our letter, we are also requesting a meeting with staff to discuss the ordinance and our suggestions further.

Thank you for considering our views.

Wendy Krupnick, Vice president, CAFF Sonoma County

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**From:** [tl](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** todays winery events meeting- comment  
**Date:** Thursday, February 18, 2021 11:06:22 AM

---



Dear PRMD,

We need limitations on the number of events, wine or cannabis related. Our roads aren't built for much more traffic, our neighbors want quiet enjoyment of their own homes, and being overrun on weekends has been happening for years. Don't let it get any worse than it was pre-Covid.

thanks,

Tom Laporte

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**From:** [Nicole Bacigalupi](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Pam Bacigalupi](#)  
**Subject:** question/comment for tonight's virtual workshop  
**Date:** Thursday, February 18, 2021 11:23:07 AM

---

Hello - I am born and raised on Westside Road and currently work at our family winery/vineyard here. There is an issue with traffic and safety on the road - however I don't believe it can only be attributed to winery events. It is the culmination of ag vehicles, cars and bicycles all sharing a one lane, rural road with no shoulder. The congestion is further escalated during certain times a year - especially at harvest time. I feel that wineries and growers have done their part by obtaining the appropriate permits, paying the fees and in general being good neighbors. I see one of the primary issues being the influx of cyclists - not riding single file and in general making it dangerous to pass and drive on a one lane road.

I would like to propose that individuals who cycle down the primarily agricultural roads i.e Westside etc - should obtain a permit from the county for a given day. Similar to visiting a public park and purchasing a permit for a day use. Only a certain number of permits are issued for the day and once the permits are gone that is the number of bikes allowed on the road. This would mitigate so much congestion that is a reoccurring issue on these back roads.

I would suggest further restricting the number of passes issued on certain weekend (i.e holidays) as well as harvest time when the roads are already congested. Wineries should not be the only group taking responsibility for the traffic issue - all parties should contribute to solving the problem.

Has this been considered by the committee as a way of mitigating this issue?

Thank you for your time  
Nicole

*Nicole Bacigalupi*  
**Bacigalupi Vineyards**  
707-473-0115  
BacigalupiVineyards.com

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**From:** [Kallen, Christian](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Input from Feb. 18  
**Date:** Thursday, February 18, 2021 6:54:59 PM

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I'm wondering why wineries are in a "silo" category, or it seem to be –

If they serve full meals they should be licensed as a restaurant.

If they have business promotional events they should be in a business district.

Are they not subject to these other regulations?

Christian Kallen, Reporter  
Sonoma Index-Tribune  
[www.sonomanews.com](http://www.sonomanews.com)  
(707) 933-2732

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**From:** [Jim Olmsted](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Events  
**Date:** Thursday, February 18, 2021 7:10:26 PM

---

Hi:

Interesting workshop 2/18.

My comment: 1) Establish some amnesty period for existing wineries to achieve compliance with whatever new criteria that is established/adopted. Consider some subset of standards to allow them to achieve compliance. 2) Establish a "grandfather" clause that permits existing wineries that have very loose conditions of approval (that might be unenforceable now but may run afoul of new criteria) such that they do not fall into non compliance. It would be a particular burden (especially now in pandemic) to penalize those wineries. This is so even if they are borderline compliant/noncompliant. Timing here is everything for many of these smaller producing wineries. Staff needs to be cognizant of that burden.

Later,

Jim

Olmsted & Associates  
Planning Consultants

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**From:** [Dana Britomaris](#)  
**Subject:** Re: Winery Events rules  
**Date:** Thursday, February 18, 2021 7:18:45 PM

---

I've just been taking part in the Winery Events Workshop and would like to mention two considerations that are related to wineries but were not part of the purpose of the workshop. I hope you will put these principles into the county's criteria in such a way that they will be taken into account in any decisions about wineries:

Always formulate rules in such a way as to minimize insecticide residue runoff. Organic wineries can be run affordably by using neem oil diluted in several times the volume of vegetable oil.

Always formulate rules in such a way as to encourage the widest possible diversity in what's cultivated. I was living in Hawai'i Island's Puna district when the papaya-worm infestation came about. It was heartbreaking, and that's no exaggeration. Very many people had taken out loans for land, trees, equipment and supplies, thinking they would pay off the loans, send their children to college and then have a comfortable retirement. Instead, they were homeless--some drinking heavily, which didn't help the family finances; a few, in desperation, switched to making meth (Quick--which is better for you, a papaya or a hit of meth?) Monoculture is a very high stakes gamble, and I want Sonoma County never to lose the way the Puna did.

Dana Bellwether

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**From:** [Reuben Weinzev](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery event ordinance  
**Date:** Friday, February 19, 2021 8:51:50 AM

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Dear PRMD staff:

During the presentation, your slide shows that the policies apply to **new** winery applications; my question is what about applications for changes in current permits and permits of existing wineries? I am interested in if your policies (ordinance) will apply if a winery applies for more events, larger events, increased production of wine?

Would water requirements be reviewed at that time as well as safety elements?

Thank you for your time and consideration of my questions.

Reuben Weinzev

[reubenw22@gmail.com](mailto:reubenw22@gmail.com)

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**From:** [Christina Meyer](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Public comments  
**Date:** Friday, February 19, 2021 1:48:48 PM

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## EXTERNAL

At the event workshop last night our group did not get t the 3rd agenda item so please find below comments on this agenda item:

### Guidelines for Siting Criteria:

- a. Minimum parcel size-20 acre minimum
- b. Access(fire safety)-20 foot minimum road width, driveway safe sight distance (for curves, intersections)
- c. Setbacks-Setbacks for scenic corridors
- d. Number of tasting rooms-Density standard of no more than 2 1/2 miles
- e. On site parking required

### Guidelines for Operations

- a. Food service-small appetizer-sized bites for wine paring, all other food service types for events only
- b. Event coordination with traffic management mandatory
- c. Noise standards-sound measured at the property line per County standards. No Sound Wall mitigations

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**From:** [Terry Crisler](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Terry Crisler](#)  
**Subject:** Winery Event Workshop comments  
**Date:** Monday, February 22, 2021 10:09:14 AM

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To Whom it may concern,

I'd like to comment on the questions asked Friday night at the Winery Event Workshop. In my opinion, the questions are too vague and we must look at each winery site individually, and allow the **right entitlements for the right property**. A small one acre winery one acre near residential properties is much different from a large volume winery with large production and large vineyards, and their needs and impact upon their neighbors and the community are different. I listened carefully as several anti-winery citizens voiced their desire for extreme measures that would be punitive for this one industry alone. The two specific items I would like to address are regarding "meals" and "industry events".

- I believe strongly that the current stringent policy regarding food needs to be relaxed, and **food should be allowed to be served** at wineries and tasting rooms. First of all, wine flavors are enhanced by food and are a natural part of the tasting experience. Secondly, we are all hyper aware of the risks of intoxication. By serving food, it slows down the consumption process for the inexperienced taster and allows for a safer (and more pleasurable) experience. The current permit system that does not allow food service is unfair and archaic. The question then becomes, what is appropriate without impacting the neighbors? How about allowing indoor food service permit (quiet and undistruptive to neighbors) up to a certain capacity based on size and infrastructure, and a separate outdoor food service permit that would operate based on likelihood of impacting neighbors. That would allow the little guy to have a taco truck or BBQ on weekends without disturbing his neighbors, and the larger facilities with their own chef and kitchen to do more extensive service. Regarding **"full meals served" to the trade, and "industry events"**...Due to the three tier system in our country, these **trade visitors are our outsourced sales and marketing staff**. Providing education includes experiencing food and wines together as part of normal business operations is vital.

Thank you,  
Terry Crisler

Terry Crisler  
Sotheby's International Realty - Wine Country  
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**From:** [Mike Martini](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Tennis Wick](#); [Georgia McDaniel](#); ["Michael Haney"](#)  
**Subject:** Definitions and Guidelines  
**Date:** Monday, February 22, 2021 10:22:09 AM  
**Attachments:** [Winery Guidance and Definitions 7 27 2020 Final.docx](#)

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I want to acknowledge the effort on obtaining community input related to winery activities and the creation of guidelines for future winery applications at the Workshop held last Thursday the 18<sup>th</sup>. It was impressive in the number of people who participated. It is obvious that a lot of people are concerned with what Permit brings back to the Planning Commission and the Board of Supervisors. Unfortunately, the large number of people trying to provide direction make it difficult to drill down to the important issues of definitions and guidelines.

The Sonoma Vintners have taken a lot of time and effort to work with its membership to prepare a draft a Winery Guidance and Definitions that we have previously submitted to Tennis and Georgia. I have attached it here as well so it may become part of the record as you continue your efforts to get community input.

I am available to answer any questions if you need any clarification on either the definitions or the guidelines.

Thank you,

Mike Martini  
Taft Street Winery

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## **Winery Use Permit Policy, Parameters & Definitions**

### **Section 1 – Background**

#### **Winery**

The establishment and operation of a winery involves many levels of regulation and compliance as it involves the production of an alcoholic beverage subject to state and federal excise tax.

Permits are required from the federal Alcohol and Tobacco Tax and Trade Bureau (Bonded Winery Permit) and the California Alcoholic Beverage Commission (Winegrower – Type 02 License). This license defines the allowable operations to include:

- the conversion of fruit into wine,
- the sale of wine to consumers for consumption on the licensed property,
- the sale of wine to consumers to remove from the licensed property,
- the sale of wine to licensed retail and restaurants for resale to their customers,
- the sale of wine to licensed distributors for resale to licensed retail and restaurants, and
- the sale of wine to licensed distillers or vinegar producers.

#### **Sonoma County General Plan**

The Sonoma County General Plan (in its Agricultural Resources Elements) has many goals, objectives and policies specifically supporting the multi-generational agricultural heritage of Sonoma County and the stabilization of the farmer's economic situation. These goals represent the growing of agricultural crops, the processing of the crop as well as the sales and marketing of the product. Wineries are part of that processing.

Specific goals of note include:

- **GOAL AR-4:** Allow farmers to manage their operations in an efficient, economic manner with minimal conflict with nonagricultural uses.
- **GOAL AR-9:** Provide agricultural permit processing procedures that are rapid and efficient.

Specific policies of note include:

- **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-4d:** Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.
- **Policy AR-8b:** Encourage programs for promotion and marketing of agricultural products grown in the County

### **Sonoma County Zoning Code**

The Sonoma County Zoning Code describes the uses allowed by right in the Land Use Designations described in the General Plan as well as those uses allowed by application for and approval of a Conditional Use Permit (CUP). The CUP outlines the conditions for approval and helps to mitigate and protect underlying goals and policies of the General Plan.

Wineries and Tasting Rooms are allowed by Conditional Use Permit in the three major agricultural land use designations: Land Intensive Agriculture (LIA) Sec 26-04-020; Land Extensive Agriculture (LEA) Sec 26-06-020; and Diverse Agriculture (DA) Sec 26-08-020.

### **Winery Business Activities**

As described in Winery above, a Winery is permitted to sell its products through several channels from directly to a consumer, to a distributor in another state. The General Plan Policy AR-8b “encourages programs for promotion and marketing of agricultural products”. This today results in a wide range of sales, marketing and promotion activities associated with a Winery that are a normal part of managing the business.

All wineries, even those without public tasting rooms, must engage in these business activities to survive and be viable.

### **Non-Winery Events**

A Winery is an attractive site for reasons of its location in an agricultural region, its association with food and wine and, very often, interesting architecture and design. As such, these sites are often sought out for events not related to the Winery operation or its sales and marketing of its products.

## Section 2 - Parameters

Consideration of an application for a Conditional Use Permit for Winery operation recognizes and incorporates three specific parameters for operation:

- **Production:** This parameter sets the production limits of the winery in terms of cases per year and is determined by facility capacity and production area.
- **Hours:** This parameter sets the hours that the winery may operate and recognizes Production Hours, Business Hours, and Public Access/Serving Hours
- **Capacity:** This parameter sets the Maximum Persons at One Time allowed at the winery, and is determined by floor area, parking, septic, site area and access.

Additional parameters related to compliance with other regulatory agencies including water, hazardous materials, public works/roads, access, and public health are also incorporated into the Conditional Use Permit.

## Section 3 - Guidelines

Consideration of a Conditional Use Permit for a Winery assumes that the winery operation will include Winery Business Activities. However, in addition, a Conditional Use Permit should also speak to the Winery's impactful usage: Production Activities, Public Access/Serving Activities (activities open to public), and Winery Business Activities (limited to staff, consultants, sales partners). This will enable the winery to evolve its business while ensuring that it remains a good neighbor.

The following guidelines will be followed in the review and approval of the application:

1. Winery Business Activities within the parameters for Hours and Capacity are not limited in the Conditional Use Permit as to number.
2. Winery Business Activities within the parameters for Hours but outside of Capacity are not limited in the Conditional Use Permit as to number, but may be subject to additional mitigation such as porta portable bathrooms, parking attendants, offsite parking or provided transportation.
3. Winery Business Activities within the parameters for Capacity but outside of Hours are not limited in Conditional Use Permit as to number but may be subject to additional mitigation.
4. Winery Business Activities outside of the parameters of Hours and Capacity, as well as Activities that are not winery specific (such as wine industry events) may be limited in the Conditional Use Permit as to number and may be subject to additional mitigation.
5. Non-Winery Events event may be limited in the Conditional Use Permit as to number and may be subject to additional mitigation.



## **Specific Area Guidelines**

Sonoma County has identified three areas that have asked for and received special attention in the formation of a Citizens Advisory Committee to develop, review and recommend specific guidelines for that area. They include Dry Creek Valley, Sonoma Valley and Westside Road (pending). Consideration of a Conditional Use Permit for a Winery in one of these areas are subject to recommended guidelines developed for that area but will not be less rigid than the Guidelines described above. No authority is delegated to Citizen Advisory Committees to modify standards or regulations set forth in the General Plan or Zoning Ordinance.

## **Section 4 – Definitions**

### **Winery**

Facilities and equipment for the conversion of fruit into wine and engage in the production and sale of wine (from CA ABC).

### **Maximum Persons at One Time (MPOT)**

Maximum Persons at One Time is the total number of people that can be accommodated on site based on standard calculations of floor area, parking spaces, septic and ingress/egress constraints. The number shall be spelled out in the Use Permit Application.

### **Business Hours**

Business Hours are the hours that normal winery business is conducted on site covering issues of operations, finance & accounting, human resources, and sales & marketing. Business Hours will be spelled out in the Use Permit Application.

### **Public Access/Serving Hours**

Public Access/Serving Hours are the hours that the winery is open to the public and may offer public tasting and sales of wine to the public. Public Access/Serving Hours may include weekend hours and be adjusted seasonally to reflect Daylight Savings Time. Public Access/Serving Hours will be spelled out in the Use Permit Application.

### **Production Hours**

Production Hours are the hours of winery production and reflect the necessity of production activity based on harvest issues. Production Hours will be spelled out in the Use Permit Application.

### **Winery Business Activities**

Winery Business Activities are any activities taking place at the winery within Business Hours, not open to the public, specifically focused on the production, sale and promotion of wine (an agricultural product), and are within the MPOT described in the Use Permit Application.

Winery Business Activities include, but are not limited to: business to business meetings, trade partner/distributor meetings, sales meetings, wine trade events, wine education/seminars, trade tours and tastings, media tours & tastings, grower relations meetings, employee appreciation activities, and industry receptions. Food including meals may be served in conjunction with these activities as described in “Food Service” below.

In addition, Business Activities include administrative activities such as staff meetings, accounting and finance, and human resources.

### **Public Access/Serving Activities**

Public Access/Serving Activities are any activities taking place at the winery during Public Access Sales Hours open to the public, specifically focused on the sale and promotion of wine (an agricultural product), and are within the MPOT described in the Use Permit Application.

Public Access/Serving Activities include but are not limited to: wine tasting, wine club pick up, new releases, open house, food & wine education, tours & tastings and, tasting room sales.

Food, including meals may be served in conjunction with these activities as described in “Food Service” below.

### **Non-Winery Events**

Non-Winery Activities are any activities that are not directly associated with the sales and marketing of the wine produced at the Winery. Non-Winery Activities will be limited by the Use Permit and may have restrictions on number, hours, and amplified music. Non-Winery Activities will require evidence of mitigation of impacts in the form of notice to neighbors, additional parking, parking attendants, or portable toilets.

Non-Winery Activities include political and charitable fundraising activities; association sponsored events; corporate events and weddings.

### **Amplified Sound**

All activities on a permitted winery are subject to the Noise Element of the Sonoma County General Plan.

**Food Service**

Food Service is the service of food specifically prepared and paired with the service of the wine in conjunction with Business Activities and Public Access/Serving Activities. Meal Service may be provided by Third Party Vendors (caterers or food trucks) or by onsite kitchens. Third Party Vendors must have required permits from County Public Health. onsite kitchens are subject to compliance with County Public Health as conditioned in the Use Permit.

Food Service is allowed as part of Business Activities and Public Access/Serving Activities.

**Effect of Winery Parameters and Definitions**

The parameters and definitions provided herein apply to prospectively to new winery applications. There is no intent to render any existing winery use non-conforming.

July 27, 2020

**From:** [Nick Frey](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** FW: Response to the Public Workshop on Winery Events  
**Date:** Monday, February 22, 2021 1:04:34 PM

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resending

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**From:** Nick Frey  
**Sent:** Monday, February 22, 2021 1:02 PM  
**To:** [PRMD-wineryevents@sonoma-county.org](mailto:PRMD-wineryevents@sonoma-county.org)  
**Cc:** John Balletto <[john@ballettovineyards.com](mailto:john@ballettovineyards.com)>; Mike Martini ([mikem@taftstreetwinery.com](mailto:mikem@taftstreetwinery.com)) <[mikem@taftstreetwinery.com](mailto:mikem@taftstreetwinery.com)>; Michael Haney ([michael@sonomawine.com](mailto:michael@sonomawine.com)) <[michael@sonomawine.com](mailto:michael@sonomawine.com)>; Tennis Wick <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>; Lynda Hopkins - Supervisor ([Lynda.Hopkins@sonoma-county.org](mailto:Lynda.Hopkins@sonoma-county.org)) <[lynda.hopkins@sonoma-county.org](mailto:lynda.hopkins@sonoma-county.org)>  
**Subject:** Response to the Public Workshop on Winery Events

Permit Sonoma implies you will permit Sonoma County business to successfully operate in the county. You certainly have requirements for issuing permits that specify parking, traffic, septic and visitor capacity at permitted sites..

Permitting is different than trying to manage business operations through your “permitting” process. That is what some members of the community are asking you to do. Look at the number of enforcement actions your department has taken against wineries in the last 2 years. There are few and the industry supports your enforcement against wineries that are operating outside permit specifications listed above. Permits specify visitor serving hours. Activities to host visitors for any business purpose as long as the facility capacities are sufficient for the number of people being hosted at any given hour during the visitor serving hours are “permitted”. Those business purposes are to sell wines to consumers.

There are business needs beyond selling direct to consumers, although direct sales are the lifeblood of smaller wineries.. Those business activities include hosting distributors, wine retailers and restaurant staff who sell our wines on- and off-premise. These are essential activities, not events. Business associates who visit any business expect to be hosted. At a winery, they expect to be hosted at the winery if possible. At other businesses they host at local restaurants or cater in a lunch or dinner. Most wineries do not have a chef on staff, so they too cater meals with local restaurants or caterers. Wineries support our local hospitality partners in order to conduct our business operations while supporting their businesses. The taxes that the wineries and hospitality partners generate are critical contributors to our local governments as well as the local economy. It is important that you “permit” us to carry out our business as best we can to survive in a very competitive market place.

Part of being a successful business is to adapt the ever changing market place. The COVID shelter in place restrictions have likely changed the tasting room business model forever. More wineries are

tasting by appointment only. This regulates traffic to wineries. Wine and food pairings are expected by many visitors. Most wineries have no interest or ability to build resorts or open restaurants and county zoning prevents that in all but a few properties that were permitted years ago. Loud voices do not necessarily suggest a system is not working. Permit Sonoma has the tools today through current permitting requirements and enforcement authority to prevent abuses to the community at large. Furthermore the industry has offered a framework that defines business activities and events that need special permitting. I urge you to work with the industry and not go down the road of micromanaging winery businesses. You do not do that for businesses like Harmony Farm Supply, Action Rents in Fulton, etc. You permit businesses in the county that comply with activities that fall within permitting requirements, most of which relate to public health and safety. I urge you to take that same approach to winery businesses.

Thank you for the opportunity to provide input.



**NICK FREY**

***PR & Brand Ambassador***

[Nick@ballettovineyards.com](mailto:Nick@ballettovineyards.com)

cell: 707.291.2857

5700 Occidental Rd. | Santa Rosa, CA 95401

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**From:** [Nancy Citro](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Tennis Wick](#)  
**Subject:** Winery Event Workshop - comments  
**Date:** Tuesday, February 23, 2021 1:03:14 PM

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Good afternoon Georgia,

Thank you PRMD for the public workshop on winery events. I enjoyed participating in it.

While preparing for the workshop, I read the draft capacity threshold study for Dry Creek and Westside Road. The section 2.1.2 Winery Events has inconsistencies and a significant, misleading error(s).

This section states that "...along Westside Road in the Russian River Valley, the maximum allowed persons per event increases to 600."

The winery use permit (4035 Westside) does **NOT** sanction 600 person winery events. The use permit states 3 events of 600, BUT in the same sentence it clarifies....."three events up to 600 people, **over a period of 8 hours**. " This permit approves three industry events annually.

When reviewing the staff report, you will see it's Sigrid's due diligence in recognizing a new kinds of event.... industry events held **over the day**. She discusses it in the staff report and then describes them in the conditions of the permit. This use permit is not for three time certain winery events for 600. It is to permit 3 industry events in addition to the other winery events she outlines. I searched and found this info on microfilm at PRMD pre COVID.

Could the references to the Dry Creek Valley (DCV) winery events up to 500 also be mis-categorized? Depending on the year and language, it could have been your go to winery planner at the time, Sigrid once again doing her due diligence, acknowledging both winery and industry events.

Table 2.2 shows the max capacity at DCV events as 200 and 140, not the 500 mentioned in the paragraph above the Table. Could you check the actual language in use permits mentioning "500 person events"? Are they described as time certain events or industry events occurring over the period of 8 hours?

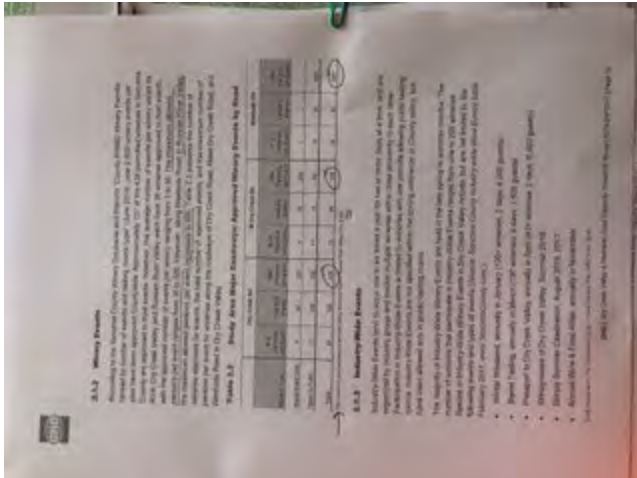
Looking back at recent project permitted on Westside Road, Ramey Project asked for and was denied the largest size of the events requested. Our Sonoma County planning commission did not approve them, in fact Cameron 4th district specifically rejected the idea of 300 people plus events during a hearing that was packed in favor of the project. I think the few largest size events were really the only thing Mr Ramey didn't get approved in his use permit!

Finally, this draft study is using 2014 data for winery events. Can GHD address these concerns regarding the questionable data and update to include event data more current than 2014?

Thank you for your time and attention, it is greatly appreciated. I look forward to the next steps. Also, I wanted to thank you for calendaring by month, the subjects the BOS will be address at their meetings. This is a great feature and really helps to have the timelines, dates

and hours calendared for what's coming up on the agendas for the year.

Kind regards  
Nancy Citro



Sent from my iPad

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**From:** [Janus MATTHES](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [district4](#); [David Rabbitt](#); [district5](#); [Susan Gorin](#); [Chris Coursey](#); [Tennis Wick](#)  
**Subject:** Winery Event Workshop Comments  
**Date:** Tuesday, February 23, 2021 1:58:41 PM  
**Attachments:** [WWW letter Winery Events.docx](#)

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[www.winewaterwatch.org](http://www.winewaterwatch.org)

February 21, 2021

[PRMD-WineryEvents@sonoma-county.org](mailto:PRMD-WineryEvents@sonoma-county.org)

To: Permit Sonoma & Sonoma County Supervisors: \_

RE: Winery Event Ordinance

Wine and Water Watch is a local organization of over 300 citizens concerned with the overdevelopment of the wine tourism industry and promotes ethical land and water use. We oppose the industrialization of agricultural lands not growing food, medicine, fiber or silage and advocate agricultural practices that are ecologically regenerative. The bias shown at the recent workshop allowing the wine industry to have free reign over rewriting regulations in this County is unacceptable. After the breakout sessions, reports were given and many comments on impacts were omitted as it did not fit the county's narrative. Those not in your preferred industry circle of influence found this workshop was little more than to check off your to do list as far as public participations was concerned. Very disingenuous. What was obvious from the workshop is that the majority of residents favor meaningful limitations on winery hospitality uses – not the roll-back of regulations, but cleverly renaming events as business operations, that the wine industry has been pushing for the last seven years.

More tourism is not an economic cure all. The recent Economic Development Plan, pre-pandemic clearly shows that tourism is not that important of an economic generator (6.5%) in the overall picture. It has been shown that governments that cater to tourism are the first to crash and last to recover from an economic downturn. We deserve better.

You are choosing economic winners and losers which is not your job. In a capitalist system rewards go to innovators and destroys those who do not adapt. Changing definitions to allow the bloated and failing wine industry to write their own rules is not governing, it is submission to an industry that cannot possibly maintain its current operating model that favors large corporate interest. Instead of changing to adapt to the new climate and economic realities, the wine industry continues to claim local businesses as collateral damage.

A pattern has formed in our local government that promotes wine industry interest over local enterprise. We site kitchen permits given freely by Permit Sonoma and the gradual deterioration of food security, 96% of all food is imported. Local restaurants are fighting to stay alive as are food farmers. The hotel industry appears to be the next ask of this bloated industry.

We continue to believe strict regulations on events both size, number, definition and timing with high traffic events should be created. The fact is the County already has such a policy and it should be included in the ordinance. Weddings, parties, and business meetings are not agriculture promotions but rather corporate event



productions and not ag. Up to date traffic studies, no more than 2 years old, need to be created to map out potential problems due to binge tourism. We are tired of “right turn only” season that this inflated industry creates is both a safety issue and a quality-of-life issue.

Permit Sonoma, you need to go back to the drawing board. Tourism should be supportive to local communities and not dislocate the local population with traditionally low wages, unaffordable housing due to investors, sacrificing our local mom-and-pop businesses that service the residents needs and require more taxes to fix the overtaxed infrastructure. No more wine industry expansion. They are bad neighbors.

We suggest that if the wine industry needs more events to survive that as a community, they work together to build a large center that can cater to all wineries and events and has the infrastructure to support the added pressure to our community. The wine industry should be paying for this not more tax increases and aggravation born by residents. Luther Burbank Center type of property close to a major thoroughfare should be the goal not scattered winery events all over the county. If the County is serious in propping up this diminished industry, why not create a center perhaps on Chanate property that can house a winery event center, showcasing all wineries large to small in an even platform?

You need to think outside the box unlike the wine industry and make this work for everyone.

Agriculture in this county has had plenty of changes over the years. From potatoes, to hops, prunes, peaches, apples, poultry, pears, hay, dairy, cattle and sheep. Dairy and cattle remain as do some poultry business but pared down into a realistic size industry. With diminished sales, wine grape glut and lowered worldwide demand, changing tastes and new online marketing, time for this industry to adjust or die. Those eras did not have the same issues we face today: climate change impacts that may cause our own extinction, scarce water, changing cultural tastes, unaffordable land, social inequality to name a few.

A serious discussion and studies need to be made on the ever-expanding wine industry impacts that are adding considerable amounts of GHG exasperating climate change in search of customers, depleting our aquifers for future generations and the onslaught of chemical based ag. We have paid the price for their endless assaults on our environment. Time for them to make the changes as we all have already sacrificed way too much for their pursuit of profit.

A full Cumulative Impact Report should be made before any changes to the winery event regulations and climate change has to be addressed. We need current information to make such generational decisions. We look forward to action on this matter *that reflects the public not the wine industry wants*. Thank you for your consideration.

Sincerely,

Wine & Water Watch Board

Janus Matthes, Deb Preston, Merrilyn Joyce, Pamela Singer, Dr. Shepherd Bliss, Charlotte Williams, Sarah Ryan, Tom Conlon, Judith Joinville

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[www.winewaterwatch.org](http://www.winewaterwatch.org)

February 21, 2021

PRMD-WineryEvents@sonoma-county.org

To: Permit Sonoma & Sonoma County Supervisors:

RE: Winery Event Ordinance

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The bias shown at the recent workshop allowing the wine industry to have free reign over rewriting regulations in this County is unacceptable. After the breakout sessions, reports were given and many comments on impacts were omitted as it did not fit the county's narrative. Those not in your preferred industry circle of influence found this workshop was little more than to check off your to do list as far as public participations was concerned. Very disingenuous. What was obvious from the workshop is that the majority of residents favor meaningful limitations on winery hospitality uses – not the roll-back of regulations, buy cleverly renaming events as business operations, that the wine industry has been pushing for the last seven years.

More tourism is not an economic cure all. The recent Economic Development Plan, pre-pandemic clearly shows that tourism is not that important of an economic generator (6.5%) in the overall picture. It has been shown that governments that cater to tourism are the first to crash and last to recover from an economic downturn. We deserve better.

You are choosing economic winners and losers which is not your job. In a capitalist system rewards go to innovators and destroys those who do not adapt. Changing definitions to allow the bloated and failing wine industry to write their own rules is not governing, it is submission to an industry that cannot possibly maintain its current operating model that favors large corporate interest. Instead of changing to adapt to the new climate and economic realities, the wine industry continues to claim local businesses as collateral damage.

A pattern has formed in our local government that promotes wine industry interest over local enterprise. We site kitchen permits given freely by Permit Sonoma and the gradual deterioration of food security, 96% of all food is imported. Local restaurants are fighting to stay alive as are food farmers. The hotel industry appears to be the next ask of this bloated industry.

We continue to believe strict regulations on events both size, number, definition and timing with high traffic events should be created. The fact is the County already has such a policy and it should be included in the ordinance. Weddings, parties, and business meetings are not agriculture promotions but rather corporate event productions and not ag. Up to date traffic studies, no more than 2 years old, need to be created to map out potential problems due to binge tourism. We are tired of “right turn only” season that this inflated industry creates is both a safety issue and a quality-of-life issue.

Permit Sonoma, you need to go back to the drawing board. Tourism should be supportive to local communities and not dislocate the local population with traditionally low wages, unaffordable housing due to investors, sacrificing our local mom-and-pop businesses that service the residents needs and require more taxes to fix the overtaxed infrastructure. No more wine industry expansion. They are bad neighbors.

We suggest that if the wine industry needs more events to survive that as a community, they work together to build a large center that can cater to all wineries and events and has the infrastructure to support the added pressure to our community. The wine industry should be paying for this not more tax increases and aggravation born by residents. Luther Burbank Center type of property close to a major thoroughfare should be the goal not scattered winery

events all over the county. If the County is serious in propping up this diminished industry, why not create a center perhaps on Chanate property that can house a winery event center, showcasing all wineries large to small in an even platform?

You need to think outside the box unlike the wine industry and make this work for everyone.

Agriculture in this county has had plenty of changes over the years. From potatoes, to hops, prunes, peaches, apples, poultry, pears, hay, dairy, cattle and sheep. Dairy and cattle remain as do some poultry business but pared down into a realistic size industry. With diminished sales, wine grape glut and lowered worldwide demand, changing tastes and new online marketing, time for this industry to adjust or die. Those eras did not have the same issues we face today: climate change impacts that may cause our own extinction, scarce water, changing cultural tastes, unaffordable land, social inequality to name a few.

A serious discussion and studies need to be made on the ever-expanding wine industry impacts that are adding considerable amounts of GHG exasperating climate change in search of customers, depleting our aquifers for future generations and the onslaught of chemical based ag. We have paid the price for their endless assaults on our environment. Time for them to make the changes as we all have already sacrificed way too much for their pursuit of profit.

A full Cumulative Impact Report should be made before any changes to the winery event regulations and climate change has to be addressed. We need current information to make such generational decisions. We look forward to action on this matter *that reflects the public not the wine industry wants*. Thank you for your consideration.

Sincerely,

Wine & Water Watch Board

Janus Matthes, Deb Preston, Merrilyn Joyce, Pamela Singer, Dr. Shepherd Bliss, Charlotte Williams, Sarah Ryan, Tom Conlon

**From:** [Wendy Krupnick](#)  
**To:** [PRMD-WineryEvents](#); [Georgia McDaniel](#)  
**Cc:** [Brian Oh](#); [Scott Orr](#); [Tennis Wick](#); [Lynda Hopkins](#); [Leo Chyi](#)  
**Subject:** CAFF meeting re Winery Events  
**Date:** Tuesday, February 23, 2021 9:30:03 PM  
**Attachments:** [WineryEvents intro 2-18-21.pdf](#)

---

Greetings Permit Sonoma Planners re Winery Event Ordinance.

As per the email and letter submitted by CAFF Sonoma County on February 18, 2021, (attached again here), we are requesting to meet with you at your soonest convenience, but prior to the Planning Commission meeting where this topic and your draft ordinance will be reviewed.

As mentioned, we will be submitting detailed suggestions by your March 1 deadline but feel that it is also important to discuss these and our concerns with you.

Please let us know of some possible dates and times so we can find one that works for a couple of people from our chapter.

Thanks for your consideration of this request. I look forward to hearing from you.

Wendy Krupnick

Vice president, CAFF Sonoma County

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**From:** [Laura Morgan](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Feed-back on the winery events hearing of 2/18/21  
**Date:** Wednesday, February 24, 2021 7:28:57 AM

---



Dear friends,

We are 50-year Sonoma County residents, both physicians, who were unable to attend the hearing due to Covid-related work.

We have strong feelings against the unregulated proliferation of wineries, vineyard plantings and now a push by the viticulture industry to pre-emptively loosen regulations for future events or “activities”.

We request that PRMD hold to basic precepts that protect tax-paying residents from impacts of wineries in residential areas. All activities other than wine-tasting are functionally events and have adverse impacts on neighborhood properties.

Our recommendations are as follows:

Determine winery events or activities based on the number of attendees.

Regulate after-hours activities as events.

Designate meal service as events.

Consider all forms of amplified sound as events, whether inside or outside.

Define observable criteria for violations of an ordinance, which determine enforcement.

We also request that the County implement the following **guidelines for Siting Criteria**:

- a. Minimum parcel size for new wineries with tasting rooms should be 20 acres
- b. Access must provide for fire safety and road safety considerations. Safe access by emergency vehicles while visitors are exiting requires 20' min. road width, as well as driveway (intersection) safe sight distance
- c. Setbacks - Setbacks for Scenic Roads (all buildings and parking out of scenic corridor). Design and location considerations for Scenic Landscape Units
- d. Density standard of no more than two tasting rooms/ event centers within a half mile – this will help prevent further over-concentration and multiple driveway road safety impacts; and
- e. Traffic flow on to site and on-site parking sufficient to prevent visitors from backing up on roadways or parking alongside roads - impeding traffic and creating safety hazards.

As cyclists, wine-tasters and physicians, we have first-hand experience of the dangers involved in combining these activities without an ordinance that protects and balances the interests of all involved.

Sincerely,

Laura Morgan and Jim Seward, MDs,  
Sebastopol

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**From:** [Judith Olney](#)  
**To:** [Tennis Wick](#); [Georgia McDaniel](#)  
**Subject:** Fwd: PRSC Input on Feb 18,2021 Winery Event Public Workshop  
**Date:** Thursday, February 25, 2021 8:24:25 PM  
**Attachments:** [Feb 18 BreakOut Themes Final.pdf](#)  
[PRMDPitchDeck v10 final 052716.pdf](#)

---

Just realized I didn't include you on the cc line - here's PRSC's input on the Workshop.

Begin forwarded message:

**From:** Judith Olney <milestonesmet@gmail.com>  
**Date:** February 25, 2021 at 3:48:28 PM PST  
**To:** Fifth District Supervisor Lynda Hopkins <lynda.hopkins@sonoma-county.org>, Susan Gorin <susan.gorin@sonoma-county.org>, David Rabbitt <david.rabbitt@sonoma-county.org>, Chris.Coursey@sonoma-county.org, District4 <district4@sonoma-county.org>  
**Subject:** PRSC Input on Feb 18,2021 Winery Event Public Workshop

February 24, 2021

To: Honorable Supervisors  
From: Preserve Rural Sonoma County  
cc: Tennis Wick and Georgia McDaniels

Honorable Supervisors,

Attached is Preserve Rural Sonoma County's (PRSC) input to the Administrative Record regarding Permit Sonoma's February 18<sup>th</sup> Winery Event Ordinance workshop. The general consensus is that common sense criteria versus semantics and wordplay prevailed.

The need for the Winery Event Ordinance grew out of concerns by local residents that the proliferation of tasting rooms and events in rural areas had gotten out of hand – resulting in significant public safety and environmental impacts. The objective was to address unauthorized promotional uses and create clear standards going forward to manage the scale and intensity of hospitality and events in Ag zones.

PRSC appreciates the efforts of Permit Sonoma, Planning Commissioners and the Supervisors to continue regulation of promotional uses in project approvals by clearly specifying the size, number, type, and time of day for all uses beyond normal drop-in or by appointment wine tasting. Citizens rely on these criteria and standards to maintain the peace, safety, and wellbeing of our roads and neighborhoods.

To date, the wine industry has been unsuccessful in getting the County to roll-back or eliminate protective criteria and standards by reclassifying events as merely "tasting room activities," allowing daily events irrespective of tasting room hours. Such a reclassification would represent a significant expansion of entitlements for promotional uses over what is currently allowed in hundreds of Use Permits approved over the last several decades.

At the workshop, the public voiced a strong preference for continuing the County's current criteria and standards to classify events: 1. after tasting room hours, 2. amplified sound, 3. service of a meal, 4.

advertised to consumers, or 5. an admission fee. Also, the public voiced strong support for an additional criterion as to event size.

This workshop was attended by PRSC members familiar with the issue, as well as other neighbors and environmental advocates who viewed the issue from different perspectives. After gathering input from nearly all the breakout groups, the preponderance of evidence made the public's position abundantly clear. The Winery Event Ordinance must codify the County's long-standing practices for defining and specifying events in Use Permits or limited, periodic Zoning Permits that do not run with the land.

There is no justification to roll back standards by exempting large categories of promotional gatherings from regulation by simply changing the name. PRSC trusts the Chapter 26 zoning code update will reflect these protective criteria and standards.

Attachments:

1. PRSC Feb 18 Break-out Themes\_Final. Pdf and
2. Vintner PRMD Pitch Deck v10\_final\_052716

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## **Themes from Breakout Sessions: Input to Countywide Ordinance with Definitions and Guidelines**

**Summary:** Preserve Rural Sonoma County's (PRSC) input to the Administrative Record regarding Permit Sonoma's February 18<sup>th</sup> Winery Event Ordinance workshop. The general consensus is that common sense criteria versus semantics and wordplay prevailed.

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**Detailed PRSC Input:** Preserve Rural Sonoma County (PRSC) invited its members and other coalition groups to the workshop, which resulted in several perspectives: 1) people involved since 2015; 2) neighbors with no history in winery events; and 3) advocates from environmental groups.

**Problems with sign-in:** Not all the people who wanted to attend could get the link or re-registration processes to work. Many of the people we invited were not able to attend.

PRSC is entering these themes into the Administrative Record as the breakout session report outs were rushed and may not have offered the full range of discussion.

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PRSC is entering these themes into the Administrative Record as the breakout session report outs were rushed and may not have offered the full range of discussion.

Our debriefs included people from almost every break out group; we also learned that many of the small winery owner perspectives align with common sense event criteria. PRSC noted that only a few report outs, presumably from groups composed of winery representatives, voiced the “wine Industry definitions.”

PRSC poses two concerns:

1. Facilitators for these three groups were Tennis Wick, Georgia McDaniel, and Brian Oh, interestingly, key staff reiterated the wine industry position; (See Appendix A: Vintner July 2016 presentation to Supervisors) and
2. Winery owners and staff may be working with yesterday’s “direct-to-consumer” business model – not the evolving less-impactful models based on new demographics. (See Silicon Valley Bank reports from 2015 to present, including 20-year wrap-up [2021 State of the Wine Industry Report](#)). This is yesterday’s business model: the most recent changes, as noted by winery analysts, are away from on-site sales and into digital channels. Also, a change in demographics – smaller market as baby-boomers age and millennials are not at mid-30 wine drinking age yet.

PRSC debriefs revealed that those new to the debate - neighbors and environmental leaders - were a bit taken aback; they felt the framework left many of the more important issues. And, the consensus of environmental advocates was merely having CACs write guidelines does not exempt this work from CEQA review. Quotes from environmental advocates are in Appendix B.

County regulations regarding public safety and nuisances must be written by professionals with standards and guidelines to reduce impacts. Currently, it appears that only a few members of the wine industry are advocating that virtually nothing counts as an event; and the workshop provided more balanced input. In short, “... *discussion needs to be broader than just winery events... especially with cannabis wanting to join in the party...*”

**History:** In 2014, the wine industry was tasked to write their own rules on how to meet the General Plan requirement that the zoning code address the size, scale and intensity of hospitality uses on Ag lands. The industry prepared a position (see Appendix A) that basically exempts all hospitality uses except weddings, conventions, concerts and industry-wide event days from county oversight. In 2015, the County held Stakeholder group discussions and in 2017 professional-planning staff synthesized County findings in a presentation to the Planning Commission.

To this day, Use Permits generally use the long-standing definition of events: **An event is a hospitality use conducted at a winery or tasting room other than drop in or by appointment tasting, which involves any of the following criteria: service of a meal; after tasting room hours; admission fee charged; amplified sound or advertised to consumers.**

**February 18, 2021 - Draft Framework:** Questions for participants:

Q 1: what is missing from the draft Framework?

Q 2: what is a visitor-serving activity vs. a winery event?

The draft Framework sent out before the Feb 18<sup>th</sup> session was slightly different from the one used during the breakout sessions. The Framework presented in the breakouts (items 3 & 4) had a stronger bias to the wine industry position versus long-standing criteria and standards used by the County:

1) Placed “by-invitation release days and pickup parties” as “Visitor Serving Activities;”

2) Continued the allegation that “wine trade” meetings should have a categorical exemption regardless of size, scale or intensity – if it’s a tasting focused meeting, then why serve a meal vs. tasting bites.

3) Modified “meetings and harvest parties” with the word “staff” – a bit of a “red herring” as Staff-only gatherings (i.e., winery and vineyard staff sharing a beer and burger at picnic tables) have never been an issue. Harvest parties are events, whether members of wine club, trade, or public – consumers are coming to the winery/event center for wine tasting, food, hospitality and possibly music.

4) Changed long-standing zoning code language from “amplified sound” to a much narrower “outdoor amplified sound.”

**Themes:** Given the recaps were rushed, and break out groups composed differently, PRSC reached out to our coalition members who provided specific feedback on their break out room experience, what other stakeholders were in the group and the “take aways.” Most stated that small winery owners in their groups were reasonable, and large wineries sent business representatives.

**Themes from 21 break out groups: about 17 appeared to be “balanced” with community members and small winery/tasting room owners, and 3-4 reported out the wine industry representative messages (Wine industry themes are in a separate listing below.**

**Balanced group themes, organized by frequency mentioned, include:**

1. **Event defined by size - number of people is a key factor** – no matter what their business card or what time of day: A small table of people, be they restaurateurs or public, with tasting and small bite appetizers versus 30-50 “wine trade” members served a full meal, even at lunchtime. Significant logistical needs and advertising = an event.
2. **Pick up parties and release days are Events:** not a “day to day” tasting room activity – they are scheduled for date certain with invitations and “drop in” by large numbers of people. Even if they involve the opportunity to “taste” the wine – the size of the group and invitations signal an event. Industry event is definitely an event (overwhelming).
3. **Hours of Operation:** By definition, a tasting room event happens within tasting room hours and involves drop in and by appointment small groups. After hours is an event.
4. **Amplified Sound**, which should have been framed as Amplified Sound, definitely signals an event. One group noted that at after-hours events with even quiet acoustical music can be a problem.
5. **Road Safety:** Standards to consider impacts on joint use by bicycles and road safety issues created by long-duration drinking, especially drinking through the cocktail hour and up to 10 pm at night. Narrow, rural roads with speeding and impaired driving.  
At least four groups brought up drinking and driving and road safety concerns. Data on Sonoma County’s DUI accident and death rates which trend twice the California average. Information on safety impacts to cyclists and fire safe road requirements. And, 1 group brought up Shuttles as a mitigation.
6. **Service of a Meal:** As food and wine go together, wine tasting is now preferred to be accompanied by food. (Note: 1996 change to zoning code was for small bite and pre-prepared appetizers). Noted that staff meals and small distributor meetings are not the issue. –Concerns expressed for local restaurants (2 groups), especially if meals are considered business operations vs. service at a specified number of events
7. **No enforcement – no monitoring of concentration of events:** Cumulative impact of events – no oversight as to over-concentration – no enforcement of traffic, after hours noise, number of events.

**Event Coordination Software/ tracking requirement in Winery Use Permits – Staff referenced, yet has NOT been implemented:** Event Coordination Software – County paid to create this program, which has been “piloted” in the Sonoma Valley Visitor’s Bureau and unused by wine industry in the Sonoma Valley Visitor’s Bureau

8. **Other Issues not directly related to Events:** 4 groups: **Groundwater Impacts** and at least 1 group: **Tasting room only permits** – usually on parcels under 5 acres - where the grapes are not processed on-site or wine is purchased elsewhere for sale in Sonoma County

**Comments that don’t comply with General Plan – or meet red face test:**

- Covid requirements – we have to serve a meal; thus, heretofore, meals are not an event: the ordinance should not take a temporary situation and codify it in perpetuity
- Wineries with chefs can serve meals all day and these are not events: General Plan is clear: restaurants, hotels and resorts are prohibited in Ag zones.

**Themes from 3-4 wine industry-dominated groups:** Perhaps it was by design that the facilitators were **Tennis Wick – Georgia McDaniels – Brian Oh** so report outs for industry-dominated groups stated the wine industry position.

3. **2 groups including Tennis: Numeric Criteria for events with physical offsite impact:** Industry-wide events, weddings, dances...**reiterated the Wine Industry position – only weddings etc. (non ag promotion events) are the only events that the County can regulate.**
4. **No Regulations – Flexibility, but all entitlements run in perpetuity: County shouldn’t restrict and is clueless at how hard it is to run a winery.** Unleashing more destructive competition is hurting winery bottom lines – Napa county exemplifies how regulation benefits business viability.  
*Quote: “...my group never even got around to discussion of “what is an event” as they spent the entire time canoodling one another and crying about how hard it was to be regulated.”*
5. **Three groups stated: Size of parcel and scale of winery production should dictate standards.** Large properties or those located near major highways request a focus on off-site impacts. The County already specifies a larger number of events based on location and site characteristics.
6. **Some Use Permits are “silent” and should be Grandfathered** – State Zoning code is clear silence is not permission. Many were written when events were prohibited – should require a Use Permit Modification.
7. **Focus on Industry-wide Events, which is not the issue. The issue is large or a concentration of individual winery events – Size of parcel, Parking and Scale of Facility matter:** Generally, the public has not complained as much about the 10-15 industry wide event days – other than on-road parking and congestion.

**Q 2: Siting Criteria:** Few groups got into siting criteria yet noted the criteria missed information on:

- environmental impacts (water, GHGs, wastewater, herbicides)
- neighborhood compatibility – “peaceful enjoyment of one’s land,
- road safety/ traffic, and parking - need to consider safety: cyclists’ safety and safety from DUIs
- scenic corridor and rural character
- need better plan for monitoring and enforcement; enforcement criteria
- need to look at cumulative impacts

**Appendix A – Vintner July 2016 Presentation to the Board of Supervisors**

**Appendix B – Concerns about broader General Plan and need for CEQA review** Quotes:

*“...it is about the original intent of the General Plan. People buy property and establish themselves according to the zoning and what it allows. Developers and the County treat the GP as a rule set to be "gamed" instead of a serious boundary demarcation to be adhered to.”*

*“Notably I said that there is no good reason to have promotional events at the wineries. They should be conducted in hotels, restaurants and convention centers away from the production facilities, which should be limited to production only, notwithstanding environmental impacts, pesticides, drought, etc, etc. ... the county has grossly failed to observe Gen Plan limits on wine production - that should become the larger issue in the debate and before CEQA vs. so-called “entitlements” or not.”*

*“ ...realized the workshop was about how to conduct the business of wine events and, apparently, not getting feedback on how to address the social and environmental impacts...pertinent issues were not even being addressed for discussion. In CEQA, there are two important issues besides addressing localized impacts— cumulative impacts watershed-wide and the assessment of viable alternatives to the winery events. Are there alternatives to having wine events on-site and what are they?”*

*“...the issue is what measures should be adopted to “minimize” all the local, regional, county-wide impacts. There seems to be winery biz bubble where serious impacts don’t happen or matter outside their business model.”*

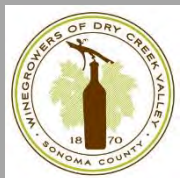
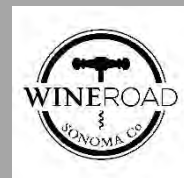
*“Will this ordinance go through CEQA? Apparently, the sole task of the workshop was to define “event.” The industry hopes for no regulation of “gatherings and activities” - It’s all “ag-related” per industry’s modern economic model...if about Ag, strange we were NOT supposed to discuss the “key issues” of commercialization of ag lands, preservation of rural character, neighborhood compatibility, or water/noise/traffic...quoting from County’s slide, which ticked off those items as mere background to the real task at hand... What?! Many of us raised these issues anyway.”*



# We Are Sonoma County

SONOMA  
COUNTY

Sonoma County Board of Supervisors, July 2016



# Objective

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**Ensure long-term preservation of agriculture in Sonoma County by effectively managing impacts of agricultural promotional events and tourism.**

- Accept and adopt Activities and Events definitions.
- Adopt and promote Best Practices for winery Activities and Events.
- Create position of Oversight and Compliance Manager to respond to community impact concerns and resolve disputes.



# Importance of Agriculture Heritage in the County

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- **Agriculture Heritage – wine continues this heritage**
  - *“It is the declared policy of this county to conserve, protect, enhance, and encourage agricultural operations on agricultural land within the unincorporated area of the county. Further, it is the intent of this county to provide its residents proper notification of the county's recognition and support, through this article, of the right to farm”*
    - 1999 Sonoma County Right To Farm Ordinance (Ord. No. 5203, Findings)
- **“Commercial Agriculture”** - must be commercial for the land to stay in farming
- **6% of Sonoma County (58,280 acres) is planted in vineyards**
- **80% of vineyard properties are 100 acres or less**
- **40% of vineyards are 20 acres or less**
- **71% of Sonoma County farms are 50 acres or less**
- **85% of Sonoma County vineyards are family owned**
  - Source: 2nd Annual Sonoma County Winegrowers Sustainability report.



# Is Rural Character Defined by Agriculture or Residential Use?

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- Preservation of agricultural land preserves rural character
- Issue is residential use of agricultural land
- Issue is not use of agricultural land for selling agricultural products



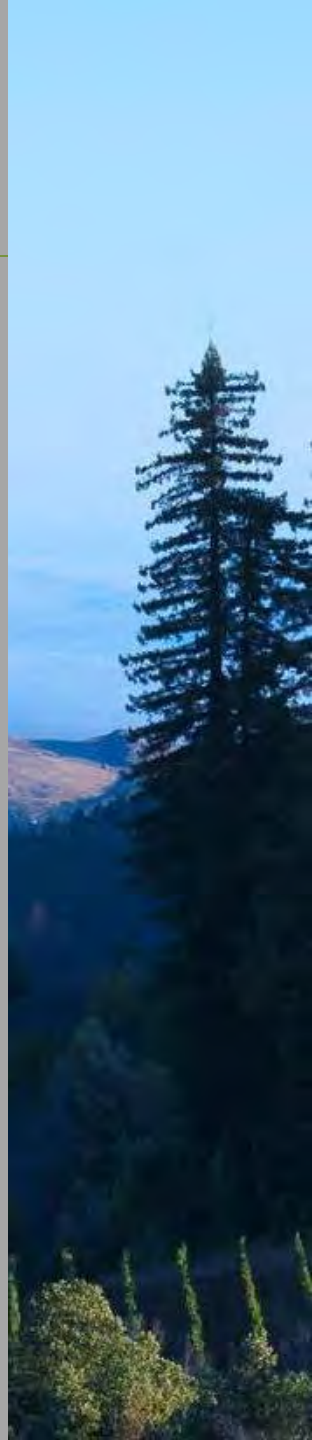
# Economic Impact

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- **\$13.4 billion** contribution by wineries and grape growers to the local economy in 2012
- **54,297 full-time** equivalent jobs
- **\$3.2 billion** in total **wages** paid
- **\$1.82 billion** spent in 2014 by **visitors**
- **\$25+ million** contributed by Sonoma County wineries and winegrowers to over **125 local charitable** causes and organizations
- **\$4.3 million** contributed the last three years for *Sonoma Wine Country Weekend's "Fund The Future" Literacy Fund*

## Sources:

- Visit California 2015 "California Travel Impacts, 1992-2014" by Dean Runyon Associates
- Annual Tourism Report, 2015 Sonoma County Economic Development Board
- Stonebridge Research, 2012 Sonoma County Economic Impact Study
- 2nd Annual Sonoma County Winegrowers Sustainability Report
- Sonoma Wine Country Weekend
- Santa Rosa Press Democrat, January 2016



# General Public Opinion

## 2015 Survey of Registered Voters Conducted by Fairbank, Maslin, Maullin, Metz & Associates:

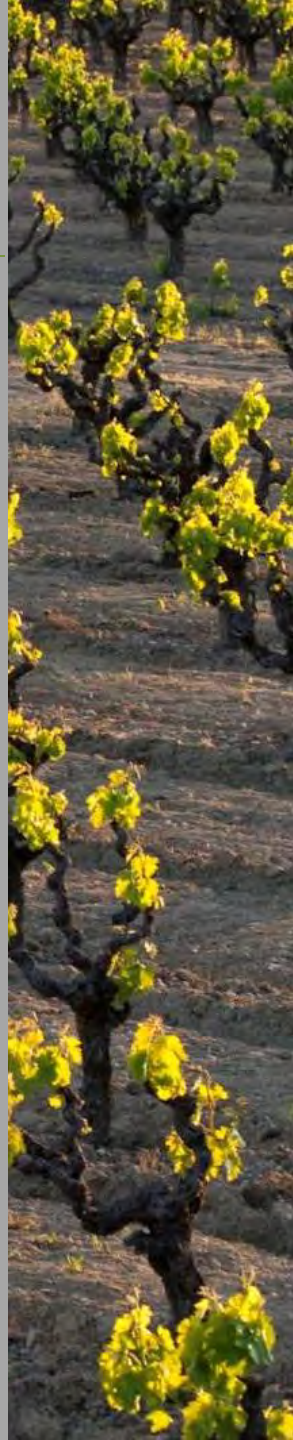
- *“Do you feel that local vineyards and wineries have an overall positive or negative impact on the quality of life Sonoma County?”*
  - 81% of registered voters “feel strongly that the wine industry has an overall positive impact on the local quality of life.”
- *“Sonoma County vineyards and wineries play an important role in strengthening the local economy and providing jobs?”*
  - 91% of respondents strongly or somewhat agree with this statement.

## 2015 Sonoma State University Study:

- 83% of respondents said that wine businesses help to create a mostly positive image for Sonoma County.
- 88% of respondents said that wineries have a very positive or positive impact on the quality of life in Sonoma County.

### Sources:

- Fairbank, Maslin, Maullin, Metz & Associates survey, 2015 (401 Interviews with registered voters)
- Sonoma State University, 2015 (221 respondents)





# Shift In Sales Model

***Wineries of all sizes need Activities and Events to support sales and distribution***

**Constricted Three Tier Distribution Channel:**  
(Winery – Wholesaler - Restaurant / Retailer)

- Fewer distributors
  - 20 years ago, 3000 distributors, now 675, forcing extreme competitive landscape
  - Vast majority of wineries can't get distribution

**Direct to Consumer (DTC) – (Tasting Room – Wine Clubs – Consumer)**

- Dramatic changes in DTC sales since 2005 United States Supreme Court ruling (*Granholm v. Heald*) which opened up DTC sales across the country
- 60% of smaller winery sales rely on DTC
- Increasing importance of consumer experience

***“Direct-to-Consumer sales will continue as the largest growth channel for most wineries.”***

*Silicon Valley Bank - State of the Wine Industry 2016*

- Source: Moss Adams Winery & Grower Report, 2015



# Sonoma County General Plan

## 2020 – Agricultural Resources Element

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- 2.1 Assist in the Marketing and promotion of Sonoma Counties Agricultural Products: “Successful promotion and marketing of agricultural products grown in Sonoma County can both enhance the County’s image and reduce economic pressure on farmers and ranchers to subdivide or convert the land to nonagricultural uses.”
- 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.



# Clear Definitions are Needed

- The **Wine Community** proposes a standard set of definitions that clarifies the distinction between an Activity and an Event.
- An **“Activity”** is a core business function. Activities are low impact and go along with existing capacities, noise level limitations and parking allowances. Activities include winemaker lunches and dinners, release parties, trade tastings, food and wine educational pairings and are generally by invitation. Under these definitions, an **“Event”** has a higher impact and includes Passport, Barrel Tasting, and other large gatherings for a special purpose.
- The Wine Community believes these definitions will support **existing County policy** to encourage the promotion, marketing and sale of agricultural products, and protect Sonoma County’s agricultural character and long term health and viability.



# DEFINITIONS : ACTIVITIES

## **“Direct Sales Activity” are:**

- Normal wine business activities such as wine lunches, after-hours winemaker dinners, release parties, and wine pick-up days. These activities occur by invitation only and are for the purpose of marketing, promoting and selling wine and building and strengthening relationships with customers. They may include political and charitable events for the purpose of strengthening relationships within the community.

## **“Public Sales Operations” are:**

- Wine tasting, tours, food and wine educational pairings and other hospitality related activities supporting the promotion of wine sales that are open to the general public. Such activities are subject to the Use Permit which sets the hours of operation, occupancy limits and operational requirements.

## **“Trade Marketing Activity” includes:**

- Invitation only activities with staff, trade or distribution partners.

# DEFINITIONS: EVENTS

## **“Association Sponsored Event” is:**

- An event sponsored by a recognized organization to promote wine sales and tourism to the region
- Conducted across multiple sites within a specified geographic area
- Requiring all participating wineries to meet the organization's criteria for participation.

## **“Sonoma County Showcase Event “is:**

- An event promoted to the general public showcasing Sonoma County’s commitment to agriculture & local food, arts, culture and the community with a focus on community building and cultural benefit.
- Less than a single day in duration, are not included in the Use Permit, may exceed the applicable occupancy requirements and may require temporary measures, if determined necessary (e.g. portable toilets, notification of neighbors, traffic & parking plans, sound monitoring).
- Approved with a Zoning Permit and do not run with the land.

## **“Use-Permitted Event” is:**

- An event not included in Definitions and may include corporate events and weddings.
- Less than a single day and the number of which and size of which shall be identified in the Use Permit and subject to applicable occupancy and operational requirements.

# Best Practices & New Solutions

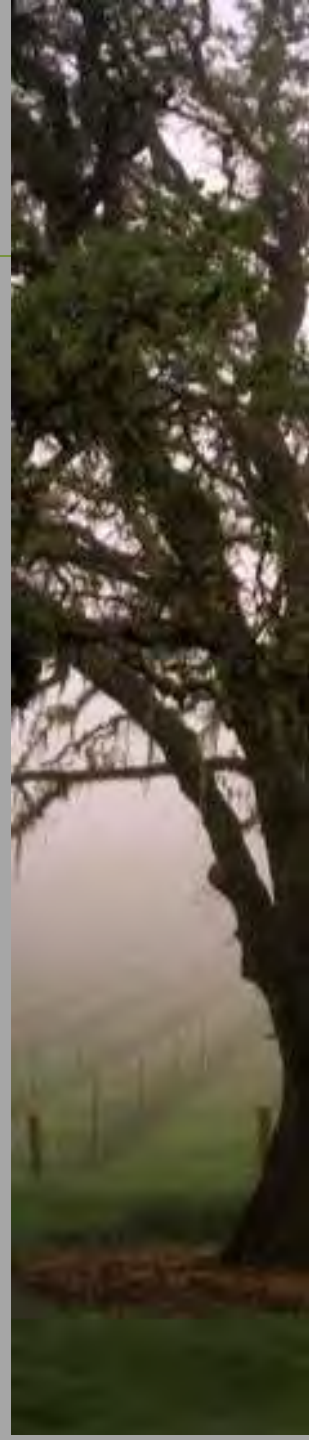
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## Existing Best Practices

- Cap the number of tickets to large events
- Stagger start times/locations/date
- Responsible Hospitality
- Industry Wide Education
  - Develop and distribute to Sonoma County wineries a list of responsible event management Best Practices.

## New Best Practices

- Dedicated winery contact during events
- Contact number available on winery's website
- Create Oversight & Compliance Manager



# Best Practices & New Solutions

*“Making Change Happen!”*

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## Oversight & Compliance Manager

- Create new paid position
  - Sonoma County Events Oversight & Compliance Manager
- Roles and responsibilities
  - On-call nights and weekends
  - Investigates / resolves disputes
  - Does not replace PRMD Code Enforcement
  - Oversees all events including bike races, runs, etc.



# Cumulative Impacts / Concentration

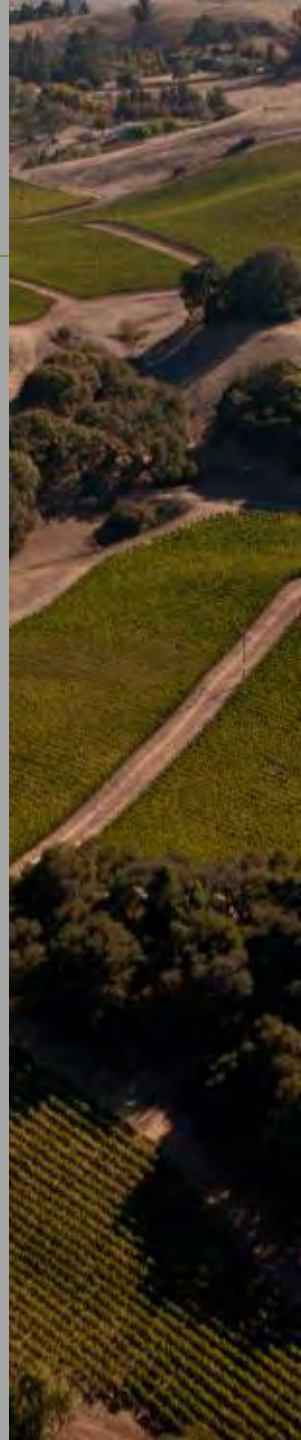
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## Cumulative Impacts:

- Cumulative impacts are considered as part of the winery permitting process and include measurable impacts such as traffic and noise.

## Concentration:

- Wineries shall work with PRMD to define areas of “concentration” based on actual statistics and documented impacts.
- Consideration given to use of formal County-sanctioned groups to review applications submitted in defined areas of high impact, *i.e.*, Dry Creek Valley Citizens Advisory Council and Sonoma Valley Citizens Advisory Commission.
- Recognize facility capacities of parking, access and sound standards in high impact areas.

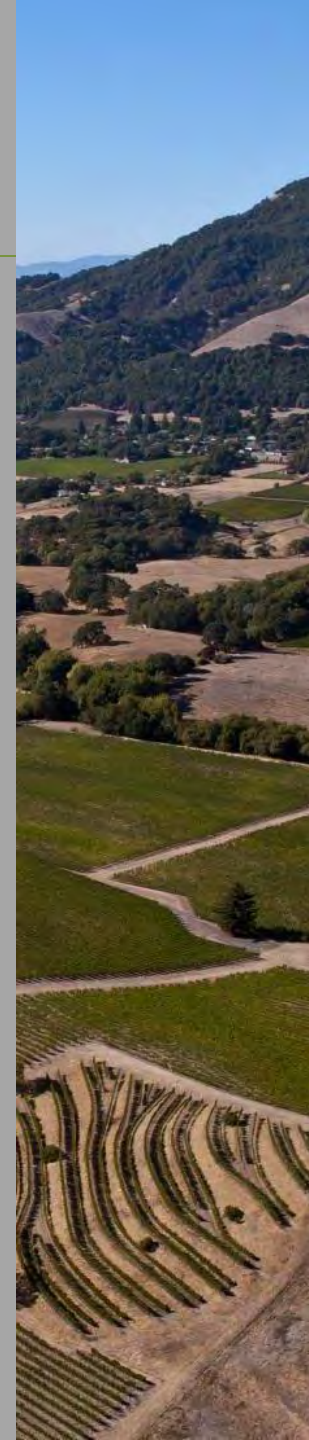




# Summary

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1. County voters already know about the economic benefits that grape growers and wineries bring to the County and its rural character.
  - *“Impressions of the Wine Industry in Sonoma County”*, Fairbank et al. Study July 24, 2015
2. Accept and adopt activities and events definitions for PRMD.
3. Industry adopts and promotes Best Practices for winery Activities and Events.
4. Create position of Oversight and Compliance Manager to address community impact concerns and resolve disputes.



**From:** [Deb Preston](#)  
**To:** [Andrea Krout](#); [district4](#); [district5](#); [district3](#); [Susan Gorin](#)  
**Cc:** [Tennis Wick](#); [Georgia McDaniel](#)  
**Subject:** Winery Event Ordinance Workshop  
**Date:** Friday, February 26, 2021 4:16:12 PM

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Dear Honorable Supervisors;

I attended the Zoom workshop last week and would like to offer further comments.

I'm a longtime Sebastopol resident and strongly resist further expansion of entitlements/further concentration in Ag zones. Like the members of the public in my breakout group, I do support continuance of the County's current events definition: Meal service; After Tasting-Room hours; Amplified sound; Admission fees, or outside advertisement. These protections are crucial in preserving quality of life and safety for residents.

We residents are being asked to 'be a good sport' as to the wine industry so that they may continue development on Ag land that is quickly becoming outdated due to the fact that younger citizens aren't as interested in wine as older ones and the fact that the majority of brick-and-mortar businesses have gone to an online marketing model. Yet winery owners insist they must have more and more events, buildings and parking lots.

To address my specific concerns:

1) I do not wish to see wineries offering full meals at tastings and if they do, it should be defined as an event. Small appetizers and snacks are okay. It is crucial that we support our local restaurants, whose survival is difficult enough. In my breakout group two smaller wineries were represented; one owner opined that meals are needed for the safety of guests who have imbibed too much. In this example how is a winery unlike a bar? Why should it receive breaks that bars don't and not have to take responsibility for how much people drink? A restaurant kitchen with all its comings and goings will further contribute to the deterioration of our rural neighborhoods.

2) As to amplified sound, I do not support classifying it as a visitor-serving activity, whether indoor or outdoor. Noise is not required to sell wine and is disruptive to neighbors.

3) As to after-tasting room hours, ditto the above. Nighttime events are not necessary to sell wine. Our rural roads weren't designed and aren't lit sufficiently to accommodate visitors under the influence who are unfamiliar with the territory. It's a public safety issue.

4) I do not support more lodging of any type on Ag land.

5) "By-invitation only release and pickup parties", "wine trade meetings" and "harvest parties" should absolutely be defined as Events and not visitor-serving. I have no problem with staff **only** meetings.

I appreciate the work Permit Sonoma has put into this ordinance, after so many years; yet I would wonder how it is possible to consider redefining events as visitor-serving activities,

when there is no enforcement? How will you know what is happening? And what about when the Cannabis Industry gets going full bore?

So many of the concerns of residents were not addressed in the meeting, and one in particular: Water. There is just not enough to go around.

Sincerely,  
Deborah Preston  
Sebastopol

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## 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.)

Board of Supervisors

July 12, 2016

No Vote Required

Permit and Resource Management

Jennifer Barrett 565-2336

All

Winery Events Study Session

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.

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.*

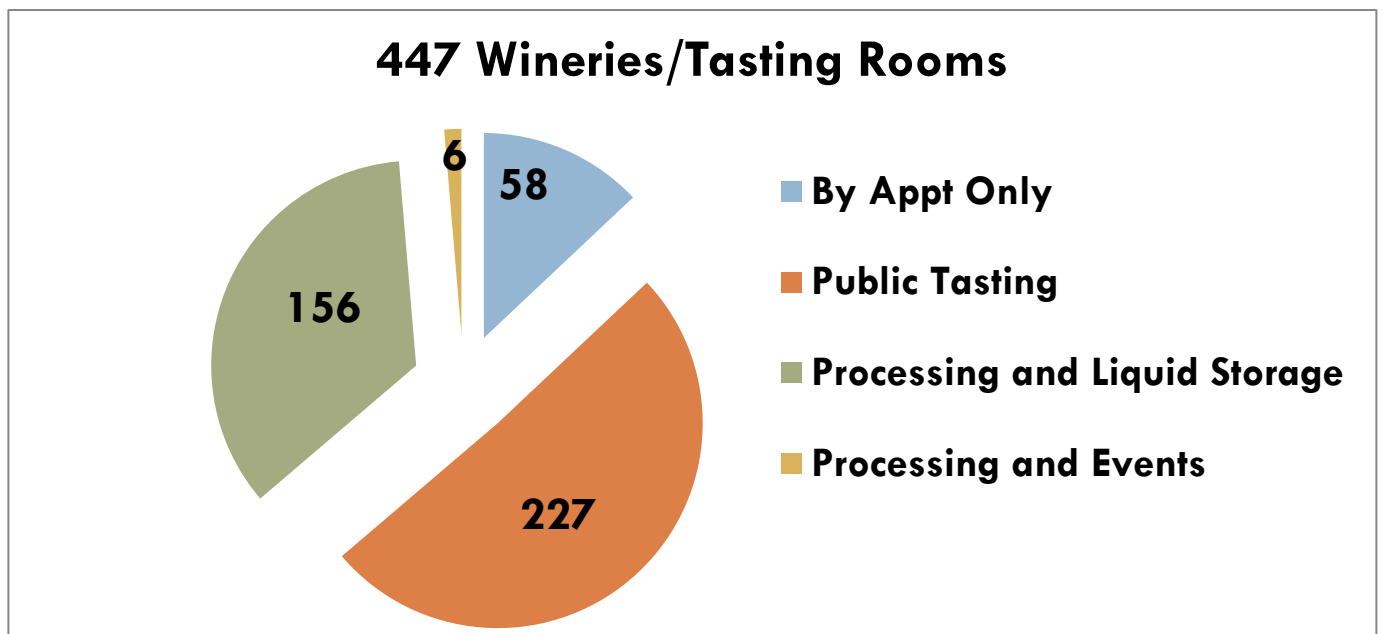
In accordance with General Plan policies, all event activities in agricultural and resource areas must promote local agricultural products and be secondary and incidental to local production. The key policy question that has been raised is:

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**

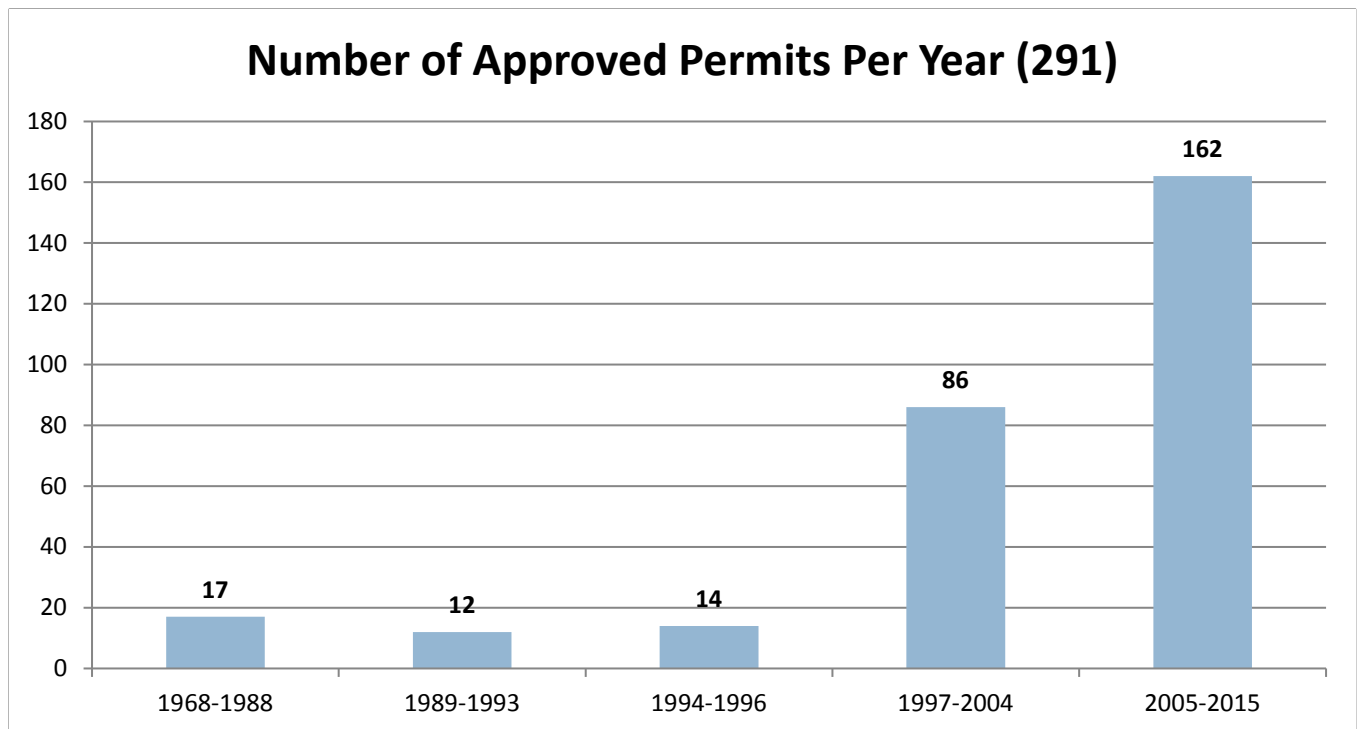


As of June 2016, there were 447 permitted wine-related facilities including 227 public tasting rooms, 58 by-appointment-only tasting rooms, 156 liquid storage or processing only wineries and 6 processing only with events, as shown in Figure 1. Most of the permitted tasting rooms are allowed to participate 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**



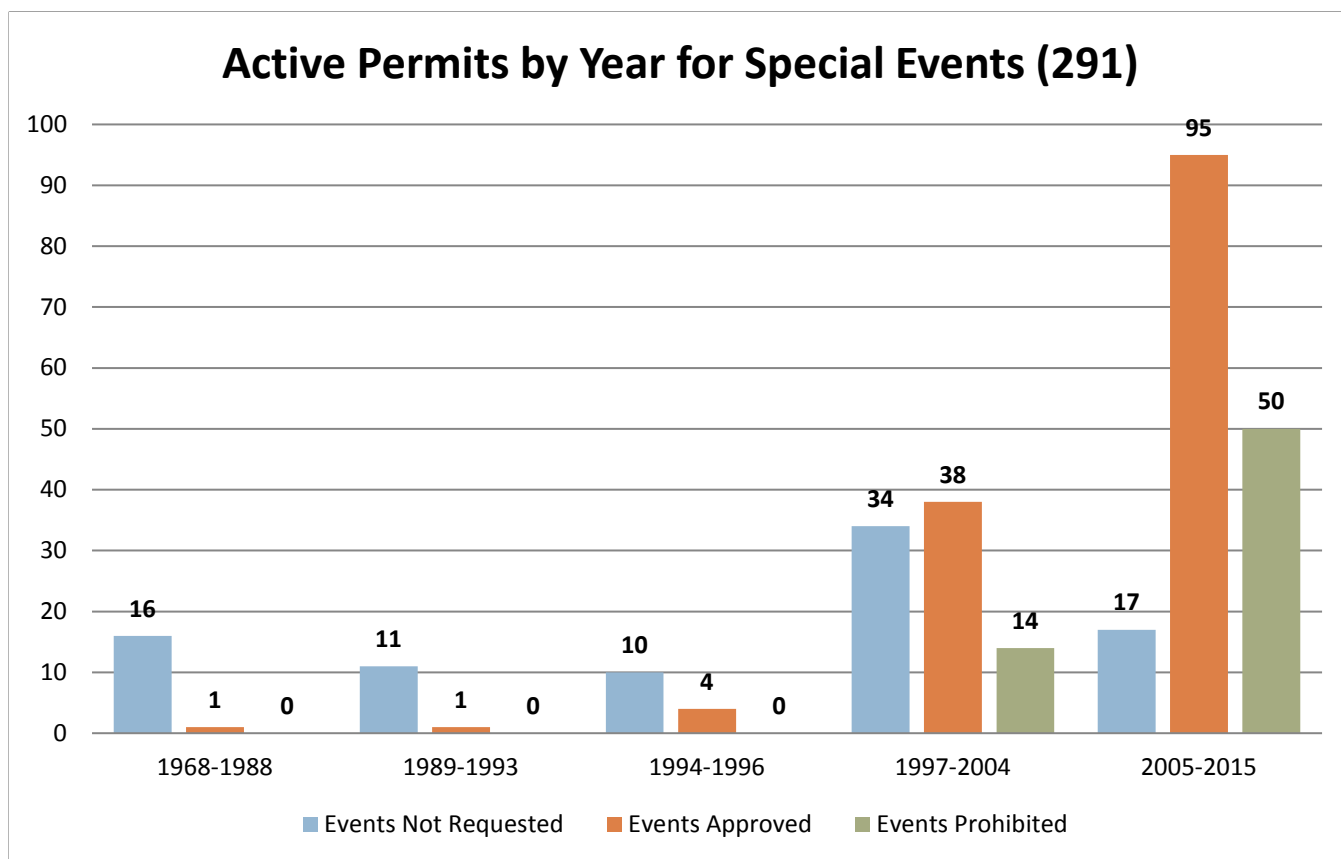
#### Permitted Event Activity

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

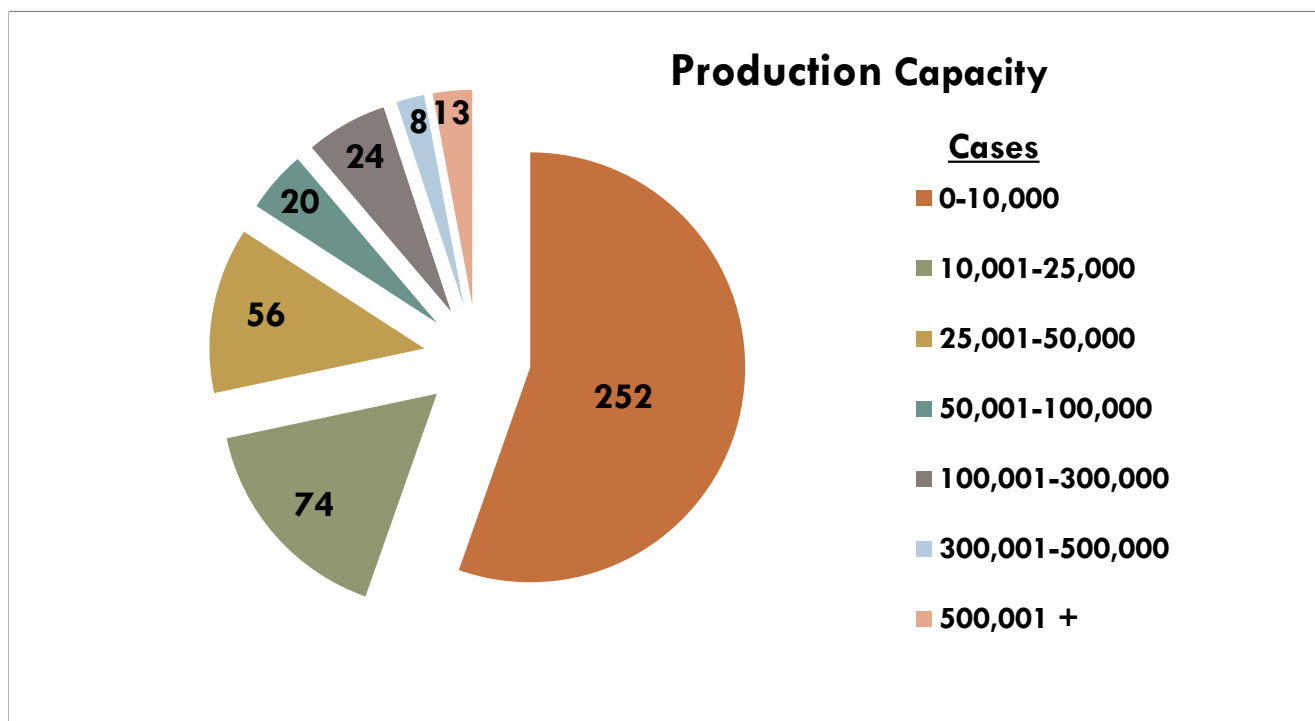
Following the Working Group discussion, staff conducted an audit of the winery database to verify the number of events allowed of the remaining 291 winery or tasting room use permits. During this audit, staff separated industry-wide events from permitted special or agricultural promotional events and 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

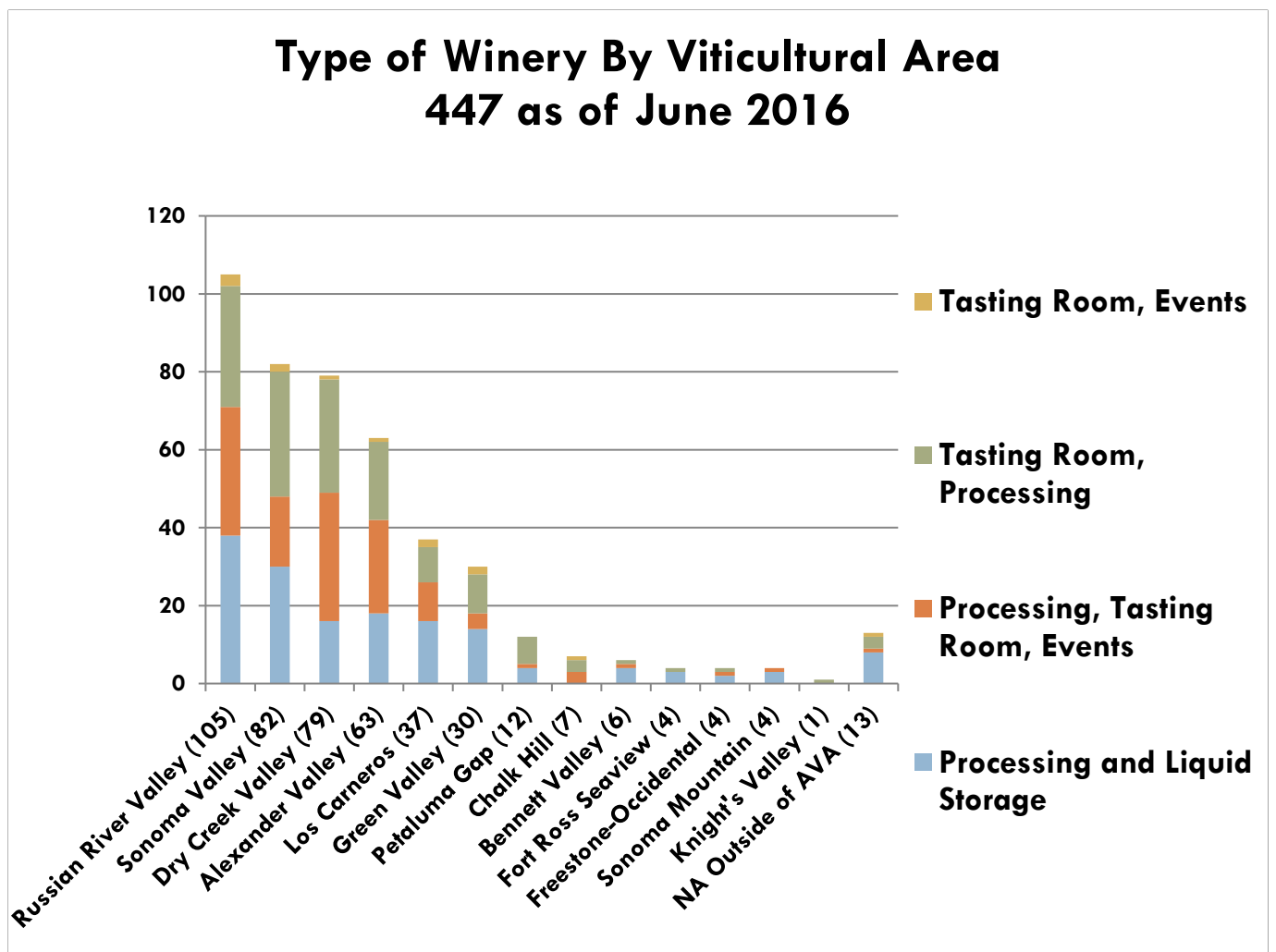


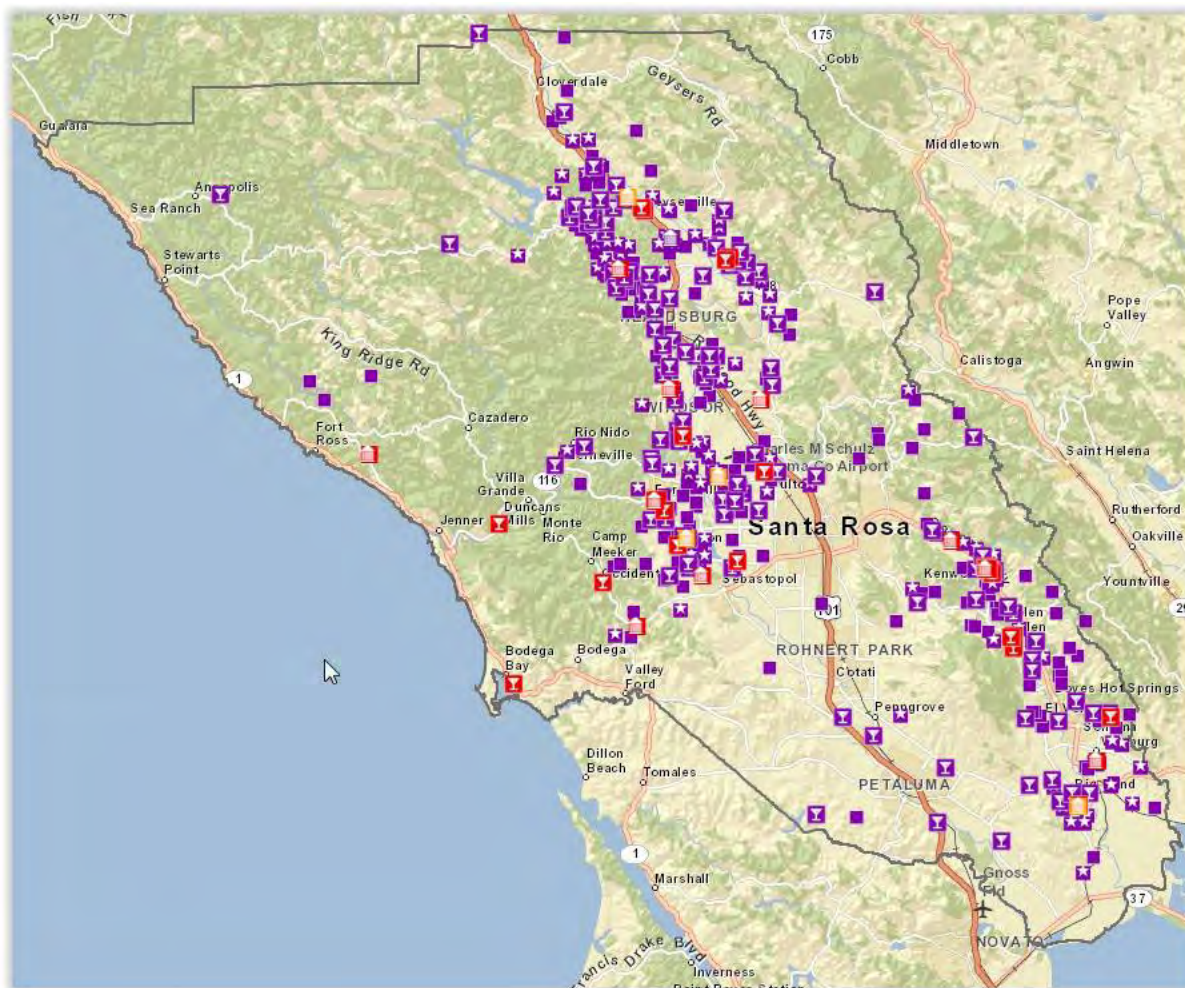
Figure 6: Sonoma County Viticultural Appellations





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.

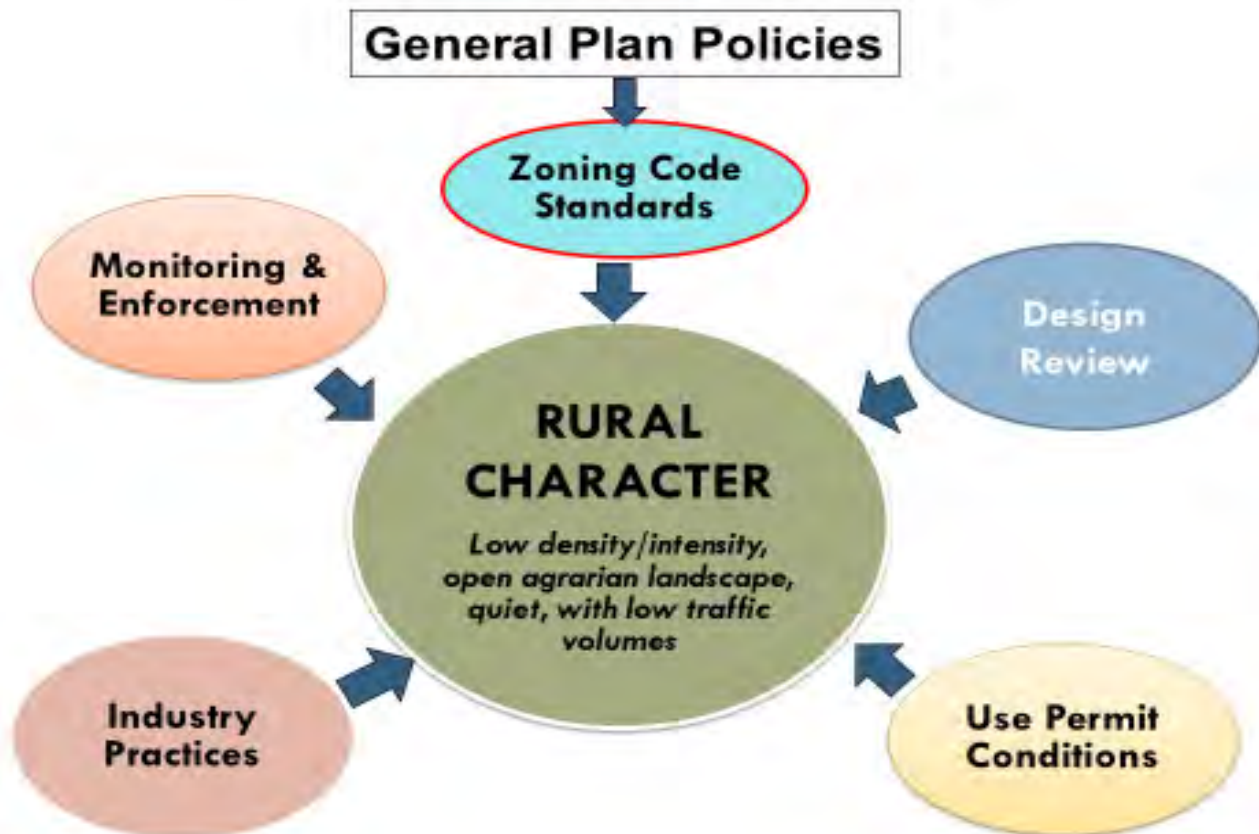
**Figure 7: Approved Winery and Tasting Room Sites**



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**

Event Activity	Noise Level @ 50-feet (dBA)	Distance to Attenuate
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			
Expenditures		Funding Source(s)	
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

Date: July 12, 2016

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

ORD16-0001 Jennifer Barrett

☐ 4/5 Vote Required

### **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:** 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.

"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:** 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:** 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.

**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) during tasting room hours only, by appointment with service in separate enclosed seating area. Limit meal service to permitted Events only, using catering kitchens or mobile caterer's facilities – do not permit on-site commercial kitchens.

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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.

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**8. Address road safety concerns:** Require minimum 18-foot width for access roads to ensure emergency vehicle access and sufficient sight-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:** 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 be 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



GREENBELT ALLIANCE

San Francisco Office  
312 Sutter Street, Suite 402  
San Francisco, CA 94108  
(415) 543-6771

Feb. 26, 2021

Sup. Lynda Hopkins, Chair, and  
Sonoma County Board of Supervisors  
Permit Sonoma Director Tennis Wick  
Planner Georgia McDaniel

VIA EMAIL

RE: Winery Event Ordinance,

Dear Chair Hopkins, Board of Supervisors and Permit Sonoma,

Greenbelt Alliance urges the Board of Supervisors to draft and adopt a countywide winery events ordinance, as you directed in October 2016. Doing so will finally provide clarity and certainty to Sonoma County residents, visitors and the wine industry going forward, particularly during the current COVID crisis and future recovery.

Greenbelt Alliance supports the detailed comments provided by Preserve Rural Sonoma County.

Please take action on the long-overdue winery events ordinance as follows:

- Adopt and implement a winery event ordinance with enforceable regulations based on community input and consistency with the General Plan.
- The winery ordinance must have observable and enforceable definitions and protective siting criteria and standards.
- The winery events ordinance must specify the size, number, type, and time of day for all uses beyond normal drop-in or by appointment wine tasting, irrespective of whether event is being held for visitors, wine clubs, fundraisers, industry or trade activities.
- Residents and visitors alike rely on these criteria and standards to maintain rural character, environment and public safety of our roads and communities.

- The ordinance and enforceable guidelines must be quantifiable, observable and serve to prevent and reduce over-concentration of visitor serving and hospitality uses on agricultural land per the Sonoma County General Plan.
- Wildfire safety must be considered in defining the size and scale of events, and events must be limited in the High and Very High Fire Severity Areas in the SRA and LRA. State firesafe road regulations must be met and exceeded for events in wildfire prone zones. Evacuation plans for every event from the site to safety must be provided for all events, and ideally for all visitors at all times to reduce wildfire risk, most importantly during the wildfire season, as defined by CalFire.
- Environmental review under CEQA must be required for any expansion of entitlements for hospitality and visitation at wineries and tasting room, including evaluation and mitigation of cumulative impacts, greenhouse gas emissions, and vehicle miles traveled.

The Board of Supervisors has a responsibility to uphold the Sonoma County General Plan and to protect agricultural lands from over-concentration and commercialization. The county has a long legacy of protection of working lands and open space. Please stay true to the vision spelled out in the General Plan and the will of the voters, who have consistently supported protection of natural and working lands and city-centered growth.

With climate disasters such as wildfires and flooding, it is more essential than ever that we protect natural lands and open space and not increase loss of life and homes by putting more people in harm's way, and that includes visitors.

The legacy of Sonoma County has made it what it is today: the jewel of the Bay Area and beyond, where people want to live, work, and visit. A strong and clear winery events ordinance will ensure that our people, lands, economy, and environment continue to thrive and recover strongly from COVID crisis and the wildfires. Please take the long view and take a stand for a climate-healthy future.

Sincerely yours,



Teri Shore  
Advocacy Director  
tshore@greenbelt.org

February 26, 2021

To: Tennis Wick and Georgia McDaniels

From: Preserve Rural Sonoma County

**RE: February 18, 2021 – Concern – event policy next steps**

Input entered into the Administrative Record relative to winery and agricultural events from Preserve Rural Sonoma County on behalf of our coalition members.

For seven long years, our community groups have tried to constructively work with County staff to define rational criteria and controls for events that protect public safety and a neighbor's peaceful enjoyment of their lands. This debate has been focused on about 300 winery event venues that have Use Permits with rights to hold agricultural- related events. Now the impact area has expanded significantly: On February 16, 2021, the County released documents stating that the prohibition on cannabis-related events is to be lifted, with little to no specification on how these are to be permitted and monitored on another 65,000 acres of land.

**Need Clarification of Chapter 26 Zoning Code Changes: What are the implications of the February 9<sup>th</sup> adopted Chapter 26 omitting standards, application review by public safety departments, and other processes for periodic events?**

- What standards or processes apply in the interim period – March through adoption of Winery Event Ordinance?
- What standards apply for Ag Promotional events at tasting rooms or vege stands, cannabis events, etc.?

**Background:** In doing advanced research for the February 18<sup>th</sup> workshop, we were confused by changes in the on-line Chapter 26: For example, the convoluted double-negative definition of "Cultural Events" or not cultural events as the case may be. The changes to the Zoning Code and next steps should have been addressed during the February 18<sup>th</sup> workshop.

Today, we received a set of documents relating to the Zoning Code Update project, including the September 2020 Planning Commission hearing and the February 9, 2021 Board of Supervisors approval of a revised Chapter 26. Reviewing these documents raises a number of concerns:

- Definitions: Only a definition for **"Periodic Events" (former Cultural Events) and Zoning Permit** - conspicuously missing are definitions for Agricultural Promotional Events, Special Events, Winery Events or Cannabis Events. And, the Table indicates that "Periodic Events" are "P" – permitted with no use permit requirements; however, we would expect at a minimum, the current protections of the Zoning Permit traffic, sanitation etc. review process would apply.
- Staff Report for the 2020 Planning Commission included the long-standing guidelines and processes, such as a size over 35 people, up to four events over a two-year period and certain criteria. The Staff Report included the grammatically incorrect double-negative construction and changes in the criteria for "not a cultural event" are confusing, and may not meet Noise Element standards. Most important, the Staff reiterated the need for pre-review and approval by various public safety departments - before issuance of a Special Event Zoning Permit.
- However, Minutes from September 2020 Planning Commission indicate a removal of long-standing protective guidelines and processes. **Commissioner Davis made a motion**

*recommending that the Board of Supervisors approve the project with modified resolution to omit proposed standards for periodic special events that are not currently codified, to clarify that such events shall be called “periodic special events” instead of “periodic events” and to provide clarifying language regarding the CEQA exemption.*

- February 9, 2021 Board of Supervisors adopt new Chapter 26 Zoning Code, with these omissions. Omission of key standards and protections is a substantive change, not a clarification. The Staff Report referred to ‘Ministerial Permits’ for events and the winery event ordinance processes to be developed in the future. And, did not address events at new venues.

**Concerns raised by Feb 18th Workshop Staff Presentations: The wine industry position of no oversight for events is not an option:** The Staff report only discussed new winery/tasting room permits. More likely, Use Permit modifications to increase Ag Promotional event entitlements (not cultural events with no nexus with agriculture) will need to either:

- 1) Go through the Discretionary Use Permit process with hearings at the Planning Commission and available for appeal to the Board of Supervisors; or
- 2) Be permitted through a Zoning Permit for occasional events evaluated by type -size- intensity for a specific duration. Environmental and community groups have been advocating for periodic zoning permits vs. having event entitlements run with the land, as cumulative impacts can be assessed and standards updated.

Background: County staff recapped the requirements of the General Plan to define in the zoning code definitions and standards to address the scale and intensity of events on agricultural land. And, covered the extensive public processes to obtain industry and public input from 2014 through May 2020 Board of Supervisors Workshop, omitting the Planning Commission workshops in 2012-2013.

Statements made in certain report outs, when compared to page 9-10 Wine Industry presentation and the now the undisclosed changes in Chapter 26 are doubling concerning. The wine industry position that the County should have no oversight or regulation of promotional events held in their tasting rooms, event centers and vineyard lands is not supported by State Zone Code and environmental laws.

**Bottom Line:** The substantive issues raised in the 2018 letter from Shute Mihaly Weinberger LLP have not been addressed. If the Ordinance definitions and event criteria do not support the stated goals of reducing event impacts and preserving rural character or County issues permit exemptions result in an increase in impacts, as requested by wine industry, a full environment impact report is required.

**PRSC also has some broader concerns:**

1. Public has not been briefed on technical studies underpinning the proposed Ordinance; and
2. The accident rate and DUI data submitted to the County by PRSC in 2017 has not been factored into the consideration of public safety issues related to events.

**Concern 1: Need public review of technical studies informing the Ordinance:** Staff referred to technical studies that back up the standards and guidelines that will be in the Countywide Ordinance, yet the County has not had a workshop to communicate how these studies will be translated into Ordinance standards to reduce cumulative impacts. We note that these May 2020 Agenda items were not covered in the Board Workshop.

- a) Traffic: Capacity Threshold Studies only for Dry Creek and Sonoma Valley. Both VOTMA and WCA sent substantive comments to the County, including that the methodology is best suited for Sonoma Valley state highway and larger road infrastructure, not north or west county roads.
- b) Noise: Bollard Acoustical review of GP Noise Element – I’ve reviewed this memo relative to a proposed project. The red flag is whether noise studies may no longer be required if a project meets “screening criteria.”
- c) Water Availability: The General Plan has a clear standard for well impact studies. Depending on the location of adjacent wells and the size of pumps used by the new development, well impacts can occur in Zones 1 and 2. It’s important to require a hydrogeologic study in Groundwater Zones 3 and 4 to verify groundwater sustainability. Please provide information to PRSC on how Net Zero Water Use plans are expected to work for cultivation, winery operations and hospitality uses.

**Concern 2: Public Safety – Sonoma County’s high accident rate, especially DUIs.** Again, we request that Permit Sonoma and County decision-makers factor road safety into considerations for events on our rural-byways. PRSC submitted data into the record on Sonoma County’s higher than State average injury accident and DUI rates prior to the County-funded traffic studies. And, member groups have provided substantive evidence of higher-than-normal accident rates on our wine roads.

The California Highway Patrol statistics for the 15-year period from 2001 to 2016 are sobering.

- Over 325 people were killed on Sonoma County roads – with 75 % of these deaths DUI related; while, statewide, only 36 % of total fatalities are DUI related.
- The data shows that there is a far greater likelihood of dying in a DUI-related crash than a speeding related crash.

The draft Dry Creek Capacity Threshold Study, even with its limited collision, data substantiated our concerns:

- Data covering the years 2011 to 2015 showed that in Dry Creek and Westside roadways, 68% of injury accidents resulted in severe injuries;
- The injury collisions/ mile driven showed Westside at 56.4 % - much higher than the County or Statewide averages of 40 and 42.5% respectively.
- And, there are significantly higher accident rates in the Peak Season and weekends from 1-4 pm; these are indicators that tourist traffic (vehicle and bicycle) have a role in increased risks.

Please keep these sobering statistics in mind before approving event guidelines that allow long-duration drinking, especially through the cocktail and dinner hours, on our dangerous wine country roads.

February 28, 2021

Tennis Wick

Permit Sonoma Director

2550 Ventura Avenue

Santa Rosa, CA 95403

Cc: Sonoma County Board of Supervisors, Georgia McDaniel

Re: February 18<sup>th</sup> Winery Events Public Workshop

Dear Director Wick:

These comments are in response to the recent virtual workshop on winery events, which I appreciate aimed to address a broad scope of topics and participant perspectives. A brief disclosure is that I'm on the board of the Valley of the Moon Alliance, though share my own comments here.

First, a process point. The confusing "re-registration" step presented to pre-registered attendees at meeting time evidently caused some heavy attrition. I trust PS will review meeting logistics to avoid similar, future confusion.

In policy terms, I encourage you and others at the County with power to shape winery events policy to view the issue through two simple and complementary lenses:

- First, while you may plan to live out your years in lovely Sonoma County, you may not always live under your current circumstances, exactly. As simplistic as it may sound, I strongly encourage you to think about what kinds of events you would want to see permitted within earshot, eyesight, or brief walk/bike/drive distance from **where and how you may live.**
- Second, I'll highlight the time-honored "duck test," as in, "if it quacks, and waddles, and molts like a duck – it's a duck!" The citizens (including businesspeople) with lives to live and work to do can't navigate wheels-within-wheels of nested logic, to understand what PS sees as "winery events." For results to have credibility (and to avoid needless downstream conflict and confusion), a normal and reasonably attentive citizen should be able to describe what "winery events" are to a neighbor over the back fence, while both enjoy a refreshing adult beverage. **For any policy, ordinance, or localized guidelines to function, it needs to be clear, relevant, relatable, and perceived as fair to stakeholders.**

So, using those two complementary lenses, how would I frame winery events in our enlightened County, aiming to balance community, ecology, and economy (so all can meaningfully continue)?

- "It quacks" (it's a winery event) **if it occurs outside normal, permitted business hours,** and beyond the scale of a small business meeting that neighbors wouldn't notice.



- It's a winery event **if it involves music or other sound that neighbors (maybe you, now or later?) can hear from a reasonable distance**, amplified or not (understanding that "amplified" may serve as a reasonable proxy in most cases).
- It's a winery event **if it involves "broadcast" advertising and promotion** (social or traditional media, beyond an email blast to local club members).
- It's a winery event **if a fee is charged** beyond typical tasing fees during normal business hours.
- It's a winery event **if it involves what a "reasonable person" would describe as a full meal**. If it involves an on-site or supplemental kitchen facility, table service, place settings that you'd use if hosting a home dinner party, seating planning, or if it takes too long to consume while standing comfortably – "quack," it's a meal. (I suggest we all take the "significant other" test on this: "Dear, I'm not asking us to plan a full meal for all our guests, it's just a 'light activity.'")

The preceding are what I'd call "foreground" factors – what neighbors and community members can fairly readily monitor (or be impacted by) real-time.

In addition, a few critical "background" factors should be considered. These are:

- Some aspects of more expansive events are not obvious real-time – of course, this includes "hidden" factors like **water use and septic capacity**. Ideally, winery events should either be confirmed to cause *de minimis* uses of this type over time, or otherwise quantify what added use will be, for event permitting consideration.
- To what extent does the County **post-validate its earlier projections** of winery buildout, events volume, or traffic? If this kind of post-validation doesn't occur in any systematic way, then the original projections are toothless. For example, I'm skeptical of the Sonoma Valley Capacity Threshold Study when it publicizes (based on underlying SCTA modeling) a cumulative growth estimate in north Sonoma Valley highway 12 traffic, from 2017 to 2040, of **only 3.1% cumulatively over 23 years**. Nobody believes that, including anyone reading these comments.
- Winery events should involve some **appropriate, business- and visitor-friendly form of event registration**, which the County can at least spot-check as needed. No reputable, good-neighbor business should object to a "trust-and-verify" protocol for assuring they're abiding by their permit terms.
- Related, the County should more **proactively monitor permit compliance, and enforce penalties** for bad behavior. How to fund this? The wineries. They're asking the surrounding community, including many who don't particularly benefit from their events, to "socialize" the addition burden that profits the wineries. It can't be that difficult to allocate costs for a focused headcount (or two) on this issue, across all the annual events that wineries so ardently desire. It simply involves the County balancing the valid interests of taxpaying citizens, and those who want to profit from, ultimately, **shared** public roads, water, soundscapes, viewscales, etc.

Thanks for the County's ongoing efforts to achieve what has seemed a distressingly elusive solution here. Among many others, including attendees of the February 18<sup>th</sup> session, I strongly encourage you to focus on winery events criteria and planning that you can easily describe to a friend or neighbor, who is likely to hear that description as clear, relevant, workable, and fair to all.

This is particularly critical in areas, like mine (Kenwood/Glen Ellen), already dealing with cumulative impacts of overconcentration, as we've accumulated more wineries than originally forecast some years ago.

Thanks.

Todd Board

Kenwood

**From:** [Anna Ransome](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Event Ordinance Comments  
**Date:** Sunday, February 28, 2021 11:38:41 AM  
**Attachments:** [WineryEvents Letter - FAW.pdf](#)

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## EXTERNAL

Please see attached a letter sent on 5/15/20 by Friends of Atascadero Wetlands to the Board of Supervisors regarding the Winery Event Ordinance. Our position on winery events remains the same. I did attend the recent zoom meeting on events and was surprised that the industry is now asking for even more latitude and the County seems to be going along with events having a very narrow classification and all the rest of these large, impactful tourist gatherings are to be considered the same as wine tasting.

From an environmental standpoint, it is impossible to agree with this. Certainly most people in Sonoma County are willing to put up with a certain degree of inconvenience to support the wine industry and the impacts of increased tourism, but not to sacrifice the peaceful enjoyment of their properties and the protection of the environment.

Our County government needs to work with residents seeking to preserve the very reason most settled here: the peacefulness, quiet and rural quality of this particular place. Every effort to increase tax base does not have to come at the expense of that. Allowing unfettered winery development has resulted in too much competition in a shrinking market, so now we pay the price for over-development when wineries complain that they need to change their business model to entertainment and fine dining. The reliance on tourism is a risky gamble when we lose the very soul of place that attracted people here in the first place.

Friends of Atascadero Wetlands (FAW) fully supports Preserve Rural Sonoma County's positions on winery events. They have worked tirelessly on this issue and they have developed reasonable solutions to the impacts of unregulated event proliferation. Thank you for consideration of FAW's comments. Anna Ransome for Friends of Atascadero Wetlands (FAW)

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May 15, 2020

Sonoma County Board of Supervisors  
575 Administration Drive  
Santa Rosa, CA 95403

**re: Winery Event Ordinance**

Dear Supervisor Gorin and Board Members:

Our organization is concerned about the environmental, traffic, and noise impacts from the proliferation of winery events countywide, especially, but not limited to, the three areas of concentration. Land use conflicts have resulted from over-concentration of high-impact gatherings. A strongly written, enforceable ordinance is necessary to prevent new areas of concentration and to regulate those already identified as problematic.

The definition of events must include all types of events including trade events, business and special gatherings of ten or more visitors. The current lack of event definitions has allowed wineries to have many events, but not consider them events – even though in reality they are indeed events with major impacts on traffic safety and noise.

All visitor-serving activities need to be identified in the winery's Use Permit, whether through modification or issuance of a new permit. Many wineries have been having well-publicized events for years, where there is no allowance in their operating permits.

It is critical that the events ordinance is based on observable and measurable standards. This provides consistency and clarity for winery events – and should be enforced in all parts of the county. General recommendations are vague and inadequate. They cannot be monitored or enforced, providing regulation loopholes.

The ordinance needs a twenty-acre standard minimum for a winery operation to be able to have events. Smaller acreage allows for over-concentration of events and the resulting traffic safety and noise issues. It also causes over-commercialization of rural areas transforming their purpose from agricultural-zoned areas to overly commercial activities. The General Plan specifically aims to prevent this from happening.

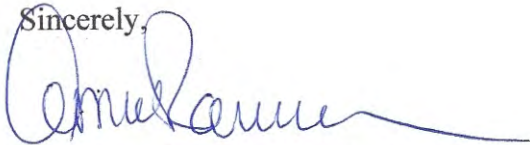
The twenty-acre minimum for events also provides more adequate setbacks from property lines so that noise impacts are lessened for neighbors and wildlife.

Allowing commercial kitchens in wineries erodes the profitability of our local restaurant industry, which is already struggling due to Covid-19 restrictions. Restaurants in wineries require expensive infrastructure that smaller, family-run businesses can ill afford.

Additional standards should include 18-foot access road width, and adequate public road sight-lines to insure safety for cars and cyclists. Dry Creek Road, an area of over-concentration, has experienced nine traffic fatalities since 1990, all DUI incidents. Over-concentration along with event-related drinking increases the risk of traffic deaths.

We urge you to implement specific, measurable guidelines that can be enforced to prevent the over-concentration of winery events.

Sincerely,

A handwritten signature in blue ink, appearing to read "Anna Ransome", with a long horizontal flourish extending to the right.

Anna Ransome for Friends of Atascadero Wetlands (FAW)  
P.O. Box 364  
Graton CA 95444



March 8, 2021

Sonoma County Board of Supervisors:

Lynda Hopkins, Chair; Susan Gorin, David Rabbitt, Chris Coursey, James Gore,

cc: Tennis Wick, Director Permit Sonoma

Georgia McDaniel, Planner

Re: Winery Events Ordinance

Dear Supervisors and Planners:

In 1989, Sonoma County wisely adopted parcel-specific zoning. Three primary agricultural zones were established, and landowners in these zones were granted right-to-farm protections. These visionary measures were implemented to protect our county's agricultural heritage, economy, rural landscapes, and the surrounding ecosystems. However, the continued approval of new wineries and tasting rooms (now far in excess of those anticipated and mitigated for in General Plan 2020), as well as their shift to hosting many visitors and large events, has changed the nature of our wine industry and the character of our rural areas. Notably, this expansion of the wine industry continues despite reports of a market glut of wine grapes since 2018, per reporting from the Agricultural Commissioner's Office.

Since Permit Sonoma staff and the public recognized the need for an ordinance to regulate winery events in 2016, our Sonoma County CAFF Chapter has submitted several letters urging you to enact a moratorium on permits that include events at wineries until the ordinance is implemented and suggesting appropriate standards. After attending the February 18, 2021 workshop, we have updated our recommendations, which are included below.

The current draft "framework" appears to be changing the name of some activities that have been considered "events" to "visitor serving" uses. We feel that **all activities except for drop-in and by-appointment sales and tastings, tours during tasting room hours for individuals or small groups, and invitation-only business meetings specifically focused on the wine industry with less than 25 attendees should be classified as "events."**

In addition, we believe the ordinance should contain the following provisions:

### General Principles

- The Ordinance and Guidelines must contain standards that are *quantifiable, clearly observable and enforceable*, to successfully protect rural areas from over-concentration of visitor serving and hospitality uses on agriculturally-zoned land. Clear standards will also benefit the applicant by explicitly stating requirements for a winery with a tasting room.
- Cumulative impacts and over-concentration have been noted in earlier Staff Reports. Policies must be included to address this problem and institute limits.



- Use Permits and zoning run with the land, and therefore cannot be specific to one crop. Protection of land and soil for agricultural production for future generations must guide all regulations for uses in these zones. However, consumption of alcohol requires additional restrictions.
- To conform with County goal of “maximizing carbon sequestration on working lands and other open space”, buildings, patios and roads must be minimized in ag zones.

## Site

- **Access** – Public roadways at least 20’ in width required (as per new fire-safe road regulations). Adequate stopping sight distances based on higher AASHTO standards for roadway intersections per DOT guidelines (do not use a lower stopping sight-distance standard). No traffic backup on public roadways. All parking must be on-site and commensurate with maximum visitor allowance. Traffic studies required; project must address traffic congestion and traffic levels, including all regional events and bicycle traffic, on a site-specific as well as cumulative basis.
- **Setbacks** – Setbacks should conform to General Plan standards and create new minimum setbacks to achieve the goals of noise standards. Noise “abating” features must be documented and maintained. Standards should be applied to ALL noise sources (not just the event center itself), including parking areas and access roads.
- **Size** – A minimum parcel area of 20 acres should be required in most cases. Staff should follow clear guidelines for granting exceptions; for example, a smaller vineyard applying for a winery and tasting room to sell 100% estate product in a low-impact location. Size of tasting room and other visitor serving areas must be *proportionate* to winery production capacity, which must be based on wine grape production acreage on site or sites owned within a designated proximity. Establish a maximum site area devoted to tasting room and visitor serving uses to ensure the use is incidental to agriculture. Only one tasting room per site in agricultural zoned lands, permitted only where grape growing and processing takes place. Implement limits on the size of the processing area, proportionate to vineyard production, and the number of custom crush operations in agricultural zones.
- **Density** – Maximum two facilities per half mile in all areas, with additional consideration for localized factors such as access road width and distance sighting, proximity to major roads, parcel size, etc.
- **Production Requirements for Sale** – Majority of grapes processed and offered for tasting or sale must be grown on-site, and at least 75% must be from Sonoma or an adjacent county.

### **Activities and Events (General)**

- Tasting room hours - Drop-in or by appointment tasting between 10:00 AM to 5:00 PM.
- Use Permit applications for winery events and activities must include comprehensive and cumulative studies addressing:
  - a. An analysis of greenhouse gas (GHG) emissions associated with visitor uses, including tasting rooms and other buildings/hardscapes, means and distance of visitor travel, shipping, employee transportation, etc. Vehicle Miles Traveled (VMT) is now required to be considered by state law.
  - b. Analysis of water usage associated with visitor attendance (including tasting rooms, food service, landscapes, etc.), as well as all available information on local seasonal water supply levels/ shortages, seasonal impacts and sourcing (i.e. on-site well, municipal).
  - c. Require wineries to include quarterly event and tasting room attendance numbers in their annual reporting and perform a random audit on a percentage of those each year to determine permit compliance.
  - d. Require an environmental review that assesses the cumulative impacts of existing and potential future wineries in excess of *General Plan 2020* analysis before any new permits are approved.
  - e. Traffic studies, with specifics as noted above.

### **Promotional and Special Events**

- Event hours limited to 10:00 AM to 9:00 PM.
- Limit number of attendees and events per year, established on a size threshold and location basis. Maximum of 12 event days per year, including industry events. No more than two days allowed for one event.
- Limit the type of events allowed.
- Require individual event permits for non-agricultural events (i.e. weddings, fundraisers).
- Distinguish between indoors versus outdoors activities.
- Amplified outdoor sound prohibited.
- Count business trade activities as events when attendance exceeds 25 people.
- Third party rentals prohibited.

### **Industry-wide Events**

- Event hours limited to 10:00 AM to 9:00 PM.
- 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 with maximum of 12 days, with no more than 2 successive days per event in an area.
- Include in analysis other events in region that would increase impacts (i.e. bike rallies, car races, lavender festival, etc.)
- Require a parking management plan and restrict large tour buses.
- Number of industry event days to be included in event use permit totals

### **Business Trade Activities**

- Allowed for up to 25 people, invitation only, from 8:00 AM to 9:00 PM
- Meals provided by off-site caterer may be served if not sold and no menu options.

### **Food Service**

Food service must support, and be secondary to, the wine experience.

- 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, except for those provided to business trade groups of less than 25 people. Must be supplied by off-site caterer.
- Limit kitchen facilities to a caterer's kitchen only.
- No menu choices or meal purchases allowed.

### **Monitoring, Enforcement, and Neighbor Notification & Engagement**

Monitoring and enforcement is a crucial part of this policy.

- Establish an annual monitoring and educational program to periodically review use permits.
- Hire staff or contract for services to respond to complaints of event activities or other infractions (i.e. parking/noise) including on nights and weekends.
- Increase fines and penalties for unpermitted event activities.
- Require a designated on-site coordinator to address complaints.
- Require events to be calendared at the beginning of each year and annual reports including quarterly information.
- Fees for permits must cover administration and monitoring of programs including traffic/road impact fees.
- Develop and execute an improved system for notifying local area residents of permit applications.
- Existing wineries which have been hosting events without a use permit should have a time limit for applications for use permits and significant fines for any that do not meet that deadline. Include cumulative impacts of existing and "historic" wineries and/or



events as part of mitigations and cumulative impact analysis.

In closing, preservation of our agricultural lands and soil for actual agricultural production will ensure the future of our ever-evolving agricultural sector. Much of our agricultural sector has become a hospitality industry, threatening the same agriculture that it intended to support. As this pandemic has shown, local and regional food security is important to community health and resilience, and is increasingly threatened by the effects of disasters, corresponding market uncertainties, and high land prices. Our local food-producing farms have demonstrated in the last year and in all of our recent disasters how critical they are as they stepped up to provide food and services to feed our community. As our global food system is expected to suffer more setbacks from climate change, pandemics, and economic and political upheaval, local food production will be increasingly necessary. In addition, if we want our county to continue to be home to a diversity of farms and farm products, we need policies that continue to protect and support farmland for agricultural production.

As we have also noted previously, building tastings rooms and hosting events is not the only way for wineries to distinguish themselves and sell wine. On-line sales are strong, and there is great consumer interest and demand for wines with organic and biodynamic labels, as well as for vineyards that have chosen to diversify their operations with other crops and livestock.

**Crop diversification will be a key factor in the climate change and economic resilience of our agricultural sector.**

We renew our request to meet with Planning staff prior to the Planning Commission hearing to discuss our recommendations and hope to hear from you soon to set this date.

Sincerely yours,

Wendy Krupnick, Vice president, CAFF Sonoma County



March 8, 2021

PRMD-WineryEvents@Sonoma-County.org

Re: Comments of Winery Events after workshop of Feb 18

Dear Permit Sonoma Winery Events Team,

We at Valley of The Moon Alliance appreciated the effort made to receive public comment on the winery event workshop that you held on Feb. 18, 2021. The break out groups really didn't have enough time to discuss the questions you posed to any extent. It is an issue with a lot of history and background information needed to make an educated opinion.

VOTMA also appreciates the attempt to develop a "balanced" approach between the environmental impacts on neighborhoods and county resources vs the wine industry. VOTMA recognizes that a healthy wine industry is an essential part of the agricultural fabric of the County. We must also recognize that the essential foundation of any policy development on this subject is the natural beauty of the environmental resources and the rural character of this county, which need to be protected and preserved. It is this beauty and the quality of life that must be maintained. In particular, increased traffic on our roads means winery event permits must be more sensitive to the events' contributions to traffic congestion issues.

In the overview starting the workshop, VOTMA was concerned with the explanation for the direction of the county wide ordinance /standard. It was explained that the guidelines being developed for the noted areas of concentration were to apply to those areas of concentration, while the county standards would apply to the rest of the county. There continues to be some confusion about what is to be governed by guidelines in these areas and what is to be governed by an ordinance. This seems a bit backwards. It seems there should be consistent standards throughout the county and the areas with guidelines should include those standards plus some extra protection because of concentration impacts.

**Relationship of Guidelines and Ordinance:** We request that the County clarify what it intends to address in the ordinance and what will be covered by the guidelines for the current three Local Areas of Concentration, and how the two relate to each other. In addition, it would be helpful to know if these are to be developed on concurrent timelines. Clearly, the guidelines being crafted for the three current areas of concentration need to be more protective than the current County practices and can be more

specific to the areas; however, there needs to be a “baseline” from which to determine how a project fits into a neighborhood.

It seems essential that there be consistent definitions that govern both these guidelines and the ordinance. In particular, there needs to be a common definition of an “event”. It would make little sense for an event to be defined differently in different parts of the county.

**Definition of an “event”:** No informed discussion about guidelines or standards or ordinances can take place unless and until we agree what an “event” is. A clear and enforceable definition is needed. Referring to the characteristics listed to require a zoning permit for a cultural event, a suggested list more specific to winery events is noted below. An “event” would have any one or more of the following characteristics:

- When amplified sound is used.
- When “happening” is scheduled outside of tasting room hours.
- When “happening” is advertised to the public or wine club members.
- When there is a fee charged.
- When a sit down meal is provided.
- When there are more than 15-25 persons attending.

Standards based on current county wide practices are needed to be written down and could eventually be codified within the zoning codes for agriculturally zoned lands. It would serve as a “baseline” from which applications could be considered on a case by case basis using current practices. If an application is in the current areas of concentration, there would be further guidelines for consideration; if outside there could be some flexibility with a discretionary application and the BZA/Planning Commissioners.

**Management Tools Needed:** The County needs to be able to find that the cumulative impact of winery events have been adequately addressed, and it needs to make required findings of consistency between its General Plan and any winery use permit application. How can it do this without better data that aggregates the number, location and attendance of these events? As the purpose of these efforts is to manage winery events so as to allow the industry to promote its products in a responsible and effective manner while minimizing the adverse impacts of events on County traffic and community quality of life, we believe the following need to be included in these efforts:

- An event coordination program is needed county wide to avoid overlapping event days and multiple events in one area. An event coordinator program was included in the latest General Plan but never fully or successfully executed. There should be a system under which wineries’ planned events are noticed to the County well in advance and coordinated to avoid overlaps that will impact the area.
- Every winery approval with events should be conditioned for the winery to report its events and the attendance at each of the events by the end of the month in which the event occurs. This is not difficult. Any well managed winery will keep tabs on the number of attendees that visit its facility and at its events, and this data should be reported, aggregated, by sub regions in the County, and made public. How can CACs or the County make informed decisions about the

impact of a proposed winery use permit and its proposed events if they do not have accurate data on the already expected number of permitted events and their expected attendance?

- Enforcement is essential. Ideally, the County should undertake random audits of a few wineries a year to review their use permits. It would serve as a reminder of what the use permit says, especially if the permit was approved awhile ago or if there are new owners. If County resource constraints make this difficult, why not require an annual, sworn, certified, signed statement from each winery's principal operating official that it is in compliance with its use permit and its restrictions on the number and reporting of events? It may be noted that any new standards or relaxing of definitions are not applicable to existing winery use permits and may need reminding of that too.
- A County wide process for identifying areas of concentration due to cumulative impacts is needed. The three current areas of concentration were developed by numbers of events and visitors and the impacts that have happened because of the concentration. More attention needs to be made of the environmental impacts on the groundwater, traffic and road safety BEFORE the area develops adverse impacts.

These are some of the reasons VOTMA feels a county wide ordinance/standard needs to be developed. The guidelines being crafted for the three current areas of concentration need to be more protective than the current county practices and can be more specific to the areas. There needs to be a "baseline" from which to determine how a project fits into a neighborhood.

Thank you for considering VOTMA's comments.

Kathy Pons, President

Valley of The Moon Alliance Board of Directors

**From:** [Roger Peters](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Georgia McDaniel](#); [Scott Orr](#); [Tennis Wick](#); [Susan Gorin](#); [g\\_carr@sbcglobal.net](mailto:g_carr@sbcglobal.net); [Caitlin Cornwall](#); [exec@votma.org](mailto:exec@votma.org); [mobilizesonoma@vom.com](mailto:mobilizesonoma@vom.com)  
**Subject:** Comments on Winery Events Policy  
**Date:** Monday, March 08, 2021 5:30:32 PM

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Project Website,

I have a belated comment on the draft Winery Events Policy. I did attend the initial portion of the workshop on 2/18/21, but had to drop off to fulfill another obligation just as the subgroup split out was initiated. I did not hear the feedback from those subgroups, so don't know if my comment has otherwise been raised.

The comment is more from a conceptual perspective and focuses on the concept of inserting into the winery events guidelines a more dynamic approach to evaluating the acceptable level of event use authorizations. It starts from what I believe is a non-controversial observation: that to be effective from a community/geographical congestion impact (traffic/noise/etc) perspective, the County would be wise to look beyond the individual permit by permit approach in setting "maximum persons at one time" and/or "maximum number of persons per day/weekend" limit points. Instead, the County should look to regulate/control/monitor the cumulative impact (per time zone or day) within defined zone or concentration areas. Of course between and among the zones there is another layer of impact that must also, depending on the nature or time/season of the event, be considered. That latter would be the case where there was a Valley wide event scheduled, or where given the nature and time of the event (beautiful weekend late summer, with clear skies and warm weather) the Valley will fill regardless of whether there is an "industry" Valley-wide event scheduled. To make that sort of flexible view of managing events in the aggregate a realistic possibility PS would need to be able to ramp up/down the active use of permitted events on a granular (permit) level.

To accomplish the sort of dynamic event-management, as applied on the ground on a permit by permit basis, that those situations require, the County would need to shift from a static (fixed) permit model to a flexible permit. The latter would allow restrictions on events and event characteristics to float up to down (less restrictive or more restrictive) in allowable event activities by area and by permit, if need be. To be fully effective, that authority should apply not just to events, but also to on-going tasting/pairing activities. The aggregate number of persons engaged at the wineries, and the associated vehicles and traffic that result, are the same whether the participant is going to an event or is just engaged in normal wine tasting.

Implementing a flexible event management permitting tool would not be difficult to insert into use permits in terms of permit language; they would be much more difficult to apply and enforce. But at this point without the flexibility built into permit COAs (other than the ability to declare a general nuisance) the design and enforcement issues are never even reached. Instead, so long as the permit holder is under the number of events and per person restrictions (if any have been imposed) set out in the COAs, the permit holder would claim by right the ability to fully utilize the permit scope. From the permit holder perspective that principle appears to apply regardless of whether the geographical area where the permit holder resides

has long since moved from a manageable state of cumulative event impacts to an over-concentrated state.

That situation means that the County can only gradually implement a flexible permit event scope by imposing such conditions on "new" permits granted. Even there, and absent clear COAs to the contrary, we heard at the SVCAC hearing on events that if a new permit is granted the grantee cannot be forced to ratchet back the vested authorization down stream if the area becomes unacceptably over-concentrated. I urge PS to reject/cut off that unacceptable possible outcome by explicitly inserting scale down authority reserved to PS to avoid adverse impacts, either on a situational basis or on a long term over-concentration basis. New permits should perhaps instead set a lower absolute limit on events and activities (at least x events), but reserve the ability to titrate permitted use above that zone as conditions and circumstances warrant. The permit holder would be left with the certainty of a not less than x number of events/activities/persons at one time/or day from which to make a go/no-go investment decision, with expansive earnings/marketing potential above that zone, but no guarantee, within the flex zone as to actual usage. In this reverse boundary approach (i.e., focusing first on bounding the lower side) and then adding upper sides; i.e., it would make sense just from an efficiency/monitoring standpoint to also impose a max bounding the upper side (i.e., not more than the lesser of: the max sanitary or parking space capacity at any one point in time for the facility and/or a specified total max number of customers per day, as a limit on event impacts.

By implementing this approach PS would gain the flexibility that it needs (and presumably desires) to dynamically manage the aggregate impacts of winery (or other) events across both geographic specific zones and regionally across the Valley for major impact situations.

One final thought re existing permits: there does seem to be a carrot and stick opportunity here to back-fill the dynamic model into existing permits. As I read the Dry Creek Valley guidelines, the new expanded event menu is only available to "new" use permits. The SV guidelines that PS has circulated is silent on whether existing permit holders could step up/into any broader event menu the guidelines might provide by filing an application. Since existing permit holders seem adamant that they cannot be permit-constrained by new guidelines (i.e., they are not bound by any conditions imposed on new project permits), there is no good reason to allow such holders to be allowed to take advantage of any upside the new guidelines might provide. You just can't expect to have it both ways. However, if an existing permit holder were willing to agree to be bound by a flexible boundary concept that provided upside for the permit holder and the ability for PS to flexible manage within agreed boundary points (low and high), perhaps that might produce a win-win outcome. That carrot should necessarily include some give on the lower boundary (i.e., relative to the current permit) to avoid a situation in which the permit holder would essentially be allowed to eat some cake and still have it too, regardless of the impact. We all know how well that works from an equity perspective.

Thanks for considering this comment.

Roger Peters

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**From:** [Ted Lemon](#)  
**To:** [district5](#); [Leo Chyi](#); [PRMD-WineryEvents](#); [Tennis Wick](#); [Georgia McDaniel](#)  
**Subject:** winery events  
**Date:** Wednesday, March 10, 2021 3:09:15 PM

---

Dear Supervisor Hopkins and Sonoma County Officials:

Littorai Wines is a small 6000 cs winery in unincorporated Sonoma County west of Sebastopol. We have existed since 1993 and received a Use Permit for our facility from Sonoma County in 2007. We are visitors by-appointment only. Some of this letter takes up the language suggested by the Sonoma County Vintners but not all. We ask that you read it carefully.

We do not need to communicate to you the extraordinary challenges all of us have experienced in the last several years: wildfires, smoke exposure, floods, power shut offs, diminished tourism and many catastrophic pandemic impacts. We will produce only a single Pinot Noir wine from Sonoma County in 2020 due to the impacts of smoke. You are also well aware that the wine community is a major contributor to our county's economy. With ingenuity, creativity, flexibility and amazing effort, our wine community has not only survived these challenges, but many of us have maintained full payrolls during the downturn, volunteered our teams to organizations like the Redwood Empire Food Bank and increased our charitable donations in the county including the Sonoma County Vintner's Foundation. We cannot survive more regulation that is neither warranted nor necessary. Over the past 5 years, wine wholesale and distribution consolidation, and the ability of wineries to gain wholesale distribution across the country has greatly diminished. With this and the wine marketplace experiencing significant changes, wineries are required to market directly to consumers in order to simply survive and sell their wines

We hereby request that the Winery Guidance and Definitions developed by Sonoma County Vintners be incorporated into any draft recommendation or ordinance to be presented and considered by the Planning Commission in May 2021 and the Board of Supervisors in August 2021. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the General Plan and the Zoning Code and already clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation and noise. Sonoma County Code Enforcement reports extremely minimal complaints related to winery operations and those few have been resolved with communication.

We are a winery deeply committed to the idea that all wineries should sell their products by the quality therein and not by gimmicks or lightly veiled events designed to be primarily forms

of entertainment at which wineries can just move product.

The challenge for you lies in finding the appropriate balance between the need to avoid over regulating an already burdened business and the legitimate concerns of neighbors who have complaints about events which are really nothing more than entertainment at which the winery can deplete inventory. This is no easy task. We ask that you lean to the side of giving the wineries more flexibility rather than less.

Thank you,

Ted Lemon  
Proprietor  
Littorai Wines  
788 Gold Ridge Rd  
Sebastopol, CA 95472  
P: 707-823-9586  
F: 707-823-9589  
[www.littorai.com](http://www.littorai.com)

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**From:** [Margie Healy](#)  
**To:** [Lynda Hopkins](#)  
**Cc:** [PRMD-WineryEvents](#); [Tennis Wick](#); [Georgia McDaniel](#); [Leo Chyi](#)  
**Subject:** Permit Sonoma - Draft Ordinance for Winery Event Guidelines - FROM: Gary Heck, Owner and President, F. Korbel and Bros.  
**Date:** Monday, March 15, 2021 11:40:06 AM

---

Dear Supervisor Hopkins,


Located in the Russian River Valley for close to 140 years, Korbel Champagne Cellars, like many Sonoma County businesses, has faced the challenges of wildfires, floods, power shut-offs, diminished tourism, and pandemic challenges.

It is our understanding that Permit Sonoma is drafting an ordinance for winery event guidelines. It is important that this organization as well as other Sonoma County officials realize what is crucial to the wine community's business structure and what basic marketing and operational needs are required to survive and be successful in today's environment.

As strong supporters of Sonoma County Vintners, we therefore strongly urge that their **Winery Guidance and Definitions** be incorporated into any draft recommendation or ordinance to be presented and considered by the Planning Commission in May 2021 and the Board of Supervisors in August 2021. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the General Plan and the Zoning Code and already clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise.

As an employer of over 300 employees in Sonoma County, we cannot survive more regulation that is neither warranted nor necessary.

Thank you,



Gary B. Heck  
Owner and President  
F. Korbel and Bros.

cc:  
Leo Chyi, District Director for Supervisor Hopkins  
Tennis Wisk, Director of Permit Sonoma  
Georgia McDaniel, Planner III of Permit Sonoma  
General Inquiry Email for Permit Sonoma

**Margie Healy**  
*Vice President, Communications*  
Korbel Champagne Cellars  
13250 River Road  
Guerneville, CA 95446  
(707) 824-7715

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**From:** [Carmen Castaldi](#)  
**To:** [Georgia McDaniel](#)  
**Subject:** Very concerned about recent Permit Sonoma meetings  
**Date:** Friday, March 19, 2021 4:33:17 PM  
**Attachments:**

March 19, 2021

Georgia McDaniel  
[georgia.mcdaniel@sonoma-county.org](mailto:georgia.mcdaniel@sonoma-county.org)

Dear Ms. McDaniel,

As members of the Sonoma County business community since 1959, Rodney Strong Vineyards and all of our employees take great pride in our local roots. We look forward to continuing to contribute to a sustainable, high quality of life that Sonoma County offers for all of our local businesses, employees, customers, and guests.

The challenges during the past several years have been many, affecting virtually every segment of the community. Like our neighbors, we have been significantly impacted by wildfires, smoke exposure, flooding, power shut-offs, pandemic—and the severely diminished tourist trade and visitation that these events have wrought.

In the face of these many challenges, we continue to be inspired by the resilience of our employees and their families—along with our friends and neighbors throughout Sonoma County. We remain committed to our community and look forward to continuing our work within the local wine and wider business community to ensure that our region remains a world-class destination for food & wine tourism.

Having participated in the recent Permit Sonoma workshop, we would request that the positions of the Sonoma County Vintners related to Winery Guidance and Definitions be incorporated into any draft recommendation or ordinance to be presented and considered by the Planning Commission in May and the Board of Supervisors in August of this year.

As you know, wineries are subject to the General Plan and Zoning Code, which already clearly identify facility capacity, as well as addressing hours of operation, traffic, parking, sanitation, and noise. Sonoma County Code Enforcement has reported very few complaints related to winery operations and those few have been easily resolved via direct communication and dialogue.

In my capacity as President of Rodney Strong Vineyards and member of the Executive Committee at Sonoma County Vintners, I feel a strong responsibility to the employees and members whom I represent. I urge you and your colleagues to continue to engage with the many constituents represented by the broader wine community in working together to develop and improve a regulatory framework that will ensure a bright future for all businesses and residents that call Sonoma County home.

Sincerely,



Carmen Castaldi  
President

11455 Old Redwood Hwy, Healdsburg, CA 95448



*Committed to Community Since 1959*

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**From:** Andy Peay <[andy@peayvineyards.com](mailto:andy@peayvineyards.com)>  
**Sent:** Thursday, March 18, 2021 5:18 PM  
**To:** district4 <[district4@sonoma-county.org](mailto:district4@sonoma-county.org)>; Jenny Chamberlain <[jchamber@sonoma-county.org](mailto:jchamber@sonoma-county.org)>  
**Cc:** Nick Peay <[nick@peayvineyards.com](mailto:nick@peayvineyards.com)>  
**Subject:** Permit Sonoma

Dear Supervisor Gore,

I am alarmed to learn about some of the restrictions being considered in the Permit Sonoma regulation the Planning Commission and Supervisors are reviewing. We live in Healdsburg and have operated a winery in Cloverdale for 25 years and while I recognize the county is changing in some ways (more tourists and traffic, for example), I think it is very important to recognize not only how much the wine industry contributes to the County's economy but also how difficult it has been - and looks like it will be - to operate a business here. The challenges of wildfires, smoke exposure, floods, power shut offs, diminished tourism and many catastrophic pandemic impacts has been brutal. As is, our business is very tenuous. Throwing more roadblocks and loopholes for us to operate, and potentially not allowing us to hold wine events at our winery, would be very detrimental to us. I am all for limiting huge gatherings and frequent weddings in rural areas that are unrelated to the business of making and selling wine but open houses, pick up parties, distributor lunches, and standard events wineries host as part of their day to day business should not be capriciously restricted. I ask that the Winery Guidance and Definitions developed by the Sonoma County Vintners be presented and considered by the Planning Commission in May 2021 and the Board of Supervisors in August 2021.

Thank you for your consideration.

Andy & Nick Peay  
Peay Vineyards  
227 Treadway Drive  
Cloverdale, CA 95425

Andy Peay  
Peay Vineyards  
m. 415.531.2756  
[www.peayvineyards.com](http://www.peayvineyards.com)  
FB: @peayvineyards  
IG: peayandy, peay\_vineyards

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**From:** [Kim Stare Wallace](#)  
**To:** [Georgia McDaniel](#)  
**Subject:** Winery Guidance and Definitions  
**Date:** Wednesday, March 31, 2021 3:08:11 PM  
**Attachments:**

---

Dear Ms. McDaniel,

I am the President and second-generation owner of our family winery, Dry Creek Vineyard, located in Healdsburg. I grew up in Dry Creek Valley, having moved here in 1972 when my parents founded Dry Creek Vineyard, the first new winery in the region following Prohibition. I have seen the vast changes in Sonoma County over the past nearly five decades, from a sleepy farming community to a thriving tourist destination. I can remember when the storefronts in downtown Healdsburg were empty, and the resulting revenues that benefit the county were virtually nonexistent.

Unfortunately, due to wildfires, floods, diminished tourism and a global pandemic, many of the doors to our local businesses, including wineries, are closing again this time permanently. The impact of these closures will reach far and wide in our community, affecting families, nonprofit contributions, tax revenue and much more. Now is not the time to increase regulations and throw more roadblocks into the path of new wineries that are looking to contribute to our local economy.

Distributor consolidation and an influx of wine from around the globe have changed the landscape of the wine industry. Building consumer relationships, as well as marketing and selling wine through the Direct-to-Consumer channels (tasting room, wine club and e-commerce) is ABSOLUTELY essential for survival in the business today. The ability to engage directly with our consumers through wine club functions, educational events and tasting room visits, has become a key facet of a successful winery business. This is particularly true for the hundreds of family-owned wineries upon which the Sonoma County wine industry was built, and it is what led to the revitalization of our county's economic base.

It is important to recognize that the vast majority of wineries in Sonoma County are extremely conscientious small business owners, running their wineries with a high degree of integrity and ethics. They are considerate neighbors and play by the rules. In fact, many of our wineries have partnered with regional organizations to create thoughtful and realistic approaches to the definitions behind the distinction between "activities" and "events" for the benefit of both the wineries and the surrounding neighbors. The Winery Guidance and Definitions, developed by Sonoma County Vintners, is an example of this collaboration, and should be incorporated into any draft recommendation or ordinance to be presented and considered by the Planning Commission and the Board of Supervisors.

I urge you please do not make the dire situation that is the revitalization of our local businesses into an impossible one. Sonoma County is dependent on the health, economic impact and vibrancy of our wine and grape industries. We can do better than a one-size-fits-all approach in this "new normal" of unprecedented times.

Sincerely,

**Kim Stare Wallace**

*President*

707.433.1000 ext. 130  
[Kim@drycreekvineyard.com](mailto:Kim@drycreekvineyard.com)  
3770 Lambert Bridge Rd.  
Healdsburg, CA 95448



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County of Sonoma  
State of California

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ATTEST: OCT 11 2016

VERONICA A. FERGUSON, Clerk/Secretary  
BY: Woodson  
DEPUTY CLERK/ASST. SECRETARY

Date: October 11, 2016

Item Number: 10  
Resolution Number: 16-0394

ORD16-0001 Jennifer Barrett

4/5 Vote Required

**Resolution of Intention 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 Events and Promotional Activities, and to Develop Siting Criteria and Standards for Areas of Local Concentration**

**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**, General Plan Policy AR-6g calls for the Board to “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”; and

**Whereas**, in 2014 the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included development of guidelines, policies, and implementation programs addressing agricultural promotional events and potential overconcentration in areas including Sonoma Valley and West Dry Creek/ 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; 4) commercialization of agricultural lands and concentration; and 5) 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 for consideration by the Planning Commission and recommendation to the Board of Supervisors to clarify the definition of events and food service, require cultural event permits for industry-wide events, and allow tasting rooms and events in Industrial Park zones where facilities already provide processing. The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines.

**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: Aye	Rabbitt: Aye	Zane: Aye	Gore: Aye	Carrillo: Aye
Ayes: 5	Noes: 0	Absent: 0	Abstain: 0	

**So Ordered.**

## RELATED AGRICULTURAL RESEROUCES ELEMENT GENERAL PLAN POLICIES

The following General Plan Agricultural Resources Element policies are related to visitor serving uses which promote and enhance marketing of local agricultural products:

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

The following General Plan Agricultural Resources Element policies relate to defining compatible visitor serving uses in agricultural zones and avoiding detrimental concentration of such uses:

**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.\**

**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.*

Public Comments  
Received for the  
Planning Commission Hearing  
6-3-21 through 5-19-22

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**Public  
Comments  
for PC Hearing  
6-3-21**

**From:** [Linda Kay Hale](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Comments  
**Date:** Thursday, May 20, 2021 2:38:37 PM

---

EXTERNAL

To the Sonoma County Planning Commission and the Sonoma County Board of Supervisors:

This long-awaited Winery Events Ordinance is a huge disappointment. It continues the tradition of allowing wineries and event planners to self-regulate and will only be monitored when renewing a permit which only happens if a winery or tasting room wants to expand. Current conditions, including traffic, cannot be ameliorated by studies done by the very wineries who are applying for the expansions and more events.

The Sonoma Valley Capacity Study, for example, only looks at current industry wide events and not all of the many winery individual events! Future traffic patterns are listed as “unpredictable” at peak times already and everybody should take a bus or trolley to events? What about the folks who choose to do their own tours? What about egress and ingress at large events onto two lane highways? What about new wineries?

“Unpredictable” does not solve the current problems. New developments and cannabis grows along with their businesses will impact water and traffic all year round.

This study, along with the previous \$90,000 voluntary events “calendar” that no winery ever used, does not fairly or realistically address the issues or cumulative impacts.

Sincerely,  
Linda Hale  
1500 Warm Springs Road  
Glen Ellen, CA 95442

Sent from my iPhone

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**From:** [David Eichar](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Question on proposed Winery Events Ordinance  
**Date:** Thursday, May 27, 2021 10:34:35 AM

---

EXTERNAL

Hi,

I have a question on the proposed Winery Events Ordinance. Part of the language of the ordinance states, "5. Wineries and tasting rooms shall not be rented out to third parties for events." Does this mean that weddings and wedding receptions are basically prohibited?

Thanks,  
David Eichar  
Boyes Hot Springs

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**From:** [Christina Meyer](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [greg99pole@gmail.com](#); [Jacquelynne Ocana](#); [p.davis479@gmail.com](#); [todd.tamura@gmail.com](#); [Kevin.Deas@deasproperties.com](#)  
**Subject:** Winery Event Ordinance  
**Date:** Thursday, May 27, 2021 2:13:11 PM

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May 27, 2021

Dear Planning Commissioners:

While I am not opposed to the winery ordinance coming before you June 3 there are some changes needed to clarify the permitting process and reduce land use conflicts. What is missing in this ordinance are clearly set forth guidelines and criteria that will ease the workload of those in the Permit Department and speed the review of new permit applications and modifications to existing permits. The ordinance as written is not sufficient for that purpose.

Here are some suggestions:

- 1- Revise definitions to close loopholes, remove inconsistencies and enhance enforcement. For instance, the ordinance as proposed allows for 2 types of gathering when in actuality all of the food serving gatherings are events and should not be separated into types. That is an enforcement nightmare for the County.
- 2- Clarify the ordinance to ensure that an existing permit use is not automatically included in the new ordinance. Commonly called "Grandfathering" the ordinance needs to make clear that an existing use permit must be modified by the applicant and reviewed again by the Permit Department under the new guidelines if the applicant wants events and gatherings that are part of the new ordinance but were not covered under their current use permit.
- 3- Adding siting criteria to address neighborhood compatibility and road safety issues as well as preventing new areas of over-concentration. There are currently 3 major areas involved and the criteria can be area specific and easily followed when the Permit Department reviews applications and assesses enforcement. New site areas can be added as needed.

These are not difficult corrections to make to the ordinance and it will actually enhance staff's ability in processing permit applications and enforcement.

A letter from Preserve Rural Sonoma County sent to you provides additional information and background.

Thank you for your attention to these corrections.

Christina Meyer  
1008 Hawthorne Circle  
Rohnert Park CA 94928

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**From:** [Karen Giovannini](#)  
**To:** [Hannah Spencer](#); [PRMD-WineryEvents](#)  
**Subject:** Comments about Draft Winery Events Ordinance  
**Date:** Thursday, May 27, 2021 8:36:48 AM  
**Attachments:** [202105 KG comments for winery events ordinance.docx](#)

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Hello Hannah and Winery Events Planner,

Attached are my comments and suggestions.

Note: I purposely did not include my title and office on the document.

Great work! I know this is going to cause some angst, but as they say, you know the ordinance is balanced when everyone is grumbling a bit. Best wishes in finding that balance.

Thank you,

Karen Giovannini

(Ag Ombudsman, UCCE Sonoma County)

## Draft Winery Events Ordinance – Comments due May 28, 2021

To: PRMD-WineryEvents@sonoma-county.org

From: Karen Giovannini

RE: Comments for the Winery Events Ordinance

The focus of these comments is on *non-winery farming and ranching*, including non-winery agritourism. These comments/suggestions are to clarify that there is a difference between 'Winery Events' and non-winery 'On Farm Events' in the hopes of keeping non-winery agritourism separate from winery tourism – admittedly they do overlap, especially for wineries that also grow and sell produce and/or livestock products.

### Exhibit “B” 26-18-260 Winery Standards

#### Terms and Phrases

Suggestion: in Terms and phrases, make 7 & 8 subs to #6 and add 'Wine' to all types of winery events to avoid confusion with agritourism that is *not* at a winery (e.g., Agricultural Experiences, seasonal events such as blueberry harvest, pumpkin patches, Christmas tree farms, Farm Trails weekends, and so on):

D. Terms and phrases used in this section are defined as follows:

6. Winery Events means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite and/or in the area and are consistent with General Plan Policy AR- 6d. There are two types of winery events: Agricultural-Wine Promotional Events and Industry-Wide Wine Events.

7.a. Agricultural-Wine Promotional Events are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release parties, and wine club parties and similar events.

a.b. Industry-Wide Wine Events are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.

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#### Food Service

**Clarification:** in Foods Service, **e(2)** not sure why “Retail sale of pre-packaged food is allowed for *on-site consumption only*.” Some wineries sell pre-packaged food they make from their own *farm grown products* (e.g., breads, cheeses, jams, olive oil, and so on) it seems like those items should be allowed to be purchased to eat off-site and/or as gifts.

AND **e(3)** *indoor seating not allowed in conjunction with retail sales of pre-packaged food*. If the winery offers snacks to eat while wine tasting and eating those snacks is allowed in an outside seating area, why not also allowed in an inside seating area?

## Draft Winery Events Ordinance – Comments due May 28, 2021

*These next comments are not directly related to the Winery Ordinance but included because of Exhibit A.*

### Exhibit “A” 26-6-030 Table 6-1 Amendments

Table 6-1: Allowed Land Uses in Agricultural and Resource Zones

**P\*** = Permitted Use, subject to *discretionary* approval criteria

**Clarification:** Is P\* the same as a zoning permit? Because a Zoning permit is *not discretionary*. But since I know a Zoning Permit is required for Ag Processing, Small Scale, and the designation of “P\*” was used, I assume that is what it means.

**Suggestion:** change the definition of P\* to subject to ~~discretionary~~ ministerial approval criteria

OR if that is *not* what P\* stands for, **ADD** Z Zoning Permit required subject to ministerial approval criteria

**Suggested** edits based on those recommendations:

Land Use	LIA Zone	LEA Zone	DA Zone	RRD Zone	TP Zone	Use Regulations
Agricultural Processing, Small Scale	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	-	26-18-040; <u>26-88-210</u>
Lodging: Agricultural Farmstay	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	-	26-28-110; 26-88-085
Lodging: Agricultural Marketing Accommodations	C	C	C	-	-	26-28-120; <u>26-88-086</u>
Lodging: Bed and Breakfast (B&B)	-	<u>Z</u> /C	<u>Z</u> /C	<u>Z</u> /C	-	26-28-130; 26-88-118
Lodging: Hosted Rental	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	-	26-28-140
Lodging: Vacation Rental	-	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	P* <u>or</u> <u>Z</u>	-	26-28-160; 26-88-120

**From:** [Wendy Krupnick](#)  
**To:** [greg99pole@gmail.com](#); [Jacquelynne Ocana](#); [p.davis479@gmail.com](#); [todd.tamura@sonoma-county.org](#); [Georgia McDaniel](#); [Hannah Spencer](#); [PRMD-WineryEvents](#)  
**Cc:** [Tennis Wick](#); [district3](#); [district5](#); [district4](#); [Susan Gorin](#)  
**Subject:** Draft Winery Event Ordinance  
**Date:** Friday, May 28, 2021 4:01:47 PM  
**Attachments:** [Winery Events- CAFF 5-28-21.pdf](#)

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Dear Planning Commissioners and Planners,

Please find the attached comments from the Sonoma County chapter of Community Alliance with Family Farmers, (CAFF), regarding the draft Winery Events Ordinance on your agenda for June 3, 2021

Thank you for considering our comments and suggestions.

Wendy Krupnick

Vice-president, CAFF Sonoma County

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May 28, 2021

To: Sonoma County Planning Commission  
Georgia McDaniel, Planner

cc: Tennis Wick, Director Permit Sonoma

Supervisors Lynda Hopkins, Chair; Susan Gorin, David Rabbitt, Chris Coursey, James Gore,

Re: Draft Winery Events Ordinance

Dear Sonoma County Planning Commissioners and Ms. McDaniel,

The Sonoma County chapter of Community Alliance with Family Farmers (CAFF) appreciates the work Permit Sonoma staff has done to draft the long-awaited and much-needed Winery Events Ordinance. While we were pleased with several of the provisions included in the Draft Ordinance, we feel that the current draft proposal has many inconsistencies and loopholes so some modifications will be required to achieve the intended goals of protecting the primacy of agricultural production on agricultural lands, providing clarity on standards for visitor services to the wine industry, and limiting impacts to rural roads and neighborhoods.

We agree with the detailed comments and suggested changes submitted by Preserve Rural Sonoma County this week. In addition, we would like to bring attention to the following issues and proposed solutions with sections of the Draft Ordinance referenced where applicable:

1. In defining terms and phrases for Winery Standards, it is important to clarify that the definitions are specific to wine and wineries so they are not confused with other types of agricultural events or services. Specifically, the term "Agricultural Promotional Events" should be changed to "Wine Promotional Events" (*Section D-7*), "Industry-Wide Events" should be changed to "Industry-Wide Wine Promotion Events" (*Section D-8*), and "Sales Activities" should be changed to "Wine Sales Activities" (*Section D-11*).
2. The Draft Ordinance defines "Winery Visitor Serving Activities" as being "part of normal winery and tasting room business operations." Parties where full meals are served and where gatherings after normal tasting room hours are not part of normal tasting room business, so must be considered as events. This includes pick-up parties, harvest parties, and Wine Trade parties. (*Section E*)
3. The County should encourage agricultural diversification and allow a variety of farm-produced products to be sold on-site. Off-site consumption of local food and food products, eg., olive oil, table olives, canned salsa, jam, and applesauce, sold at a tasting room should be allowed. (*Section E-7*)
4. The ordinance should have clear definitions and be enforceable. Specifically, how will "local food and food products" be defined and enforced? (*Section E-7*)



5. In order to provide clarity for all, and to be enforceable, there should be mention in the Ordinance of the presence and role of the Area Guidelines that are proposed for the areas of the County that are considered to be "over-concentrated". Definitions and criteria should be provided regarding what an "over-concentrated" area is, as well as information on accessing proposed Area Guidelines. There should be indication regarding how an area experiencing accelerated development in the future can be designated as "over-concentrated" and the procedure for doing that. Current proposed Area Guidelines seem to be an overly complex yet ineffective and unfair layer of bureaucracy. **We recommend that the most restrictive provisions of the Area Guidelines should be incorporated into the Ordinance, and should apply county-wide.**
6. The Ordinance should include explicit provisions to identify, and if possible prevent, new areas of concentration.
7. Any new winery proposal should include an analysis of its effect on the cumulative impacts of wineries in the region, and must be evaluated for water availability and Vehicle Miles Traveled by both staff and visitors.
8. Climate considerations must be included in all ordinances if the County is to be seen as serious about meeting stated State and local climate goals.
9. The size of tasting room and other visitor serving areas must be proportionate to winery production capacity, which itself must be based on wine grape production acreage on site or sites owned within a designated proximity. The ordinance should establish a maximum site area devoted to tasting room and visitor serving uses to ensure the use is incidental to agriculture. We recommend that only one tasting room be allowed per site in agricultural zoned lands, and that tasting rooms be permitted only where grape growing and processing takes place,
10. The size of the processing areas the number of custom crush operations in agricultural zones should be required to be proportionate to vineyard production,
11. The need for monitoring and enforcement has been repeatedly called for in public comment and are critical to the effectiveness of the Ordinance, yet they appear to be missing from the draft. Our earlier recommendations on this are included below:
  - Establish an annual monitoring and educational program to periodically review use permits.
  - Require events to be calendared at the beginning of each year, and require annual reports including quarterly information.
  - Require that the applicant hire staff or contract for services to respond to complaints of event activities or other infractions (i.e. parking/noise) including on nights and weekends.
  - Increase fines and penalties for unpermitted event activities.
  - Place a time limit for existing wineries which have been hosting events without a use permit to obtain use permits and impose significant fines on any that do not meet that



deadline. Include the cumulative impacts of existing and “historic” wineries and/or their events in mitigations and in the analysis of cumulative impacts over time

- Require fees for permits that cover administration and monitoring of programs, including traffic/road impact fees.
- Develop and execute an improved system for notifying local area residents of permit applications.

As we have previously noted, although many farmers and ranchers welcome the opportunity to host the public and educate them about their products and practices, the business of hospitality is not the same as the business of agriculture. We believe the multiple benefits of preserving agricultural lands for agricultural production are essential for the long-term health of our society, our economy and our planet, and we strongly urge that the demands of the hospitality industry not be allowed to interfere with the protection of those benefits in Sonoma County.

Sincerely yours,

Wendy Krupnick, Vice President, CAFF Sonoma County

**From:** [Nick Frey](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Events Ordinance 5 28 21  
**Date:** Friday, May 28, 2021 10:39:14 AM  
**Attachments:** [Winery Events Ordinance 5 28 21.pdf](#)

---

Attached are my comments. Thank you for the opportunity for input.

Nick Frey  
Balletto Vineyards  
707-291-2857  
[www.Ballettovineyards.com](http://www.Ballettovineyards.com)



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May 28, 2021

To [PRMD-WineryEvents@sonoma-county.org](mailto:PRMD-WineryEvents@sonoma-county.org):

I appreciate the staff's report on the proposed Winery Events ordinance. It has outlined key concepts that will help reduce the ambiguity of the Winery Use Permit process. I feel however some additional clarifications of definitions for Events and Activities are needed. In addition, the term Rural Character is not defined, and the use of "parties" does not represent most winery Activities or Events. My comments follow.

- Activity/Activities -Activity needs to be defined as a normal business activity to promote product sales. Limit its use unless it is the defined Activities term, e.g. events activities is confusing two terms that each should be capitalized and in the definitions list.
- Rural Character is undefined and likely 10 people when asked will give 10 definitions. Given it is used in the AR section of the General Plan, it would seem it should have an agricultural definition, i.e. farmers, not rural residents.
- Parties is undefined and again implies many things to many people. The ordinance should not use the word. Wine Club pick up Activities normally occur during tasting room operating hours and do not have a party atmosphere. These are not like a Cinco de Mayo or St Patrick's day party residents my have at their homes or back yards. Wineries too need to be sensitive to using "party" to describe Activities during tasting room hours.

The wording needs to be tightened for an ordinance and key terms need to be defined in a definitions section and used consistently. Vague terms like party or rural character should not be used unless defined. The General Plan's Ag Resources section sets the guiding principles in AR 4a: Residential uses in rural areas need to recognize the primary use (agriculture, its processing and visitor serving uses) may create traffic and agricultural nuisances. AR 8b Encourages promotion and marketing of agricultural products. There are other codes or guidelines, e.g. parking, septic, water and noise, required in use permits that protect the interests of rural residents and those should be sufficient to serve the entire rural community.

General Comments:

- General Plan and County Seal
  - Protect and enhance agricultural lands and the unique character of Sonoma County
  - Allow visitor serving uses to support agriculture
  - County Seal has Agriculture, Industry and Recreation
    - It does not say "preserve and protect rural residences" as a core value

Our vineyards and wineries are an economic driver in this county supporting governments through taxes, providing recreational activities for many visitors who also enjoy or forests, beaches, hiking and biking, and jobs for many of our residents. Rural residents take ag lands to build houses on multiacre lots and then landscape, add poos, and perhaps some hobby agriculture. But when the property comes up for sale, it will not revert to commercial agriculture.

## Staff Report

- County Ordinance Page 8 Paragraph 2: “The intent of the Winery Events Ordinance is to provide consistency and clarity to the use permit application evaluation process, reduce impacts to surrounding uses, protect agricultural lands and preserve rural character.” It seems preserve agricultural lands (and preserve agriculture by supporting agricultural production and sales to make farming in Sonoma County economically viable) is the top priority. And unless defined, rural character should not be listed.
- Unless Rural Character can be defined, I think references to Rural Character should be deleted throughout. As I read the General Plan, I think reference to Rural Character was concerned about processing or manufacturing facilities whose scale was not consistent with a rural landscape. Today’s wineries are smaller and smaller in scale and do not create traffic issues, excessive noise and generally blend well with the landscape. Page 6 last paragraph – “the draft Winery Ordinance implements the General Plan Agricultural Resources Element policies and programs to protect agricultural lands and the unique character of unincorporated communities”. I do not see that wording in Attachment 3. It seems to subjectively alter the General Plan.
- I am concerned that single consultant recommendations are inserted in ordinance language. Have those recommendations had any public input or review? The setback requirements seem arbitrary. How much noise is generated by a parking lot during Tasting Room Operating Hours? If it is an event at night with light standards with generators, then noise level at the property line of the nearest residence or facility should determine the setback or a noiseless light source alternative would be needed.
- Table 2: Remove parties from the tables. This implies many things to different people. Any Activity during normal Tasting Room Operating Hours to support sales is a legitimate and essential business activity today. Wine Club member recognition during Tasting Room Hours is an Activity. A Wine Club Recognition Dinner after 5:00 pm may be an event, but I could argue that customer retention today is a vital activity.
- Any Trade hosting should be an Activity. It is invitation only. Typically has a limited number or trade. A bus load of people would be the exception, not the rule. I say they should be hosted during normal business hours for the winery, i.e. 8:00 to 10:00. A Winemaker Dinner after 5:00 is typically 20 to 60 people by invitation or through ticket sales.

## Ordinance – Exhibit B:

- Expand list of Definitions as commented above RE: Events, Activities, Rural Character if definable, etc
- Replace “parties” with a more appropriate word for a sales Activity.
- #5 – Shall not rent to a third party. OK if the third party takes over the facility, but if it is an executive retreat who come for a staff meeting with food and wine during the day, this is a revenue source and an opportunity for new customers and wine sales. The winery staff hosts the Activity and no other alcohol is served.
- 6cs – Off-site parking. If needed for a large wine pickup Activity during normal Tasting Room Hours, this is counterproductive. It encourages on-road parking or other problems. Again, you

have parking standards and if exceeded, then the winery needs to mitigate to safely accommodate the visitors and neighbors. That may require off-site parking and visitor transportation.

- Setbacks seem arbitrary. There are noise guidelines at the lot line of the nearest neighbor and those limits need to be respected regardless of the setback.

I appreciate the opportunity to comment. It is essential that ambiguity of terms is removed so that applicants, the county and interested parties understand the rights and obligations under the ordinance so that use permit limitations are consistent for every applicant.

Thank you for your work in bringing this ordinance forward.

Sincerely,

Nick Frey

Balletto Vineyards

5700 Occidental Rd, Santa Rosa, CA 95401

**From:** [Marc Bommersbach](#)  
**To:** [Tennis Wick](#); [Scott Orr](#); [Brian Oh](#); [Georgia McDaniel](#)  
**Subject:** Winery Event Ordinance - Preserve Rural Sonoma County"s (PRSC) comments  
**Date:** Friday, May 28, 2021 10:41:27 AM  
**Attachments:** [PRSC5 winery ordinance5-28PS.pdf](#)  
[Exhibit B PRSC redline markup 5-26.pdf](#)

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Tennis, Scott, Brian, Georgia,

Attached is a redline mark-up of the proposed ordinance and an accompanying letter explaining PRSC's comments. PRSC believes these comments are reasonable and balanced. They support Permit Sonoma's role in meeting the General Plan's objectives and policies regarding regulation of visitor uses in ag zones through its review of use permit applications using clear and specific standards.

The ordinance, with the modifications specified in these documents, in general, do not limit the wine industry from expanding or adapting to change business conditions.

I would like an opportunity to discuss a few provisions in the proposed ordinance that are confusing, and may need clarification prior to the hearing.

I appreciate your work to keep this effort moving along given workload from all of the other planning issues facing the County.

Regard,

Marc

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May 28, 2021

County of Sonoma  
Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa CA 95403

Attn: Tennis Wick, Scott Orr, Brian Oh, Georgia McDaniels

RE: Winery Event Ordinance Hearing, June 3, 2021,

Dear Director Wick,

Preserve Rural Sonoma County (PRSC) appreciates the opportunity to provide comments on the Winery Event Ordinance (red line mark-up attached). To meet the County's objective to avoid CEQA review for this Ordinance, the changes proposed in this letter and the attached red-line mark-up address the concerns of many rural residents who have been impacted by tasting rooms as they have morphed from drop in, stand-up tasting, to venues that offer seated wine and food pairing, meals, and potentially thousands of events.

PRSC's proposed changes will reduce land use conflicts in rural communities and provide clarity and more specificity to the County's winery permitting process by:

1. Revising definitions to close loopholes, remove inconsistencies and enhance enforcement.
2. Clarifying the ordinance to ensure any additional entitlements are conferred only under a modification to an existing use permit, with appropriate project-specific environmental review.
3. Adding siting criteria to address neighborhood compatibility and road safety issues, while preventing new areas of over-concentration.

These changes will not limit the wine industry's ability to grow and to adapt to future business conditions.

#### Background

The need for the Winery Event Ordinance grew out of concerns that the proliferation of tasting rooms and events in rural areas had gotten out of hand – resulting in significant public safety and environmental impacts. The objective of the Ordinance, as codified in the General Plan, is to create clear standards to manage winery hospitality and events on agricultural land and to address unauthorized promotional uses.

The Ordinance was never intended to expand or intensify visitor serving uses, however, efforts to reclassify what have been historically deemed as “events” to “tasting room activities,” and allowing “daily events”, would create a significant expansion of entitlements for promotional uses that have been included in hundreds of Use Permits approved over the last several decades.

PRSC appreciates the efforts, both past and present, of Permit Sonoma, Planning Commissioners and the Supervisors, to regulate hospitality uses through Use Permit-based project approvals that clearly specify the size, number, type, and time of day for all uses beyond normal drop-in or by appointment wine tasting. Citizens rely on these criteria and standards to maintain the peace, well-being, and safety of our roads and neighborhoods.

Loopholes in the “Definitions:” section should be closed. For example:

“Parties” are events – The County has long considered parties held for visitors (not employees) to be “events”. These include release/pick-up parties, wine club parties, harvest parties or other holiday or cultural parties. According to the dictionary, the definition of a party is: ***a social gathering of invited guests, typically involving eating, drinking, and entertainment***. The proposed ordinance correctly defines release parties and wine club parties as Agricultural Promotional Events, however, pick-up parties and harvest parties, are listed as activities. This is clearly contradictory, confusing, and inconsistent with past practices. The definition of Ag-promotional events should include all four of the listed “parties” (or any other type of party held for visitors) as “events”. The rather vague and overly broad term “and other hospitality related activities” should be removed or clarified as to what hospitality uses are envisioned in the term “other”.

All visitor gatherings, including Wine Trade Activities, held after tasting room hours or where a meal is served should be considered to be an event - The draft ordinance recognizes the County’s long-standing policy that any gathering of visitors after tasting room hours or where a meal is served constitutes an event.

The after-hours limitation is an important provision, particularly for tasting rooms in rural areas. Long duration drinking past 5 pm - into the cocktail and dinner hour - has the potential to create both evening disruption in neighborhoods and road safety issues on lightly-patrolled rural roads. Excluding winemaker lunches, dinners and evening gatherings for the trade from the “after tasting room hours” limitation creates an entitlement to an unlimited number of these events. It also creates a loophole for enforcement, because there is no way to determine if a winemaker dinner was an event solely for the trade or just another promotional event. The impacts from events are the same regardless of what is on someone’s business card. Furthermore, given the County’s long history of limited enforcement, this is a clear opportunity for abuse.

If a winery’s business plan requires lunches and dinners and after-hours gatherings for the trade, these events can be included and evaluated in the event totals requested in the Use Permit application process.

A winery use permit should not allow events on parcels disassociated from the winery – Section D.6. defines Winery Events as events held at wineries and tasting rooms. However, it also makes the conflicting statements that they can “occur on site and/or in the area”. Besides contradicting the first statement, this phrase has the effect of allowing events to be held on parcels geographically disassociated from the winery. The reference to “or in the area” should be removed, otherwise hundreds more parcels, with no protection from a use permit, could be opened up for events. Wineries have the ability to request a zoning permit for a limited number of events in other areas.

Clarify that the Ordinance cannot confer additional entitlements to existing use permit holders

In order to support the County’s contention that the ordinance does not create an intensification of use that would require CEQA review for ordinance adoption, it should explicitly state that the provisions of this ordinance do not confer any visitation related entitlements over what is currently specified in writing and approved in a winery/tasting room’s current use permit.

In addition, it is our opinion that, without the changes proposed in this letter and the redlined mark-up the items listed below, the ordinance DOES in fact change to the County’s “current application review practices,” a finding that would trigger CEQA review for the ordinance due to the following changes:

1. Reclassification of gatherings after tasting-room hours, or with service of a meal, to Wine Trade Partners as “activities” instead of them being specified as “events”
2. The classification of some categories of parties as Winery Visitor Serving Activities and part of normal tasting room business operations
3. Modifying “noise setbacks” to allow a portion of the attenuation distance to be measured on adjacent properties, which is inconsistent with the General Plan Noise Element and the County’s current use permit review practice that measures noise element compliance at the property line.

To avoid the need for CEQA review, the ordinance must correct the above listed changes to “current application evaluation practices”, and clearly state that these definitional changes will only expand the uses that are specifically allowed under current use permits by permit modification.

Additional siting criteria need to be added

Siting criteria, such as minimum road width and parcel size, and a separation or density standard have always been included as part of the ordinance discussions. By setting Siting Criteria, the Ordinance would help the County to screen out projects that would likely be unable to meet mitigation requirements in the use permit process. This early project screening would protect local residents and reduce the risk to developers who may

otherwise spend considerable resources before coming up short in the decision process. It would also relieve staff, commissioners and the public from having to review contentious projects that have significant challenges for approval.

PRSC proposes the following four siting criteria that would address many of the issues raised in stakeholder discussions:

1. Access off minimum 18-ft. wide County roadway
2. 20-acre minimum parcel size for new wineries
3. Separation criteria of no more than two winery driveways in ½ mile
4. No outdoor amplified sound, except under a limited number of events per a zoning permit

Minimum 18 ft. roadway – This requirement was discussed in the Winery Working Group that included first responder personnel, and it was generally agreed between the community groups and wine industry that for, new winery applications, there should be sufficient access/egress for both visitors and emergency vehicles.

20-acre minimum parcel size – In agricultural areas the minimum zoning is generally 10 acres for DA and 20 acres for LEA and LIA zones. However, there are a number of parcels in all ag zones that are well below this threshold and that already have use permits. These small parcels present a challenge because they are usually surrounded by residences, are often located on rural lanes with poor access, and draw water from wells that are in close proximity to neighbors' wells. The 20-acre minimum is included in the Dry Creek guidelines and SVCAC guidelines. A 20-acre minimum standard would reduce many of the siting issues associated with smaller parcels. Permit Sonoma and the BZA are already starting to informally consider this criterion in project reviews.

Separation criteria – a separation criteria that allows a maximum two wineries in a ½ mile stretch of roadway would not only address the over-concentration of winery facilities in the identified areas of concentration, but it would lessen the potential for other areas in the County to become over concentrated over time. Both the City of Healdsburg and the City of Sonoma have enacted standards to address over-concentration of tasting rooms in their jurisdictions, and the Sonoma Valley CAC includes the proposed standard as well. The BZA has also now begun to consider density in project approvals.

No outdoor amplified sound – In rural areas sound can travel significant distances - greater than the 1600-foot setback recommended by the sound consultant. Even with applicant-monitored "mitigation," amplified sound can be very disruptive to the neighborhood. This is why the vast majority of use permits prohibit outdoor amplified sound.

## Summary

With the changes proposed in this letter, including the revisions incorporated in the attached markup, the Ordinance would not restrict the expansion of visitor serving uses in ag-zones overall. The County would continue to issue use permits, and use permit modifications, with project-specific CEQA review. And the County would retain the right of discretionary review that limits development on specific parcels where environmental, safety and neighborhood compatibility, or cumulative impact issues cannot be addressed.

Ideally, an Ordinance with clear definitions and siting criteria would direct development into areas where it can have fewer impacts and, in order to be in compliance with CEQA, the ordinance would not allow current use permit holders to engage in new or unspecified visitor serving uses without first securing approval through a use permit modification.

Thank you

Preserve Rural Sonoma County

Attachment: Redline comments

**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving activities and winery events. Current use permit holders shall be limited to the visitor and hospitality uses specifically allowed in their use permit conditions. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
  6. **Winery Events** means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite ~~and/or in the area~~ and are consistent with General Plan Policy AR-

6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.

7. **Agricultural Promotional Events** are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release/pick-up parties, harvest and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, ~~winery or tasting room owner(s), winery employees, and tasting room employees.~~
10. **Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
11. **Sales Activities** are wine tasting, pickup parties, tours, seminars and other similar hospitality related activities that support the promotion of wine sales excluding winery events.
12. **Wine Trade Activities** are by-invitation meetings, seminars, harvest parties-wine tastings and similar activities excluding winery events, and attended only by wine trade partners and are not advertised to the consumer.

E. Operating Standards.

1. Winery Visitor Serving Activities. Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the tasting room hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
2. Winery Events. Winery events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and other operational requirements specified in the use permit.
3. Sizing, permissibility and other parameters of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.
4. Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.
  - a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.

- b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.
  - (1) Sales Activities: 10 am – 5 pm.
  - (2) Wine Trade Activities: ~~8~~10 am – ~~4~~5 pm.
- c. Winery Events. The maximum hours of operation for events are specified below by event type.
  - (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:~~30~~00 pm – 10 pm or as otherwise specified in Use Permit conditions.
  - (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.
- 5. Wineries and tasting rooms shall not be rented out to third parties for events.
- 6. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:
  - a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
  - b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.
  - c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.
  - d. No parking is permitted along any public or private roadways or on shared vineyard roads.
- 7. Food Service. Food service is allowed as specified below.
  - a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.
  - b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
  - ~~e.~~ Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events ~~.-~~
  - ~~e-c.~~ Prepared meals featuring local foods and food products is allowed in conjunction with ~~wine trade activities and~~ winery events.



e.d. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:

- (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
- (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
- (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
- (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.

8. Event Coordination and Traffic Management.

a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:

- (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
- (2) Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.

b. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:

- (1) Provisions for event coordination to avoid local traffic delays.
- (2) Parking attendants for each day of the event.
- (3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.
- (4) A plan for on-site parking requirements and queuing of traffic.
- (5) Enforcement of the on-street parking restrictions.
- (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.
- ~~(6)~~

9. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified music, or loud instruments such as brass instruments, horns, or drums	1,600 feet

Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise Element due to intervening structures or natural features, ~~available open land on noise sensitive parcels~~, or by incorporating noise mitigation measures.

F. Siting Standards:

1. Parcels for new winery and tasting room development shall be at least 20 acres in size
2. New winery and tasting room project locations cannot result in more than two facilities within a ½ mile distance.
3. Project access shall be off public roads with a minimum 18-foot width
4. Outdoor amplified sound is prohibited

# Sonoma County Bicycle & Pedestrian Advisory Committee

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Christopher Woodcock (Chair)	1 <sup>st</sup> District
Joe Morgan	2 <sup>nd</sup> District
Matt Frazier	2 <sup>nd</sup> District (Alt.)
Vincent Hoagland	3 <sup>rd</sup> District
Bob Stender	3 <sup>rd</sup> District (Alt.)
Amy Loukonen (Vice-Chair)	4 <sup>th</sup> District
Jennifer Neeley	5 <sup>th</sup> District
Brian Bauer	5 <sup>th</sup> District (Alt.)




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## **MEMORANDUM**

**Date:** May 28, 2021

**To:** Georgia McDaniel, Permit Sonoma

**From:** Steven Schmitz, SCBPAC Staff 

**Re:** SCBPAC Comments on Draft Winery Events Ordinance

On behalf of the Sonoma County Bicycle and Pedestrian Advisory Committee (SCBPAC), thank you for the opportunity to comment on the Draft Winery Events Ordinance. Comments are provided below. Should you have any questions, please contact Mark Hansen or me at 585-7516.

In regards to 26-18-260 – Winery Standards Section *E. Operating Standards* part 8. *Event Coordination and Traffic Management*, the committee recommends working with the Transportation and Public Works Department on making the following additions and changes to sub-section *b. Traffic Management Plan*:

1. Lower the threshold for the number of participants at events that would require a traffic management plan.
2. Require that signs, event staff, and queuing vehicles do not obstruct or encroach on any bicycle/pedestrian facilities present along adjacent roadways.
3. Require private shuttles to perform all pick-ups and drop-offs on-site at the events and not on adjacent roadways.
4. Require traffic control attendants for each day of the event.
5. Require bicycle/pedestrian safety signs at events along adjacent roadways.

**Cc:** Chris Woodcock, SCBPAC Chair  
Ken Tam, Regional Parks  
Vincenzo Corazza, Transportation and Public Works  
Gary Helfrich, Permit Sonoma  
Mark Hansen, Sonoma County Transit

**From:** [Michael Haney](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Fwd: Permit Sonoma Comments  
**Date:** Friday, May 28, 2021 2:03:39 PM

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Good Afternoon:

Sonoma County Vintners (SCV) appreciates the work and the staff report produced by Permit Sonoma regarding the proposed winery events ordinance and is encouraged to see this important issue being addressed and moved forward. While the report does assist in addressing winery events and business activities, we feel some additional emphasis and clarification on a few items are needed.

As SCV has presented over the past few years, it is important to create clear definitions of winery events vs winery business activities. SCV has provided these specific proposed definitions to Permit Sonoma.

In addition, the two following areas should also be addressed and or adjusted:

1. The Staff report seems to not accurately present just how the county historically treated promotional activities.
2. The proposed ordinance also does not address or provide a path for events and business activities at existing wineries.

For the first:

The background in the staff report states "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."

**This statement does not represent the historical application of the zoning ordinance.**

A more accurate background notes that Ordinance 230, adopted on November 8, 1945 was the county's first zoning ordinance. Wineries and tasting rooms existing prior to that date.

- Ordinance 230 allowed cultivation by right, but required a use permit for an "agricultural processing plant" which addressed commercial packing or canning of agricultural products.
- In the late 1960's or early 1970's, staff determined wineries fell into this category and began requiring use permits for wineries and tasting rooms.
- Use permits issued in this era were generally vague and typically consisted of a few conditions. Events and promotional activities took place during this time such as non-profit, social, public service and political fund-raising events. These activities were considered inclusive of a lawful tasting room.
- The 1989 General Plan recognized the distinction between winery and tasting room.
  - The 1990 zoning code update reflected this distinction and provided a definition for a tasting room as a location where items processed within the county may be tasted and sold. This update specifically named wineries as agricultural processing and explicitly allowed retail sales of items processed on premises with a use permit.
  - Events continued to take place at wineries and tasting rooms. Wineries were allowed to modify their use permits for expanded production and increasing facilities, but were not required to address events as the county considered subordinate marketing activities and events inclusive of a tasting room.
  - In the mid 1990's, the county began to develop policies to address varied and expanding wine marketing activities. Those policies included wedding, food services and

participation in industry wide events.

- Around 1995, the county began to condition event activities via the use permit process by addressing the number of events.
  - Since that time, events have been consistently addressed and conditioned in the use permit process.
  - Before this time, the county considered business activities and events integral to tasting rooms as long as they remained subordinate to the primary agricultural use.
  - The vast majority of use permits contain no explicit approval to participate in industry wide events.
- Based on this historical and changing application of zoning regulations, the statement in the staff report that all events and activities prior to 1989 were not allowed is inaccurate.

#2: The proposed ordinance also does not address or provide a path for events and business activities at existing wineries.

- As recently as 10 years ago Permit Sonoma considered participation in industry wide events inclusive of existing permits, as long as the winery had a use permit approved for public tasting and participation in the event complied with the existing use permit for hours of operation and operational conditions.

Consideration should be given that any draft event ordinance should address a process to recognize those wineries with historical events and business activities.

Thank you again for your time!

Sincerely,

Michael Haney  
Executive Director  
Sonoma County Vintners  
Sonoma County Vintners Foundation  
400 Aviation Blvd. Suite 500  
Santa Rosa, CA 95403

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**From:** Padi Selwyn <padi.selwyn10@gmail.com>

**Sent:** Saturday, May 29, 2021 8:56 AM

**To:** Lynda Hopkins <Lynda.Hopkins@sonoma-county.org>; David Rabbitt <David.Rabbitt@sonoma-county.org>; Susan Gorin <Susan.Gorin@sonoma-county.org>; James Gore <James.Gore@sonoma-county.org>; Chris Coursey <Chris.Coursey@sonoma-county.org>

**Subject:** PRSC's comments re: Winery Event Ordinance

Dear Supervisors,

Attached is input regarding the Winery Event Ordinance draft with additional specific comments in the redlined document attached.

Our group has been involved in rigorously studying these issues and participating in the Winery Working Group as well as numerous CAC's for the past several years. Our input is based on well researched and long discussed issues with our winery neighbors.

Thank you for your consideration.

Padi Selwyn  
(707) 569-6876

**PRESERVE RURAL SONOMA COUNTY**

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

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

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**From:** [Janus MATTHES](#)  
**To:** [PRMD-WineryEvents](#); [greg99pole@gmail.com](mailto:greg99pole@gmail.com); [Jacquelynnne Ocana](#); [p.davis479@gmail.com](mailto:p.davis479@gmail.com); [Todd Tamura](#); [Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)  
**Subject:** Winery Events hearing  
**Date:** Monday, May 31, 2021 5:30:24 PM  
**Attachments:** [WWW winery events May 2021.docx](#)

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## EXTERNAL

[www.winewaterwatch.org](http://www.winewaterwatch.org)

May 28, 2021

PRMD-WineryEvents@sonoma-county.org

To: Permit Sonoma & Planning Commissioners

Greg Carr - [greg99pole@gmail.com](mailto:greg99pole@gmail.com)

Jacquelynnne Ocana - [jacquelynnne.ocana@sonoma-county.org](mailto:jacquelynnne.ocana@sonoma-county.org)

Pam Davis - [p.davis479@gmail.com](mailto:p.davis479@gmail.com)

Todd Tamura - [todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)

Kevin Deas - [Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)

RE: Winery Event Ordinance

Wine and Water Watch is a local organization of over 300 citizens concerned with the overdevelopment of the wine tourism industry. We promote ethical land and water use. We oppose the industrialization of agricultural lands not growing food, medicine, fiber or silage especially when dwindling resources and climate change is making large impacts to our lives.

We continue to believe strict regulations on events both size, number, definition and timing with high traffic events should be created. The fact is the County already has such a policy and it should be included in the ordinance. Weddings, parties, and business meetings are not agriculture promotions but rather corporate event productions and not ag. Up to date traffic studies, no more than 2 years old, need to be created to map out potential problems due to binge tourism. We are tired of "right turn only" season that this inflated industry creates is both a safety issue and a quality-of-life issue.

Winery event expansion is nothing more than tourism promotion. More tourism via winery events is not an economic cure all. The recent Economic Development Plan, pre-pandemic clearly shows that tourism is not much of a vital an economic generator (6.5% according to the 2021 Economic outlook report by Robert Eyler). Tourism should be supportive to local communities and not dislocate the local population with traditionally low wages, unaffordable housing due to investors, sacrificing our local mom-and-pop businesses that service resident needs and require more taxes to fix the overburdened infrastructure. No more wine industry expansion. We urge the planners to take this into consideration when viewing the regulations. Loopholes must be closed to stop this barely controlled expansion which creates more traffic, noise, drunk drivers and more low wage jobs that make homelessness and inequality even more extreme . With expanded events comes more homes being lost to vacation rentals. **There is a reason Sonoma County is number 3 in homelessness in the entire country.** Regulation of this bloated industry is geared towards corporate interests that come to this county for resources and profit that leave the county. We all supported small family run wineries which are now struggling

to compete with large national corporations.

We suggest that if the wine industry needs more events to survive that as a community, they work together to build a large center that can cater to all wineries and events and has the infrastructure to support the added pressure to our community. The wine industry should be paying for this not more tax increases and aggravation born by residents. Luther Burbank Center type of property close to a major thoroughfare should be the goal not scattered winery events all over the county. This is being done by Central California communities and working successfully as they are located in areas where local businesses can thrive instead of just the wine industry.

Agriculture in this county has had plenty of changes over the years. From potatoes, to hops, prunes, peaches, apples, poultry, pears, hay, dairy, cattle and sheep. Dairy and cattle remain as do some poultry business but pared down into a realistic size industry. **With diminished sales, wine grape glut and lowered worldwide demand, changing tastes and new online marketing, time for this industry to adjust or die.** Those eras did not have the same issues we face today: climate change impacts that may cause our own extinction, scarce water, changing cultural tastes, unaffordable land, social inequality to name a few .

**A serious discussion and studies need to be made on the ever-expanding wine industry impacts that are adding considerable amounts of GHG worsening climate change in search of customers, depleting our aquifers and the onslaught of chemical based ag further polluting the water we have. We have paid the price for their endless assaults on our environment. Time for them to make the changes that benefit the community as we all have already sacrificed way too much for their pursuit of profit.**

All events must be closed by 5pm, no tasting on disconnected parcels, roadways must be legal (18 feet), no events within a half mile and recent traffic studies to truly see the impacts.

A full Cumulative Impact Report should be made before any changes to the winery event regulations and climate change must be addressed. Added events equals more greenhouse gases by additional vehicle miles traveled is yet to even be broached. The cannabis industry will get a cumulative impact report, why not this industry? As we all suffer through the megadrought, where is the extra water coming from to flush toilets, clean glasses and cater to out of towners? Ag already uses 80% of our shared water resources. More lost "ag" lands to create additional parking lots and visitor centers, is not ag.

We urge the commissioners to close the loopholes and protect the people who actually live here. Our organization looks forward to action on this matter *that reflects the public not what the wine industry wants*. We need strict rules so everyone knows what is expected. Thank you for your consideration.

Sincerely,

Wine & Water Watch Board

Janus Matthes, Deb Preston, Marilyn Joyce, Pamela Singer, Dr. Shepherd Bliss, Charlotte Williams, Sarah Ryan, Tom Conlon, Judith Joinville





[www.winewaterwatch.org](http://www.winewaterwatch.org)

May 28, 2021

PRMD-WineryEvents@sonoma-county.org

To: Permit Sonoma & Planning Commissioners

Greg Carr - [greg99pole@gmail.com](mailto:greg99pole@gmail.com)

Jaquelynne Ocana - [jaquelynne.ocana@sonoma-county.org](mailto:jaquelynne.ocana@sonoma-county.org)

Pam Davis - [p.davis479@gmail.com](mailto:p.davis479@gmail.com)

Todd Tamura - [todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)

Kevin Deas - [Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)

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Sincerely,

Wine & Water Watch Board

Janus Matthes, Deb Preston, Merrilyn Joyce, Pamela Singer, Dr. Shepherd Bliss, Charlotte Williams, Sarah Ryan, Tom Conlon, Judith Joinville



May 31, 2021

County of Sonoma

Permit Sonoma

2550 Ventura Avenue

Santa Rosa, Ca. 95403

Attn: Sonoma County Planning Commissioners

Re: Winery Event Ordinance Hearing June 3, 2021

Dear Commissioners,

Valley of The Moon Alliance (VOTMA) has been concerned about the Winery Events issue since 2004 when we conducted a study called "The Potential for Events Facilities on Agricultural Land in the Sonoma Valley – Choices for the future." It examines the potential, under present zoning, for a growing number of visitor-serving and event facilities on Agricultural lands in Sonoma Valley. Just looking at the valley floor from Kenwood to South Valley there was a potential of 400 facilities. That potential has not changed. What has changed is the marketing of wine and the apparent need for 'direct to consumers' contact to sell wine. This is where visitor-serving uses and events have exploded in the last 10 years. The imagination was the only limit. More visitors mean more impacts from noise, traffic and congestion to the rural neighborhoods. Choices for the future have been kicked down the road for too long. We are finally getting a first look at a county ordinance with some resource-based use standards. We appreciate this long-awaited draft ordinance, but feel there may need to be some modifications to achieve the intended goals of protecting the primacy of agricultural production on agriculturally zoned lands, providing clarity on standards for visitor services to the wine industry as well as limiting the impacts to rural roads and neighborhoods.

We agree with the detailed comments and suggested changes submitted by Preserve Rural Sonoma County (PRSC) on May 26, 2021, including the redlined draft ordinance. Some of these changes include revising definitions to close loopholes, such as Agricultural Promotional Events and Winery Visitor Serving Activities. Both are intended to sell wine to visitors so what are the differences? Wine tasting

and sales should be limited by the tasting room hours, like a retail store with hours of operation. If marketing to visitors or trade partners is done after tasting room hours or involves a sit-down meal, it should be considered an event. Perhaps a maximum number of visitors, say 30, could be established to minimize the impacts of these visitors if the site can accommodate this number with on-site parking, septic capacity and emergency access.

Another important point to emphasize is that this ordinance should not give additional entitlements to wineries with existing use permits. Unless a winery with an existing use permit reapply to modify their use permit using this ordinance, they are bound by their existing use permit terms. The current evolving trends in marketing may not have been included in the descriptive use permit. It means what is allowed is described in the use permit, if it is not described, it is not allowed. In order to support the County's contention that the ordinance does not create an intensification of use that would require CEQA review for ordinance adoption, it should explicitly state that the provisions of this ordinance do not confer any visitation related entitlements over what is currently specified in writing and approved in a winery/tasting room's current use permit.

Thoughtful consideration of wine industry marketing need to be spelled out by the county ordinance in order to balance the projected needs of the wine industry with the protection of agricultural zoned lands for the production of crops and not visitor-serving uses which are presently to be "incidental and secondary" to agriculture production in Sonoma County.

Thank you for your thoughtful consideration.

Kathy Pons

Valley of The Moon Alliance

**Public  
Comments  
received after first distribution  
for PC Hearing  
6-3-21**

----- Forwarded message -----

From: **Jennifer LaPorta** <[jenniferlaportal@gmail.com](mailto:jenniferlaportal@gmail.com)>

Date: Wed, May 26, 2021 at 4:20 PM

Subject: Winery Events Ordinance

To: <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>

Dear Planning Commissioners

Please do the following:

1. Remove loopholes that allow the Wine Industry to expand hospitality and entertainment uses without environmental review.
2. Ensure no retroactive authorization to grandfather existing or allow new unapproved hospitality uses
3. Add siting criteria to address neighborhood compatibility and road safety, while preventing new areas of over-concentration.

Sincerely,  
Jennifer LaPorta  
Santa Rosa  
95407

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From: **Noel Bouck** <[noelb@sonic.net](mailto:noelb@sonic.net)>

Date: Thu, May 27, 2021 at 1:17 PM

Subject: Winery events ordinance

To: <[Greg99pole@gmail.com](mailto:Greg99pole@gmail.com)>

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June 1, 2021

Greg Carr, Planning Commissioner

[Greg99pole@gmail.com](mailto:Greg99pole@gmail.com)

Dear Sir,

The Salmon Creek Watershed Council works to protect the coho salmon that inhabit our watershed's creeks. We write to ask you to please carefully follow the County Plan as you review the Winery Events Ordinance. Do not allow the hospitality industry to put our fragile local salmon at increased risk. We have three main concerns:

1. We fear that there will be an increase in traffic on our local roads that will make them less safe to bikers and walkers, and will also contribute to the die off the coho salmon in our creeks. Salmon Creek, a coastal watershed encompassing Occidental, Bodega and Freestone, is host to ocean-going coho salmon. Unlike other species of anadromous fish, coho salmon are exquisitely sensitive to a toxic quinone that washes into creeks from roads as tires wear down. Any increase in road traffic will increase the runoff of this lethal substance and put these delicate fish at risk.
2. We are worried that if increased water is drawn from our perched aquifers, it will not only compromise the personal wells on which we West County residents depend, but will also limit the seeps that deliver essential oxygenated water to our creeks where young salmon struggle to survive the dry season.
3. As open farmland is converted to hardscape, we fear loss of recharge for these essential aquifers as well as loss of the scenic farmland that is so essential to the beauty of our county.

These concerns move us to ask you

- to remove loopholes that allow the wine industry to expand entertainment facilities independently of environmental review,
- to disallow the grandfathering in of unapproved uses and
- above all, to prevent the siting of facilities in areas where their presence can harm our salmon.

Thank you for considering these points.

Sincerely

Noel Bouck, for  
The Salmon Creek Watershed Council  
PO Box 453, Occidental, CA 95465

----- Forwarded message -----

From: **Michael Cook** <[mike@integrapla.com](mailto:mike@integrapla.com)>

Date: Thu, May 27, 2021 at 9:38 PM

Subject: Planning Commission Agenda Item #2

To: <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>

Good evening Chair Tamura and Sonoma County Planning Commissioners,

Regarding Item #2 on your June 3, 2021 agenda. I understand the reasoning behind getting together this ordinance, but at this point, I am really not understanding the reason for bringing this at this time. Wineries, breweries, event centers can't even have events, they are barely scrapping by, and barely able to hold tasting appointments. I am appalled at this idea of further restricting the very businesses that pay millions and millions of dollars in taxes to the County, and telling them what they can and can't do at this time in the Pandemic. Are you looking to put more businesses out of business? Further restrictions, further regulations, put more businesses out of business. Wineries are our "life blood" at this point, and you're going to enact this regulation on events and you're going to put most of them out of business.

Such bad timing, such a bad idea, and such an unfortunate idea here in Sonoma County. Can't believe the Planning Commission is even considering this at this time.

Mike

Michael Cook, PLA, ASLA, CLIA, CPSI

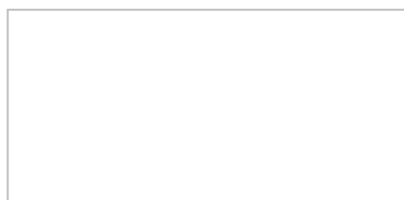
**INTEGRA Planning + Landscape Architecture**

707.545.5235 office

707.483.6464 mobile

[mike@integrapla.com](mailto:mike@integrapla.com)

[www.integrapla.com](http://www.integrapla.com)



INTEGRA Planning + Landscape Architecture remains open to serve our clients during this COVID-19 shelter in place order. We are working remotely and ready to assist you. We hope

you are safe and well.

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From: **Nancy** <[healdsburggal@sonic.net](mailto:healdsburggal@sonic.net)>

Date: Thu, May 27, 2021 at 12:48 PM

Subject: Note from Nancy - Winery Event Ordinance

To: Jacquelynne.Ocana@Sonoma-County.org <[Jacquelynne.Ocana@sonoma-county.org](mailto:Jacquelynne.Ocana@sonoma-county.org)>, [p.davis479@gmail.com](mailto:p.davis479@gmail.com) <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, [Todd.Tamura@Sonoma-County.org](mailto:Todd.Tamura@Sonoma-County.org) <[Todd.Tamura@sonoma-county.org](mailto:Todd.Tamura@sonoma-county.org)>, [Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com) <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>, [greg99pole@gmail.com](mailto:greg99pole@gmail.com) <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)> Cc: Tennis Wick <[Tennis.Wick@sonoma-county.org](mailto:Tennis.Wick@sonoma-county.org)>, James Gore <[james.gore@sonoma-county.org](mailto:james.gore@sonoma-county.org)>, <[lynda.hopkins@sonoma-county.org](mailto:lynda.hopkins@sonoma-county.org)>, Susan Gorin <[Susan.Gorin@sonoma-county.org](mailto:Susan.Gorin@sonoma-county.org)>, David Rabbit <[David.Rabbitt@sonoma-county.org](mailto:David.Rabbitt@sonoma-county.org)>, <[district3@sonoma-county.org](mailto:district3@sonoma-county.org)>

Good morning Commissioners,

Its been a long road, lots of meetings, workshops and testimony, I have three comments after reading the winery event ordinance draft:

First, please no amplified music necessary. This has such a huge impact, the way sound travels affects so many, so much, please, please, NO amplified music. Keep it off LIA parcels. If tasting rooms are in commercial zones, like many are, then fine. Extremely impactful in a very negative way to us in rural county. Amplified music is NOT farming noise.

Second, if winemaker dinners paired with wine at every course are going to be part of guest experiences here in Sonoma County, are you aware there is no reliable Lyft or Uber that will come out here little alone ten at night? Does our sheriff have the budget to increase patrols in our neighborhoods? How will wineries deal with the issue of their guests drinking and then driving? We can all agree that drinking and driving is not OK.

Third, there is something glaringly missing from this ordinance, and that is accountability. Publicly dismissed by the industry as not their job to self monitor; that responsibility must be part of this expansion of visitor uses the wine industry says they absolutely need to keep afloat. Lots of concern and conversation about this. Yet, so far this is it?

a website phone number, an annual postcard and yet another "pilot" program in Sonoma Valley?

Hey, we've been down this road with vacation rentals, and have learned a few things about visitor impacts. Please apply them here. County wide calendar, reporting, monitoring, annual review of % of use permits like Napa County.

Thanks once again for all your hours and hours you spend doing this work.

Best regards,  
Nancy Citro  
4160 Westside Road  
Healdsburg, CA

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From: ANNA NARBUTOVSKIH <[narbutovskih@comcast.net](mailto:narbutovskih@comcast.net)>

Date: Thu, May 27, 2021 at 6:56 PM

Subject: Winery Events Ordinance

To: [greg99pole@gmail.com](mailto:greg99pole@gmail.com) <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, [jacquelynnne.ocana@sonoma-county.org](mailto:jacquelynnne.ocana@sonoma-county.org) <[jacquelynnne.ocana@sonoma-county.org](mailto:jacquelynnne.ocana@sonoma-county.org)>, [p.davis479@gmail.com](mailto:p.davis479@gmail.com) <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, [todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org) <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, [Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com) <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>

Planning Commission:

I strenuously urge you to follow the General Plan by keeping agricultural lands, defined as the growing of crops and the rearing of animals, as agricultural. Winery event centers have no place in this. Wineries on land zoned as agricultural need to be restricted to the growing of grapes and the production of wine. Occasional visitors to wineries could be considered within the bounds of the agriculture zoning but tasting rooms are commerce. Tasting rooms, therefore, are outside this definition, and event centers are way out, detrimental to the people and wildlife who live here. If the goal of this ordinance is to maintain the rural character of the area while enhancing the economic viability of farms then move the tasting rooms to the major population centers such as San Francisco or Oakland or Berkeley where they'd get better foot traffic and more sales.

Our county is overwhelmed with weekend tourists to the wineries. The 101 corridor is choked with stop and go traffic, north all day Saturday and south all day Sunday. The local public good is being undermined by private profit to the wineries and event centers. Eliminating the traffic to the tasting rooms and the event centers would eliminate tons of carbon pollution and clear the air for our children. Please consider climate change and the consumption of water and energy, both of which are in short supply, when completing your regulations.

Anna Narbutovskih  
14288 Woodland Dr.  
Guerneville  
[narbutovskih@comcast.net](mailto:narbutovskih@comcast.net)  
707.869.9062

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From: t <[sloowlearner@yahoo.com](mailto:sloowlearner@yahoo.com)>  
Date: Fri, May 28, 2021 at 12:55 PM

Subject: Re: Winery Events Ordinance

To: [greg99pole@gmail.com](mailto:greg99pole@gmail.com) <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, [jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org) <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, [p.davis479@gmail.com](mailto:p.davis479@gmail.com) <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, [todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org) <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, [kevin.deas@deasproperties.com](mailto:kevin.deas@deasproperties.com) <[kevin.deas@deasproperties.com](mailto:kevin.deas@deasproperties.com)>

Dear Planning Commissioners  
Please do the following:

1. Remove loopholes that allow the Wine Industry to expand hospitality and entertainment uses without environmental review.
2. Ensure no retroactive authorization to grandfather existing or allow new unapproved hospitality uses
3. Add siting criteria to address neighborhood compatibility and road safety, while preventing new areas of over-concentration.

Sincerely,  
Tim Lantarna  
Santa Rosa  
95407

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From: <[carolvsr@sonic.net](mailto:carolvsr@sonic.net)>

Date: Sun, May 30, 2021 at 2:46 PM

Subject: Winery Event Ordinance

To: <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>

Cc: - <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>

As you know traffic & noise are not what people living in rural areas expected when they purchased their home. Now many tasting rooms and hospitality activities have been approved –many that already had a negative impact on the area. The county in my opinion, did not take into account neighborhood compatibility, road safety, noise , etc. Never should outdoor amplified sound be allowed. I am confident that the planning commission will make the right choices. Neighbors do have a right to the peaceful enjoyment of their land.

Regards,

Carol Vellutini

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From: **Laura Morgan** <[thesquig@yahoo.com](mailto:thesquig@yahoo.com)>

Date: Tue, Jun 1, 2021 at 2:38 PM

Subject: The Winery Event Ordinance hearing on June 3rd

To: <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, <[kevin.deas@deasproperties.com](mailto:kevin.deas@deasproperties.com)>, <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>,

<[pamela.davis@sonoma-county.org](mailto:pamela.davis@sonoma-county.org)>, <[Jacquelynn.Ocana@sonoma-county.org](mailto:Jacquelynn.Ocana@sonoma-county.org)>

Cc: <[jpseward@gmail.com](mailto:jpseward@gmail.com)>

Dear Commissioners,

In addition to our concerns below, we would like to request that you consider limiting wineries on Ag land to marketing only Sonoma County-sourced grapes/wines.

And as background, that you consider the estimate that over 80% of Sonoma County wineries are now owned by large corporations, many of them headquartered out of state, let alone out of county.

Many thanks,  
Laura Morgan and Jim Seward

Dear Commissioners,

Thank you for all your hard work and loving care of our Sonoma County community and environment.

We ask that in crafting a Winery Event Ordinance, you maintain the General Plan's intentions and policies to safeguard rural character and focus commercial interests within city limits.

Toward that end, we support a winery event ordinance that **includes definitions with specific criteria that cover ALL hospitality and event uses, regardless of any industry labels.** All forms of activities and events have an impact on rural neighborhoods.

We also request that you **require a minimum access road width of 20 feet, for emergency vehicular traffic; a 20-acre minimum parcel size for any new wineries,** to reduce impact on neighbors and their water supplies; **a density limit of 2 wineries per half mile,** to prevent over-concentration of traffic, noise, and commercial activity in rural neighborhoods; and a **ban on outdoor amplified sound.**

Please protect Ag land for agriculture by **preventing conversion of wineries to restaurants and resort accommodations.** Please set **limits on event size and the number of events per winery per year** (even "trade" events). Event **noise should also specifically be limited to 10 PM,** as is customary.

Food service should be **limited to bite-sized appetizers paired with wine.** There should be **no commercial kitchens or meal service outside the hours of specific, permitted events.**

When assessing noise impacts of winery events, **sound measurements should be taken from a neighbor's property line.** Property owners deserve the right to enjoy their land in peace.

Many thanks for your attention and efforts in this matter,

Laura Morgan and Jim Seward  
2821 Dyer Ave  
Sebastopol, CA  
95472  
(510) 926-0351

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From: **Anna Ransome** <[ransome@sonic.net](mailto:ransome@sonic.net)>

Date: Tue, Jun 1, 2021 at 6:17 PM

Subject: Draft Winery Event Ordinance Comments from FOG

To: <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, <"Jacquelynne Ocana" <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, Pam Davis <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, Todd Tamura <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>

Dear Commissioners:

This long-overdue ordinance is of utmost importance for the future of Sonoma County. We cannot destroy the appealing rural nature of our county by opening up our ag lands to commercial/industrial scale event centers and non-ag related events. Wise planning is necessary to balance the rights of residents to the peaceful enjoyment of their properties and the rights of the wine industry to keep their businesses viable and able to compete. Please do not take a page from the awkward and unproductive cannabis ordinance development workbook. That has been an unmitigated disaster resulting from industry having exclusive access to staff and from neighbors being left out of the process. The backlash was inevitable and unavoidable.

Just because our General Plan update is long overdue is no reason to ignore how far out of compliance we are with our current plan. We should be making attempts to scale back development until there is a template that brings all the issues into consideration. There are far more tasting rooms permitted than were anticipated in the last update and that should be a sign that a pause in approvals is necessary until the impacts of adding more are studied. Because there has been inadequate oversight of this runaway development of facilities, many wineries have taken advantage of the lack of enforcement. These should not be given the rights to continue flaunting regulation. This rewards bad behavior and constitutes unfair business practices penalizing those who stayed in compliance with their use permits.

The current climate change crisis, not a "drought" but a permanent change according to many scientists, should be the driving force behind all land use decisions in Sonoma County. This includes anticipating more frequent wildfires, which means paying attention to roads that are safe for evacuations and emergency vehicle access at the same time. Cal Fire regulations require 20 foot minimum road width and the ordinance needs to comply with state regulations for the safety of all.

Noise impacts are significant and are difficult to mitigate, no matter the distance. Where I live I can hear festivals in Sebastopol 5 miles away. Sometimes I can actually understand the lyrics with the right wind direction. Amplified sound is unnecessary and should not be allowed for winery events. The idea of freeway-style sound walls is an aesthetic and environmental disaster. Setbacks should be measured to the property line of residences to allow neighbors use of their entire property and events should end by 10 p.m.

My restaurant would have never survived if wineries were allowed to have meal service. This is a potential disaster for local establishments, now struggling to recover from Covid restrictions. Meal service should not be allowed except for special events and full restaurant style kitchens should be banned. These increase the need for water and septic and contribute to the covering of viable ag land.



To discourage over-concentration, limit amounts of wineries to no more than two in a half-mile section of roadway.

Thank you for consideration of my comments.

Anna Ransome for Friends of Graton (FOG)  
47 year resident and 3x business owner in Sonoma County

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From: **Charles Collins** <[cb\\_collins133@comcast.net](mailto:cb_collins133@comcast.net)>

Date: Wed, Jun 2, 2021 at 8:38 AM

Subject: Finalizing winery development policies

To: <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, <[p.davis479@gmail.com](mailto:p.davis479@gmail.com)>, <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, <[Kevin.Deas@deasproperties.com](mailto:Kevin.Deas@deasproperties.com)>

Along with other **Preserve Rural Sonoma County** supporters, we are advocating for the inclusion of the following policies and requirements in any final ordinance determining the future expansion of wineries and wine industry hospitality activity in Sonoma County:

1) **Definitions** – with specific criteria and covering ALL hospitality and event uses, regardless of whether the industry labels them an Activity or Event.

2) **Siting Criteria** -

- Minimum Road width of 20 feet to support emergency vehicle access
- 20-acre minimum parcel size for new wineries to reduce impact on neighboring residences and wells
- Density standard of no more than two wineries per ½ road-mile to avoid cumulative impacts and keep areas from becoming over-concentrated.
- No outdoor amplified sound'

3) **Operating Standards** -

- Retain the County's current practices as to identifying the number, size, and limits so event noise does not extend past 10 pm.
- Food service (other than for events) should be limited to appetizer size bites for food pairing. No daily service of meals (other than approved events).

4). **Limit noise impacts** -

- No Outdoor amplified sound (except with zoning permit) and stop the reliance on sound walls.
- Measure sound / noise level at property lines.

We respectfully submit the above for your consideration,

Kay Marshall & Charles Collins  
101 Harris Hills Drive  
Sebastopol, CA 95472

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**Public  
Comments  
received after second distribution  
for PC Hearing  
6-3-21**

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**From:** bluetruthe <bluetruthe@aol.com>  
**Sent:** June 01, 2021 7:09 PM  
**To:** PlanningAgency <PlanningAgency@sonoma-county.org>  
**Subject:** amendments to the County Code, Chapter 26

**EXTERNAL**

Dear Commissioners,

There's no need for me to voice my personal opinions when Kathy Pons at VOTMA below states my viewpoint so eloquently. I fully agree with her assessment and hope you take the burden of the communities you represent into strong consideration. I've lived here since 1988 and the wineries, wine tasting, events, traffic congestion and parking congestion has grown remarkably. It has infringed on my family and other families' peaceful living in Kenwood. Full parking lots, streets blocked with limos, difficulty getting out on highway 12 at all times, on and on. Please give residents some relief. Please note these well written thoughts below are shared with much of the community as well as my family.

Thank you for your consideration.

A Kenwood resident

This Thursday at 1:50 the Sonoma County Planning Commission will consider amendments to the County Code, Chapter 26, adding standards for new winery visitor serving uses on lands zoned Land Intensive Agriculture, Land Extensive Agriculture, and Diverse Agriculture, outside of the coastal zone.

Attn: Sonoma County Planning Commissioners

Re: Winery Event Ordinance Hearing June 3, 2021

Dear Commissioners,

Valley of The Moon Alliance (VOTMA) has been concerned about the Winery Events issue since 2004 when we conducted a study called "The Potential for Events Facilities on Agricultural Land in the

Sonoma Valley – Choices for the future.” It examines the potential, under present zoning, for a growing number of visitor-serving and event facilities on Agricultural lands in Sonoma Valley. Just looking at the valley floor from Kenwood to South Valley there was a potential of 400 facilities. That potential has not changed. What has changed is the marketing of wine and the apparent need for ‘direct to consumers’ contact to sell wine. This is where visitor-serving uses and events have exploded in the last 10 years. The imagination was the only limit. More visitors mean more impacts from noise, traffic and congestion to the rural neighborhoods. Choices for the future have been kicked down the road for too long. We are finally getting a first look at a county ordinance with some resource-based use standards. We appreciate this long-awaited draft ordinance, but feel there may need to be some modifications to achieve the intended goals of protecting the primacy of agricultural production on agriculturally zoned lands, providing clarity on standards for visitor services to the wine industry as well as limiting the impacts to rural roads and neighborhoods.

We agree with the detailed comments and suggested changes submitted by Preserve Rural Sonoma County (PRSC) on May 26, 2021, including the redlined draft ordinance. Some of these changes include revising definitions to close loopholes, such as Agricultural Promotional Events and Winery Visitor Serving Activities. Both are intended to sell wine to visitors so what are the differences? Wine tasting and sales should be limited by the tasting room hours, like a retail store with hours of operation. If marketing to visitors or trade partners is done after tasting room hours or involves a sit-down meal, it should be considered an event. Perhaps a maximum number of visitors, say 30, could be established to minimize the impacts of these visitors if the site can accommodate this number with on-site parking, septic capacity and emergency access.

Another important point to emphasize is that this ordinance should not give additional entitlements to wineries with existing use permits. Unless a winery with an existing use permit reapply to modify their use permit using this ordinance, they are bound by their existing use permit terms. The current evolving trends in marketing may not have been included in the descriptive use permit. It means what is allowed is described in the use permit, if it is not described, it is not allowed. In order to support the County’s contention that the ordinance does not create an intensification of use that would require CEQA review for ordinance adoption, it should explicitly state that the provisions of this ordinance do not confer any visitation related entitlements over what is currently specified in writing and approved in a winery/tasting room’s current use permit.

Thoughtful consideration of wine industry marketing need to be spelled out by the county ordinance in order to balance the projected needs of the wine industry with the protection of agricultural zoned lands for the production of crops and not visitor-serving uses which are presently to be “incidental and secondary” to agriculture production in Sonoma County.

Thank you for your thoughtful consideration.

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**From:** [Jim DeBonis](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Permit Sonoma Winery Events Ordinance  
**Date:** Tuesday, June 1, 2021 1:43:14 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.png](#)

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## EXTERNAL

As a winery that has a long history of events, the one issue with the proposal is clean up between 9:30 and 10:00 pm. That is basically impossible. For example, to break down table and chairs for an event that had 150 people, as well as all the janitorial and kitchen clean up, 30 minutes is not enough time. Also, many wineries will use a third party janitorial/cleaning services that come in on a grave shift. I think the point of the event must be over by 10:00 pm with guests departed is the important criteria and is absolutely fair.

Jim Debonis Chief Operating Officer, Trentadue Winery



Phone: [\(707\) 433-3510](tel:7074333510)  
Website: [www.trentadue.com](http://www.trentadue.com)  
Address: 19170 Geyserville Ave  
Geyserville, CA 95441



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**From:** [Wendy Krupnick](#)  
**To:** [greg99pole@gmail.com](#); [Jacquelynn Ocana](#); [p.davis479@gmail.com](#); [todd.tamura@sonoma-county.org](#); [Georgia McDaniel](#); [Hannah Spencer](#); [PRMD-WineryEvents](#)  
**Cc:** [Tennis Wick](#); [district3](#); [district5](#); [district4](#); [Susan Gorin](#)  
**Subject:** Re: Draft Winery Event Ordinance  
**Date:** Thursday, June 3, 2021 3:35:59 PM

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## EXTERNAL

Dear Planning Commissioners and Planners,

I regret that no one else from CAFF was able to comment at the hearing today so I could make personal comments as well. I probably should have submitted my personal comments last week, but am doing so now.

A good friend has been the event coordinator at a well-established local winery for many years. I asked her what she thought about winery events. She said that the shift in marketing they had to do during the pandemic was a complete blessing. Their sales have significantly **increased** and profits even more so by NOT hosting any large events. They started hosing small groups by reservation only during regular tasting room hours and put energy into on-line sales. Expenses, staff time and stress levels have greatly decreased and their customers are having a much better experience.

I feel that the wineries complaining that they will go out of business if they can't host large parties are not creatively committing to their core purpose - to grow quality grapes and produce great wine. Instead they feel they need to be in the hospitality/entertainment business to make ends meet. This is not the business that ag zones are designated to provide.

Thanks for your attention to this difficult issue.

Wendy Krupnick

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**From:** [Jennifer Mendoza](#)  
**To:** [PlanningCommission](#)  
**Subject:** FW: Constituent Matter: a possible addendum to the winery permitting proposal  
**Date:** Tuesday, June 8, 2021 2:14:18 PM

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-----Original Message-----

From: no-reply@sonoma-county.org <no-reply@sonoma-county.org>  
Sent: Friday, June 4, 2021 1:53 PM  
To: district4 <district4@sonoma-county.org>  
Subject: Constituent Matter: a possible addendum to the winery permitting proposal

Sent To: County of Sonoma  
Topic: Constituent Matter  
Subject: a possible addendum to the winery permitting proposal  
Message: Dear James and Jenny

In a recent PD article Mike Martini of Taft Street suggested that wineries to just expand a crush pad or other production related facility should not have to go through a complete review by planning This make sense and I wonder if it is just too late in this drafting process to incorporate this idea in the final winery policy Thank you in advance for your thoughts

Sender's Name: andy  
Sender's Email: andy@duxoup.com  
Sender's Cell Phone: 7075375033  
Sender's Address:  
9611 w dry creek rd  
Healdsburg, CA 95448



**Public  
Comments  
for PC Hearing  
7-15-21**

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**From:** vicky@amistavineyards.com <vicky@amistavineyards.com>

**Sent:** July 14, 2021 4:45 PM

**To:** PlanningAgency <PlanningAgency@sonoma-county.org>

**Subject:** Draft Ordinance on Winery Events - ORD16-0001

## EXTERNAL

RE: File Number [REDACTED]

Dear Chair Tamura and Commissioners,

On July 14 you are considering a proposed winery events ordinance that has three major challenges:

1. It needs to be aligned with the resolution passed by the BOS in Oct. 2016.
  - a. The ordinance should include County-wide definitions only.
  - b. Siting criteria and limits should be removed and included in local guidelines and individual use permits.
2. It needs to be simpler and clearer.
  - a. It has been nearly a decade since then Supervisor Mike Maguire asked a group to create a set of definitions for winery events.
  - b. It is inevitable that countless hearings, study sessions, public workshops, winery working groups and hundreds of staff hours have resulted in a proposed ordinance that is long, complicated, and confusing.
3. Limits that are embedded in some of the definitions need to be removed.
  - a. Definitions should be just that - definitions - as stated by Commissioner Carr in his letter of Feb. 15, 2021, to Brian Oh,  
*"1. Keep the definitions simple, using examples to support them. 2. Avoid placing regulations within the definitions. This has been causing some confusion among stakeholders."*
  - b. Definitions need to be rewritten to eliminate all limits.

Based on my experience on the Dry Creek Valley CAC and in working with neighbors and wineries to craft the Guidelines adopted by the DCVCAC in 2017, I respectfully, propose two possible options:

1. Vote no on the resolution and encourage local groups to develop guidelines for their areas.
2. Ask staff to come back with an ordinance that includes definitions only.
  - a. Instruct them to start with the definitions developed by the Sonoma County Vintners. Members of the wine community are the only ones who understand the nuances of their business operations and are best able to draft relevant definitions. The staff can then tweak the definitions in ways that are consistent with land use planning conventions.
  - b. Ensure the county definitions do not conflict with definitions approved by the DCVCAC (the only definitions that have been officially approved and in use for the last four years).

With respect,  
Vicky Farrow

Vicky Farrow, Proprietor  
Amista Vineyards  
3320 Dry Creek Road  
Healdsburg, CA 95448  
707.431.9200



*Amista ~ making friends*



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**Attachments:**

[PRSC5 winery ordinance5-28PS.pdf](#)  
[Exhibit B PRSC redline markup 5-26.pdf](#)

----- Forwarded message -----

From: **Marc Bommersbach** <[mbommersbach@att.net](mailto:mbommersbach@att.net)>

Date: Wed, Jul 14, 2021 at 3:49 PM

Subject: Preserve Rural Sonoma County comments on Winery Event Ordinance

To: Todd Tamura <[todd.tamura@sonoma-county.org](mailto:todd.tamura@sonoma-county.org)>, Gregory N Carr

<[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>, Kevin Deas <[kevin.deas@deasproperties.com](mailto:kevin.deas@deasproperties.com)>, Jacquelynne

Ocana <[jacquelynne.ocana@sonoma-county.org](mailto:jacquelynne.ocana@sonoma-county.org)>, [ejklaw@yahoo.com](mailto:ejklaw@yahoo.com) <[ejklaw@yahoo.com](mailto:ejklaw@yahoo.com)>

Dear Commissioners,

Attached are the comments of Preserve Rural Sonoma County (PRSC) regarding the Staff's proposed winery event ordinance (sent prior to June 3 hearing).

PRSC greatly appreciates the County's efforts to conclude a winery event ordinance that codifies many of the County's practices for review and approval of winery use permits.

1. in general PRSC supports the Staff's proposal for definitions and operating standards submitted for the June 3 hearing with the clarifications outlined in the attached letter. Significant points as follows:

- a. All parties are events
- b. Trade meetings are treated like other gatherings with respect to classification as event - after hours or serving a meal is an event
- c. All assessment of noise is done at the property line of adjacent properties

2. The Commission should adopt additional siting criteria as part of the ordinance including:

- a. 20 acre minimum parcel size
- b. 18-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

Thank you for your consideration of this important matter.

Marc Bombersbach

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July 14, 2021

To: Sonoma County Planning Commission  
Georgia McDaniel, Planner

cc: Tennis Wick, Director Permit Sonoma

Supervisors Lynda Hopkins, Chair; Susan Gorin, David Rabbitt, Chris Coursey, James Gore

Re: Draft Winery Events Ordinance

Dear Planning Commissioners and Ms. McDaniel,

Community Alliance with Family Farmers Sonoma County has reviewed the chart prepared by Planning staff comparing proposed definitions and standards for inclusion in the Winery Events ordinance. We are submitting the following recommendations for these definitions and standards. In addition, there are aspects of this issue which have been called for by the public that are not addressed in this chart as well as some key points we have submitted in earlier letters that we would like to emphasize again.

**Key points:**

- It is imperative for future food security, for carbon and water capture, and to preserve the agricultural economy and character of Sonoma County that all land zoned for agriculture be protected for agricultural production, and that this protection must guide all regulations for uses in these zones.
- All activities *except for* drop-in and by-appointment sales and tastings, tours during tasting room hours for individuals or small groups, and invitation-only business meetings specifically focused on the wine industry with less than 25 attendees should be classified as “events.”
- Size of winery, tasting room, parking lots and other visitor serving areas must be *proportionate* to winery production capacity, which must be based on wine grape production acreage on site or sites owned within the immediate proximity.
- The County should encourage agricultural diversification and allow a variety of farm-produced products to be sold on-site. The ordinance should have clear definitions and be enforceable.
- In order to provide clarity for all, to be enforceable and prevent more areas of over-concentration, the Ordinance, with definitions and standards, should apply county-wide.
- Monitoring and enforcement are a critical part of ordinance and must be included in the Ordinance.

**Recommendations from Permit Sonoma Chart:**

*Definitions:*



Commercial kitchens - Explicitly not allowed in ag zones so no definition associated with a winery in an ag zone is appropriate.

Winery - May not include commercial kitchen. Use Sonoma Valley definition but substitute "fruit" for "grapes". (Cideries are technically wineries and subject to same regs).

Winery events - Use County definition

Ag Promo events - Use County definition

Industry-wide events - Use Sonoma Valley definition

Sales activities - Use Public Sales part of Dry Creek definition. Pick up parties, winemaker dinners, etc. **are events**, not regular activities.

Wine trade activities - Must be limited to by invitation only meetings and seminars. Can be earlier than tasting room hours but no later than 5:00.

Wine trade event - Any parties or celebrations, or gatherings that happen after 5:00 are events and must be included as such in the Use permit.

#### *Standards:*

Sizing of activities/events & max # of days - Use combination of County and Sonoma Valley. Add limitation based on road access and proximity to main arteries and cities to reduce Vehicle Miles Traveled by visitors and staff.

Hours of operation - Use Sonoma Valley and add clarification that regular wine trade activities end at 5:00.

On-site parking - Use County standard and add that capacity for visitors must be tied to volume of on-site agricultural production as well as road accessibility and water availability. No land may be taken out of potential production for parking or other visitor accommodations.

Food service - Use Sonoma Valley standard but allow daytime on-site food prep for wine and food tastings in catering kitchen.

Traffic management - Use Sonoma Valley standard but add accounting for traffic from neighboring wineries and other event centers.

Access - Use Sonoma Valley standards.

Concentration - Enforce GP AR-5g with **maximum** of 2 wineries per half mile and apply county-wide to prevent new areas of over-concentration. Permit Sonoma should research additional methods of preventing more areas of over-concentration.



Event Proposal - Use Sonoma Valley standard.

Maximum size for Tasting Associated areas - Use Sonoma Valley and see On-site parking, above.

Maximum Winery Size - Use Sonoma Valley standard

Minimum Parcel Size - Use Sonoma Valley standard

Water use - Zero net increase in water use for visitor services must be required.

Source of wine grapes - At least 75% of fruit processed should be grown **on site or in the immediate vicinity**. (Not appropriate to be trucking in and processing fruit from other parts of the county. This is an industrial use and such facilities should be in industrial zones.)

As we have previously noted, although many farmers and ranchers welcome the opportunity to host the public and educate them about their products and practices, the business of hospitality is not the same as the business of agriculture. We believe the multiple benefits of preserving agricultural lands for agricultural production are essential for the long-term health of our society, our economy and our planet.

Sincerely yours,

Wendy Krupnick, Vice president, CAFF Sonoma County



---

**From:** Terry Harrison <terrydh9@gmail.com>

**Sent:** July 14, 2021 4:04 PM

**To:** PlanningAgency <PlanningAgency@sonoma-county.org>; Georgia McDaniel  
<Georgia.McDaniel@sonoma-county.org>

**Subject:** Winery Events Ordinance

### Future Winery Event Permits.

We need to know the impacts on water and climate before creating a new ordinance.

We are now well into the emergency caused by global warming. Our prior winery event regulations and those proposed by Permit were developed before we experienced the temperature extremes, low humidifies, fires and droughts that are now happening regularly. Therefore, it is recommended that no more applications for winery events be considered until the overall impact of the current events and those likely would be approved under the draft ordinance can be considered along with the impact of increases in population. The projected climate impacts would include roads and buildings necessary to serve the events and current and projected impacts of VMTs from visitors attending events in our county along with a water study determining how much water is associated with current events and projected under the proposed ordinance. These studies would take into consideration increases due to additional employees serving winery events.

These water and climate impact studies could then be used for a county wide study of projected water usage including present water permits and an estimate of illegal water uses of which there are a great many and the additional water and climate impacts for the residents that ABAG is requiring the county house and the impacts from an increase in cannabis growing.

We will then have a better idea of how additional winery events would impact water and climate change in Sonoma County. It is altogether possible we have

reached our limits already without additional winery events. A CEQA study would probably be the best method of making these determinations.

Terry Harrison

[terrydh9@gmail.com](mailto:terrydh9@gmail.com)

707-433-6802

1517 Spruce Way Healdsburg CA95448

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From: **Kathy Pons** <[282kpons@gmail.com](mailto:282kpons@gmail.com)>

Date: Wed, Jul 14, 2021 at 2:25 PM

Subject: Winery Event Definition

To: Greg Carr <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>

I don't want to compromise you but would it be ok for me to ask a question?

In the spirit of the old event definition, I wonder if something like that below might help clarify what's an event.

If any one of the following is involved in a gathering of people, it would be considered an event:

- Pre-scheduled - by appointment or invitation
- More than 30 people at a time (includes bus loads)
- If a meal is served - food and wine pairing with sample size portions are ok.
- Outside of tasting room hours
- If outside amplified music

You can tell me tomorrow at the meeting if helpful.

Thank you for all the work you have done on this issue...

Kathy

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**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving activities and winery events. Current use permit holders shall be limited to the visitor and hospitality uses specifically allowed in their use permit conditions. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
  6. **Winery Events** means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite ~~and/or in the area~~ and are consistent with General Plan Policy AR-

6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.

7. **Agricultural Promotional Events** are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release/pick-up parties, harvest and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, ~~winery or tasting room owner(s), winery employees, and tasting room employees.~~
10. **Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
11. **Sales Activities** are wine tasting, pickup parties, tours, seminars and other similar hospitality related activities that support the promotion of wine sales excluding winery events.
12. **Wine Trade Activities** are by-invitation meetings, seminars, harvest parties-wine tastings and similar activities excluding winery events, and attended only by wine trade partners and are not advertised to the consumer.

E. Operating Standards.

1. Winery Visitor Serving Activities. Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the tasting room hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
2. Winery Events. Winery events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and other operational requirements specified in the use permit.
3. Sizing, permissibility and other parameters of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.
4. Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.
  - a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.

- b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.
  - (1) Sales Activities: 10 am – 5 pm.
  - (2) Wine Trade Activities: ~~8~~10 am – ~~4~~5 pm.
- c. Winery Events. The maximum hours of operation for events are specified below by event type.
  - (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:~~30~~00 pm – 10 pm or as otherwise specified in Use Permit conditions.
  - (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.
- 5. Wineries and tasting rooms shall not be rented out to third parties for events.
- 6. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:
  - a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
  - b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.
  - c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.
  - d. No parking is permitted along any public or private roadways or on shared vineyard roads.
- 7. Food Service. Food service is allowed as specified below.
  - a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.
  - b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
  - ~~e.~~ Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events ~~\_-~~.
  - ~~d-c.~~ Prepared meals featuring local foods and food products is allowed in conjunction with ~~wine trade activities and~~ winery events.

e.d. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:

- (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
- (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
- (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
- (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.

8. Event Coordination and Traffic Management.

a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:

- (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
- (2) Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.

b. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:

- (1) Provisions for event coordination to avoid local traffic delays.
- (2) Parking attendants for each day of the event.
- (3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.
- (4) A plan for on-site parking requirements and queuing of traffic.
- (5) Enforcement of the on-street parking restrictions.
- (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.
- ~~(6)~~

9. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified music, or loud instruments such as brass instruments, horns, or drums	1,600 feet

Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise Element due to intervening structures or natural features, ~~available open land on noise sensitive parcels~~, or by incorporating noise mitigation measures.

F. Siting Standards:

1. Parcels for new winery and tasting room development shall be at least 20 acres in size
2. New winery and tasting room project locations cannot result in more that two facilities within a ½ mile distance.
3. Project access shall be off public roads with a minimum 18-foot width
4. Outdoor amplified sound is prohibited





May 28, 2021

County of Sonoma  
Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa CA 95403

Attn: Tennis Wick, Scott Orr, Brian Oh, Georgia McDaniels

RE: Winery Event Ordinance Hearing, June 3, 2021,

Dear Director Wick,

Preserve Rural Sonoma County (PRSC) appreciates the opportunity to provide comments on the Winery Event Ordinance (red line mark-up attached). To meet the County's objective to avoid CEQA review for this Ordinance, the changes proposed in this letter and the attached red-line mark-up address the concerns of many rural residents who have been impacted by tasting rooms as they have morphed from drop in, stand-up tasting, to venues that offer seated wine and food pairing, meals, and potentially thousands of events.

PRSC's proposed changes will reduce land use conflicts in rural communities and provide clarity and more specificity to the County's winery permitting process by:

1. Revising definitions to close loopholes, remove inconsistencies and enhance enforcement.
2. Clarifying the ordinance to ensure any additional entitlements are conferred only under a modification to an existing use permit, with appropriate project-specific environmental review.
3. Adding siting criteria to address neighborhood compatibility and road safety issues, while preventing new areas of over-concentration.

These changes will not limit the wine industry's ability to grow and to adapt to future business conditions.

#### Background

The need for the Winery Event Ordinance grew out of concerns that the proliferation of tasting rooms and events in rural areas had gotten out of hand – resulting in significant public safety and environmental impacts. The objective of the Ordinance, as codified in the General Plan, is to create clear standards to manage winery hospitality and events on agricultural land and to address unauthorized promotional uses.

The Ordinance was never intended to expand or intensify visitor serving uses, however, efforts to reclassify what have been historically deemed as “events” to “tasting room activities,” and allowing “daily events”, would create a significant expansion of entitlements for promotional uses that have been included in hundreds of Use Permits approved over the last several decades.

PRSC appreciates the efforts, both past and present, of Permit Sonoma, Planning Commissioners and the Supervisors, to regulate hospitality uses through Use Permit-based project approvals that clearly specify the size, number, type, and time of day for all uses beyond normal drop-in or by appointment wine tasting. Citizens rely on these criteria and standards to maintain the peace, well-being, and safety of our roads and neighborhoods.

Loopholes in the “Definitions:” section should be closed. For example:

“Parties” are events – The County has long considered parties held for visitors (not employees) to be “events”. These include release/pick-up parties, wine club parties, harvest parties or other holiday or cultural parties. According to the dictionary, the definition of a party is: ***a social gathering of invited guests, typically involving eating, drinking, and entertainment***. The proposed ordinance correctly defines release parties and wine club parties as Agricultural Promotional Events, however, pick-up parties and harvest parties, are listed as activities. This is clearly contradictory, confusing, and inconsistent with past practices. The definition of Ag-promotional events should include all four of the listed “parties” (or any other type of party held for visitors) as “events”. The rather vague and overly broad term “and other hospitality related activities” should be removed or clarified as to what hospitality uses are envisioned in the term “other”.

All visitor gatherings, including Wine Trade Activities, held after tasting room hours or where a meal is served should be considered to be an event - The draft ordinance recognizes the County’s long-standing policy that any gathering of visitors after tasting room hours or where a meal is served constitutes an event.

The after-hours limitation is an important provision, particularly for tasting rooms in rural areas. Long duration drinking past 5 pm - into the cocktail and dinner hour - has the potential to create both evening disruption in neighborhoods and road safety issues on lightly-patrolled rural roads. Excluding winemaker lunches, dinners and evening gatherings for the trade from the “after tasting room hours” limitation creates an entitlement to an unlimited number of these events. It also creates a loophole for enforcement, because there is no way to determine if a winemaker dinner was an event solely for the trade or just another promotional event. The impacts from events are the same regardless of what is on someone’s business card. Furthermore, given the County’s long history of limited enforcement, this is a clear opportunity for abuse.

If a winery’s business plan requires lunches and dinners and after-hours gatherings for the trade, these events can be included and evaluated in the event totals requested in the Use Permit application process.

A winery use permit should not allow events on parcels disassociated from the winery – Section D.6. defines Winery Events as events held at wineries and tasting rooms. However, it also makes the conflicting statements that they can “occur on site and/or in the area”. Besides contradicting the first statement, this phrase has the effect of allowing events to be held on parcels geographically disassociated from the winery. The reference to “or in the area” should be removed, otherwise hundreds more parcels, with no protection from a use permit, could be opened up for events. Wineries have the ability to request a zoning permit for a limited number of events in other areas.

Clarify that the Ordinance cannot confer additional entitlements to existing use permit holders

In order to support the County’s contention that the ordinance does not create an intensification of use that would require CEQA review for ordinance adoption, it should explicitly state that the provisions of this ordinance do not confer any visitation related entitlements over what is currently specified in writing and approved in a winery/tasting room’s current use permit.

In addition, it is our opinion that, without the changes proposed in this letter and the redlined mark-up the items listed below, the ordinance DOES in fact change to the County’s “current application review practices,” a finding that would trigger CEQA review for the ordinance due to the following changes:

1. Reclassification of gatherings after tasting-room hours, or with service of a meal, to Wine Trade Partners as “activities” instead of them being specified as “events”
2. The classification of some categories of parties as Winery Visitor Serving Activities and part of normal tasting room business operations
3. Modifying “noise setbacks” to allow a portion of the attenuation distance to be measured on adjacent properties, which is inconsistent with the General Plan Noise Element and the County’s current use permit review practice that measures noise element compliance at the property line.

To avoid the need for CEQA review, the ordinance must correct the above listed changes to “current application evaluation practices”, and clearly state that these definitional changes will only expand the uses that are specifically allowed under current use permits by permit modification.

Additional siting criteria need to be added

Siting criteria, such as minimum road width and parcel size, and a separation or density standard have always been included as part of the ordinance discussions. By setting Siting Criteria, the Ordinance would help the County to screen out projects that would likely be unable to meet mitigation requirements in the use permit process. This early project screening would protect local residents and reduce the risk to developers who may

otherwise spend considerable resources before coming up short in the decision process. It would also relieve staff, commissioners and the public from having to review contentious projects that have significant challenges for approval.

PRSC proposes the following four siting criteria that would address many of the issues raised in stakeholder discussions:

1. Access off minimum 18-ft. wide County roadway
2. 20-acre minimum parcel size for new wineries
3. Separation criteria of no more than two winery driveways in ½ mile
4. No outdoor amplified sound, except under a limited number of events per a zoning permit

Minimum 18 ft. roadway – This requirement was discussed in the Winery Working Group that included first responder personnel, and it was generally agreed between the community groups and wine industry that for, new winery applications, there should be sufficient access/egress for both visitors and emergency vehicles.

20-acre minimum parcel size – In agricultural areas the minimum zoning is generally 10 acres for DA and 20 acres for LEA and LIA zones. However, there are a number of parcels in all ag zones that are well below this threshold and that already have use permits. These small parcels present a challenge because they are usually surrounded by residences, are often located on rural lanes with poor access, and draw water from wells that are in close proximity to neighbors' wells. The 20-acre minimum is included in the Dry Creek guidelines and SVCAC guidelines. A 20-acre minimum standard would reduce many of the siting issues associated with smaller parcels. Permit Sonoma and the BZA are already starting to informally consider this criterion in project reviews.

Separation criteria – a separation criteria that allows a maximum two wineries in a ½ mile stretch of roadway would not only address the over-concentration of winery facilities in the identified areas of concentration, but it would lessen the potential for other areas in the County to become over concentrated over time. Both the City of Healdsburg and the City of Sonoma have enacted standards to address over-concentration of tasting rooms in their jurisdictions, and the Sonoma Valley CAC includes the proposed standard as well. The BZA has also now begun to consider density in project approvals.

No outdoor amplified sound – In rural areas sound can travel significant distances - greater than the 1600-foot setback recommended by the sound consultant. Even with applicant-monitored "mitigation," amplified sound can be very disruptive to the neighborhood. This is why the vast majority of use permits prohibit outdoor amplified sound.

## Summary

With the changes proposed in this letter, including the revisions incorporated in the attached markup, the Ordinance would not restrict the expansion of visitor serving uses in ag-zones overall. The County would continue to issue use permits, and use permit modifications, with project-specific CEQA review. And the County would retain the right of discretionary review that limits development on specific parcels where environmental, safety and neighborhood compatibility, or cumulative impact issues cannot be addressed.

Ideally, an Ordinance with clear definitions and siting criteria would direct development into areas where it can have fewer impacts and, in order to be in compliance with CEQA, the ordinance would not allow current use permit holders to engage in new or unspecified visitor serving uses without first securing approval through a use permit modification.

Thank you

Preserve Rural Sonoma County

Attachment: Redline comments

From: **Kathy Pons** <[282kpons@gmail.com](mailto:282kpons@gmail.com)>

Date: Wed, Jul 14, 2021 at 2:25 PM

Subject: Winery Event Definition

To: Greg Carr <[greg99pole@gmail.com](mailto:greg99pole@gmail.com)>

I don't want to compromise you but would it be ok for me to ask a question?

In the spirit of the old event definition, I wonder if something like that below might help clarify what's an event.

If any one of the following is involved in a gathering of people, it would be considered an event:

- Pre-scheduled - by appointment or invitation
- More than 30 people at a time (includes bus loads)
- If a meal is served - food and wine pairing with sample size portions are ok.
- Outside of tasting room hours
- If outside amplified music

You can tell me tomorrow at the meeting if helpful.

Thank you for all the work you have done on this issue...

Kathy

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**Public  
Comments  
after PC Hearing  
7-15-21**

**From:** [Mike Martini](#)  
**To:** [PRMD-WineryEvents](#)  
**Cc:** [Georgia McDaniel](#); [Tennis Wick](#); [Eric Koenigshofer](#); [Kevin Deas \(Kevin.Deas@deasproperties.com\)](#); [Greg Carr](#); [Todd Tamura@gmail.com](#); [Jacquelynn Ocana](#)  
**Subject:** Winery Events Comparison Chart and Continued Conversation  
**Date:** Tuesday, August 3, 2021 4:57:31 PM  
**Attachments:** [Dry Creek Valley Guidelines for New Use Permits.pdf](#)  
[Exhibit B Planning-Commission-Hearing-06 03 21.pdf](#)  
[Sonoma Vintners Winery Use Permit Policy Parameters Definitions.pdf](#)  
[Stakeholder Draft Sonoma Valley Guidelines with Map.pdf](#)  
[SVCAC Ad Hoc Committee Draft Winery Guidelines.pdf](#)

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## EXTERNAL

I want to thank the Staff for their hard work to bring forward to the Planning Commission and comparison from the draft guidelines and definitions related to new winery use permit applications. Wading through subtle differences in style and template to present an “apples to apples” comparison is a heavy list. I would suggest, however, that the comparison should be among five different documents that I have attached to this email.

Of the three in the comparison only the Dry Creek Guidelines for New Use permits is the only set of guidelines and definitions that have actually been approved and operating. The SVCAC Ad Hoc Committee are in a draft form and resulted from limited review after the Sonoma Valley CAC decided to reject the Stakeholder Draft Valley Guidelines with Map that was the product of neighbors and wineries. Exhibit B is from the Staff Report from the June 3<sup>rd</sup> Planning Commission Hearing. You should also be considering the Sonoma Vintners Winery Use Permit Policy Parameters as a lot of out reach went into its preparation. There may be another document from other organizations such as Preserve Rural Sonoma County. In any case, the comparison should include all the work that has gone into this issue over the past five years.

What is interesting in comparing these documents is a common theme of mitigating impacts and not micro-managing activities.

I look forward to the continued conversation and ask that you let me know when the item will be heard again.

Thanks!

Mike Martini  
Taft Street Winery

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# **Dry Creek Valley**

## **Guidelines for New Use Permits with Visitor Serving Agricultural Uses**

### **Section 1. Scope**

The purpose of this document is to provide a set of definitions and preferred guidelines for use by the Dry Creek Valley Citizens Advisory Council (DCV CAC) in investigating, discussing and considering applications for new use permits that include visitor serving agricultural uses in agricultural and resource zones in the Dry Creek Valley watershed (map attached). The DCV CAC will provide advisory recommendations to the County of Sonoma and its Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission and Board of Supervisors.

These guidelines will help to establish clear expectations, so applicants and neighbors have a basis for more open dialogue and common understanding. The guidelines are a pilot program to assess the value of setting standards locally and will also help to inform future actions by the Board of Supervisors on visitor serving agricultural uses.

### **Section 2. Goals**

1. Support agriculture and related agricultural promotion on a scale that best fits the character of Dry Creek Valley.
2. Establish a set of clearly defined guidelines for use by the Dry Creek Valley Citizens Advisory Council in considering use permits that include new visitor serving agricultural uses.
3. Communicate the guidelines so applicants, neighbors and County representatives have clear expectations and a basis for open dialogue and understanding.
4. Favorably consider new applications where the overall project is substantially consistent with the guidelines.

### **Section 3. How to Use this Guidance Document**

These guidelines are specifically intended to be used in evaluating new use permit applications that request visitor serving agricultural uses (e.g. tasting rooms, promotional activities or events) and for modifications to add visitor serving uses to existing permits that were approved for agricultural processing only.

We recognize that all projects are unique. As such, each will continue to be reviewed on a case-by-case basis considering the specific aspects of the project, property, location, and planned mitigations. The Guidelines provide consistent definitions and a framework for identifying and evaluating important aspects of each project.

There are several categories listed in this document, and for each category, there is associated guidance as to what could be considered appropriate and could contribute to a favorable decision by the DCV CAC. It is not expected that any application would meet each of the preferred guidelines. A less than favorable condition in any one category would not necessarily equate to an overall unfavorable decision. In general, the overall

# Dry Creek Valley

## Guidelines for New Use Permits with Visitor Serving Agricultural Uses

combination of more and less favorable conditions will be used by CAC members to evaluate the use permit application.

### Section 4. Guidelines

#### 1. Access and Traffic

1. Access to the parcel on public roadways of at least 18 feet in width is preferred for use permits with visitor serving agricultural uses.
2. There is adequate ingress and egress to the property, including adequate site distances to the entrance and distance from crossroads and other driveways. The highest volume of expected visitors can enter and exit the property safely without traffic backup on public roadways.

#### 2. Site

1. Parcels of at least 20 acres are preferred for use permits with visitor serving agricultural uses.
2. The majority of the usable land is in agriculture, some portion of which is pertinent to the visitor serving agricultural uses. However, it is not the intent to encourage the removal of woodlands or planting of crops on steep hillsides.
3. There is sufficient water on the parcel to support all new visitor serving agricultural uses without negatively impacting neighboring properties.
4. All parking is on-site. There is no parking along public roadways.
5. Parking plans that utilize road easements have the written agreement of all neighbors who share those easements.
6. Parking in vineyard rows and avenues may be inadequate in wet conditions.

#### 3. Activities and Events

1. All activities and events will promote agricultural products grown or processed in the local area.
2. All activities and events will be hosted by the proprietor, with on-site management by the proprietor's staff. The facility will not be rented out for use by a 3<sup>rd</sup> party and no rental fees will be charged.
3. New use permits that support the guidelines below will be viewed as more favorable. See Section 6 for the Definitions of Activities and Events.

Activities and Events	Guidelines
Public and Direct Sales Activities During regular hours	<ul style="list-style-type: none"><li>• Limited to the Maximum Persons at One Time set in the use permit</li><li>• Limited to the hours of 10am – 5pm</li></ul>

# Dry Creek Valley

## Guidelines for New Use Permits with Visitor Serving Agricultural Uses

<b>Activities and Events</b>	<b>Guidelines</b>
Direct Sales Activities Outside of regular hours	<ul style="list-style-type: none"><li>• 50 visitors at one time, or the Maximum Persons at One Time set in the use permit, whichever is less</li><li>• Maximum of 12 times a year</li><li>• Maximum of two per month</li><li>• Limited to the hours of 8am – 10pm</li></ul>
Trade Marketing Activities	<ul style="list-style-type: none"><li>• Limited to the Maximum Persons at One Time set in the use permit</li><li>• Limited to the hours of 8am – 10pm</li></ul>
Association Sponsored Events	<ul style="list-style-type: none"><li>• Up to 15 event days per year</li><li>• Traffic and parking plans required if Maximum Persons at One Time is exceeded</li><li>• Limited to the hours of 10am – 5pm</li></ul>
Agricultural Promotional Events	<ul style="list-style-type: none"><li>• Maximum of 2 days per quarter</li><li>• Events outside of regular hours limited to 2 event days per year</li><li>• Limited to the hours of 8am – 10pm</li></ul>

### 4. Noise Impact

Noise impact is one of the most complex categories in Use Permits with Visitor Serving Uses. We encourage applicants to pay close attention to the Sonoma County General Plan 2020 Noise Element, particularly Policy NE-1c, when crafting their use permit application. Requests for outdoor amplified music, especially after 5pm, will typically require noise studies and mitigation measures and may not be appropriate for some projects.

1. All noise impact conforms to the Sonoma County Noise Standards as set forth in the General Plan.
2. Applicant has noted the distances in each direction from the visitor serving areas to the neighboring residences and indicated noise mitigations, if necessary. Projects with greater than required distances from property lines and existing residences are more favorable.
3. All outdoor amplified music ends by 9pm.

### 5. Food Service

1. Food service is allowed for wine and food pairings and in conjunction with activities and events, however operating as a restaurant is prohibited. More specifically:

# Dry Creek Valley

## Guidelines for New Use Permits with Visitor Serving Agricultural Uses

- the predominate activity in the tasting room is wine tasting, wine sales and related wine marketing, not dining
  - meal service is not available to the general public on a regular basis
  - no cooked-to-order food is served.
- 2. Catering and commercial kitchens are acceptable, including indoor or outdoor equipment such as stoves, wood-fired ovens and barbecues.
- 3. Wine and food pairing offered to the general public is allowed between the hours of 10am and 5pm. Showcasing site or locally grown foods is encouraged.
- 4. Sale of pre-packaged foods is allowed.
- 5. All food service requires appropriate health permits under existing County regulations.

### **6. Facilities**

1. Visitor serving areas: The area under roof dedicated to public tasting facilities does not exceed 2500 square feet. This does not include outdoor areas or space dedicated to uses such as kitchens, bathrooms, barrel rooms, storage or seated tasting.
2. New projects with proposed case production that fits with the scale of existing wineries in the Dry Creek Valley will be viewed favorably. Permitted case production for existing wineries in the Dry Creek Valley ranges from 500 cases to 350,000 annually. Eighty percent of the wineries in Dry Creek Valley fall in the range of 3,600 to 30,000 permitted cases. Larger projects will be considered based on compensating factors such as parcel size, road access and proximity to major highways.
3. Facilities are sited to minimize visual impact. Projects with buildings and landscaping that are of an appropriate scale to the area will be considered favorably.
4. Nighttime lighting levels are at the minimum necessary to provide for security and safety of the use and users. Exterior lighting that minimizes glare and spillover onto neighboring parcels will be considered favorably.
5. Marketing accommodations for private guests are allowed, provided that the use promotes, or markets agricultural products grown or processed on the site, the scale of the use is appropriate to the production and/or processing use and no commercial use of private guest accommodations is allowed (i.e. rental fees are not charged).

### **7. Local Focus**

The community of Dry Creek Valley is dedicated to promoting local agriculture and wine grape processing. Projects that acquire agricultural products grown locally, specifically from Dry Creek Valley and Sonoma County, are preferred.

# Dry Creek Valley

## Guidelines for New Use Permits with Visitor Serving Agricultural Uses

1. New wineries that use at least 75% of grapes from Sonoma County will be viewed favorably.
2. Projects that use local foods from Dry Creek Valley and Sonoma County for visitor serving uses and projects that dedicate acreage for diversified agriculture will be viewed favorably.

### 8. Concentration

Different areas within the Dry Creek Valley are distinct in terms of concentration of residents, wineries and other developed uses, so it is difficult to establish specific limits. Requests for new use permits that take density into consideration and seek to reduce the impact on nearby existing wineries or residences will be viewed more favorably. Such factors as the proximity to other wineries, residences and intersections will be considered. In general, projects that are not clustered around existing developed uses or are closer to major highways will be viewed as more favorable.

## Section 5. Suggested Best Practices

The applicant has met or offered to meet at least once with neighbors to describe and hear reactions to their plans.

1. This includes all neighbors who are likely to be impacted by the project.
2. Best practice suggests that multiple meetings over the course of the planning process are most effective, with one meeting very early in the project before plans are developed in detail.

## Section 6. Definitions

### A. Maximum Persons at One Time

The Maximum Persons at One Time is defined in each use permit as the total visitors on the site at one time. This number is set on a case-by-case basis in each use permit using a combination of the following factors:

1. Septic system capacity
2. On-site parking as follows:
  - a. 1 space for each employee
  - b. 1 space for every 2.5 visitors
3. Road access
4. Building occupancy levels as authorized by the Fire Department

### B. Activities

1. **Public Sales Activities** are defined as wine tasting, tours, wine and food educational pairings, seminars and other hospitality related activities supporting the promotion of wine sales that are open to the public.

# Dry Creek Valley

## Guidelines for New Use Permits with Visitor Serving Agricultural Uses

- a. Will not exceed the Maximum Persons at One Time limit established in the use permit.
  - b. Do not require an invitation.
  - c. A fee may be charged.
  - d. May be advertised to consumers.
2. **Direct Sales Activities** are defined as by-invitation activities such as winemaker lunches or dinners, release days or pickup parties designed to promote the sale of agricultural products.
  - a. Will not exceed the Maximum Persons at One Time limit established in the use permit.
  - b. A fee may be charged.
  - c. Invitations may be issued using such methods as mail, email, websites or social media.
3. **Trade Marketing Activities** are defined as by-invitation activities for staff, trade or distribution partners.
  - a. Will not exceed the Maximum Persons at One Time limit established in the use permit.
  - b. Are not advertised to the consumers.

### C. Events

1. **Association Sponsored Events** (often referred to as Industry Events) are defined as events sponsored by a recognized organization to promote wine sales and tourism, conducted across multiple sites within a specified geographic area.
  - a. Events will meet the requirements and follow the best practices of the association sponsoring the event.
  - b. Have adequate mitigation plans for septic and parking if they exceed the Maximum Persons at One Time limit.
  - c. Parking along public roadways is not allowed.
  - d. Limited to tasting room hours only.
2. **Other Agricultural Promotional Events** are those events that are expected to exceed the Maximum Persons at One Time limit.
  - a. Invitations may be issued (using such methods as mail, email, websites or social media).
  - b. Must be explicitly requested in the use permit specifying the number of events annually and the maximum size of each event.
  - c. Require adequate mitigation plans for septic and parking if the visitors expected exceed the Maximum Persons at One Time limit. Parking along public roadways is not allowed.

**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving activities and winery events. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
  6. **Winery Events** means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite and/or in the area and are consistent with General Plan Policy AR-

6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.

7. **Agricultural Promotional Events** are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release parties, and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, winery or tasting room owner(s), winery employees, and tasting room employees.
10. **Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
11. **Sales Activities** are wine tasting, pickup parties, tours, seminars and other hospitality related activities that support the promotion of wine sales.
12. **Wine Trade Activities** are by-invitation meetings, seminars, harvest parties and similar activities attended only by wine trade partners and are not advertised to the consumer.

E. Operating Standards.

1. Winery Visitor Serving Activities. Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
2. Winery Events. Winery events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
3. Sizing of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.
4. Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.
  - a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.



- b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.
  - (1) Sales Activities: 10 am – 5 pm.
  - (2) Wine Trade Activities: 8 am – 10 pm.
- c. Winery Events. The maximum hours of operation for events are specified below by event type.
  - (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:30 pm – 10 pm.
  - (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.
- 5. Wineries and tasting rooms shall not be rented out to third parties for events.
- 6. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:
  - a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
  - b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.
  - c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.
  - d. No parking is permitted along any public or private roadways or on shared vineyard roads.
- 7. Food Service. Food service is allowed as specified below.
  - a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.
  - b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
  - c. Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events.
  - d. Prepared meals featuring local foods and food products is allowed in conjunction with wine trade activities and winery events.

- e. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:
  - (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
  - (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
  - (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
  - (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.
- 8. Event Coordination and Traffic Management.
  - a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:
    - (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
    - (2) Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.
  - b. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:
    - (1) Provisions for event coordination to avoid local traffic delays.
    - (2) Parking attendants for each day of the event.
    - (3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.
    - (4) A plan for on-site parking requirements and queuing of traffic.
    - (5) Enforcement of the on-street parking restrictions.
    - (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.
- 9. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified music, or loud instruments such as brass instruments, horns, or drums	1,600 feet

Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise Element due to intervening structures or natural features, available open land on noise sensitive parcels, or by incorporating noise mitigation measures.



## **Winery Use Permit Policy, Parameters & Definitions**

### **Section 1 – Background**

#### **Winery**

The establishment and operation of a winery involves many levels of regulation and compliance as it involves the production of an alcoholic beverage subject to state and federal excise tax.

Permits are required from the federal Alcohol and Tobacco Tax and Trade Bureau (Bonded Winery Permit) and the California Alcoholic Beverage Commission (Winegrower – Type 02 License). This license defines the allowable operations to include:

- the conversion of fruit into wine,
- the sale of wine to consumers for consumption on the licensed property,
- the sale of wine to consumers to remove from the licensed property,
- the sale of wine to licensed retail and restaurants for resale to their customers,
- the sale of wine to licensed distributors for resale to licensed retail and restaurants, and
- the sale of wine to licensed distillers or vinegar producers.

#### **Sonoma County General Plan**

The Sonoma County General Plan (in its Agricultural Resources Elements) has many goals, objectives and policies specifically supporting the multi-generational agricultural heritage of Sonoma County and the stabilization of the farmer's economic situation. These goals represent the growing of agricultural crops, the processing of the crop as well as the sales and marketing of the product. Wineries are part of that processing.

Specific goals of note include:

- **GOAL AR-4:** Allow farmers to manage their operations in an efficient, economic manner with minimal conflict with nonagricultural uses.
- **GOAL AR-9:** Provide agricultural permit processing procedures that are rapid and efficient.

Specific policies of note include:

- **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-4d:** Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.
- **Policy AR-8b:** Encourage programs for promotion and marketing of agricultural products grown in the County

### **Sonoma County Zoning Code**

The Sonoma County Zoning Code describes the uses allowed by right in the Land Use Designations described in the General Plan as well as those uses allowed by application for and approval of a Conditional Use Permit (CUP). The CUP outlines the conditions for approval and helps to mitigate and protect underlying goals and policies of the General Plan.

Wineries and Tasting Rooms are allowed by Conditional Use Permit in the three major agricultural land use designations: Land Intensive Agriculture (LIA) Sec 26-04-020; Land Extensive Agriculture (LEA) Sec 26-06-020; and Diverse Agriculture (DA) Sec 26-08-020.

### **Winery Business Activities**

As described in Winery above, a Winery is permitted to sell its products through several channels from directly to a consumer, to a distributor in another state. The General Plan Policy AR-8b “encourages programs for promotion and marketing of agricultural products”. This today results in a wide range of sales, marketing and promotion activities associated with a Winery that are a normal part of managing the business.

All wineries, even those without public tasting rooms, must engage in these business activities to survive and be viable.

### **Non-Winery Events**

A Winery is an attractive site for reasons of its location in an agricultural region, its association with food and wine and, very often, interesting architecture and design. As such, these sites are often sought out for events not related to the Winery operation or its sales and marketing of its products.

## Section 2 - Parameters

Consideration of an application for a Conditional Use Permit for Winery operation recognizes and incorporates three specific parameters for operation:

- **Production:** This parameter sets the production limits of the winery in terms of cases per year and is determined by facility capacity and production area.
- **Hours:** This parameter sets the hours that the winery may operate and recognizes Production Hours, Business Hours, and Public Access/Serving Hours
- **Capacity:** This parameter sets the Maximum Persons at One Time allowed at the winery, and is determined by floor area, parking, septic, site area and access.

Additional parameters related to compliance with other regulatory agencies including water, hazardous materials, public works/roads, access, and public health are also incorporated into the Conditional Use Permit.

## Section 3 - Guidelines

Rather than attempting to lock in a particular business model, a Conditional Use Permit should instead speak to the Winery's impactful usage: Production Activities, Public-Serving Activities (those activities open to the public), and Business Activities (activities limited to staff, consultants, and sales partners). This will enable the Winery to evolve its business while ensuring that it remains a good neighbor.

The following guidelines will be followed in the review and approval of the application:

1. Non-Winery Events event may be limited in the Conditional Use Permit as to number and may be subject to additional mitigation.
2. Activities outside of the parameters of Hours and Capacity, as well as Public-Serving Activities that are not Winery-specific (such as industry events) without respect to Hours and Capacity, may be limited in the Conditional Use Permit as to number and may be subject to additional mitigation.
3. Business Activities within the parameter of Capacity but outside of Hours are not limited in Conditional Use Permit but may be subject to additional mitigation.
4. Winery-specific Public-Serving Activities within the parameter of Hours but outside of Capacity are not limited in the Conditional Use Permit as to number but may be subject to additional mitigation such as porta potties, parking attendants, offsite parking or provided transportation.
5. Any Activity occurring within the parameters of relevant Hours and, where applicable, Capacity is not limited in the Conditional Use Permit.

## **Specific Area Guidelines**

Sonoma County has identified three areas that have asked for and received special attention in the formation of a Citizens Advisory Committee to develop, review and recommend specific guidelines for that area. They include Dry Creek Valley, Sonoma Valley and Westside Road (pending). Consideration of a Conditional Use Permit for a Winery in one of these areas are subject to recommended guidelines developed for that area but will not be less rigid than the Guidelines described above. No authority is delegated to Citizen Advisory Committees to modify standards or regulations set forth in the General Plan or Zoning Ordinance.

## **Section 4 – Definitions**

### **Winery**

Facilities and equipment for the conversion of fruit into wine and engage in the production and sale of wine (from CA ABC).

### **Maximum Persons at One Time (MPOT)**

Maximum Persons at One Time is the total number of people that can be accommodated on site based on standard calculations of floor area, parking spaces, septic and ingress/egress constraints. The number shall be spelled out in the Use Permit Application.

### **Business Hours**

Business Hours are the hours that normal winery business is conducted on site covering issues of operations, finance & accounting, human resources, and sales & marketing. Business Hours will be spelled out in the Use Permit Application.

### **Public Access/Serving Hours**

Public Access/Serving Hours are the hours that the winery is open to the public and may offer public tasting and sales of wine to the public. Public Access/Serving Hours may include weekend hours and be adjusted seasonally to reflect Daylight Savings Time. Public Access/Serving Hours will be spelled out in the Use Permit Application.

### **Production Hours**

Production Hours are the hours of winery production and reflect the necessity of production activity based on harvest issues. Production Hours will be spelled out in the Use Permit Application.

### **Winery Business Activities**

Winery Business Activities are any activities taking place at the winery within Business Hours, not open to the public, specifically focused on the production, sale and promotion of wine (an agricultural product), and are within the MPOT described in the Use Permit Application.

Winery Business Activities include, but are not limited to: business to business meetings, trade partner/distributor meetings, sales meetings, wine trade events, wine education/seminars, trade tours and tastings, media tours & tastings, grower relations meetings, employee appreciation activities, and industry receptions. Food including meals may be served in conjunction with these activities as described in “Food Service” below.

In addition, Business Activities include administrative activities such as staff meetings, accounting and finance, and human resources.

### **Public Access/Serving Activities**

Public Access/Serving Activities are any activities taking place at the winery during Public Access Sales Hours open to the public, specifically focused on the sale and promotion of wine (an agricultural product), and are within the MPOT described in the Use Permit Application.

Public Access/Serving Activities include but are not limited to: wine tasting, wine club pick up, new releases, open house, food & wine education, tours & tastings and, tasting room sales.

Food, including meals may be served in conjunction with these activities as described in “Food Service” below.

### **Non-Winery Events**

Non-Winery Activities are any activities that are not directly associated with the sales and marketing of the wine produced at the Winery. Non-Winery Activities will be limited by the Use Permit and may have restrictions on number, hours, and amplified music. Non-Winery Activities will require evidence of mitigation of impacts in the form of notice to neighbors, additional parking, parking attendants, or portable toilets.

Non-Winery Activities include political and charitable fundraising activities; association sponsored events; corporate events and weddings.

### **Amplified Sound**

All activities on a permitted winery are subject to the Noise Element of the Sonoma County General Plan.



**Food Service**

Food Service is the service of food specifically prepared and paired with the service of the wine in conjunction with Business Activities and Public Access/Serving Activities. Meal Service may be provided by Third Party Vendors (caterers or food trucks) or by onsite kitchens. Third Party Vendors must have required permits from County Public Health. onsite kitchens are subject to compliance with County Public Health as conditioned in the Use Permit.

Food Service is allowed as part of Business Activities and Public Access/Serving Activities.

**Effect of Winery Parameters and Definitions**

The parameters and definitions provided herein apply prospectively to new winery applications. There is no intent to render any existing winery use non-conforming.

July 27, 2020

# DRAFT SONOMA VALLEY WINERY GUIDELINES

## Purpose

The purpose of the Sonoma Valley Winery Guidelines (“Guidelines”) is to provide a local framework for evaluating new or modified use permit applications on land that is zoned Agricultural (DA, LIA, LEA). The intention of these Guidelines is to protect Agricultural Zones, to advise how much winery-related activity is allowed on these lands, and to minimize cumulative impacts.

The Guidelines identify evaluation criteria that will be considered by the Sonoma County Citizens Advisory Commission (SVCAC) when considering projects located in Sonoma Valley that are applying for a permit (such as a new winery use permit or modification of an existing use permit). The SVCAC will use the Guidelines to provide advisory recommendations to the Permit Sonoma staff, as well as the Board of Zoning Adjustments, Planning Commission and Board of Supervisors when considering these permit applications.

The Guidelines are also intended to advise applicants on the design of their projects and on the events-related facilities and programs when preparing a use permit application. Each project is regarded as unique in the evaluation process, and each will be reviewed on a case-by-case basis by the SVCAC and by Permit Sonoma.

## Siting Criteria

### I. Winery Facilities Siting Criteria

#### A. Access

Public roadways of at least 18’ in width are preferred. The following will be considered with regard to access:

1. **Ingress/Egress.** Is there adequate ingress and egress to the property?
2. **Sight Distance.** Are there adequate sight distances at ingress/egress points to the site?
3. **Peak Capacity.** Can the peak volume of expected visitors enter and exit the property safely without significant traffic backup on public roadways?

Traffic impact analyses shall assess impacts based on project-generated trips as well as a scenario where project-generated trips are inflated by 20% to account for cumulative impacts in the Sonoma Valley concentration area.

## **B. Setbacks**

The following issues will be considered when evaluating the appropriate setback distance from property lines for winery facilities:

1. **Minimum Distance.** Setbacks will be site specific, however a minimum setback to meet the County noise standards at the property lines is required for smaller parcels.
2. **Noise Attenuation.** When considering the proposed activity and intensity of use, setbacks shall be adequate to maintain a 65 db noise standard at the property line. Noise attenuation strategies, including setbacks from property lines and noise muffling interventions, may be combined to meet this standard, however permanent structures and installations for noise muffling must meet Scenic Corridor and Scenic Resource requirements.
3. **Visual Impacts.** Facilities should be sited to minimize visual impact, especially in scenic areas/corridors. Setback distances shall be designed to ensure that the visual impacts of the new facilities are minimized.
4. **Lighting.** Nighttime lighting levels shall be limited to what is necessary to provide security and safety for users. Setbacks shall be sufficient to limit light visibility from public travel ways and to maintain the rural and scenic qualities of the Sonoma Valley. Exterior lighting shall be consistent with Dark Sky standards (e.g. low mounted, downward casting and fully shielded to prevent glare).

## **II. Tasting Room Siting Criteria**

### **A. Minimum Parcel Size**

The minimum parcel size that is required to qualify for a tasting room on land zoned Agricultural is 10 acres. An exception may be made to this minimum when the applicant is a small agricultural producer and when the project is not located in a concentrated area.

### **B. Maximum Site Area for Tasting Room and Tasting Associated Areas**

Experience indicates that tasting rooms can attract increased visitation to an area, and can result in nuisances related to noise, traffic, and site development. When evaluating applications, the SVCAC shall make a recommendation to Permit Sonoma staff and decision-making bodies based on the following considerations:

1. **Rural Character.** In general, the character of the project shall be compatible with the density and intensity of existing developments within 500 feet of the project. For larger properties where the 500 foot limit may not reach beyond the property line, the character of the proposed development shall be compared with the character of existing development on the nearest 5 parcels in all direction of the subject property.
2. **Design and Location.** When considering the parcel size, the level of agricultural production, and the scenic qualities of the property frontage, SVCAC shall consider whether the requested size, location, and design of the tasting room is appropriate.

3. **Maximum Area:** Table 1 below summarizes how the acreage allowed for Accessory Winery Uses should be calculated taking into account parcels of various sizes in the Agricultural Zones in Sonoma County.

The calculations in Table 1 for the area allowed in Accessory Winery Uses on any given parcel are based on the size of the parcel and apply the following methodology:

- Up to 25% of the gross parcel size is allowed for the first 10 acres of the parcel.
- Ten percent (10%) of the gross parcel size may be added based on the portion of the acreage that is in excess of 10 acres.
- A maximum of 6.5 acres for any parcel can be used for accessory uses.
- Acreage for ponds is not included for the purpose of these calculations.
- Of the total of a. and b. above, no more than 70% may be used for production, office space, parking, etc. and no more than 30% may be used for hospitality, such as tasting rooms, food and wine pairing, event space, parking, etc.

Table 1 reflects these calculations, and shows the resulting acreage allowances for varying sizes of parcel in the Agricultural zones.

**Table 1: Maximum Percentage of Accessory Winery Uses Allowed per Parcel Acreage**

Parcel Acres	Max Total Percent in Accessory Use	Max Total Acres in Accessory Use	Accessory Production Use (70%)	Accessory Promotional Use (30%)	Max Total Acres in Production/Promotional Accessory Uses
First 10 acres	25%	2.5	18%	8%	1.75/0.75
10.01 acres to 50 acres	10%	4.0	7%	3%	2.8/1.2
50 acres or larger	Capped at maximums for a 50-acre parcel				
TOTAL		6.5			4.55/1.95
Examples by Parcel Acreage		Max Total Acres in Accessory Use			Max Total Acres in Production/Promotional Accessory Uses
3		0.75			0.53/0.23
9		2.25			1.58/0.68
15		3.00			2.1/0.9
40		5.50			3.85/1.65
120		6.50			4.55/1.95
300		6.50			4.55/1.95

C. **Number of Tasting Rooms.** Production has an effect on the size and number of tasting rooms that are appropriate to support the operation of wine facilities of various sizes. Larger wineries with a higher annual case production and a higher number of guests per day may have both a public tasting room and one or more private tasting rooms, the total number of which shall be determined in the Use Permit on a case-by-case basis.

D. **On-Site Parking**

The following on-site parking is required for tasting rooms and winery events:

1. 1 space per 250 square feet; plus
2. 1 space per 2.5 guests and 1 space per employee.
  - The employee parking requirement may be reduced for wineries that implement an employee commuter program. Reductions will be assessed on a case-by-case basis. If at any point an approved employee commuter program is discontinued, the winery shall be required to meet the standard parking requirements for employee parking specified in the Guidelines.
3. Where events are proposed that could exceed the parking provided on-site, shuttle service shall be provided to transfer guests to and from off-street parking locations. Shuttles from off-site public parking areas are encouraged, but not required, for all events with over 50 guests.
4. No parking is permitted along any public or private roadways or on shared vineyard roads.

E. **Separation Criteria**

Special consideration should be given to the separation that is required between facilities that are located in areas of the Sonoma Valley that are subject to winery event concentration. See the attached “Winery Event Concentration – Sonoma Valley map” for the current locations of such areas of concentration.

## **Winery Tasting Room and Events Operating Standards**

### **I. Operations**

A. **Hours of Operation**

1. The hours of operation for tasting rooms and industry-wide events shall be limited to 10 am-5 pm., except as follows:
  - a. Tasting rooms may apply for later hours, with approval to be decided on a case-by-case basis depending on site specifics and impacts. If a Tasting room proposes to operate past 5:00pm, applicant must demonstrate that the extended hours will :
    1. have a net positive effect, or no effect, on traffic in the area;

2. occur in areas which have adequate setbacks to neighboring residences;
  3. not impact the dinner hour at neighboring residences.
2. The hours of operation for Agricultural Promotion Events and Private Events shall be limited to 10am-10pm, with the following conditions:
    - a. If the event is in close proximity to neighboring residences, all cleanup after the events shall occur between 9:30 and 10 pm.
    - b. If the event is not within close proximity to residences, then clean up may occur between 10 and 10:30 pm. If complaints are received regarding noise after 10 pm, then clean-up must be rescheduled to prior to 10 pm.
  3. The hours of operation for Wine Trade Events shall be limited to 8am to 10pm (9:30-10pm cleanup)

#### **B. Food Service**

Food service is allowed for wine and food pairings or in conjunction with activities and events. More specifically:

1. The primary activity in the tasting room shall be wine tasting related to wine sales and wine marketing, not dining.
2. All food service shall be designed to support the wine experience, and food service shall be secondary to wine sales and education.
3. Operating the food service area as a restaurant is prohibited
4. Catering and commercial kitchens are acceptable only when approved in the Use Permit. As preparation areas for the food service allowed in the Use Permit, they may include indoor or outdoor equipment such as stoves, wood-fired ovens and barbeques.
5. Sale of pre-packaged foods in conjunction with wine tasting is allowed subject to County limitations.
6. Prepared meals or appetizers featuring local foods and food products may be offered in conjunction with agricultural promotional events, such as wine club parties, and winemaker dinners, and with food and wine pairings. Such meals/appetizers may be provided by a licensed caterer or prepared in the approved commercial kitchen located in the location in the winery building shown on the project floor plan.
7. Daytime food and wine pairings may occur during tasting room hours subject to the following conditions:
  - a. Food and wine pairings shall be as selected by the winery, with no menu options allowed.
  - b. Food served with pairings shall be limited to small appetizer-size portions.
  - c. Winery shall not engage in any pre-advertisement of the menu.

#### **C. Food and Wine Pairing**

When food and wine pairing is allowed in the evening after 5pm, it is considered an Agricultural Promotional Event under these guidelines and is allowed only when

requested in the use permit application and approved, subject to the following conditions:

1. Food and wine pairings must be selected by the winery, with no menu options allowed.
2. Food pairings must be limited to small appetizer-like portions that showcase site-grown or locally-grown foods.

**D. Private Guest Accommodations**

Private marketing accommodations and agricultural farmstays are allowed as regulated by the Sonoma County Zoning Ordinance.

**II. Events**

**A. Agricultural Promotional Events.**

The purpose of agricultural promotional events is to promote local agricultural products grown or processed on-site or the local area. When phased projects are approved, the promotional events shall at all times be subordinate to the winery production itself. See Table 2 in Section II.E. for the maximum number of Agricultural Promotion Events allowed under these Guidelines.

**B. Events Other Than Agricultural Promotional Events**

Annual private events, such as fundraisers, and concerts, may be permitted if requested and approved in the winery use permit subject to the following conditions:

1. Occasional cultural events-may be permitted with a cultural event permit and are limited to up to four (4) times per year, but for no more than two (2) years in a row.
2. Private and cultural events planning in concentration areas should take into account events at other wineries and the commercial venues in the area to reduce impacts.
3. Sizing of the event should be based upon event space capacity, septic capacity, available water supply, safe access to and from the site, on-site parking, noise mitigation, etc.
4. Renting of winery facilities as a venue for events staged or operated by others is not allowed.
5. See Table 2 in Section II.E. for the maximum number of annual private events allowed under these Guidelines

**C. Industry-wide Events (Association Sponsored)**

Since most industry-wide event last for 2-3 days, and usually occur over a weekend, the number of industry-wide events is stated in terms of “event days”. Each participating tasting room is limited to the total number of event-days specified in the Use Permit. Industry-wide events shall:

1. Meet the requirements, and follow the best practices, of the association sponsoring the event.

2. Have adequate mitigation plans for septic and parking when septic capacity and the required number of parking spaces when the maximum number of guests are exceeded for these larger events as approved in the use permit.
3. Parking along public roadways is not allowed.
4. See Table 2 in Section II.E. for the maximum number of Industry-wide Events allowed under these Guidelines.

**D. On-Site Coordinator**

All activities and events must be hosted by the proprietor or have on-site management by the proprietor's staff. A designated person on the proprietor's staff must be available at all times during the events to address complaints or resolve problems. The On-Site Coordinator shall:

1. provide a telephone number listed on the winery's own website through which neighbors and members of the public will have a direct way to make any complaints; and
2. send out a notice to site neighbors to inform them that the "complaint hot line" is available should they wish to call.

**E. Maximum Number of Events**

These Guidelines recognize that there is already a considerable over-concentration of winery event activity in place in the Kenwood, Cornerstone, and Glen Ellen areas of the Sonoma Valley, and that special provisions need to be made in those areas to limit the impacts and cumulative effects of such over-concentration.

Table 2, therefore, provides a summary of the standards that should be applied in over-concentrated areas as compared with the standards to be applied in areas not yet subject to overconcentration in the Sonoma Valley. The shaded areas on Table 2 show where the guideline standards differ depending on whether a project is inside, or outside, of a concentrated area.



**Table 2: Permitted Hours and Maximum Number of Events per Event Type**

<b>Event or Activity Type:</b>	<b>Event-days and hours in Concentrated Areas:</b>	<b>Event-days and hours Outside of Concentrated Areas:</b>
<b>Public Agricultural Promotional and Direct Sales:</b>		
Permitted Hours:	10am – 5pm	10am-5pm
<b>Agricultural Promotional Direct Sales Outside of Regular Hours:</b>		
Permitted Hours:	5pm-10pm (9:30-10pm cleanup)	5pm-10pm (9:30-10pm cleanup)
Maximum Number of Events	12/year, max 2/month	24/year, max 3/month
<b>Wine Trade:</b>		
Permitted Hours:	5pm - 10pm (9:30-10pm cleanup)	5pm - 10pm (9:30-10pm cleanup)
Maximum Number of Events	4/year	8/year
<b>Industry-wide:</b>		
Permitted Hours:	10am – 5pm and until 10pm (including clean-up) if permitted in use permit	10am – 5pm and until 10pm (including clean-up) if permitted in use permit
Maximum Number of Events	12 event days/year	12 event days/year
<b>Private Events:</b>		
Permitted Hours:	10am - 10pm (9:30-10PM cleanup)	8am - 10pm (9:30-10PM cleanup)
Maximum Number of Events	2 event days/quarter, or Events outside of regular hours: 2 event days/year	2 event days/quarter, or Events outside of regular hours: 8 event days/year
<b>Cultural Events with Zoning Permit</b>		
Permitted Hours:	10am – 10pm if permitted in zoning permit	10am – 10pm if permitted in zoning permit
Maximum Number of Events	4 event days/year; no more than two years in a row	4 event days/year; no more than two years in a row
<b>Total Max. No. of Event Days</b>	20 event days/year	44 event days/year

In its Use Permit application, the applicant may select the number of events in each category up to the maximum for that category, but the total combined number of event days for agricultural promotional events and for wine trade and industry-wide events combined shall not exceed the Total Maximum Number of Event Days listed in Table 2.

Private and cultural events approved for the site by special permit are not included in the calculation for the Total Maximum Number of Event Days.

### **III. Required Plans**

#### **A. Marketing Plan**

Event coordination is the key to improving the over-concentration problem in the areas where it now, and should apply to all agricultural promotional, industry-wide, wine trade, private or special events.

Since the mid-1990s, the County has included a condition in all Use Permits for all newly approved wineries that requires the winery to comply with any event coordination program that may be adopted in the future. All new winery permits also carry this condition. The combined effect is that all winery-related use permits issued from the 1990s through the present already have this particular condition of approval.

A Marketing Plan is also required as a standard Condition of Approval in all new use permits. It should include provisions for event coordination, and require that all activities and events per calendar year be clearly described in the plan and enumerated in the use permit. Non-agricultural promotional events require a use or zoning permit.

In order to monitor the effects of the Marketing Plan, and to confirm that the plan is being followed, the Use Permit should require that data regarding the numbers of visitors from each winery event and the total tasting room attendance for the previous year be submitted to the County annually.

#### **B. Traffic Management Plan**

Traffic management and parking plans are standard conditions of approval for new and modifications of winery use permits. These plans should take into account the maximum number of people visiting the tasting room during tasting room hours as well as during agricultural promotional, industry-wide and private events.

### **Definitions**

#### **I. Types of Events**

##### **Agricultural Promotional Events**

Agricultural promotional events are events that are held outside of regular tasting room hours, and are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches and dinners, release parties, and wine club parties and similar activities. These are the primary types of events permitted in agricultural and resource areas. The number of agricultural

promotional events and maximum number of guests allowed shall be as specified in the use permit.

### **1. Public Sales Activities**

Public Sales Activities include wine tasting, tours, wine and food educational pairings, seminars and other hospitality related activities that support the promotion of wine sales, that are open to the public, and that:

- a. Will not exceed the maximum number of guests allowed in the use permit.
- b. Do not require an invitation to attend.
- c. May require payment of a fee to attend
- d. May be advertised to consumers.
- e. Are consistent with the hours of operation, occupancy limits and operational requirements required by the Use Permit.

### **2. Direct Sales Activities**

Direct Sales Activities are defined as by-invitation activities such as winemaker lunches or dinners, release days or pickup parties that are designed to promote the sale of agricultural products, and that:

- a. Will not exceed the maximum number of guests allowed in the use permit.
- b. May require a fee to attend.
- c. Are by Invitations circulated by mail, email, websites or social media.

### **Industry-Wide Events (Association Sponsored)**

Promotional activities are events that are sponsored by a recognized industry association, may involve multiple wineries or tasting rooms within a specified geographic area, and are generally held during regular tasting room hours. Where required, it will be the responsibility of the industry sponsor to apply for a cultural event permit for the event. Most industry-wide events last 2-3 days, usually over a weekend, so the number of industry-wide events is stated in terms of “event-days”. Each participating tasting room is limited to the total number of event days, as specified in the use permit.

### **Special Events**

“Special event” when related to winery events is a term that was used in the 1990s before the term “agricultural promotional event” became common. Currently, a “special event” in Sonoma County is a specific event (bicycle race, marathon, parade, etc.) that occurs within a roadway right-of-way and requires an encroachment permit.

Therefore, where a “special event” is referenced in an approved use permit in the agricultural or resource zones of Sonoma County, it will be considered an “agricultural promotional event” for the purpose of these Guidelines

**Private Events**

Private events include charitable events, fundraisers, weddings, concerts and similar events. To be allowed, they shall be identified and described in the use permit, and the winery's marketing plan shall be specific about the number and size of allowed private events.

**Cultural Events**

Cultural Events are occasional events which attract a large gathering of people (35 or more people) such as parades, concerts, festivals, races, or any large gathering where there is amplified music, where promotion is by advertisement to the general public, or where a fee is charged to attend. A zoning permit is required (although there are exceptions), plus a Fire Permit. Cultural events are permitted no more than 4 event-days in any one-year period and they shall not occur for more than two years in a row.

**Wine Industry Trade Events**

Wine industry trade events include meetings, seminars, celebrations, parties and dinners that involve multiple trade partners, that do not exceed 35 attendees, and that occur outside normal winery hours or tasting room hours. Wine industry trade events must be requested and approved in the use permit if they are held outside and/or include amplified music or sound. Wine trade events that occur indoors without amplified music do not need to be included in the use permit.

**Wine Trade Meetings**

Wine trade meetings are by-invitation meetings or seminars with distributors, wine trade buyers, restaurant owners, and employees of the winery that occur during business hours, do not exceed 35 attendees, and are not advertised to the consumer. Wine Trade meetings are not counted as events if they do not create noise or traffic impacts

**II. Winery Facilities****Winery**

A winery is a building or property that produces wine, or a business involved in the production of wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories-and administrative offices.

**Tasting Room**

A facility for the retail sales of wine, hard cider, or fruit distilled spirits made from locally grown agricultural products, in which samples or tastes of products are provided to consumers.

A wine tasting room in an agriculturally zoned area is connected to a licensed winery on the property that produces wine from Sonoma County and/or adjoining counties grapes,

at least some of which are grown on the property. It is a designated area, limited in size, and it is used as an accessory use to a winery.

Normal operating hours are 10am–5 pm. A later closing time may be allowed based upon site specifics and decided on a case-by-case basis. A custom crush facility may have a public tasting room for wines on site, but approval is site specific and decided on a case-by-case basis. With use permit approval, a wine tasting room that is located on a commercially zoned parcel may have operating hours that extend to 10pm.

### **Event Space**

An area used for agricultural promotional and industry-wide events that is separate from the designated tasting room, but that provides samples or tastes of products to consumers during an event. An event space may be physically connected to a winery or it may be a legal separate structure on the property. Event space may also include outdoor event areas allowed in the Use Permit. Permitted private events may be held in event spaces.

If the land on which the winery is located is under the Williamson Act, no permanent structure dedicated to events shall be constructed or maintained on the contracted land per the Sonoma County Uniform Rules. If the land is not under the Williamson Act, hospitality events may be allowed in a separate building, but on a case-by-case basis as approved in the Use Permit.

### **Accessory Outdoor Space**

An outdoor area that is dedicated to visitor-serving uses, such as picnic areas, during regular tasting room hours. It may be a patio under a roof, or an uncovered area with picnic tables. Visitors may use accessory space for sitting and for eating pre-packaged food and wine purchased in the tasting room. Accessory space is separate from the daytime food and wine pairing area.

### **Accessory Winery Uses**

Accessory uses are divided into production, including office space, etc. and hospitality that includes tasting rooms, food and wine pairing, event space, etc. Only a limited percentage of the total winery parcel size may be dedicated to accessory uses as specified in Table 1 of these Guidelines. The actual percentages applied to agriculture and accessory uses will be dependent on site specific factors, such as traffic, setbacks, usable land, septic, water, etc.

### **Commercial Kitchen**

A facility for the preparation of food to be served at winery dinners and trade events. A commercial kitchen includes a stove for cooking food used in wine pairing during tasting room hours and for full meals (like wine maker dinners) that are served after hours during an event approved in the winery's use permit. Restaurants are prohibited.

**Catering Kitchen**

A commercial kitchen that has warming ovens, sinks and refrigeration, but no stove top or range hood.

**III. Winery Event Terms****Food Service**

Food service at wineries is allowed in tasting rooms, and includes:

- a. retail sales of pre-packaged local food products, or
- b. samples or tastes of pre-packaged local food products offered in conjunction with wine tasting;
- c. food and wine pairing;
- d. prepared dinners or appetizers featuring local food products that are offered in conjunction with the agricultural promotional events that are approved in the use permit.

Food service must support the wine experience, and the food served must be secondary to the wine.

**Food and Wine Pairing**

Applies to the providing of samples or tastes of site-grown or locally-grown food products served in small appetizer-like portions that are showcased with different wines.

**Locally Grown**

Applies to agricultural products that are grown and produced within Sonoma County and/or on adjoining counties,(with exceptions made for years of fire, flood and disease). Agricultural products served on property zoned RRD (Resources and Rural Development) must be produced on site.

**Wine Trade Partner**

Wine trade partners are distributors, wine trade buyers, restaurant owners, and employees of the winery.

**Over-Concentration**

Over-concentration of visitor-serving and recreational uses can occur where several winery and winery-event facilities that are regularly conducting events are located in the same area or along the same route. An over-concentration of uses occurs when:

1. road conflicts occur where traffic conflicts with pedestrians, bicyclists and motorists from the local neighborhoods;
2. traffic levels exceed General Plan objectives on a specific or cumulative basis;
3. groundwater drawn to serve the facilities negatively impacts the aquifer and surrounding neighbor's wells; and
4. the uses are detrimental to rural character of the area.

# **SVCAC AD HOC COMMITTEE DRAFT SONOMA VALLEY WINERY GUIDELINES**

## **Purpose**

The Sonoma Valley Winery Guidelines (“Guidelines”) provide a local framework for evaluating use permit applications on land that is zoned Agricultural (DA, LIA, LEA). The intention of these Guidelines is to protect Agricultural Zones by advising how much winery-related activity is allowed on these lands, and by managing these uses in a way that minimizes cumulative impacts.

The Guidelines identify criteria that will be used by the Sonoma County Citizens Advisory Commission (SVCAC). The Guidelines affect applicants for a new winery or modification to an existing winery. The SVCAC will use the Guidelines to make recommendations to the Permit Sonoma staff, as well as the Board of Zoning Adjustments, Planning Commission and Board of Supervisors.

The Guidelines are also intended to advise applicants on the design of their projects. Each project is regarded as unique in the evaluation process, and each will be reviewed on a case-by-case basis by the SVCAC and by Permit Sonoma.

With respect to these Guidelines, the following should be noted:

1. While decision makers should make every attempt to follow the Guidelines, the circumstances of each particular application and site may suggest that deviations are appropriate.

For Example: A project applicant may have a parcel that he/she feels would make a good winery site even if the site does not meet the Guidelines for minimum parcel size. The application is for production and processing and does not include a tasting room or events. The site is very compatible with the neighborhood...good noise attenuation, etc. In a case like this the CAC may feel that the project could be recommended in spite of the smaller parcel size.

2. Where these Guidelines establish a maximum level of usage, the permit decision may not ultimately provide for that level.

For Example: A project applicant proposes a winery and tasting room with the maximum number of events allowed under the Guidelines. However, the site is constrained due to topography, nearby residences, parking, etc. etc. In a case like this,

the CAC may feel that a lesser number of events is necessary in order to minimize these problems.

3. A currently permitted project remains subject to the conditions of that permit and is not affected by these Guidelines.

For Example: A winery project that was previously approved with a smaller number of events than allowed under the Guidelines does not automatically get to hold the larger number based upon the new Guidelines. However, the owners could apply for a use permit to increase the number of events. Similarly, a project that was approved for a greater number of events would be able to continue at that level.

4. These Guidelines are intended to complement County regulations. Many issues pertaining to winery permits are addressed through existing County policies, codes, and practices and are not thought to necessitate further guidance in these Guidelines.

For Example: The Guidelines do not include some of the more common aspects of a project, such as septic capacity, building codes, and drainage requirements.

## **Definitions:**

**Event.** A gathering of 30 or more people at a pre-scheduled date and time, whether or not a fee is required to attend. Gatherings of less than 30 people are considered to be regular day to day activities of the applicable use, unless otherwise identified in the use entitlements. Some events last for two or three days. In these cases, each day is counted as a separate event.

For Example: A tasting room that is open all day every day for walk-in customers would not be considered an event, regardless how many visitors were to attend during the open hours. However, a scheduled gathering...maybe a wine club release party or a charity fundraiser, say on a particular day or night, would not be an event unless it were to involve more than 30 people.

**Agricultural Promotion Event.** An event that is directly related to the sales and promotion of the agricultural product from the site or local area. Examples include wine club gatherings, wine club releases, wine trade gatherings, and regional tastings as part of Industry-Wide Events.

**Industry-Wide Event.** An agricultural promotion event that is sponsored by a recognized wine industry association involving multiple wineries or tasting rooms within a specified geographical area.

**Private Event:** An event other than an agricultural promotion event, such as fundraising for charities, ballot measures, political campaigns, and similar purposes, or parties, concerts, weddings, celebrations, etc.



**Winery.** An agricultural processing facility that produces wine from wine grapes. A winery may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, and administrative offices.

**Tasting Room.** A visitor serving use accessory to the production and/or processing of agricultural products. A winery tasting room would include the sampling and retail sales of wine made from locally grown wine grapes and other wine related products.

**Event Space.** An indoor or outdoor part of a winery or tasting room used for hosting events.

**Locally Grown Agricultural Products.** Agricultural products that are primarily grown and produced within Sonoma County and/or at neighboring counties in close proximity to the proposed use.

**Over-Concentration.** Over-concentration of visitor-serving and recreational uses can occur where several wineries, tasting rooms, and events are located in the same area or along the same route. An over-concentration of uses occurs when:

1. road conflicts occur where traffic conflicts with pedestrians, bicyclists and motorists from the local neighborhoods;
2. traffic levels exceed General Plan objectives on a specific or cumulative basis;
3. groundwater drawn to serve the facilities negatively impacts the aquifer and surrounding neighbor's wells; and
4. the uses are detrimental to rural character of the area.
5. more than two (2) winery and/or tasting room facilities are located within a ½ mile stretch of road.

## **Siting Criteria**

### **Winery Siting Criteria:**

**A. Access.** Public roadways of at least 18' in width are required. The applicant must show that the design will address:

1. Ingress/Egress. Follow County standards for ingress and egress to the property.
2. Sight Distance. Follow ASHTO sight distance standards.
3. Parking. "No Parking" signs should be installed and enforced along adjacent County roads
4. Traffic. Traffic impact analyses shall assess impacts based on project-generated trips as well as a scenario where project-generated trips are inflated by 20% to account for cumulative impacts in the Sonoma Valley concentration area. No traffic backups on public roadways.
5. Potential evacuation guidance and routes shall be posted on site.

**B. Setbacks.** Setbacks will be site specific and follow Sonoma County zoning standards from all applicable property lines. These setback standards will also apply to parking lots.

**C. Noise Attenuation.** When considering the proposed activity and intensity of use, the proposed use must meet the standards of the General Plan Noise Element. In addition, no outdoor amplified sound is allowed during events. Noise attenuation strategies, including setbacks from property lines and noise muffling interventions, may be combined to meet this standard, however permanent structures and installations for noise muffling must meet Scenic Resource requirements.

**D. Visual Impacts.** Facilities should be sited to minimize visual impact, especially in scenic areas/corridors. Setback distances shall be designed to ensure that the visual impacts of the new facilities are minimized.

**E. Lighting.** Nighttime lighting levels shall be limited to what is necessary to provide security and safety for users. Setbacks shall be sufficient to limit light visibility from public travel ways and to maintain the rural and scenic qualities of the Sonoma Valley. Exterior lighting shall be consistent with Dark Sky standards (e.g. low mounted, downward casting and fully shielded to prevent glare).

**F. Maximum Winery Size.** Winery size should be the minimum necessary to process the proposed level of wine grape production that will supply the winery.

For example: The extent of the processing operation should always be in proportion to the proposed production of wine grapes. This is a judgment call for CAC members, BZA members, or Board members as there is not a standard square footage that fits every project. Red wine is different from white wine in terms of the size of the facility. The key is to examine the specific uses of each portion of the facility and be satisfied that the proper relationship exists.

## **Tasting Room Siting Criteria**

**A. Tasting rooms** are subject to the same Guidelines identified in subsections A-E above. Stand-alone tasting rooms are not allowed. Tasting rooms should be secondary and incidental to the proposed levels of production and processing.

For example: Similar to the previous example for winery size, the extent of facilities for visitor serving uses should be proportional to the extent of wine grape production and/or wine-making. A small production winery should not include a large tasting room or event space, but this is also a judgment call for CAC and decision makers. Again the key is to examine the specific uses of each portion of the facility.

**B. Minimum Parcel Size.** The minimum parcel size that is required to qualify for a tasting room is 20 acres. An exception may be made to this minimum when the applicant is a small agricultural producer.

## **C. Maximum Site Area for Tasting Room and Other Accessory Uses**

The size of the facility should be secondary and incidental in proportion to the proposed production and/or processing of the winery.

Permanent structures for hospitality uses are limited to 20% of the total size of all of the non-residential buildings on site.

Permanent structures for offices and other administration purposes are limited to 15% of the total size of all of the non-residential buildings on site.

**D. On-Site Parking.** The following on-site parking is required for tasting rooms and events:

1. 1 space per 250 square feet of the winery production facility; plus
2. 1 space per 2.5 guests and 1 space per employee for the tasting room and events.
3. Where events are proposed that could exceed the parking provided on-site, shuttle service shall be provided to transfer guests to and from off-street parking locations. Shuttles from off-site public parking areas are required, for all events with over 50 guests.
4. No parking is permitted along any public or private roadways or on vineyard roads.

E. Separation Criteria. The entire Sonoma Valley is considered either to be over-concentrated or to become over-concentrated in the near future. Wineries and tasting rooms are limited to 2 per half mile.

F. Source of Wine Grapes. Wines offered for sale or tasting should be produced from at least 75% grown in Sonoma County.

## **Winery, Tasting Room, and Event Operating Standards**

**A. Hours of Operation.** The hours of operation for wineries and tasting rooms shall be limited to 10 am-5 pm.

The hours of operation for Events shall be limited to 10am-9pm. All cleanup after the events shall occur by 10 pm.

The owner/host or other responsible party shall cancel events during any period when a red flag warning is in effect for the subject area.

**B. Food Service.** Food service is allowed for wine and food pairings or in conjunction with activities and events, provided that the primary activity in the tasting room shall be wine tasting related to wine sales and wine marketing, not dining.

1. A restaurant is prohibited.
2. Catering is acceptable and may include indoor, but not outdoor equipment such as stoves, wood-fired ovens and barbeques.
3. Sale of pre-packaged foods in conjunction with wine tasting is allowed per County standards.

**C. Food and Wine Pairing.** Daytime food and wine pairings may occur during tasting room hours, subject to the following conditions, and only with food prepared off-site. Food and wine pairing is allowed in the evening after 5pm only in conjunction with approved events, and the food and wine pairings must be selected by the winery, with no menu options allowed.

**D. Private Guest Accommodations.** Private marketing accommodations and agricultural farmstays are allowed as regulated by the Sonoma County Zoning Ordinance.

**E. Agricultural Promotion Events.** The purpose of agricultural promotional events is to promote local agricultural products grown or processed on-site or the local area. When phased projects are approved, the promotional events shall at all times be subordinate to the winery production itself. The owner/host, or other responsible party shall provide community notification of events.

**F. Industry-wide Events.** Industry-wide events are considered to be agricultural promotion events. Each participating tasting room is limited to the total number of events specified in the Use Permit. Industry-wide events shall:

1. meet the requirements, and follow the best practices, of the association sponsoring the event.
2. provide a plan for overflow parking
3. shall not allow parking along public roadways.
4. provide community notification of the event.

**G. Private Events.** Private events, such as fundraisers and concerts, typically occur on one day. Private events must end before sunset and shall provide community notification in advance of the event.

**H. Maximum Number of Events.** The total number of events, including agricultural promotion, industry-wide, and private events are limited to a maximum of 12 per year. In addition, events are limited to one per month, except that the one in a month may be an industry-wide event lasting up to 3 days.

**I. Event Space.** No permanent structure dedicated to events shall be constructed or maintained. Events may be held in any indoor or outdoor area that is commonly used for the winery or tasting room facility.

**J. On-Site Coordinator.** All activities and events must be hosted by the proprietor or have on-site management by the proprietor's staff. A designated person on the proprietor's staff must be available at all times during the events to address complaints or resolve problems. The On-Site Coordinator shall:

1. provide a telephone number listed on the winery's own website through which neighbors and members of the public will have a direct way to make any complaints; and
2. send out a notice to site neighbors to inform them that the "complaint hot line" is available should they wish to call.

**K. Event Proposal.** Event coordination is the key to improving the over-concentration problem in Sonoma Valley and should apply to all events. Each application shall clearly state the type of events, the number of events, and the number of attendees for each event.

Since the mid-1990s, the County has included a condition in all Use Permits for all newly approved wineries that requires the winery to comply with any event coordination program that may be adopted in the future. All new winery permits also carry this condition. The combined effect is that all winery-related use permits issued from the 1990s through the present already have this particular condition of approval.

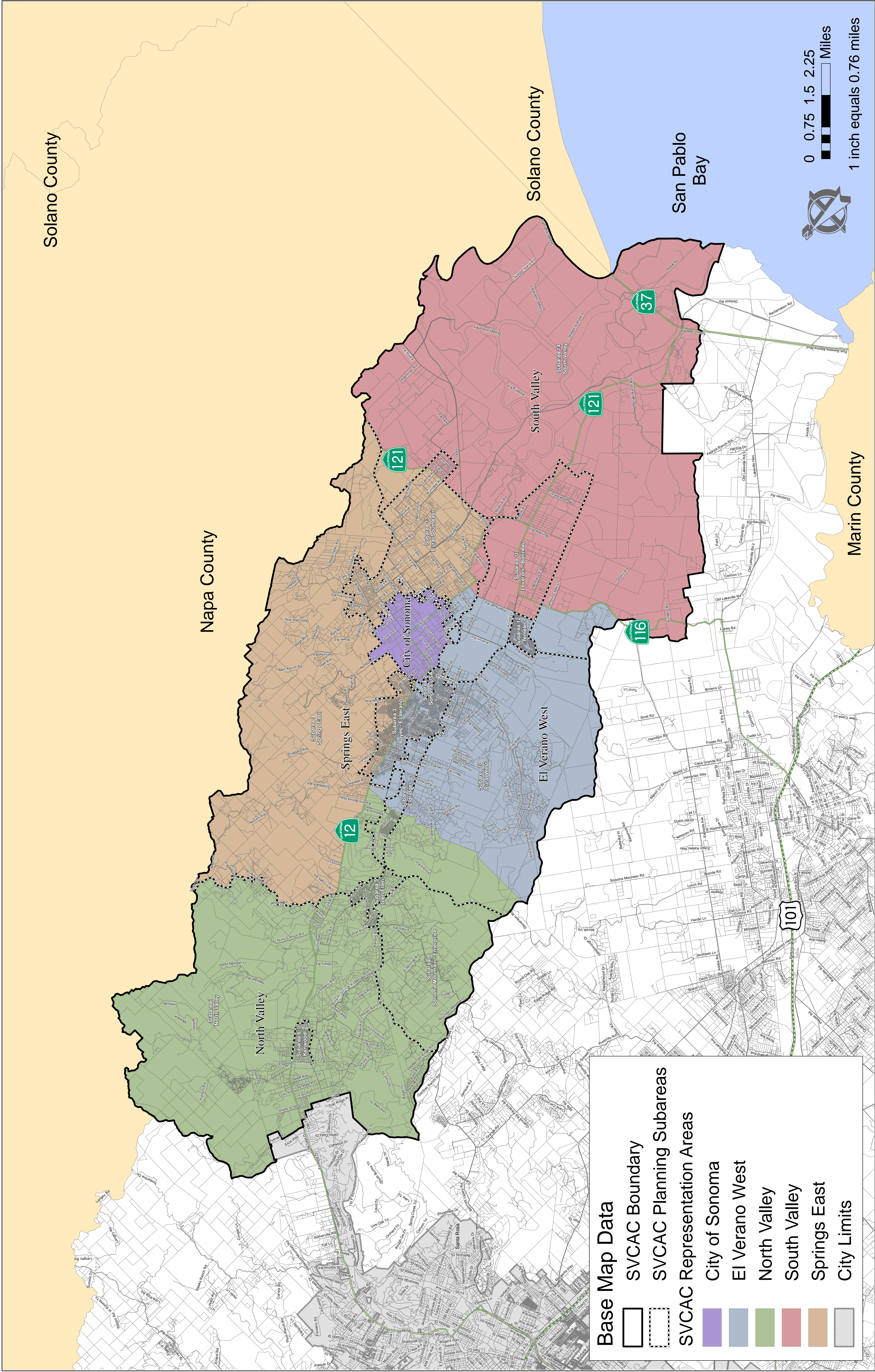
The approved event plan should be clearly set forth as a standard Condition of Approval in all new use permits and should include provisions for event coordination.

In order to monitor the effects of the permit, and to confirm that it is being followed, the Use Permit should require that data regarding the numbers of visitors from each winery event and the total tasting room attendance for the previous year be submitted to the County annually.

**L. Traffic Management Plan.** Traffic management and parking plans are standard conditions of approval for new and modifications of winery use permits. These plans should take into account the maximum number of people visiting the tasting room during tasting room hours as well as during any event.

**M. Over-concentrated Area Map.** The attached map of the Sonoma Valley Planning Area is the area that is considered to be over-concentrated. [Permit Sonoma to provide map]





# Sonoma Valley Citizen Advisory Commission Area

On March 11, 2014, the Sonoma County Board of Supervisors adopted a Resolution authorizing Chair to execute Joint Powers Agreement between the County of Sonoma & the City of Sonoma continuing the Sonoma Valley Citizens Advisory Commission for a period of five (5) years from January 1, 2014, to December 31, 2018. (First District)

Map Scale and Reproduction methods limit precision in physical features displayed. This map is for illustrative purpose only, and is not suitable for parcel-specific decision making. The parcels contained herein are not intended to represent surveyed data. Site-specific studies are required to draw parcel-specific conclusions. Assessor's parcel data are current as of July 1, 2013. For more current parcel data consult the County of Sonoma Assessor's Office.

No part of this map may be copied, reproduced, or transmitted in any form or by any means without written permission from the Permit and Resource Management Department (PRMD), County of Sonoma, California.

Author: PRMD GIS Data: February 24, 2014. SVSIS-DATA/PRMD\_BASE/PRMD Department Projects/Comprehensive Planning/Sonoma Valley Citizens Advisory Commission/MXD/Sonoma Valley Citizens Advisory Commission E-Select.mxd

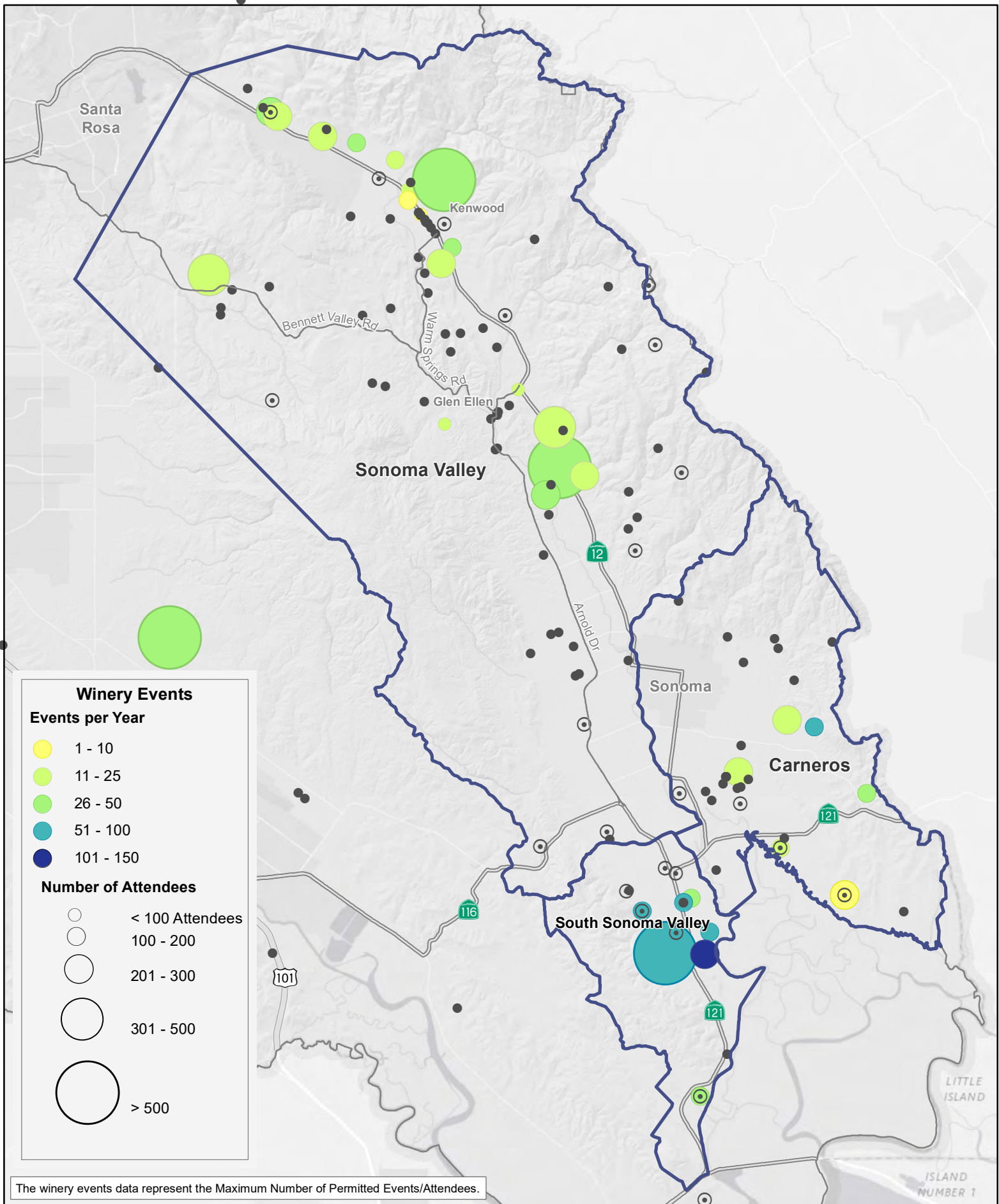


Permit and Resource Management Department  
DEPARTMENT OF PUBLIC WORKS  
COUNTY OF SONOMA

County of Sonoma  
Permit and Resource Management Department

2550 Ventura Avenue, Santa Rosa, California 95403  
707-565-1900  
FAX 707-565-1103





### Winery Event Concentration - Sonoma Valley

- Approved Winery
- Pending Winery
- Winery Event Concentration Area
- US Federal Highway
- State Highway
- Road



0 0.5 1 2 Miles  
1 inch = 2.37 miles



County of Sonoma  
Permit and Resource Management Department  
2550 Ventura Avenue, Santa Rosa, California 95403  
707-565-1900 FAX 707-565-1103



**Public  
Comments  
After 2-15-22 distribution  
for PC Hearing  
2-17-22**



**From:** [Sara Rathbun](#)  
**To:** [PlanningAgency](#)  
**Cc:** [district4](#); [Jenny Chamberlain](#)  
**Subject:** Draft Ordinance on Winery Events - Comments  
**Date:** Tuesday, February 15, 2022 4:51:29 PM  
**Attachments:** [image004.png](#)  
[2022 Letter to Planning Comm.pdf](#)

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Dear Planning Commissioners,

The Winegrowers of Dry Creek Valley (WDCV) represents hundreds of wineries and grape growers in northern Sonoma County. Since the beginning of the discussions around the events ordinance, the WDCV has been actively involved in finding common ground between our winery partners and the Dry Creek community. As a result of these discussions, there are several key points that we would like to address:

1. Despite the attention that is given to them, winery events are not a widespread problem in Sonoma County. Several Supervisors and Code Enforcement have directly stated that they receive virtually no complaints about events. If there is an issue, it is easily resolved with minimal communication.
2. Many of the entities that the WDCV represents are small family farms that lack the resources necessary to hire consultants, attorneys, and engineers in pursuit of a use permit. Adding layers of complexity and stipulations to an already difficult process hurts these family farmers. Additional regulation will change the core of Sonoma County from small agriculture to large international corporations.
3. Consolidation within wine distribution has led to an increased importance on meeting consumers directly. Wineries are increasingly unable to attract national wine distributors to sell their wine. This has led to more of a focus on marketing directly to consumers. To exist in the future, wineries need the flexibility to adapt to an ever-changing marketplace. Use permits that are overly restrictive with respect to consumer focused activities will impede their ability to do so.
4. The general plan and zoning code already addresses key issues such as hours of operation, traffic, parking, and noise. To add additional regulations to one singular type of business is unfair to a group that provides thousands of jobs, tax dollars, and philanthropic activities to the local community.

We respectfully request that you either vote No on the current Draft or ask staff to come back with a draft that is consistent with the guidance provided by the Board of Supervisors in their resolution of October 11, 2016.

Sincerely,  
Sara Rathbun, WDCV President  
On behalf of the Board of Directors

**Sara Rathbun**

*Director of Marketing & Communications*

707.433.1000 ext. 128 | office

707.322.8001 | mobile

SaraR@drycreekvineyard.com

3770 Lambert Bridge Rd.

Healdsburg, CA 95448



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February 14<sup>th</sup>, 2022

Permit Sonoma  
2550 Ventura Ave.  
Santa Rosa, CA 95403

**RE: Proposed Winery Events Ordinance**

Dear Planning Commissioners,

The Winegrowers of Dry Creek Valley (WDCV) represents hundreds of wineries and grape growers in northern Sonoma County. Since the beginning of the discussions around the events ordinance, the WDCV has been actively involved in finding common ground between our winery partners and the Dry Creek community. As a result of these discussions, there are several key points that we would like to address:

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2. Many of the entities that the WDCV represents are small family farms that lack the resources necessary to hire consultants, attorneys, and engineers in pursuit of a use permit. Adding layers of complexity and stipulations to an already difficult process hurts these family farmers. Additional regulation will change the core of Sonoma County from small agriculture to large international corporations.
3. Consolidation within wine distribution has led to an increased importance on meeting consumers directly. Wineries are increasingly unable to attract national wine distributors to sell their wine. This has led to more of a focus on marketing directly to consumers. To exist in the future, wineries need the flexibility to adapt to an ever-changing marketplace. Use permits that are overly restrictive with respect to consumer focused activities will impede their ability to do so.
4. The general plan and zoning code already addresses key issues such as hours of operation, traffic, parking, and noise. To add additional regulations to one singular type of business is unfair to a group that provides thousands of jobs, tax dollars, and philanthropic activities to the local community.

We respectfully request that you either vote No on the current Draft or ask staff to come back with a draft that is consistent with the guidance provided by the Board of Supervisors in their resolution of October 11, 2016.

Sincerely,

Sara Rathbun, President  
On behalf of the Board of Directors

**From:** [Andriana Duckworth](#)  
**To:** [PlanningAgency](#)  
**Subject:** Comment for Sonoma County Winery Events Ordinance Hearing 2/17  
**Date:** Wednesday, February 16, 2022 10:11:48 AM  
**Attachments:** [image001.emz](#)  
[image002.png](#)  
[SVVGA Letter\\_FINAL.pdf](#)  
**Importance:** High

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February 15, 2022

Commissioners, Planning Division  
County of Sonoma  
Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa, CA 95403

RE: Sonoma County Winery Events Ordinance

Dear Commissioners Carr, Gilardi, McCaffery, Koenigshofer, Chair Ocana and Staff;

Four decades after being formed, and now more than 250 wineries and growers strong, the Sonoma Valley Vintners & Growers Alliance (SVVGA) carries on the vision of its founders to promote and protect – as well as enhance – the Sonoma Valley region and its six American Viticultural Area (AVA), as a premier winegrowing region. Sonoma Valley's vintner and grower members are deeply committed to driving our local economy, conservation and sustainable farming efforts, and to supporting our local communities through advocacy and charitable work. The Sonoma Valley wine industry thrives on a strong culture of collaboration and is deeply rooted in agricultural heritage, community, and appellation; we are the birthplace of California wine.

On behalf of the Sonoma Valley Vintners & Growers Alliance Board of Directors, we are writing to request that the Winery Guidance and Definitions developed by our organization, in collaboration with other Sonoma County wine organizations, be incorporated into any draft recommendation or ordinance that is presented and considered by the Board of Supervisors.

Like many businesses and industries, our wine and agricultural community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and continued pandemic impacts. Our Valley remains in a state of recovery, that will continue well into the next few years. With ingenuity, creativity, flexibility and effort, our wine community has survived to this point; however, regulation of our industry that is neither warranted nor necessary is certain to upset the delicate balancing act that we have been able to achieve under historically adverse circumstances. Our wineries rely on marketing directly to consumers in order to sell our wines, especially given the fragile state of the restaurant industry that is expected to persist for years to come. Impacts, as mentioned above, pose an obvious threat to our industry and survival.

We strongly feel that the current draft ordinance is incomplete, and we ask that the commissioners review, consider, and implement the guidelines the Sonoma Valley Vintners & Growers Alliance have developed and written. The working group guidelines that were rewritten by an “ad hoc” committee were not inclusive of anyone from the wine or agricultural industry.

The Sonoma Valley region, and furthermore the County of Sonoma - its wineries and producers - continue to demonstrate the highest-level of responsibility and commitment to developing and adhering to agricultural and environmental best practices, and working faithfully to maintain transparency and communicate with the community at-large on matters that require resolution. Sonoma County Code Enforcement reports extremely minimal complaints related to winery activities in our region and those few have been easily resolved with proactive communication. The winery guidance and definitions we have developed in partnership with County Officials for nearly a decade now, best integrate practices that will help mitigate any risk to our communities, while continuing to allow our producers the unhindered ability to drive and boost our local economy.

Respectfully submitted on behalf of the SVVGA Board of Directors,



**Tom Rouse**, Landmark Vineyards  
Board President, Sonoma Valley Vintners & Growers Alliance



**Andriana Duckworth**, Interim Executive Director  
Sonoma Valley Vintners & Growers Alliance

Andriana Duckworth  
Interim Executive Director

Sonoma Valley Vintners & Growers Alliance  
P.O. Box 1698, Sonoma, Ca 95476  
C: (707) 490-8171 | O: (707) 935-2162

[andriana@sonomavalleywine.com](mailto:andriana@sonomavalleywine.com)

Check out Sonoma Valley At Home: [Virtual Tastings & Experiences](#), [Special Offers](#), and the [Virtual Video Library](#).

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**From:** [bross@sonic.net](mailto:bross@sonic.net)  
**To:** [PlanningAgency](#)  
**Subject:** ORD16-001 Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 1:03:35 PM

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**Re: ORD16-0001**  
**Winery Events Ordinance**

As an (almost) lifelong resident of Sonoma County, I have witnessed firsthand the wine industry's significant contributions to and important role in the economy of Sonoma County. The wine industry's influence on Sonoma County is far reaching, as a major employer in its own right, as an industry that supports and partners with many other businesses and industries in the County, and as a crucial participant of the philanthropic community in Sonoma County. The presence of family-owned wineries and vineyards in Sonoma County has played a role in maintaining our County's rural feel. And, during a time when wildfires are a challenge and a threat, vineyards function as fire breaks throughout the County.

Sadly, wineries and their important contributions to the quality of life in Sonoma County are now under threat. Wineries need your support. The consolidation of wine distribution channels has made the ability to market directly to consumers crucial to the survival of small family-owned wineries in particular. The wine industry, like many local industries has been hard hit by the myriad challenges of wildfires, including smoke exposure, power shutoffs, and diminished tourism. The Pandemic has added to the challenges we all face. The wine industry has reacted with ingenuity, creativity, flexibility, and the amazing efforts of our talented workforce to overcome these challenges.

The imposition of additional regulation during this crucial time as the wine industry works through these challenges could threaten the long-term viability of the industry, especially for family-owned wineries.

Further regulation is not warranted nor necessary. Sonoma County Code Enforcement reports extremely minimal complaints related to winery activities, and those few have been easily resolved with communication. PRMD should focus on compliance with planning documents and mitigation of impacts. Wineries are already subject to the general plan and zoning code which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise.

I urge the Board of Supervisors to consider the wine industries contributions to the health of our economy, as well as to the quality of life we all enjoy. Any winery event draft recommendation or ordinance considered by the Board should incorporate the Winery Guidance and Definitions developed by Sonoma Valley Vintners & Growers Alliance.

Thank you for your consideration of this important matter. The health of the wine industry, as a

significant contributor to the economy of Sonoma County, hangs in the balance.

Rebecca Ross

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**From:** [Steven Lande](#)  
**To:** [PlanningAgency](#)  
**Subject:** Re: ORD16-0001  
**Date:** Wednesday, February 16, 2022 1:26:43 PM

---

Re: ORD16-0001  
Winery Events Ordinance

I own a home here in Northern California and have worked in both restaurants and wineries.

Sonoma needs more visitors driving up from the Bay Area as well as from around the Country to keep our Hotels, Restaurants, Retail Stores and Bars full. These clients are mainly attracted to visit our area due to the World Class Wines we produce.

By restricting business for a Winery in reality this really restricts jobs and potential revenue for all employees in the food, beverage and hospitality industry.

The more creative we let individual winery's attract clients the more it will positively impact Jobs and Salaries for the entire business community that serves these visitors.

Steven Lande

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**From:** [Audrey Green](#)  
**To:** [PlanningAgency](#)  
**Subject:** Re: ORD16-0001 Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 2:23:06 PM

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As a resident and winery employee I am well aware of the industry's contribution to the economy of Sonoma County and the vitality our communities. Not only do wineries want to attract visitors to help bolster the economy, the wineries are a source of employment as well as support for local businesses with whom they work.

The presence of family-owned wineries and vineyards in Sonoma County has played a role in maintaining our County's rural feel. In a time when wildfires are a challenge and a threat, vineyards function as fire breaks throughout the County.

Sadly, wineries and their important contributions to the quality of life in Sonoma County are now under threat. Wineries need your support.

The wine industry, like many local industries has been hard hit by the myriad challenges of wildfires, including smoke exposure, power shutoffs, and diminished tourism. The Pandemic has added to the challenges we all face. The wine industry has reacted with ingenuity, creativity, flexibility, and the amazing efforts of our talented workforce to overcome these challenges.

The imposition of additional regulation during this crucial time as the wine industry works through these challenges could threaten the long-term viability of the industry, especially for family-owned wineries.

Further regulation is not warranted nor necessary.

Thank you for your consideration!

Regards,  
Audrey Green

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**From:** [Melina Acuros](#)  
**To:** [PlanningAgency](#)  
**Subject:** ORD16-0001 Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 2:26:31 PM

---

RE: ORD16-0001  
Winery Events Ordinance

I was born and raised in Sonoma County, primarily in Kenwood, but I have also lived in Sonoma and Santa Rosa. The natural beauty of the area is greatly enhanced and protected by the many wineries and vineyards that grace our county. Like the many residents of Sonoma County, it was only natural to seek employment at a winery at a young age. I fell in love with the industry, not only for the high quality product it produced, but also for the social aspect and the diversity it brings to our county. In my 30+ years working for Sonoma County wineries I have never personally observed a negative impact on the land or county's residents and have only seen the joy it brings to tourists and those who work in the industry. Without the wineries and their ability hold events and draw in tourists, the local restaurants and hotels would take a huge hit. I understand there are rules we must all follow to be considerate of our neighbors and make this work for all who live in the county. Putting further restrictions on wineries while we are all still attempting to recover from the pandemic and keep our county healthy and prosperous would be seriously detrimental to the economic health Sonoma County.

Thanks you for your consideration and the ability to weigh in on this important topic.

Best Regards,  
Melina Acuros



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**From:** [Jeremy Kreck](#)  
**To:** [PlanningAgency](#); [district4](#); [Jenny Chamberlain](#)  
**Subject:** Winery Events Ordinance Hearing Comments  
**Date:** Wednesday, February 16, 2022 2:30:05 PM  
**Attachments:** [WineryEventsOrdinance.docx](#)

---

EXTERNAL

Hi,

Please find attached comments from the Winegrowers of Westside Road related to the Winery Events Ordinance Hearing on 2/17.

Thank you,  
Jeremy Kreck

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# WINEGROWERS *of* WESTSIDE ROAD

Dear Planning Commissioners,

The Winegrowers of Westside Road (WoWR) represents over a dozen wineries and grape growers in supervisorial districts 4 and 5. Our board members have been very involved with both the formation of the Dry Creek Valley CAC and the meetings of the Westside Road Advisory/Stakeholders Committee. Throughout these discussions, there are a couple of key issues that we would like to address with respect to the proposed winery event ordinance:

1. We live here too. Wineries work hard to be good neighbors. Every WoWR board member lives within Sonoma County and most reside on Westside Road. We have every desire to maintain the area as the bucolic setting that it is.
2. Additional regulation hurts small farms. While larger corporate entities have the resources to hire consultants, attorneys, and engineers to navigate the already complicated use permit process, small family farms do not. Adding additional restrictions and regulations favors the shift from small agriculture to large corporations.
3. Winery events are not a significant issue within the county. Sonoma County Code Enforcement has reported that there are virtually no complaints about winery events. This sentiment is echoed by multiple county Supervisors. This ordinance is an unnecessary solution in search of a problem.
4. Our family farms need the flexibility and Use Permit latitude to quickly adapt to a changing marketplace. For example, the consolidation of wine distributors led to wineries needing to market directly to consumers and bring consumers on-site, because it has become nearly impossible for small brands to attract meaningful national sales. It is essential that the County Use Permit structure embraces the need to adapt: put boundaries around the things that impact neighbors and the community, but within those constraints allow the permit holder flexibility, rather than baking in a particular business model.
5. The Sonoma County Wine Industry is the gold standard of agriculture. As a high value product, the industry is able to employ thousands of people within the county, contribute millions of dollars annually to charity, and generate a significant amount of tax revenue to support the County overall.

Sincerely,

The Winegrowers of Westside Road

Pam Bacigalupi, Board President  
Claire Ramey, Board Treasurer and Secretary  
Ridge Evers, Board Member  
John Bucher, Board Member  
Jeremy Kreck, Board Member

**From:** [Yael Bernier](#)  
**To:** [PlanningAgency](#)  
**Subject:** Draft Winery Ordinance  
**Date:** Wednesday, February 16, 2022 5:07:16 PM

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February 16, 2022

To Sonoma County PRMD and BZA:

In 2016 the 4 members of the Dry Creek Valley Citizens Advisory Council (DCV CAC0 and board members from both the Dry Creek Valley Association and Winegrowers of Dry Creek Valley collaborated to craft a guidance document for the County to use when considering applications for use permits that include visitor serving uses in agriculture zones in the Dry Creek Valley.

The document was approved in 2017 and slight changes were added in 2018. This document has been in effect in Dry Creek Valley for the last five years and it has served the community of Dry Creek, both wineries and rural residents well. We appreciated the opportunity have input and we have seen that the guidelines work well. These guidelines were crafted by our local folks and people involved in the ag industry who know the Valley well. We support this document and recommend the continued use of the Guideline Document as originally crafted in evaluating new use permit applications that request visitor serving agricultural uses (e.g. tasting rooms promotional activities or events)and for modifications to add visitor serving uses to existing permits that were approved for agricultural processing only.

Respectfully,

Yael Bernier/President of the Dry Creek Valley Association

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**From:** [Yael Bernier](#)  
**To:** [PlanningAgency](#)  
**Subject:** Attachment regarding the Draft Winery Event Ordinance tomorrow  
**Date:** Wednesday, February 16, 2022 5:47:58 PM  
**Attachments:** [Draft Winery Event Ordinance Feb 16.docx](#)

---

Respectfully submitted for the record. Yael Bernier

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# DRY CREEK VALLEY ASSOCIATION

CULTIVATING VALLEY LIVES & LIVELIHOODS

February 16, 2022

To Sonoma County PRMD and BZA:

In 2016 the 4 members of the Dry Creek Valley Citizens Advisory Council (DCV CAC) and board members from both the Dry Creek Valley Association and Winegrowers of Dry Creek Valley collaborated to craft a guidance document for the County to use when considering applications for use permits that include visitor serving uses in agriculture zones in the Dry Creek Valley.

The document was approved in 2017 and slight changes were added in 2018. This document has been in effect in Dry Creek Valley for the last five years and it has served the community of Dry Creek, both wineries and rural residents well. We appreciated the opportunity have input and we have seen that the guidelines work well. These guidelines were crafted by our local folks and people involved in the ag industry who know the Valley well. We support this document and recommend the continued use of the Guideline Document as originally crafted in evaluating new use permit applications that request visitor serving agricultural uses (e.g. tasting rooms promotional activities or events) and for modifications to add visitor serving uses to existing permits that were approved for agricultural processing only.

Respectfully,

Yael Bernier/President



**From:** [Melanie Schafer](#)  
**To:** [PlanningAgency](#)  
**Subject:** Gloria Ferrer  
**Date:** Wednesday, February 16, 2022 10:02:42 PM  
**Attachments:** [image001.png](#)

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To Whom It May Concern,

As a wine community we have all been faced with unforeseen challenges between wildfires, months of poor air quality because of outlying fires, power outages and an ongoing pandemic and employee shortages. With each challenge we've had to adjust and redefine how we do business. Some of these changes have been needed and are good business practices, some have been more challenging. Whatever the challenges, we are all large contributors to the Sonoma County economy.

Gloria Ferrer has always done our best to work with the community we are a part of. We work in cooperation with our neighbors and have always been extremely conscious of the footprint we leave in the county as a business and neighbor. We are part of the IWCA and are committed to sustainability and a regenerative business model. We farm to the best of our ability, and we are proud to employ some of what we think are the best vineyard workers in the valley.

Our tasting room gives the consumer the opportunity to taste what has been labored over in the vineyard. Since the onset of Covid many changes had to be made to offer wine tasting to consumers. We have elevated the experiences we offer while at the same time see fewer people than pre-pandemic. Our customers enjoy wine and food experiences which is the responsible way to offer wine tasting. We see fewer guests now than before COVID. The events we have are smaller than prior years and adhere to all ordinances.

Overall, Gloria Ferrer and all the Sonoma County wineries employ our residents and bring business to our community, our hotels, restaurants, tour companies, etc. Changes to the current permitting will ill effect business, community and people, please consider this in your decision.

Thank you!

*Melanie Schafer*

Vice President of DTC & Marketing



23555 Arnold Drive, Sonoma CA 95476  
Cell 510-872-3199

**From:** [Julie Pedroncelli St John](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Comments for the Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 3:29:34 PM

---

February 16, 2022

To The Planning Commission.

I would like to address some of the issues surrounding the ordinance being discussed at the Planning Commission's meeting on February 17.

I am from a longtime grape growing and winemaking family winery. We have farmed in Sonoma County and have proudly included the Sonoma County name on our wines since the 1950s. We are located in the Dry Creek Valley where it is considered an 'area of concentration'. One of the ways this has been addressed is the formation of the Dry Creek Valley CAC (Citizens Advisory Council). It adds an advisory layer for projects and are made up of local DCV residents, vintners and/or grape growers. At this level it is key for wine related projects to be reviewed by those it would affect and then sent to be approved at the next level.

I think we can all agree there have been some challenges to our wine community whether it was fire, flood or PSPS (we were shut down for a week during one of the longest shut offs). The pandemic didn't help and has curtailed the number of visitors that we depend on, in part, to buy our wine- which in turn affects our bottom line as well as our future. With an ordinance I feel we don't need more regulation when we have the general plan and zoning codes which clearly identify everything from facility capacity to hours of operation, traffic, parking, noise and sanitation. Not to mention the DCVCAC which is in place to advise and direct these types of projects.

Lastly, I would ask you to include the Winery Guidance and Definitions developed by the Sonoma County Vintners in to any draft recommendation or ordinance to be presented and considered by the Board of Supervisors. These guidelines and definitions were already approved and used by the DCVCAC to determine the best course when considering wine related projects.

Thank you for your time.

Julie Pedroncelli St. John  
3<sup>rd</sup> Generation Family Owner  
Pedroncelli Winery

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**From:** [Maureen Davison](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Proposed Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 3:54:33 PM

---

Dear Planning Commission-

I am concerned by the increased regulations that the Ordinance places on wineries.

I am from a family winery that has been in operation for over 90 years and has been able to co-exist with my neighbors (and continues to).

When residents choose to live in wine country they must accept that there will be wineries. It is like someone who chooses to live near an airport or the fly zone and then complains that the airplanes are too noisy. (In all likelihood was the resident's choice to live here a result of visiting a winery?)

Wineries are a major mainstay of the county.

In order for wineries to thrive they need to sell their product. The market place for sales is changing. Direct to consumer sales is a key to winery success.

The last 2 years have been a big game changer. As such the traffic and other studies may be outdated.

**General plan and zoning code already exists for wineries** which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation and noise. Planning and permitting should focus on compliance with existing planning documents and the mitigation of impacts. **We don't need an ordinance to further define something that is already in place.**

Dry Creek Valley has successfully created a plan within their community through the DCVCAC. Westside Road area needs to do the same. They need to work it out instead of having the County create code that does not work for other communities. Sonoma County Code Enforcement reports extremely minimal complaints related to winery activities and those few have been easily resolved with communication.

If the Ordinance is kept I request that the Winery Guidance and Definitions developed by Sonoma County Vintners be incorporated into any draft recommendation or ordinance to be presented and considered by the Board of Supervisors. The suggested Ordinance definitions between events and parties and dinners, etc. is mind boggling and shows that the County does not fully understand the vast differences between one winery and the next and there are site specific differences in capacity and how wineries operate.

Thank your consideration to the above points.

Maureen Davison  
6905 Geysers Road

Geyserville, Ca 95441  
707.857.3741 (h)  
707.292.5096 (c)  
[maureen@avispmail.com](mailto:maureen@avispmail.com)

Maureen Davison  
Epperson Associates, LLC  
Bothwell & Swaner Company  
6905 Geysers Road  
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707.857.3741 (h)  
707.292.5096 (c)  
maureen@avispmail.com

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**From:** [raymond.willmers@gmail.com](mailto:raymond.willmers@gmail.com)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** FW: Winery Events  
**Date:** Wednesday, February 16, 2022 4:19:02 PM

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Thank you for the opportunity to speak out.

We, the county seem to never want to discuss the cumulative impact of winery events and events in general. I live in Kenwood and pre-Covid, every weekend night in June, you can hear 2 to 4 bands playing simultaneously. July and August seem to slow down to one night per weekend.

This data does not include non-permitted, non-winery events that are also occurring simultaneously.

I believe Chateau St. Jean has a permit for 100 or more events...that is why Foley Family Wines just purchased them. Years ago, prior to the 2017 fire, we tried hard to get the commission to NOT pass Chateau St. Jean/Treasury Wine Estates request...the county managers gave the winery exactly what they wanted without listening to the public at the open meeting....I wish Dick Fogg was still with us.

We all know about outdoor amplified music...10 p.m. rule, etc., etc....but it is ignored most weekends. And the poor Sheriff's department has more important issues to deal with on summer weekends.

Chateau St. Jean plays their music indoors with one wall completely open to the outdoors. Hence, the sound travels as if it is outside...check it out.

Lastly, with the new hotel, spa, restaurant and winery on the old Greywood Ranch property here in Kenwood currently going up...sleepy Sonoma Valley will continue to see an increase in noise, light and traffic pollution.

Thank you,

Raymond Willmers

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**From:** [Kim Stare Wallace](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Comments for Proposed Winery Events Ordinance  
**Date:** Wednesday, February 16, 2022 4:20:06 PM  
**Attachments:** [image004.png](#)  
[Letter to Permit Sonoma Kim Stare Wallace.pdf](#)

---

Please see my attached letter and comments regarding the proposed Winery Events Ordinance.

**Kim Stare Wallace**

*President*

707.433.1000 ext. 130

[Kim@drycreekvineyard.com](mailto:Kim@drycreekvineyard.com)

3770 Lambert Bridge Rd.

Healdsburg, CA 95448



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February 16, 2022

Permit Sonoma  
2550 Ventura Ave.  
Santa Rosa, CA 95403



**RE: Proposed Winery Events Ordinance**

Dear Planning Commissioners,

I am the President and second-generation owner of Dry Creek Vineyard, our family winery celebrating our 50<sup>th</sup> Anniversary this year. Our winery was founded by my father and was the first new winery in the Dry Creek Valley following Prohibition. Having grown up in the Dry Creek Valley, I have seen the vast changes in our County and witnessed our quiet farming community turn into a thriving tourist destination.

Over the last few years, our community has experienced wildfires, floods, smoke exposure, diminished tourism and the impacts of a global pandemic. Many local businesses have shut down, but those that are left standing need your support so that those businesses and wineries that remain, can continue to employ a large portion of our community. In addition, it is imperative that we are still able to play the crucial role in the success of our local economy by giving back to our local community through contributions and charitable giving.

Having served on the Sonoma County Vintners (SCV) Board for the last 8 years and still involved with the SCV Government Relations Committee, it is very clear how important these critical business activities are that help gain and retain wine club members. I have been very active in ensuring that the voices of winery operators and grape growers in Sonoma County are being heard. Several events ordinance discussions have taken place and my hope is that the Sonoma County Planning Commissioners can determine the new standards for winery events/business activities while taking into account the perspectives of those whose livelihood is operating a winery as well consider the concerns of the community.

As you may know, the changing landscape of distributor consolidation has greatly affected the wine industry and most wineries have a very difficult time selling their wines in the wholesale system. It is absolutely essential for our survival that we are able to continue to build consumer relationships, as well as market and sell wine through the Direct-to-Consumer channels (tasting room, wine club and e-commerce). In order to be a successful winery business, we need to have the ability to engage directly with our consumers through wine club functions, educational events and tasting room visits in order to sell our product. This is particularly true for the hundreds of family-owned wineries upon which the Sonoma County wine industry was built, and it is what led to the revitalization of our County's economic base, which contributes \$13 billion each year. Adapting to the ever-changing marketplace is something we do well, but in order to exist in the future, we need flexibility in marketing directly to our customers.

ESTABLISHED 1972  
DRY CREEK VALLEY  
SONOMA COUNTY

POST OFFICE BOX T  
3770 LAMBERT BRIDGE RD  
HEALDSBURG, CA 95448

TELEPHONE 707.433.1000  
FAX 707.433.5229  
WWW.DRYCREEKVINEYARD.COM

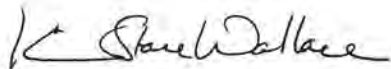


It is important to recognize that the vast majority of wineries in Sonoma County are extremely conscientious small business owners, running their wineries with a high degree of integrity and ethics. Most business owners are considerate neighbors and play by the rules. In fact, there are minimal complaints related to winery activities and those that have occurred, were handled with simple communication. As you can see, unnecessary regulation is not the solution and with it we cannot survive. Key issues such as noise, parking, traffic, sanitation and hours of operation are already addressed through the general plan and zoning code.

Many of our wineries have partnered with regional organizations to create thoughtful and realistic approaches to the definitions behind the distinction between "activities" and "events" for the benefit of both the wineries and the surrounding neighbors. The Winery Guidance and Definitions, developed by Sonoma County Vintners, is an example of this collaboration, and should be incorporated into any draft recommendation or ordinance to be presented and considered by the Planning Commission and the Board of Supervisors so that all stakeholders are involved. It's important that these terms are universally agreed upon by all stakeholders.

I urge you — please do not make the dire situation that is the revitalization of our local businesses into an impossible one. Let's enforce the rules, and accept that Direct to Consumer business practices that allow us personal interaction with our customers and sell our product are essential to our survival in this ever-increasing competitive world of wine. Sonoma County is dependent on the health, economic impact and vibrancy of our wine and grape industries. We can do better than a one-size-fits-all approach in this "new normal" of unprecedented times.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Stare Wallace". The signature is fluid and cursive, with a large initial "K" and "S".

Kim Stare Wallace  
President

**From:** [Robert Conard](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** PRMD - Winery Events  
**Date:** Wednesday, February 16, 2022 4:45:18 PM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[Winery Events - PRMD - 2-16-2022.pdf](#)

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February 16, 2022

Dear Planning Commission,

Regarding the proposed Winery Events Ordinance, it is extremely important that the differences between winery “Events” and the daily “Activities” that wineries do to conduct business are addressed. Over the past few years Sonoma County Code Enforcement has reported extremely minimal complaints relating to winery activities. These would be things like Wine Club Pick-Up’s, Vineyard Tours, Winemaker Luncheons, Dinners, and other ancillary activities that directly relate to the education and sale of our product. These types of activities are crucial to small agricultural businesses like ours to survive.

Over the past five years, wine wholesale and distribution consolidation and bulk wine “brands” taking up the majority of retail store shelf space has diminished the ability for small to midsize wineries to get representation in the three-tier market and get our products distributed. Family-owned businesses like ours are now, more than ever, required to market directly to our consumers and sell directly to them to simply keep our people employed and stay in business.

Viticulture has been a part of Sonoma County culture since 1812 and Sonoma County Vintners has been representing agricultural businesses like ours since 1944. I would strongly urge the Planning Commission to incorporate the “Winery Guidance and Definitions” developed by Sonoma County Vintners be incorporated into any draft recommendation or ordinance to be presented and considered by the Board of Supervisors.

The Sonoma County Wine industry and the community of businesses that support them are major employers in this county and as such these businesses contribute greatly to the Sonoma County economy. As we as a community push our way through this pandemic, please help us to keep our Sonoma County economy thriving.

Sincerely,

Robert Conard  
Director of Hospitality & Retail Sales  
Dry Creek Vineyard  
3770 Lambert Bridge Rd.  
Healdsburg, CA 95448



February 16, 2022

Dear Planning Commission,

Regarding the proposed Winery Events Ordinance, it is extremely important that the differences between winery "Events" and the daily "Activities" that wineries do to conduct business are addressed. Over the past few years Sonoma County Code Enforcement has reported extremely minimal complaints relating to winery activities. These would be things like Wine Club Pick-Up's, Vineyard Tours, Winemaker Luncheons, Dinners, and other ancillary activities that directly relate to the education and sale of our product. These types of activities are crucial to small agricultural businesses like ours to survive.

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The Sonoma County Wine industry and the community of businesses that support them are major employers in this county and as such these businesses contribute greatly to the Sonoma County economy. As we as a community push our way through this pandemic, please help us to keep our Sonoma County economy thriving.

Sincerely,

Robert Conard

Director of Hospitality

Dry Creek Vineyard

ESTABLISHED 1972

DRY CREEK VALLEY

SONOMA COUNTY

POST OFFICE BOX 1

3770 LAMBERT BRIDGE RD

HEALDSBURG, CA 95448

TELEPHONE 707.433.1000

FACSIMILE 707.433.5323

WWW.DRYCREEKVINEYARD.COM

**From:** Protect San Antonio Valley <[admin@protectsav.org](mailto:admin@protectsav.org)>

**Sent:** Wednesday, February 16, 2022 4:58 PM

**To:** Greg Carr; Pat Gilardi; Jacquelynne Ocana; Shaun McCaffery; Eric Koenigshofer

**Subject:** Winery Event Ordinance Hearing February 17, 2022

**EXTERNAL**

Dear Commissioners Carr, Gilardi, Ocana, McCaffery, and Koenigshofer

Protect San Antonio Valley ("PSAV") appreciates the opportunity to submit comments on the proposed Winery Event Ordinance. While there are few wineries in our local area it is our understanding that the Ordinance, once adopted, will inform permitted uses on agricultural properties generally. For that reason, we think it is important to share our perspective.

We concur with the position laid out by Protect Rural Sonoma County in its letter to the commissioners. In addition, we would like to highlight the following concerns.

- 1) **All parties should be considered "Events."** The proposed ordinance appropriately defines winemaker lunches, dinners, release parties & club parties as "Events." This is consistent with past practices and in line with common understanding. However, designation of harvest parties and pickup parties as "Activities" would be inappropriate and inconsistent. It falsely differentiates between gatherings depending on how and to whom they are promoted, rather than on the nature of what is actually taking place. This is confusing and would create an opportunity for significant abuse.
- 2) **All visitor gatherings including "Trade Partners" held outside of normal business hours (10-am - 5pm) should be considered Events.** Wineries, just like retail stores, manufacturers, and professional service firms, have regular hours of operation. Visitor gatherings that occur outside of normal business hours are not ordinary operations and should be considered Events.
- 3) **Outdoor amplified sound should not be permitted.** Outdoor amplified sound is not essential to the production and sale of agricultural products. It has significant negative impacts on neighbors and the community in general, especially in valleys where sound travels easily and far.
- 4) **Siting criteria should include:** 20 Acre minimum parcel size, 18 ft minimum access road, and a density standard of no more than 2 facilities per half mile.
- 5) **Tasting rooms and event spaces in city and town centers should be encouraged.** These tasting rooms and event spaces reduce impacts on rural agricultural areas, provide access to accommodations, and are linked to

transportation corridors. They significantly improve safety by limiting potentially impaired driving on rural roads.

The wine industry's push to expand visitor serving uses is designed to promote new hospitality "experiences" rather than activities related to the production and sale of their products. It would put pressure on Sonoma County's restaurant industry and blur the line between agricultural production and a hospitality or event center. Wineries are zoned as agricultural businesses. To preserve and enjoy the benefits of that designation, they should operate as agricultural businesses and not hospitality venues.

Thank you for your consideration,

Protect San Antonio Valley



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**Public  
Comments  
after publication  
for PC Hearing  
2-17-22**

**From:** [Brian Oh](#)  
**To:** [Georgia McDaniel](#); [Hannah Spencer](#)  
**Subject:** FW: Planning Commission Meeting on the Wine Event Ordinance  
**Date:** Monday, February 14, 2022 9:21:57 AM

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## EXTERNAL

This is so important. Please consider the following points in fashioning the Ordinance.

1. All parties are events. There is no rational basis for the Staff including Release and Wine Club parties as events and categorizing Pick-up Parties and Harvest Parties as activities and thus not subject to the limitation in use permits on events. All parties must be considered events as has been the County's practice for decades. Creating carve-outs for certain types of events that are not subject to the limitations in use permits, particularly when there is little if any practical difference in impacts between such types of events, will create a compliance nightmare. The County must include in the ordinance its long-standing practice that all parties - wine club, pick-up, release, harvest or any other such party be counted as an event and covered under the winery's use permit.

2. Trade gatherings that include a meal or that are held after hours must be categorized as an event just the County treats a such a gathering of other visitors to the winery and included in the use permit. By proposing a carve-out to allow events for "Trade Partners" that do not count as events under a winery's use permit creates a major loophole for wineries to expand entitlements. There is no practical means for the public or the County to assess if an event held for the "trade" was truly trade event or some other event for customers of the winery. Furthermore, the impacts to the neighborhood resulting from an event held for the "trade" are exactly the same as the impacts created by an event held for any other group of visitors to the winery. Wineries have the ability to conduct trade events; however, such gatherings need to be specified in the use permit application so the County can assess the potential impacts to the neighborhood, just like the County does with all other types of gatherings.

3. Since the County is not conducting any CEQA analysis, the ordinance has to be absolutely clear that any existing use permit holder must get a modification to it use permit for any increase in its hospitality operations

4. The Commission should adopt additional siting criteria as part of the ordinance including:

- a. 20-acre minimum parcel size
- b. 18-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

Our future depends on this.

Thank you,

Nancy Feehan  
30090 Seaview Road  
Cazadero CA 95421

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**From:** [Ted Lemon](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** winery events ordinance  
**Date:** Wednesday, February 09, 2022 2:37:13 PM

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Dear PRMD:

Regarding the proposed ordinance: we would like to see further clarity on what is classified as an event as compared to a business activity. We would like to see wine pick up days, winemaker lunches and distributor dinners classified as a business activity and not count as an event on the winery use permit. These activities already fall within the winery's use permit guidelines for parking, max capacity, sewage etc. In particular, wine pick up days are important customer relations days. Many of us do not have cased good storage of any significance on site. There is no way for us to accommodate holding wine for customers over many weeks or months while they dribble in to pick up their wines. The latter format also places a much heavier burden on our staff and takes away from precious time with new customers.

Thank you,

Ted Lemon  
Proprietor  
Littorai Wines  
788 Gold Ridge Rd  
Sebastopol, CA 95472

Tel: 707-823-9586  
Fax: 707-823-9589

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**From:** [Michael Haney](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Events/Business Activities  
**Date:** Friday, February 11, 2022 3:19:36 PM

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February 11, 2022

Good Afternoon:

I am writing in anticipation of the Sonoma County Planning Commission's Update on Winery Events scheduled for Tuesday, February 17.

Sonoma County Vintners Association once again wants to communicate and support our previous proposal and efforts over the past few years recommending our County adopt clear definitions as to what constitutes a winery event versus a winery business activity.

The operation of a winery in any agricultural Land Use Designation requires a Use Permit. Like other Use Permits, conditions are required to address the impacts of that operation. The conditions are not to direct how the applicant operates the business. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform or the number of services offered.

Similarly, a winery produces wine and sells that wine through several different channels allowed under their permits from the California Alcoholic Beverage Control and the federal TTB.

These are business activities inherent to the operation of the winery that allow the winery to be successful.

With wholesale wine distribution undergoing vast consolidation over the past five years, now more than ever, wineries, especially small family owned wineries, cannot secure adequate wholesale distribution. Direct to Consumer sales and the related business activities are without a doubt critical for winery survival in today's market.

We support the definitions and proposal that wine pick up days, winemaker lunches, distributor dinners and additional consumer sales related activities be classified as a business activity and not count as an event on a winery use permit. These activities will fall within the wineries use permit guidelines for parking, max capacity, sewage...

Other activities outside a winery operations business model (i.e. weddings, political gatherings, philanthropic fundraisers) or those that exceed the winery's managed capacity, can be regulated as events. The number of these events can be spelled out in the winery's Use Permit.

The past five years have been stressful for our family owned wineries as they have responded to fires, flood, power cutoffs and now pandemic challenges. Our wineries have been resilient and demonstrated creativity in order to survive and remain one of our

counties main economic and employment leaders, as well as a main charitable contributor. Now is not the time to handcuff them further with guidelines or an ordinance that does not clearly identify what an allowed business activity is conditioned by the property's ability to mitigate impacts.

Thank you for your time and consideration.

Sincerely,

Michael Haney  
Executive Director  
Sonoma County Vintners  
Sonoma County Vintners Foundation

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**From:** [Brian Oh](#)  
**To:** [Hannah Spencer](#); [Georgia McDaniel](#)  
**Subject:** FW: ORD16-0001 Winery Event Ordinance  
**Date:** Monday, February 14, 2022 9:22:51 AM

---

Dear Planning Commissioner:

I support the winery ordinance and applaud the work everyone has done so far.

The purpose of the ordinance is to provide clarity for staff, avoid conflicts and close loopholes while protecting local residents from unauthorized events, parties and other gatherings.

What continues to trouble me is the the new proposed definition of events and activities. While the Staff's table is generally consistent with long-standing practices, the ordinance needs further clarification and the closure of a few significant loopholes.

Here are areas that need to be addressed:

- 1- Anytime visitors are invited it is an event, whether it be pick-up parties, harvest parties, trade gatherings, weddings, educational outings or whatever.
  - 2- Staff lists winemaker lunches, dinners, release parties and wine club parties as promotional events. That's fine. Exempting lunches or dinners for a certain class of Trade Meeting attendees will create an unverifiable and unenforceable standard. There will never be an effective way to monitor this. It is an invitation to abuse with no means of enforcement.. A gathering has the same impact whether held for trade or members of the public. There should be no exemptions for wine trade members.
  - 3- The County has long maintained parties held for visitors (not employees) are events. If wine club and release parties are events so are pick-up and harvest parties. The invitation to gather and the impacts are the same no matter what name you give it.
  - 4- Trade Meetings should be treated the same as other AG promotional events and all parties should be classified as events.
  - 5- No "Honor System" will be sufficient here. We need clearly defined rules to make the ordinance effective.
- Climate change and drought conditions are not going away. We want businesses to thrive as well as take care of our lands and ecosystem. Let's do this ordinance to protect everyone and everything.

Thank you for your cooperation.

CHRISTINA MEYER  
Rohnert Park

Greetings~

Thank you for helping to support homes and residents that are subjected to winery noise elements, including congestion on roads! We desperately need support from our elected officials.

We live in a neighborhood of homes and apartments that are greatly impacted pretty much every day by a loud winery and their events.

The winery has basically turned into an event center. They have amplified music almost everyday but two, parties/events, weddings and happy hours in addition to their regular wine tastings. Patrons have very raised conversations due to the amplified music and drinking. There are loud arguments. Advertised Happy hours go from 5:00 to 9:00 at night. Not the normal 3:00-5:00. At any given time there can be 60 plus cars in their parking lot. There is no turn lane into the property from the Highway. This is an example of over concentration and abuse of any permits? And where is the septic? These are legitimate concerns.

When approached by their neighbors about the events and noise the response from the owner is, "We will do what it takes to make our customers happy" When asked what their noise policy is, there is no response. There is no monitoring or enforcement. When all else fails, calling the sheriff, the response is "There is no noise ordinance" When asked to build a sound wall, the answer is no. When calling to complain they accuse us of harassing them.

This establishment is not focused on ag/vineyards to learn about wine making etc. There is no wine making on site.

This obtrusive situation has become a health problem and contributes to stress. It decreases property values. It also interferes with sleep and concentration.

The question is what are the set back requirements in a residential area? The outdoor patio events are 30 feet from property lines. The wedding site is even less from property line. Why does there have to be amplified music? This has been going on for years.

We feel defeated with no recourse, and no rights.

Thank you for your help, no one should have to endure this frustrating situation.

Susan and Keith Evans  
West County Residents of 27 years

**From:** [Brian Oh](#)  
**To:** [Hannah Spencer](#); [Georgia McDaniel](#)  
**Subject:** FW: Winery Event Ordinance  
**Date:** Monday, February 14, 2022 9:22:39 AM

---

Dear Commissioners:

So much time has passed since the Commission originally began the discussions, it is imperative to remind you of the community groups' concern about the potential for the ordinance to expand entitlements for entertainment and hospitality services at wineries located in ag and rural areas.

The proposed ordinance has a number of loopholes (see below) that have the effect of rolling back long-standing County standards and making enforcement of standards virtually impossible.

1. All parties are events. There is no rational basis for the Staff including Release and Wine Club parties as events and categorizing Pick-up Parties and Harvest Parties as activities and thus not subject to the limitation in use permits on events. All parties must be considered events as has been the County's practice for decades. Creating carve-outs for certain types of events that are not subject to the limitations in use permits, particularly when there is little if any practical difference in impacts between such types of events, will create a compliance nightmare. The County must include in the ordinance its long-standing practice that all parties -- wine club, pick-up, release, harvest or any other such party -- be counted as events and covered under the winery's use permit.

2. Trade gatherings that include a meal or that are held after hours must be categorized as events just the County treats such gatherings of other visitors to the winery and included in the use permit. A carve-out to allow events for "Trade Partners" that do not count as events under a winery's use permit creates a major loophole for wineries to expand entitlements. There is no practical means for the public or the County to assess if an event held for the "trade" was truly a trade event or some other event for customers of the winery. Furthermore, the impacts to the neighborhood resulting from an event held for the "trade" are exactly the same as the impacts created by an event held for any other group of visitors to the winery. Wineries have the ability to conduct trade events; however, such gatherings need to be specified in the use permit application so the County can assess the potential impacts to the neighborhood, just like the County does with all other types of gatherings.

3. Since the County is not conducting any CEQA analysis, the ordinance has to be absolute clear that any existing use permit holder must get a modification to its use permit for any increase in its hospitality operations

4. The Commission should adopt additional siting criteria as part of the ordinance including:

- a. 20-acre minimum parcel size
- b. 18-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

Thank you for your consideration of my perspectives.

-- Rick Luttmann

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**From:** [Chris Koch](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Comments on winery events  
**Date:** Sunday, February 13, 2022 2:00:31 PM

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Dear Planning Commission,

You have many issues to address with respect to the winery events. I would like to focus on one.

I like the wine industry. I am a consumer. I think it's important to the character of the County. I want it to be financially successful.

BUT, I believe **amplified music** at winery events is an unfair and annoying inconvenience imposed on neighbors. County noise standards are not the answer, as the sound of amplified music can and does carry considerable distances. Winery events should not impose noise pollution on neighbors.

If a winery needs amplified music to sell its wine, it should get a new winemaker. The Winery Ordinance should not allow amplified music at events.

If a winery feels it needs amplified music at a particular event, let it apply for a special permit. Amplified music should not be a part of the Winery Ordinance.

Thank you for your consideration.

Chris Koch  
Kenwood

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**From:** [sonomacountyhospitality@gmail.com](mailto:sonomacountyhospitality@gmail.com)  
**To:** [PlanningAgency](#)  
**Subject:** Sonoma County Planning Commission's Update on Winery Events - Letter From SCHA  
**Date:** February 14, 2022 9:32:02 AM  
**Attachments:** [image001.png](#)  
[Winery Events Letter to Supervisors Planning Commission.pdf](#)  
**Importance:** High

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## EXTERNAL

Please review the attached letter regarding the Sonoma County Planning Commission's Update on Winery Events scheduled for Tuesday, February 15.

Thank you,

**Debbie Osborn**  
*Senior Program Director*  
**Sonoma County Hospitality Association**  
PO Box 6181  
Santa Rosa, CA 95406  
707-478-7878  
<https://www.sonomacountyhospitality.org/>  
[SonomaCountyHospitality@gmail.com](mailto:SonomaCountyHospitality@gmail.com)



**SONOMA COUNTY**  
HOSPITALITY ASSOCIATION

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February 11, 2022

Sonoma County Planning Commission and Board of Supervisors:

The Sonoma County Hospitality Association (SCHA) represents a wide range of area businesses, from small restaurants to large hotels, wineries, breweries, transportation, attractions and guest facing retail. As a trade group SCHA tends to focus on training, networking, member relations and advocacy. SCHA believes in “stronger together” and recognizes that decisions made that have a negative effect on one effect all.

We are writing in anticipation of and in regard to the Sonoma County Planning Commission’s Update on Winery Events scheduled for Tuesday, February 15.

We agree and support the Sonoma County Vintners Association proposal and our Sonoma County wine community efforts over the past few years as they have worked with the County and suggested solutions in order for our County to adopt clear definitions as to what constitutes a winery event versus a winery business activity.

The operation of a winery in any agricultural Land Use Designation requires a Use Permit. Like other Use Permits. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform or the number of services offered. A winery produces wine and sells that wine through several different channels allowed under their permits from the California Alcoholic Beverage Control and the federal TTB. These are business activities inherent to the operation of the winery that allow the winery to be successful. Other activities outside a winery operations business model (i.e., weddings, political gatherings, philanthropic fundraisers) or those that exceed the winery’s managed capacity, can be regulated as events. The number of these events can be spelled out in the winery’s Use Permit.

Direct to Consumer sales and the related business activities are without a doubt critical for winery survival in today’s market.

So, we support the Vintners proposal that wine pick up days, winemaker lunches, distributor dinners and additional consumer sales related activities be classified as a business activity and not count as an event on a winery use permit.

The past five years have been more than stressful for our family-owned wineries as they have responded to fires, flood, power cutoffs and now pandemic challenges. Our wineries have been resilient and demonstrated creativity in order to survive and remain one of our counties main economic and employment leaders, as well as a main charitable contributor.

Now is not the time to handcuff them further with guidelines or an ordinance that does not clearly identify what an allowed business activity is conditioned by the property's ability to mitigate impacts.

Eric Markson

SCHA Board Chair, President

**From:** [Marc Bommersbach](#)  
**To:** [Brian Oh](#); [Scott Orr](#); [Georgia McDaniel](#)  
**Subject:** Fw: Preserve Rural Sonoma County's comments on the Winery Event Ordinance  
**Date:** Tuesday, February 15, 2022 11:05:38 AM  
**Attachments:** [Exhibit B PRSC redline markup 5-26.pdf](#)  
[PRSC5 winery ordinance5-28PS.pdf](#)

---

----- Forwarded Message -----

**From:** Marc Bommersbach <mbommersbach@att.net>  
**To:** greg.carr@sonoma-county.org <greg.carr@sonoma-county.org>; Pat Gilardi <pat.gilardi@sonoma-county.org>; Jacquelynne Ocana <jacquelynne.ocana@sonoma-county.org>; shaun.mccaffery@sonoma-county.org <shaun.mccaffery@sonoma-county.org>; Eric Koenigshofer <eric.koenigshofer@sonoma-county.org>  
**Sent:** Saturday, February 12, 2022, 11:17:56 AM PST  
**Subject:** Preserve Rural Sonoma County's comments on the Winery Event Ordinance

Dear Commissioners,

PRSC greatly appreciates the County's efforts to conclude a winery event ordinance that codifies many of the County's practices for review and approval of winery use permits.

Attached are Preserve Rural Sonoma County's (PRSC) markup of the Staff's proposed ordinance and comment letter that were submitted into the record for the last hearing.

To expeditiously get to the essence of this ordinance, the Commissioners should review PRSC's proposed changes highlighted in red (attached).

As you can see from the attached markup, the changes PRSC proposes are relatively few, but critically important to have a meaningful and enforceable ordinance.

Key issues:

1. All parties are events. All parties must be considered events as has been the County's practice for decades. Creating carve-outs for certain types of events that are not subject to the limitations in use permits, particularly when there is little if any practical difference in impacts between such types of events, will create a compliance nightmare. The County must include in the ordinance its long-standing practice that all parties - wine club, pick-up, release, harvest or any other such party be counted as an event and covered under the winery's use permit.

2. Trade gatherings held after hours or where meals are provided must be categorized as an event just the County treats a such a gathering of other visitors to the winery. Creating a carve-out for "Trade Partners" that do not count as events under a winery's use permit creates a major loophole for wineries to expand entitlements. The impacts to the neighborhood resulting from an event held for the "trade" are exactly the same as the impacts created by an event held for any other group of visitors to the winery. Furthermore, there is no practical means for the public or the County to assess if an event held for the "trade" was truly trade event or some other event for customers of the winery. Wineries have the ability to conduct trade events; however, such gatherings need to be specified in the use permit application so the County can assess the potential impacts to the neighborhood, just like the County does with all other types of gatherings.

3. Since the County is not conducting any CEQA analysis, the ordinance has to be absolutely clear that any existing use permit holder must get a modification to it use permit for any increase in its hospitality operations

In addition, siting criteria for new winery/tasting rooms was included in discussions from the inception of the County's efforts to manage development in ag areas. The following siting criteria should be included in the ordinance.

- a. 20-acre minimum parcel size
- b. 20-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

Thank you for your consideration of this important matter.

Marc Bombersbach

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**EXHIBIT “B”**  
**CHAPTER 26. SONOMA COUNTY ZONING REGULATIONS**  
**ARTICLE 18. AGRICULTURE AND RESOURCE-BASED USE STANDARDS**

**26-18-260 – Winery Standards**

- A. Purpose. This Section 26-18-260 provides a greater level of detail for the desired character of development in areas zoned LIA - Land Intensive Agriculture, LEA - Land Extensive Agriculture, and DA - Diverse Agriculture. For the areas zoned LIA, LEA, and DA, this Section 26-18-260 identifies procedures and criteria applicable to new or modified use permit applications for winery visitor serving activities and winery events. Current use permit holders shall be limited to the visitor and hospitality uses specifically allowed in their use permit conditions. The Standards in this division shall be referred to as “Winery Standards.”
- B. Applicable Areas. The provisions of this section apply to parcels zoned LIA – Land Intensive Agriculture, LEA-Land Extensive Agriculture, and DA -Diverse Agriculture. For split-zoned parcels, the provisions of this section apply to the portion of the parcel zoned for any of the agricultural zoning districts listed above.
- C. Local Advisory Guidelines. Citizen advisory councils/commissions established by the Board of Supervisors review projects subject to this section in accordance with their adopted local advisory guidelines, and make advisory recommendations to the Permit and Resource Management Department, Board of Zoning Adjustments, Planning Commission, and Board of Supervisors.
- D. Terms and phrases used in this section are defined as follows:
1. **Catering Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A catering kitchen associated with a winery and/or tasting room can include warming ovens, sinks and refrigeration, but no stove top, grill or range hood.
  2. **Commercial Kitchen** means a facility used for the preparation of food to be served in conjunction with winery visitor-serving activities and/or winery events. A commercial kitchen associated with a winery and/or tasting room can include counter space, sinks, microwave oven(s), warming oven(s), refrigeration, a stove or range, grill and an exhaust hood, and outdoor equipment such as pizza ovens or barbecues.
  3. **Food and Wine Pairing** means providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.
  4. **Rural Area** means any area not located within an urban service area designated on the General Plan Land Use Map.
  5. **Winery** means an agricultural processing facility that converts fruit into wine. Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices, tasting rooms, event space, commercial kitchen, and catering kitchen.
  6. **Winery Events** means events held at wineries and tasting rooms for the purpose of promoting and marketing agricultural products grown or processed in the County. Winery events are secondary and incidental to agricultural production activities occurring onsite ~~and/or in the area~~ and are consistent with General Plan Policy AR-

6d. There are two types of winery events: Agricultural Promotional Events and Industry-Wide Events.

7. **Agricultural Promotional Events** are directly related to public education, sales and promotion of agricultural products to consumers, including but not limited to: winemaker lunches, dinners, release/pick-up parties, harvest and wine club parties and similar events.
8. **Industry-Wide Events** are promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.
9. **Wine Trade Partners** means distributors, wine trade buyers, restaurant owners and their representatives, ~~winery or tasting room owner(s), winery employees, and tasting room employees.~~
10. **Winery Visitor Serving Activities** means visitor serving activities that are part of normal winery and wine tasting room business operations. There are two types of winery visitor-serving activities: Sales Activities and Wine Trade Activities.
11. **Sales Activities** are wine tasting, pickup parties, tours, seminars and other similar hospitality related activities that support the promotion of wine sales excluding winery events.
12. **Wine Trade Activities** are by-invitation meetings, seminars, harvest parties-wine tastings and similar activities excluding winery events, and attended only by wine trade partners and are not advertised to the consumer.

E. Operating Standards.

1. Winery Visitor Serving Activities. Winery visitor serving activities are considered part of normal winery and tasting room business operations. All winery visitor serving activities must be consistent with the tasting room hours of operation, maximum number of guests allowed, building occupancy limits, and operational requirements specified in the use permit.
2. Winery Events. Winery events must be consistent with the hours of operation, maximum number of event days, maximum number of guests allowed, building occupancy limits, and other operational requirements specified in the use permit.
3. Sizing, permissibility and other parameters of winery visitor serving activities and winery events, and maximum number of event days is based upon a variety of factors specific to the site and surrounding uses, including, but not limited to, septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, increased risk of harm to people or property as a result of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.
4. Hours of Operation. The maximum hours of operation for winery visitor serving activities and winery events are specified below, unless further limited by the use permit.
  - a. Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.

- b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor-serving activities are specified below by activity type.
  - (1) Sales Activities: 10 am – 5 pm.
  - (2) Wine Trade Activities: ~~8~~10 am – ~~4~~5 pm.
- c. Winery Events. The maximum hours of operation for events are specified below by event type.
  - (1) Agricultural Promotional Events may occur during the hours of 10 am – 10 pm, with all cleanup occurring no later than between 9:~~30~~00 pm – 10 pm or as otherwise specified in Use Permit conditions.
  - (2) Industry-wide Events may occur during the hours of 10 am – 5 pm.
- 5. Wineries and tasting rooms shall not be rented out to third parties for events.
- 6. On-Site Parking. The following on-site parking is required for wineries and tasting rooms:
  - a. 1 parking space per 2.5 guests and 1 space per employee. The parking standard may be reduced in accordance with Article 86. - Parking Regulations Sec. 26-86-010 (i).
  - b. Use of on-site unimproved overflow parking areas or shuttling may be allowed to accommodate winery events, if specified in the use permit.
  - c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.
  - d. No parking is permitted along any public or private roadways or on shared vineyard roads.
- 7. Food Service. Food service is allowed as specified below.
  - a. All food service must be designed to promote and enhance marketing of wine. Food service shall be secondary and incidental to agricultural production, wine sales and education.
  - b. Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.
  - ~~e.~~ Food and wine pairings featuring local foods and food products is allowed in conjunction with winery visitor serving activities and winery events ~~.-~~
  - ~~d-c.~~ Prepared meals featuring local foods and food products is allowed in conjunction with ~~wine trade activities and~~ winery events.



e.d. Retail sales of pre-packaged food in conjunction with wine tasting is allowed subject to the following limitations:

- (1) Retail sale of pre-packaged food featuring local foods and food products is allowed during the regular business hours identified in the use permit.
- (2) Retail sale of pre-packaged food is allowed for on-site consumption only. Outdoor seating areas may be allowed for use as outdoor picnic areas.
- (3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.
- (4) Off-site signs advertising retail sales of pre-packaged food are prohibited.

8. Event Coordination and Traffic Management.

a. On-Site Coordinator. An on-site coordinator is required to address complaints about winery events both during and following an event. The on-site Coordinator shall:

- (1) Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints; and
- (2) Send an annual notice to owners and occupants of lots within 300 feet of the winery/tasting room lot boundaries to provide the "complaint hotline" telephone number.

b. Traffic Management Plan. Traffic management and parking plans are required to address the maximum number of people visiting during winery visitor serving activities and winery events. For events exceeding 100 participants and for events that require use of overflow parking, the traffic management plan shall include the following:

- (1) Provisions for event coordination to avoid local traffic delays.
- (2) Parking attendants for each day of the event.
- (3) A shuttle plan, if shuttling is requested, to support each day of the event. A convenient and secure "park and ride" area must be provided.
- (4) A plan for on-site parking requirements and queuing of traffic.
- (5) Enforcement of the on-street parking restrictions.
- (6) Subsequent changes to the approved Traffic Management Plan shall be submitted in advance to the Permit and Resource Management Department.
- ~~(6)~~

9. Noise Attenuation Setbacks. Noise is attenuated by distance from the noise source. To ensure compliance with the Sonoma County General Plan Noise Element thresholds for maximum allowable exterior noise exposure levels, winery visitor serving activities and winery events shall meet the required setbacks provided in Table 18-2 below:

Table 18-2: Required Noise Attenuation Setbacks

Noise generating land use	Setback measured from the exterior property line of any adjacent noise sensitive land use
Parking lots	450 feet
Outdoor areas involving groups of people or non-amplified music (i.e. acoustic)	625 feet
Outdoor areas involving amplified music, or loud instruments such as brass instruments, horns, or drums	1,600 feet

Exceptions to the setbacks listed in Table 18-2 above may be allowed when a project-specific noise study prepared in accordance with the Permit and Resource Management Department Guidelines for the Preparation of Noise Analysis determines the project will comply with the Sonoma County General Plan Noise Element due to intervening structures or natural features, ~~available open land on noise sensitive parcels~~, or by incorporating noise mitigation measures.

F. Siting Standards:

1. Parcels for new winery and tasting room development shall be at least 20 acres in size
2. New winery and tasting room project locations cannot result in more that two facilities within a ½ mile distance.
3. Project access shall be off public roads with a minimum 18-foot width
4. Outdoor amplified sound is prohibited



May 28, 2021

County of Sonoma  
Permit and Resource Management Department  
2550 Ventura Avenue  
Santa Rosa CA 95403

Attn: Tennis Wick, Scott Orr, Brian Oh, Georgia McDaniels

RE: Winery Event Ordinance Hearing, June 3, 2021,

Dear Director Wick,

Preserve Rural Sonoma County (PRSC) appreciates the opportunity to provide comments on the Winery Event Ordinance (red line mark-up attached). To meet the County's objective to avoid CEQA review for this Ordinance, the changes proposed in this letter and the attached red-line mark-up address the concerns of many rural residents who have been impacted by tasting rooms as they have morphed from drop in, stand-up tasting, to venues that offer seated wine and food pairing, meals, and potentially thousands of events.

PRSC's proposed changes will reduce land use conflicts in rural communities and provide clarity and more specificity to the County's winery permitting process by:

1. Revising definitions to close loopholes, remove inconsistencies and enhance enforcement.
2. Clarifying the ordinance to ensure any additional entitlements are conferred only under a modification to an existing use permit, with appropriate project-specific environmental review.
3. Adding siting criteria to address neighborhood compatibility and road safety issues, while preventing new areas of over-concentration.

These changes will not limit the wine industry's ability to grow and to adapt to future business conditions.

#### Background

The need for the Winery Event Ordinance grew out of concerns that the proliferation of tasting rooms and events in rural areas had gotten out of hand – resulting in significant public safety and environmental impacts. The objective of the Ordinance, as codified in the General Plan, is to create clear standards to manage winery hospitality and events on agricultural land and to address unauthorized promotional uses.

The Ordinance was never intended to expand or intensify visitor serving uses, however, efforts to reclassify what have been historically deemed as “events” to “tasting room activities,” and allowing “daily events”, would create a significant expansion of entitlements for promotional uses that have been included in hundreds of Use Permits approved over the last several decades.

PRSC appreciates the efforts, both past and present, of Permit Sonoma, Planning Commissioners and the Supervisors, to regulate hospitality uses through Use Permit-based project approvals that clearly specify the size, number, type, and time of day for all uses beyond normal drop-in or by appointment wine tasting. Citizens rely on these criteria and standards to maintain the peace, well-being, and safety of our roads and neighborhoods.

Loopholes in the “Definitions:” section should be closed. For example:

“Parties” are events – The County has long considered parties held for visitors (not employees) to be “events”. These include release/pick-up parties, wine club parties, harvest parties or other holiday or cultural parties. According to the dictionary, the definition of a party is: ***a social gathering of invited guests, typically involving eating, drinking, and entertainment***. The proposed ordinance correctly defines release parties and wine club parties as Agricultural Promotional Events, however, pick-up parties and harvest parties, are listed as activities. This is clearly contradictory, confusing, and inconsistent with past practices. The definition of Ag-promotional events should include all four of the listed “parties” (or any other type of party held for visitors) as “events”. The rather vague and overly broad term “and other hospitality related activities” should be removed or clarified as to what hospitality uses are envisioned in the term “other”.

All visitor gatherings, including Wine Trade Activities, held after tasting room hours or where a meal is served should be considered to be an event - The draft ordinance recognizes the County’s long-standing policy that any gathering of visitors after tasting room hours or where a meal is served constitutes an event.

The after-hours limitation is an important provision, particularly for tasting rooms in rural areas. Long duration drinking past 5 pm - into the cocktail and dinner hour - has the potential to create both evening disruption in neighborhoods and road safety issues on lightly-patrolled rural roads. Excluding winemaker lunches, dinners and evening gatherings for the trade from the “after tasting room hours” limitation creates an entitlement to an unlimited number of these events. It also creates a loophole for enforcement, because there is no way to determine if a winemaker dinner was an event solely for the trade or just another promotional event. The impacts from events are the same regardless of what is on someone’s business card. Furthermore, given the County’s long history of limited enforcement, this is a clear opportunity for abuse.

If a winery’s business plan requires lunches and dinners and after-hours gatherings for the trade, these events can be included and evaluated in the event totals requested in the Use Permit application process.

A winery use permit should not allow events on parcels disassociated from the winery – Section D.6. defines Winery Events as events held at wineries and tasting rooms. However, it also makes the conflicting statements that they can “occur on site and/or in the area”. Besides contradicting the first statement, this phrase has the effect of allowing events to be held on parcels geographically disassociated from the winery. The reference to “or in the area” should be removed, otherwise hundreds more parcels, with no protection from a use permit, could be opened up for events. Wineries have the ability to request a zoning permit for a limited number of events in other areas.

Clarify that the Ordinance cannot confer additional entitlements to existing use permit holders

In order to support the County’s contention that the ordinance does not create an intensification of use that would require CEQA review for ordinance adoption, it should explicitly state that the provisions of this ordinance do not confer any visitation related entitlements over what is currently specified in writing and approved in a winery/tasting room’s current use permit.

In addition, it is our opinion that, without the changes proposed in this letter and the redlined mark-up the items listed below, the ordinance DOES in fact change to the County’s “current application review practices,” a finding that would trigger CEQA review for the ordinance due to the following changes:

1. Reclassification of gatherings after tasting-room hours, or with service of a meal, to Wine Trade Partners as “activities” instead of them being specified as “events”
2. The classification of some categories of parties as Winery Visitor Serving Activities and part of normal tasting room business operations
3. Modifying “noise setbacks” to allow a portion of the attenuation distance to be measured on adjacent properties, which is inconsistent with the General Plan Noise Element and the County’s current use permit review practice that measures noise element compliance at the property line.

To avoid the need for CEQA review, the ordinance must correct the above listed changes to “current application evaluation practices”, and clearly state that these definitional changes will only expand the uses that are specifically allowed under current use permits by permit modification.

Additional siting criteria need to be added

Siting criteria, such as minimum road width and parcel size, and a separation or density standard have always been included as part of the ordinance discussions. By setting Siting Criteria, the Ordinance would help the County to screen out projects that would likely be unable to meet mitigation requirements in the use permit process. This early project screening would protect local residents and reduce the risk to developers who may

otherwise spend considerable resources before coming up short in the decision process. It would also relieve staff, commissioners and the public from having to review contentious projects that have significant challenges for approval.

PRSC proposes the following four siting criteria that would address many of the issues raised in stakeholder discussions:

1. Access off minimum 18-ft. wide County roadway
2. 20-acre minimum parcel size for new wineries
3. Separation criteria of no more than two winery driveways in ½ mile
4. No outdoor amplified sound, except under a limited number of events per a zoning permit

Minimum 18 ft. roadway – This requirement was discussed in the Winery Working Group that included first responder personnel, and it was generally agreed between the community groups and wine industry that for, new winery applications, there should be sufficient access/egress for both visitors and emergency vehicles.

20-acre minimum parcel size – In agricultural areas the minimum zoning is generally 10 acres for DA and 20 acres for LEA and LIA zones. However, there are a number of parcels in all ag zones that are well below this threshold and that already have use permits. These small parcels present a challenge because they are usually surrounded by residences, are often located on rural lanes with poor access, and draw water from wells that are in close proximity to neighbors' wells. The 20-acre minimum is included in the Dry Creek guidelines and SVCAC guidelines. A 20-acre minimum standard would reduce many of the siting issues associated with smaller parcels. Permit Sonoma and the BZA are already starting to informally consider this criterion in project reviews.

Separation criteria – a separation criteria that allows a maximum two wineries in a ½ mile stretch of roadway would not only address the over-concentration of winery facilities in the identified areas of concentration, but it would lessen the potential for other areas in the County to become over concentrated over time. Both the City of Healdsburg and the City of Sonoma have enacted standards to address over-concentration of tasting rooms in their jurisdictions, and the Sonoma Valley CAC includes the proposed standard as well. The BZA has also now begun to consider density in project approvals.

No outdoor amplified sound – In rural areas sound can travel significant distances - greater than the 1600-foot setback recommended by the sound consultant. Even with applicant-monitored "mitigation," amplified sound can be very disruptive to the neighborhood. This is why the vast majority of use permits prohibit outdoor amplified sound.

## Summary

With the changes proposed in this letter, including the revisions incorporated in the attached markup, the Ordinance would not restrict the expansion of visitor serving uses in ag-zones overall. The County would continue to issue use permits, and use permit modifications, with project-specific CEQA review. And the County would retain the right of discretionary review that limits development on specific parcels where environmental, safety and neighborhood compatibility, or cumulative impact issues cannot be addressed.

Ideally, an Ordinance with clear definitions and siting criteria would direct development into areas where it can have fewer impacts and, in order to be in compliance with CEQA, the ordinance would not allow current use permit holders to engage in new or unspecified visitor serving uses without first securing approval through a use permit modification.

Thank you

Preserve Rural Sonoma County

Attachment: Redline comments

**From:** [vicky@amistavineyards.com](mailto:vicky@amistavineyards.com)  
**To:** [PlanningAgency](#)  
**Cc:** [district4](#); [Jenny Chamberlain](#); ["Yael Bernier"](#); [sara@drycreekvineyard.com](mailto:sara@drycreekvineyard.com)  
**Subject:** Draft Ordinance on Winery Events - Comments  
**Date:** February 15, 2022 7:57:03 AM  
**Attachments:** [BOS Resolution of Intention on Winery Events Oct 11 2016 - Highlighted.pdf](#)

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## EXTERNAL

To: Members of the Board of Zoning Adjustments

Re: Draft Winery Events Ordinance - ORD16-0001

I urge you to direct staff to come back with a Draft Ordinance for Winery Events that is consistent with the direction established by the Board of Supervisors in their resolution of October 11, 2016. The current draft ordinance over-complicates and over-steps what the supervisors resolved.

Winery Events were discussed at a Board of Supervisors study session on July 12, 2016. The clear consensus was that county wide definitions of events and food service were needed and that siting criteria and standards were best set at the local level.

In their meeting on Oct. 11, 2016, the supervisors approved a resolution directing the staff to establish county wide definitions of events and food service and to establish limits in local areas (see attached Resolution).

Following the resolution, the Dry Creek Valley Citizens Advisory Council set out to create a set of guidelines for the Dry Creek Valley. As a member of the CAC at the time, I was intimately involved in this process. The Dry Creek Guidelines were drafted, rigorously debated, and ultimately agreed by the boards of the Dry Creek Valley Association and the Winegrowers of Dry Creek Valley.

The Guidelines were presented for public comment on two publicly noticed meetings of the Dry Creek Valley CAC. They have been utilized by the CAC and applicants to prepare and evaluate winery permit applications since April of 2017. The Guidelines were added to the DCVCAC Blue Book by unanimous



approval of the Board of Supervisors on October 16, 2018.

The Dry Creek Valley Guidelines have been working successfully for nearly five years. As it is currently written the draft ordinance would negate these local guidelines. That is not what the supervisors intended.

I understand and support the value of having a consistent set of definitions at the County level with siting criteria and guidelines set at the local level. I respectfully request that you either vote No on the current Draft or ask staff to come back with a draft that is consistent with the guidance provided by the Board of Supervisors in their resolution of October 11, 2016.

Sincerely,

Vicky Farrow

Vicky Farrow, Proprietor  
Amista Vineyards  
3320 Dry Creek Road  
Healdsburg, CA 95448



*Amista ~ making friends*

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## County of Sonoma Agenda Item Summary Report

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

### Agenda Item Number: 10

(This Section for use by Clerk of the Board Only.)

**To:** Board of Supervisors

**Board Agenda Date:** October 11, 2016

**Vote Requirement:** Majority

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

**Staff Name and Phone Number:**

Jennifer Barrett 565-2336  
Dean Parsons 565-1948

**Supervisory District(s):**

All

**Title:** Winery Events Study Session Report

### Recommended Actions:

1. Receive a report on the results of the winery events study session, adopt a limited Resolution of Intention for development of specific code amendments, and direct staff to develop standards and siting criteria for areas of local concentration, to be adopted either as guidelines or code amendments.
2. Approve the use of contingency funds in the amount of \$68,272 for the County Counsel's Office for legal review of code amendments and development and operational guidelines.

### Executive Summary:

On July 12, 2016, the Board held a study session on Winery Events to consider key issues and policy options that could reduce the potential for neighborhood conflicts and provide more certainty to the permitting process. The Board discussed the policy options, and directed staff to return with a summary of the Board's comments and a revised Resolution of Intention.

Staff requests that the Board consider the revised Resolution of Intention limited to code amendments to define events and food service, allow tasting rooms in the Industrial Park zone where processing is sited, and require cultural event permits for industry wide events. Staff would also bring policy options for enhanced code compliance. As requested by some Board members, staff will develop guidelines for winery events that would apply only to specific geographical areas (West Dry Creek, Westside Road and Sonoma Valley).

### BOARD COMMENTS

#### Code Compliance

At the July 12, 2016, meeting, the Board expressed a desire to ensure compliance with existing code, given the difficulty of a “one size fits all” approach in our geographically diverse County. The Board identified new tools to facilitate enforcement and compliance, such as an administrative citation program, third party staff to respond to night and weekend complaints, designation of on-site contacts to respond to complaints, and a progressive discipline (or “three strikes”) approach to use permit modification or revocation. The Board has adopted similar measures to this end in the vacation rental program. Some members of the Board also expressed interest in a Napa County-style auditing and fee program.

### **Code Amendments**

The Board recognized the need to clarify the definition of events; giving vintners and the public a clearer idea of what constitutes an event and food service is good policy, and enables both compliance and enforcement efforts. A countywide definition would not change how events are defined in approved use permits, but would apply to new use permit applications. Other proposed code amendments would require cultural event permits for industry-wide events to better coordinate their occurrence in the public right-of-way with triathlon, cycling and running events. The Board also expressed support for a code amendment to allow tasting rooms and events in Industrial Park zones where facilities already provide processing.

### **Development and Operational Guidelines**

Some Board members expressed interest in developing standards and siting criteria for events in areas of local concentration, potentially including Sonoma Valley, Dry Creek Valley and Westside Road. Two Board members expressed concern that a singular approach would not be sensitive to local needs, and observed that the use permit process tends to ferret out issues based on the circumstances of each case. In order to address areas of local concentration without applying a singular approach to the entire County, Staff could develop siting criteria and standards for those areas only addressing, among other things, the following:

- Minimum parcel size;
- Minimum site area for outdoor events;
- Graduated thresholds (event size/lot size);
- Amplified sound;
- Setbacks for noise;
- Complaint 24/7 contacts;
- Parking management;
- Peak hour limitations;
- Local fruit for custom crush; and
- Incentivizing local foods/produce in tasting rooms.

The Board directed staff to return with options to adopt these types of standards either as part of the zoning code or as separate guidelines. Staff would work through the advisory bodies for the Dry Creek Valley Citizens Advisory Council and the Sonoma Valley Citizens Advisory Commission to develop the criteria and standards.

## 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 before Board consideration. Sonoma County Code Section 26-96-010 states that zoning code amendments may be initiated by a resolution of intention by the Board or Planning Commission.

## Prior Board Actions:

July 12, 2016 – Board Study Session

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 Resources 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

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 96,510	County General Fund	\$ 96,510
Add Appropriations Req'd.	\$ 68,272	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 68,272
	\$		\$
<b>Total Expenditure</b>	<b>\$ 164,782</b>	<b>Total Sources</b>	<b>\$ 164,782</b>

## Narrative Explanation of Fiscal Impacts (If Required):

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 second quarter consolidated budget adjustments.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Draft Board of Supervisors Resolution of Intention			
Related Items “On File” with the Clerk of the Board:			



# County of Sonoma

## State of California

Date: October 11, 2016

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

ORD16-0001 Jennifer Barrett

☐ 4/5 Vote Required

**Resolution Of Intention 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 Events And Promotional Activities, and To Develop Siting Criteria and Standards for Areas of Local Concentration**

**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**, General Plan Policy AR-6g calls for the Board to “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”; and

**Whereas**, in 2014 the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included development of guidelines, policies, and implementation programs addressing agricultural promotional events and potential overconcentration in areas including Sonoma Valley and West Dry Creek/ 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; 4) commercialization of agricultural lands and concentration; and 5) 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** for consideration by the Planning Commission and recommendation to the Board of Supervisors to **clarify the definition of events and food service**, require cultural event permits for industry-wide events, and allow tasting rooms and events in Industrial Park zones where facilities already provide processing. The Board of Supervisors further directs staff to **develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines.**

**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.**

**From:** [Brian Oh](#)  
**To:** [Hannah Spencer](#); [Georgia McDaniel](#); [Scott Orr](#)  
**Subject:** FW: Feb. 17 Winery Events Ordinance hearing  
**Date:** Tuesday, February 15, 2022 2:04:02 PM  
**Attachments:** [Winery Events- CAFF 7-14-21.pdf](#)  
[Winery Events- CAFF 5-28-21.pdf](#)

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**From:** Greg Carr <Greg.Carr@sonoma-county.org>  
**Sent:** Tuesday, February 15, 2022 1:58 PM  
**To:** Brian Oh <Brian.Oh@sonoma-county.org>  
**Subject:** Fw: Feb. 17 Winery Events Ordinance hearing

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**From:** Wendy Krupnick <[wlk@sonic.net](mailto:wlk@sonic.net)>  
**Sent:** Tuesday, February 15, 2022 1:53 PM  
**To:** Greg Carr; Pat Gilardi; Jacquelynne Ocana; Shaun McCaffery; Eric Koenigshofer  
**Subject:** Feb. 17 Winery Events Ordinance hearing

  
Dear Planning Commissioners,

The Sonoma County chapter of Community Alliance with Family Farmers, (CAFF), is re-submitting two comment letters sent last year regarding the proposed Winery Events Ordinance. We have submitted a number of comment letters over the six years the County has acknowledged the problems associated with winery events and need for such an ordinance. We have been dismayed that during this time events at wineries have continued and more permits for more wineries with events have been approved, often exacerbating these widely acknowledged problems.

As several of you had not received our comment letters last year, they are attached here. We hope that the Commission will move forward with a strong, clear and enforceable ordinance that will address the current problems and prevent such problems in the future.

Thank you for your consideration of our views,  
Wendy Krupnick  
Vice president, CAFF Sonoma County





July 14, 2021

To: Sonoma County Planning Commission  
Georgia McDaniel, Planner

cc: Tennis Wick, Director Permit Sonoma

Supervisors Lynda Hopkins, Chair; Susan Gorin, David Rabbitt, Chris Coursey, James Gore

Re: Draft Winery Events Ordinance

Dear Planning Commissioners and Ms. McDaniel,

Community Alliance with Family Farmers Sonoma County has reviewed the chart prepared by Planning staff comparing proposed definitions and standards for inclusion in the Winery Events ordinance. We are submitting the following recommendations for these definitions and standards. In addition, there are aspects of this issue which have been called for by the public that are not addressed in this chart as well as some key points we have submitted in earlier letters that we would like to emphasize again.

**Key points:**

- It is imperative for future food security, for carbon and water capture, and to preserve the agricultural economy and character of Sonoma County that all land zoned for agriculture be protected for agricultural production, and that this protection must guide all regulations for uses in these zones.
- All activities *except for* drop-in and by-appointment sales and tastings, tours during tasting room hours for individuals or small groups, and invitation-only business meetings specifically focused on the wine industry with less than 25 attendees should be classified as “events.”
- Size of winery, tasting room, parking lots and other visitor serving areas must be *proportionate* to winery production capacity, which must be based on wine grape production acreage on site or sites owned within the immediate proximity.
- The County should encourage agricultural diversification and allow a variety of farm-produced products to be sold on-site. The ordinance should have clear definitions and be enforceable.
- In order to provide clarity for all, to be enforceable and prevent more areas of over-concentration, the Ordinance, with definitions and standards, should apply county-wide.
- Monitoring and enforcement are a critical part of ordinance and must be included in the Ordinance.

**Recommendations from Permit Sonoma Chart:**

*Definitions:*



Commercial kitchens - Explicitly not allowed in ag zones so no definition associated with a winery in an ag zone is appropriate.

Winery - May not include commercial kitchen. Use Sonoma Valley definition but substitute "fruit" for "grapes". (Cideries are technically wineries and subject to same regs).

Winery events - Use County definition

Ag Promo events - Use County definition

Industry-wide events - Use Sonoma Valley definition

Sales activities - Use Public Sales part of Dry Creek definition. Pick up parties, winemaker dinners, etc. **are events**, not regular activities.

Wine trade activities - Must be limited to by invitation only meetings and seminars. Can be earlier than tasting room hours but no later than 5:00.

Wine trade event - Any parties or celebrations, or gatherings that happen after 5:00 are events and must be included as such in the Use permit.

#### *Standards:*

Sizing of activities/events & max # of days - Use combination of County and Sonoma Valley. Add limitation based on road access and proximity to main arteries and cities to reduce Vehicle Miles Traveled by visitors and staff.

Hours of operation - Use Sonoma Valley and add clarification that regular wine trade activities end at 5:00.

On-site parking - Use County standard and add that capacity for visitors must be tied to volume of on-site agricultural production as well as road accessibility and water availability. No land may be taken out of potential production for parking or other visitor accommodations.

Food service - Use Sonoma Valley standard but allow daytime on-site food prep for wine and food tastings in catering kitchen.

Traffic management - Use Sonoma Valley standard but add accounting for traffic from neighboring wineries and other event centers.

Access - Use Sonoma Valley standards.

Concentration - Enforce GP AR-5g with **maximum** of 2 wineries per half mile and apply county-wide to prevent new areas of over-concentration. Permit Sonoma should research additional methods of preventing more areas of over-concentration.



Event Proposal - Use Sonoma Valley standard.

Maximum size for Tasting Associated areas - Use Sonoma Valley and see On-site parking, above.

Maximum Winery Size - Use Sonoma Valley standard

Minimum Parcel Size - Use Sonoma Valley standard

Water use - Zero net increase in water use for visitor services must be required.

Source of wine grapes - At least 75% of fruit processed should be grown **on site or in the immediate vicinity**. (Not appropriate to be trucking in and processing fruit from other parts of the county. This is an industrial use and such facilities should be in industrial zones.)

As we have previously noted, although many farmers and ranchers welcome the opportunity to host the public and educate them about their products and practices, the business of hospitality is not the same as the business of agriculture. We believe the multiple benefits of preserving agricultural lands for agricultural production are essential for the long-term health of our society, our economy and our planet.

Sincerely yours,

Wendy Krupnick, Vice president, CAFF Sonoma County



May 28, 2021

To: Sonoma County Planning Commission  
Georgia McDaniel, Planner

cc: Tennis Wick, Director Permit Sonoma

Supervisors Lynda Hopkins, Chair; Susan Gorin, David Rabbitt, Chris Coursey, James Gore,

Re: Draft Winery Events Ordinance

Dear Sonoma County Planning Commissioners and Ms. McDaniel,

The Sonoma County chapter of Community Alliance with Family Farmers (CAFF) appreciates the work Permit Sonoma staff has done to draft the long-awaited and much-needed Winery Events Ordinance. While we were pleased with several of the provisions included in the Draft Ordinance, we feel that the current draft proposal has many inconsistencies and loopholes so some modifications will be required to achieve the intended goals of protecting the primacy of agricultural production on agricultural lands, providing clarity on standards for visitor services to the wine industry, and limiting impacts to rural roads and neighborhoods.

We agree with the detailed comments and suggested changes submitted by Preserve Rural Sonoma County this week. In addition, we would like to bring attention to the following issues and proposed solutions with sections of the Draft Ordinance referenced where applicable:

1. In defining terms and phrases for Winery Standards, it is important to clarify that the definitions are specific to wine and wineries so they are not confused with other types of agricultural events or services. Specifically, the term "Agricultural Promotional Events" should be changed to "Wine Promotional Events" (*Section D-7*), "Industry-Wide Events" should be changed to "Industry-Wide Wine Promotion Events" (*Section D-8*), and "Sales Activities" should be changed to "Wine Sales Activities" (*Section D-11*).
2. The Draft Ordinance defines "Winery Visitor Serving Activities" as being "part of normal winery and tasting room business operations." Parties where full meals are served and where gatherings after normal tasting room hours are not part of normal tasting room business, so must be considered as events. This includes pick-up parties, harvest parties, and Wine Trade parties. (*Section E*)
3. The County should encourage agricultural diversification and allow a variety of farm-produced products to be sold on-site. Off-site consumption of local food and food products, eg., olive oil, table olives, canned salsa, jam, and applesauce, sold at a tasting room should be allowed. (*Section E-7*)
4. The ordinance should have clear definitions and be enforceable. Specifically, how will "local food and food products" be defined and enforced? (*Section E-7*)



5. In order to provide clarity for all, and to be enforceable, there should be mention in the Ordinance of the presence and role of the Area Guidelines that are proposed for the areas of the County that are considered to be "over-concentrated". Definitions and criteria should be provided regarding what an "over-concentrated" area is, as well as information on accessing proposed Area Guidelines. There should be indication regarding how an area experiencing accelerated development in the future can be designated as "over-concentrated" and the procedure for doing that. Current proposed Area Guidelines seem to be an overly complex yet ineffective and unfair layer of bureaucracy. **We recommend that the most restrictive provisions of the Area Guidelines should be incorporated into the Ordinance, and should apply county-wide.**
6. The Ordinance should include explicit provisions to identify, and if possible prevent, new areas of concentration.
7. Any new winery proposal should include an analysis of its effect on the cumulative impacts of wineries in the region, and must be evaluated for water availability and Vehicle Miles Traveled by both staff and visitors.
8. Climate considerations must be included in all ordinances if the County is to be seen as serious about meeting stated State and local climate goals.
9. The size of tasting room and other visitor serving areas must be proportionate to winery production capacity, which itself must be based on wine grape production acreage on site or sites owned within a designated proximity. The ordinance should establish a maximum site area devoted to tasting room and visitor serving uses to ensure the use is incidental to agriculture. We recommend that only one tasting room be allowed per site in agricultural zoned lands, and that tasting rooms be permitted only where grape growing and processing takes place,
10. The size of the processing areas the number of custom crush operations in agricultural zones should be required to be proportionate to vineyard production,
11. The need for monitoring and enforcement has been repeatedly called for in public comment and are critical to the effectiveness of the Ordinance, yet they appear to be missing from the draft. Our earlier recommendations on this are included below:
  - Establish an annual monitoring and educational program to periodically review use permits.
  - Require events to be calendared at the beginning of each year, and require annual reports including quarterly information.
  - Require that the applicant hire staff or contract for services to respond to complaints of event activities or other infractions (i.e. parking/noise) including on nights and weekends.
  - Increase fines and penalties for unpermitted event activities.
  - Place a time limit for existing wineries which have been hosting events without a use permit to obtain use permits and impose significant fines on any that do not meet that



deadline. Include the cumulative impacts of existing and “historic” wineries and/or their events in mitigations and in the analysis of cumulative impacts over time

- Require fees for permits that cover administration and monitoring of programs, including traffic/road impact fees.
- Develop and execute an improved system for notifying local area residents of permit applications.

As we have previously noted, although many farmers and ranchers welcome the opportunity to host the public and educate them about their products and practices, the business of hospitality is not the same as the business of agriculture. We believe the multiple benefits of preserving agricultural lands for agricultural production are essential for the long-term health of our society, our economy and our planet, and we strongly urge that the demands of the hospitality industry not be allowed to interfere with the protection of those benefits in Sonoma County.

Sincerely yours,

Wendy Krupnick, Vice President, CAFF Sonoma County

**From:** [Judith Olney](#)  
**To:** [greg99pole@gmail.com](mailto:greg99pole@gmail.com); [Pat Gilardi](#); [Eric Koenigshofer](#); [Shaun McCaffery](#); [Jacquelynne Ocana](#)  
**Cc:** [Brian Oh](#); [Georgia McDaniel](#)  
**Subject:** Input - Feb 17 Planning Commission Briefing  
**Date:** Tuesday, February 15, 2022 11:46:46 AM  
**Attachments:** [2-17-22\\_Olney\\_Winery\\_Ordinance.pdf](#)

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February 15, 2022

TO: Planning Commissioners

FROM: Judith Olney – long-time community advocate (pdf Attached)

RE: Feb 17, 2022 Winery Event Ordinance Briefing

I am submitting this letter for the benefit of our Planning Commissioners who may not have the bandwidth to review the decade-long administrative record for the draft Winery Event Ordinance. Since 2011, I have proactively represented community interests as a board member for the Dry Creek Valley Association and Westside Community Association, as well as a co-Chair of Preserve Rural Sonoma County.

**Point 1:** I question the wisdom of adopting an Ordinance and/or associated Guidelines that neither addresses the current economic challenges of the wine industry, nor protects the legal rights of surrounding land owners. Sadly, for those of us who have worked for over a decade on the hospitality-industry impact issue, the draft Ordinance does little to uphold the goals of our General Plan to “...protect agricultural land and preserve rural character.”

A set of policies, standards and definitions that both transfers the external costs of winery events to surrounding properties and waives the application/environmental analyses requirements/costs to winery/event center Applicants places additional tax burdens on residential taxpayers while diminishing the value of their properties.

Granted, both Sonoma County’s wine and cannabis industries currently are facing significant economic challenges and County officials are looking for ways to bolster these industries. This “solution” does not address the root causes of over-supply and out of county competition; thus, will not result in a robust tourism economy.

Out of date assumptions, internally-inconsistent, unenforceable definitions and loop-holes that one can drive a truck through; however, will accelerate the decline of Sonoma County’s competitive advantage. Tourists come here, versus other wine destinations, because we are rural, with beautiful open space and agricultural landscapes– when we damage these qualities, Sonoma County will have killed the goose that laid the golden egg.

**My second point** is that there are many new Planning Commissioners who may not have had adequate time to research the changes in Sonoma County’s economic foundation. And, recent Planning Commission recommendations reinforce the concern that new commissioners are not fully briefed on the policies, standards and protections in our General Plan and Zoning Code.

Adopting Ordinances that allow industry self-regulation may ultimately do more economic harm than good.

**History:** In 2011, the issues related to detrimental concentration and impacts of winery events were brought to the attention of County officials by the Dry Creek Valley Association. In 2012, the Westside Community

Association and VOTMA, Sonoma Valley joined in; we wrote a joint letter to the County, and presented at Planning Commission workshops. Presentations were made to the Board of Supervisors in 2013 and 2014, and in 2015, the Winery Event Ordinance Stakeholder Group was funded.

At the conclusion of this expensive public process, wine industry representatives stated they did not endorse the findings from studies and benchmarking, and would continue to advocate directly with the Supervisors. The wine industry's position document proposed unenforceable definitions and limited "events" to weddings and concerts, and industry-wide events – hospitality uses that are not "agricultural promotional uses" as defined in the General Plan.

Although, County staff defined Areas of Concentration and completed traffic studies for Sonoma Valley, a partial study for Dry Creek and a study to clarify noise standards, the County continued to approve new wineries and event centers.

For over a decade, Community Groups and coalitions, such as Preserve Rural Sonoma County, prepared studies showing that the high rate of new wineries and event center approvals was promoting destructive competition within the Sonoma County wine market. The "ARMS race" to attract wine club members to one's winery and away from other local wineries, compounded by the costs of events, shrunk everyone's bottom line. (per Silicon Valley Bank, State of the Wine Industry Report 2015-16)

Meanwhile, distracted tourism and wine industry planners did not focus on the changes necessary to compete in the emerging global market, not to mention, the impacts of changes in demographics that showed a decline in wine sales. (Silicon Valley Bank, State of the Wine Industry Report 2021-22)

Early public hearings and drafts of the Ordinance represented a balanced view with enforceable definitions and standards. However, this is not true of the current draft Ordinance even though the 2021 public process validated many of the community advocates long-standing points. And, public processes feel disingenuous when wine industry representatives continue to assert that they are by-passing public discourse and compromise to exclusively deal directly with Supervisors.

County staff has turned over a few times and only one Planning Commissioner has experienced the full process. In fact the draft Ordinance is so out of date that the State Fire Safe Road Regulations changed after 2015; thus, it should be edited to require access roads of 20 feet – the newer State standard - not the 18 feet as specified in the draft Ordinance.

Another major concern with the process is that our new Planning Commissioners are not upholding the environmental analyses designed to protect surrounding property owners. The General Plan Noise Element has clear requirements for technical noise analyses at all wineries and event centers, and the technical studies completed for the draft Winery Event Ordinance clarified these standards. Despite these requirements, in December 2021, the Commissioners approved outdoor amplified music for a Use Permit Modification without any required supporting noise analyses – only the experienced Planning Commissioner dissented.

**It's seven (7) years past the official start of this process. In June, 2021 and February, 2022, the draft Winery Event Ordinance has resurfaced.** It's doubtful that the one remaining commissioner even remembers positions taken over six (6) months ago, which is immaterial as the other Planning Commissioners did not sit for the June hearing.

**More importantly, over the past seven years tourism has changed in numerous ways.** No one could have predicted COVID and the switch to on-line wine marketing and the preference for spirits. In 2021-22, Silicon Valley Bank reported,

*"We predicted there would be a reopening celebration, and it turns out we were correct," he said. "But the reopening celebration that took place in 2021 didn't include the wine industry."*



Sonoma County pays significant tax revenue to the Tourism Board for policy and economic strategy advice – what is our return on this investment?

The pre-pandemic proliferation of competing wine areas and the consequent shrinking California's market share was a known factor. Wildfire impacts have been evident since 2017. And, for several years now, Silicon Valley Bank's predictions for future growth in the wine segment – based on trends in demographics and consumer values – have been strong warnings of declining sales.

**Future predictions indicate strategic economic planning – not another marketing campaign - is needed now:** Per the enclosed February 8, 2022 New York Times article titled, **The Wine Business Sees a Problem: Millennials Aren't Drinking Enough**, that summarizes the annual State of the Wine Industry Report, wine sales are expected to decline. And, grape growing and wine making methods must change to suit millennial values; however, those types of farming and processing changes take time. And, the time to start was several years ago.

To quote the conclusion of the article,

*... “If, as Mr. McMillan argues, younger consumers are truly concerned with social justice and environmental issues, what will an anodyne marketing campaign achieve?”*

*In my little corner of the wine world, I see younger people drawn to natural wines and to traditional styles. These sorts of wines meet many of the concerns that Mr. McMillan expressed, and have demonstrated their appeal.*

*The winemakers do that by showing their concern with the environment by farming conscientiously, sticking with traditional ingredients and processes and, increasingly, I hope, by addressing social justice and equity issues that are as apparent in natural wine as anywhere else.*

*It's not just a question of perception, it's a matter of action, of demonstrating a commitment to change and to making the effort.”*

**The new economic reality – balanced by the protections within our General Plan and a Zoning Code that requires all hospitality and other uses to be specified in a Use Permit or Use Permit Modification - is the context within which the Planning Commissioners should review the draft Winery Event Ordinance on February 17, 2022.** Perhaps this draft Ordinance is not the best course of action for a healthy long-term economy.

**Preparing for February 17<sup>th</sup>:** The public was led to believe that the June 2021 Planning Commission hearing was closed; although wine industry representatives submitted information after that date.

We only recently learned that the Staff will brief the Commission as the majority of the members have limited experience in implementing the General Plan and Zoning Code protections.

Instead of reiterating out of date assumptions about “on-site direct to consumer sales” that will do little to bolster wine industry profits while proposing unenforceable definitions and standards that continue to harm adjacent property owners, perhaps the briefing should include data, conclusions and advice provided by Silicon Valley Bank from 2015 to the present.

In addition, the Commissioners should be briefed on the economic realities of cannabis over-supply and the longer-term implications for County costs versus tax revenue – factors that will decide Sonoma County's economic future.

Cannabis economic realities were discussed by the Humboldt County Supervisors who just slashed cannabis

industry taxes by 85% - reducing planned tax revenue from this sector from an expected \$14-20M to a mere \$2M. Who will cover the short-fall and the future costs of cleaning up abandoned cannabis operations? Undoubtedly, other County taxpayers.

Sonoma County growers, especially those in the PRP program, share similar attributes with Humboldt growers. Humboldt Supervisor Wilson concluded:

*“The main factor in the local market collapse is out-of-county competitors who are “growing a plant in a more efficient and less costly way and delivering it to the market at a much lower price than the methodology that was created in Humboldt to grow cannabis under prohibition.”*

Perhaps the Commissioners should read [this story from CalMatters](#), published in January 2022, which dispels the myth of the small family cannabis farmer and quotes Nicole Elliott, director of the California Department of Cannabis Control:

*“It is an oversimplification to say that tax reduction will solve all of the industry’s problems. It’s just a vast oversimplification of the number of variables that impact the health of the legal market and that support or foster illegal activity. It is not tax alone.”*

**Bottom Line: Subsidizing the wine and cannabis industries by proposing reduced permit fees or exempting Applicants from conducting State-required environmental analyses is not a long-term strategy.** The public has not been provided information as to whether these industries are no longer covering the County’s current costs of administering required land use, zoning and enforcement programs.

Should other taxpayers be burdened with covering current County costs plus the future costs of unstudied impacts and/or the costs of cleaning up intensely developed parcels in remote areas when the normal economic cycle bankrupts’ certain operators?

The taxpayers rely on County officials to use taxpayer money wisely and to protect public health and safety. Our tourism economy has been severely impacted by travel bans, wildfire fears, external competition and classic market forces leading to over-supply and reduced prices.

The root cause of our tourism industry’s current troubles ranges from factors related to basic economic supply and demand cycles to larger structural issues. Adopting an Ordinance with unenforceable definitions and loopholes that basically require impacted, adjacent neighbors (which may be a resident, a grape grower or another winery whose high-end buyer’s wine tasting is impacted by adjacent outdoor amplified music) to check attendee business cards in order to determine compliance, will not meet the objectives set in our General Plan, the protections in our Zoning Code requiring Use Permit modifications, or help restore a robust economy.

With an Opinion, Judith Olney, private citizen. 3300 Westside Road, Healdsburg

2 Enclosures – Recent articles in New York Times and North Bay Business Journal

1 Link – CalMatters January 31, 2022 article on Cannabis economic issues

## **Enclosure 1 THE POUR – NEW YORK TIMES - FEB 8, 2022**

### **The Wine Business Sees a Problem: Millennials Aren’t Drinking Enough**

As baby boomers retire and buy less wine, producers need new ways to tempt a White Claw generation back from other alcoholic drinks, according to a new report.

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Credit...Cat O'Neil



By [Eric Asimov](#)

Published Feb. 7, 2022Updated Feb. 8, 2022

The American wine industry believes it has a problem: millennials.

More specifically, it's the fact that aging baby boomers — currently the prime market for wine

— are nearing retirement age, the time of life when consumerism typically declines.

Millennials, the generation that began to come of age after the turn of the century, have given no indication that they are poised to step in. They buy much less wine than boomers, and the wine industry has not done enough to entice them to become regular consumers.

In his annual [State of the U.S. Wine Industry report](#), presented last month, Rob McMillan, an executive vice president of Silicon Valley Bank in Santa Clara, Calif., and a longtime analyst of the American wine market, issued a forceful warning that a day of reckoning was coming.

“In prior reports, we noted that the falling interest in wine among younger consumers, coupled with the encroaching retirement and decreasing wine consumption of baby boomers, poses a primary threat to the business,” Mr. McMillan said. “That issue has yet to be addressed or solved, and the negative consequences are increasingly evident.”

Sales of American wine could plummet by 20 percent in the next decade, he said. It’s not exactly clear what the industry can do to change this dynamic. As the father of two millennial sons, I am something of an expert on being unable to persuade millennials to do as I suggest. But Mr. McMillan, who has analyzed the wine industry for decades, has more than a few ideas for an effective strategy.

First, some background: In this discussion it may seem as if Generation X, the generation between the boomers and the millennials, has been overlooked.

This group is smaller than both the baby boomers, the huge population born roughly from 1946 to 1964, and the millennials, born from 1980 to 1995.

Because of the size difference, Generation X has less buying power, although its wine-buying behavior does not seem that different from boomers’. Generation Z, born, approximately, after 1995, has too few years of legal drinking to really figure into the data.

Mr. McMillan quoted a Harris Poll of nearly 2,000 adults from November, which asked what beverage they would bring to share at a party. The choices were wine, beer, spirits, flavored malt beverages, hard seltzer or cider.

Wine was the overwhelming choice among those 65 and older. The top choice was roughly split between wine and beer for those 35 to 64, with the other options trailing in the distance. But people ages 21 to 34 were almost evenly split among five options, with cider trailing.

Wine simply is not preferred by younger people. Mr. McMillan pointed to the reopening of restaurants in 2021 after Covid-19 vaccines became available; during that period, sales of wine declined as sales of spirits rose.

“We predicted there would be a reopening celebration, and it turns out we were correct,” he said. “But the reopening celebration that took place in 2021 didn’t include the wine industry.”

The increase in competition is a real thing. When I, a late boomer, was drawn into wine, domestic beer was still almost entirely in the thrall of huge breweries with insipid products. Craft beer was not yet widely available in the United States, and spirits and cocktails were what older people drank, bought more for their alcoholic punch than for the aesthetic pleasures they might have offered. Single malt Scotch was barely a thing.

Gen Xers and millennials have grown up in an entirely different world. Beers now come from hundreds of small breweries in dozens of historic and newly created styles. Cocktail-making has become an esteemed craft in which every ingredient counts, and high-end spirits producers are all over, working in every style.

This rising interest in the culture and beauty of ingredients isn't restricted to just alcoholic beverages: Chocolate, olive oil and honey, just to name a few, have been marketed according to their provenance and quality to a growing audience of people who appreciate such things.

Millennials grew up in a world that has been far more encouraging of connoisseurship than when boomers were young. Social media has given everybody the opportunity to exercise their critical voices, for better or worse. Millennials are a more discerning generation, at a younger age, than baby boomers were.

But as Mr. McMillan of Silicon Valley Bank points out, millennials have less disposable income than their parents and more economic fears. They are often burdened by student debt, have fewer middle-class job opportunities and cannot assume they will ever be able to afford real estate.

That's a primary reason that millennials have gravitated to beer and spirits rather than wine. The difference between a mass-market brew and a world-class beer is just a few dollars. A really good cocktail at a restaurant might cost the same as a glass of mediocre wine.

By comparison, good wine is more expensive than beer or spirits of comparable quality, and [benchmark wines are often shockingly expensive](#). Partly, this is because wine costs far more today, relatively speaking, than it did in the 1980s and '90s, as Mr. McMillan acknowledges.

"Premium wine was far less expensive in the mid-90s, even on an inflation-adjusted basis," he said.

At the same time, sales of the least expensive wines, those under \$9 a bottle, have been shrinking, while sales of wine priced above \$15 have been rising. The industry calls this move toward more expensive bottles "premiumization." Although the state-of-the-industry report focuses on the United States, this phenomenon has occurred all over the world as people choose to drink less wine but of better quality.

These are structural issues, but Mr. McMillan also noted the shortcomings of the wine industry in appealing to younger consumers. First, it has failed to recognize the changing demographics that millennials represent.

"While only 28 percent of the boomer population is nonwhite, 45 percent of the millennial population — and almost half of Gen Z — is nonwhite," he said.

Without question, the wine industry has been slow to adapt. After the murder of George Floyd in May 2020 and the racial reckoning that followed, the wine industry, or rather a small part of it, began to make some effort to diversify its appeal and its work force. But the experiences of [Black wine professionals](#) and [Black consumers](#) show how far the industry has to go to make it a more welcoming, inclusive place.

Mr. McMillan also asserted that millennial consumers are more concerned with social justice

and with health and environmental issues, including climate change. “A brand’s social values are increasingly connected to a consumer’s decision to purchase particular products, including wine,” he said.

Among his recommendations, he suggests that producers list their ingredients and offer nutritional data, like calories per serving, and that they be clear about their social values, their efforts to address environmental concerns and their strategies for lowering their carbon footprints.

“The strange reality is that it would be easy to start talking about wine in an evolved way and to reference the many things that are already a part of what we do to produce wine, and that would resonate with younger consumers,” Mr. McMillan said. “Yet as an industry we are not doing it.”

This is where his report seems problematical. The American wine industry is by no means united in supporting social-justice causes or meaningfully diversifying its work force. It has no industrywide plan for combating climate change, reducing chemical farming or cutting its carbon footprint. It has fought tooth and nail to avoid listing ingredients and nutritional data.

The report suggests that a marketing campaign might be the answer, something along the lines of the [“Got Milk?”](#) promotion that began in the 1990s.

These sorts of slogans are likely to be bland and inoffensive, as they must represent a wide range of producers with wildly differing points of view. I don’t know much about marketing, but it strikes me that actual change in the industry would go a lot further in appealing to young people than targeting them with a public-relations campaign.

That means attacking complicated, thorny issues with solutions that are just as divisive in the wine industry as they are in the country as a whole.

If, as Mr. McMillan argues, younger consumers are truly concerned with social justice and environmental issues, what will an anodyne marketing campaign achieve?

In my little corner of the wine world, I see younger people drawn to natural wines and to traditional styles. These sorts of wines meet many of the concerns that Mr. McMillan expressed, and have demonstrated their appeal.

The winemakers do that by showing their concern with the environment by farming conscientiously, sticking with traditional ingredients and processes and, increasingly, I hope, by addressing social justice and equity issues that are as apparent in natural wine as anywhere else.

It’s not just a question of perception, it’s a matter of action, of demonstrating a commitment to change and to making the effort. Slogans will not paper over a failure to do that.

*END*



Meanwhile in Sonoma County, its Planning Commission is set to revisit [the draft winery events ordinance](#) at a virtual meeting Feb. 17. The county and industry advocates have been going back and forth on the matter for six years, with long delays after the wildfires and during the pandemic.

One of the key changes that has coming in the most recent draft of the ordinance is defining “business activities” separately from “events,” according to Michael Haney, executive director of trade group Sonoma County Vintners.

“This is not about big parties,” Haney said. “We tell people that vineyards they see when driving around are not landscaping. That’s how we feed our families. Our wine community says what we need is a clear set of definitions.”

One of the key arguments the trade group has made is that hosting wholesaler and retailer representatives at the winery for a lunch or dinner and having consumers come to the property to pick up wine is notably different for the resilience of agribusiness from holding weddings, concerts and related events.

“Across the nation with wholesalers there is a massive constriction, so many smaller wineries if they want a distributor in another state they can’t get them,” Haney said. “That’s why marketing directly to the consumer is so vital. If you want to hold a charity event or political fundraiser at the winery, that is another matter.”

However, some aren’t sold on this change in definitions. Preserve Rural Sonoma County is reiterating what it told the Planning Commission when the draft ordinance was last year, in June 2021.

“We want to clarify what has been the county position for the past 15 years, that parties are events,” said Marc Bommersbach, a group member, wine grape grower and part of the Westside Community Association. “Trade meetings are fine, but if they are after hours and serving foods, it is the same impact, regardless if it’s the trade or the public. A trade meeting during day with winetasting is fine, but when it turns into an event, it needs to be addressed.”

The group views wine club pick-ups, harvest parties and similar activities as events.

“Creating carve-outs for certain types of events that are not subject to the limitations in use permits, particularly when there is little if any practical difference in impacts between such types of events, will create a compliance nightmare,” the group wrote to the Planning Commission last year.

The organization also wants the county to specify where wineries can be located, perhaps tailored to the concentration of vintners in a given area: 20-acre minimum parcel size, 18-foot minimum access road width, no outdoor amplified sound and a density standard of no more than two facilities in a half-mile.

END

February 15, 2022

TO: Planning Commissioners

FROM: Judith Olney – long-time environmental advocate

RE: Feb 17, 2022 Winery Event Ordinance Briefing

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**Point 1:** I question the wisdom of adopting an Ordinance and/or associated Guidelines that neither addresses the current economic challenges of the wine industry, nor protects the legal rights of surrounding land owners. Sadly, for those of us who have worked for over a decade on the hospitality-industry impact issue, the draft Ordinance does little to uphold the goals of our General Plan to “...protect agricultural land and preserve rural character.”

A set of policies, standards and definitions that both transfers the external costs of winery events to surrounding properties and waives the application/environmental analyses requirements/costs to winery/ event center Applicants places additional tax burdens on residential taxpayers while diminishing the value of their properties.

Granted, both Sonoma County’s wine and cannabis industries currently are facing significant economic challenges and County officials are looking for ways to bolster these industries. This “solution” does not address the root causes of over-supply and out of county competition; thus, will not result in a robust tourism economy.

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**Bottom Line: Subsidizing the wine and cannabis industries by proposing reduced permit fees or exempting Applicants from conducting State-required environmental analyses is not a long-term strategy.** The public has not been provided information as to whether these industries are no longer covering the County’s current costs of administering required land use, zoning and enforcement programs.

Should other taxpayers be burdened with covering current County costs plus the future costs of unstudied impacts and/or the costs of cleaning up intensely developed parcels in remote areas when the normal economic cycle bankrupts’ certain operators?

The taxpayers rely on County officials to use taxpayer money wisely and to protect public health and safety. Our tourism economy has been severely impacted by travel bans, wildfire fears, external competition and classic market forces leading to over-supply and reduced prices.

The root cause of our tourism industry’s current troubles ranges from factors related to basic economic supply and demand cycles to larger structural issues. Adopting an Ordinance with unenforceable definitions and loopholes that basically require impacted, adjacent neighbors (which may be a resident, a grape grower or another winery whose high-end buyer’s wine tasting is impacted by adjacent outdoor amplified music) to check attendee business cards in order to determine compliance, will not meet the objectives set in our General Plan, the protections in our Zoning Code requiring Use Permit modifications, or help restore a robust economy.

With an Opinion, Judith Olney, private citizen  
3300 Westside Road, Healdsburg  
2 Enclosures – Recent articles in New York Times and North Bay Business Journal  
1 Link – CalMatters January 31, 2022 article on Cannabis economic issues

## **Enclosure 1**

### **THE POUR – NEW YORK TIMES**

#### **The Wine Business Sees a Problem: Millennials Aren’t Drinking Enough**

As baby boomers retire and buy less wine, producers need new ways to tempt a White Claw generation back from other alcoholic drinks, according to a new report.



Credit...Cat O'Neil



By **Eric Asimov**

Published Feb. 7, 2022 Updated Feb. 8, 2022

The American wine industry believes it has a problem: millennials.

More specifically, it's the fact that aging baby boomers — currently the prime market for wine — are nearing retirement age, the time of life when consumerism typically declines.

Millennials, the generation that began to come of age after the turn of the century, have given no indication that they are poised to step in. They buy much less wine than

boomers, and the wine industry has not done enough to entice them to become regular consumers.

In his annual [State of the U.S. Wine Industry report](#), presented last month, Rob McMillan, an executive vice president of Silicon Valley Bank in Santa Clara, Calif., and a longtime analyst of the American wine market, issued a forceful warning that a day of reckoning was coming.

“In prior reports, we noted that the falling interest in wine among younger consumers, coupled with the encroaching retirement and decreasing wine consumption of baby boomers, poses a primary threat to the business,” Mr. McMillan said. “That issue has yet to be addressed or solved, and the negative consequences are increasingly evident.”

Sales of American wine could plummet by 20 percent in the next decade, he said. It's not exactly clear what the industry can do to change this dynamic. As the father of two millennial sons, I am something of an expert on being unable to persuade millennials to do as I suggest. But Mr. McMillan, who has analyzed the wine industry for decades, has more than a few ideas for an effective strategy.

First, some background: In this discussion it may seem as if Generation X, the generation between the boomers and the millennials, has been overlooked.

This group is smaller than both the baby boomers, the huge population born roughly from 1946 to 1964, and the millennials, born from 1980 to 1995.

Because of the size difference, Generation X has less buying power, although its wine-buying behavior does not seem that different from boomers'. Generation Z, born, approximately, after 1995, has too few years of legal drinking to really figure into the data.

Mr. McMillan quoted a Harris Poll of nearly 2,000 adults from November, which asked what beverage they would bring to share at a party. The choices were wine, beer, spirits, flavored malt beverages, hard seltzer or cider.

Wine was the overwhelming choice among those 65 and older. The top choice was roughly split between wine and beer for those 35 to 64, with the other options trailing in the distance. But people ages 21 to 34 were almost evenly split among five options, with cider trailing.

Wine simply is not preferred by younger people. Mr. McMillan pointed to the reopening of restaurants in 2021 after Covid-19 vaccines became available; during that period, sales of wine declined as sales of spirits rose.

“We predicted there would be a reopening celebration, and it turns out we were correct,” he said. “But the reopening celebration that took place in 2021 didn’t include the wine industry.”

The increase in competition is a real thing. When I, a late boomer, was drawn into wine, domestic beer was still almost entirely in the thrall of huge breweries with insipid products. Craft beer was not yet widely available in the United States, and spirits and cocktails were what older people drank, bought more for their alcoholic punch than for the aesthetic pleasures they might have offered. Single malt Scotch was barely a thing.

Gen Xers and millennials have grown up in an entirely different world. Beers now come from hundreds of small breweries in dozens of historic and newly created styles. Cocktail-making has become an esteemed craft in which every ingredient counts, and high-end spirits producers are all over, working in every style.

This rising interest in the culture and beauty of ingredients isn’t restricted to just alcoholic beverages: Chocolate, olive oil and honey, just to name a few, have been marketed according to their provenance and quality to a growing audience of people who appreciate such things.

Millennials grew up in a world that has been far more encouraging of connoisseurship than when boomers were young. Social media has given everybody the opportunity to exercise their critical voices, for better or worse. Millennials are a more discerning generation, at a younger age, than baby boomers were.

But as Mr. McMillan of Silicon Valley Bank points out, millennials have less disposable income than their parents and more economic fears. They are often burdened by student debt, have fewer middle-class job opportunities and cannot assume they will ever be able to afford real estate.

That’s a primary reason that millennials have gravitated to beer and spirits rather than wine. The difference between a mass-market brew and a world-class beer is just a few dollars. A really good cocktail at a restaurant might cost the same as a glass of mediocre wine.

By comparison, good wine is more expensive than beer or spirits of comparable quality, and [benchmark wines are often shockingly expensive](#). Partly, this is because wine costs far more today, relatively speaking, than it did in the 1980s and ’90s, as Mr. McMillan acknowledges.

“Premium wine was far less expensive in the mid-90s, even on an inflation-adjusted basis,” he said.

At the same time, sales of the least expensive wines, those under \$9 a bottle, have been shrinking, while sales of wine priced above \$15 have been rising. The industry calls this move toward more expensive bottles “premiumization.” Although the state-of-

the-industry report focuses on the United States, this phenomenon has occurred all over the world as people choose to drink less wine but of better quality.

These are structural issues, but Mr. McMillan also noted the shortcomings of the wine industry in appealing to younger consumers. First, it has failed to recognize the changing demographics that millennials represent.

“While only 28 percent of the boomer population is nonwhite, 45 percent of the millennial population — and almost half of Gen Z — is nonwhite,” he said.

Without question, the wine industry has been slow to adapt. After the murder of George Floyd in May 2020 and the racial reckoning that followed, the wine industry, or rather a small part of it, began to make some effort to diversify its appeal and its work force. But the experiences of [Black wine professionals](#) and [Black consumers](#) show how far the industry has to go to make it a more welcoming, inclusive place.

Mr. McMillan also asserted that millennial consumers are more concerned with social justice and with health and environmental issues, including climate change. “A brand’s social values are increasingly connected to a consumer’s decision to purchase particular products, including wine,” he said.

Among his recommendations, he suggests that producers list their ingredients and offer nutritional data, like calories per serving, and that they be clear about their social values, their efforts to address environmental concerns and their strategies for lowering their carbon footprints.

“The strange reality is that it would be easy to start talking about wine in an evolved way and to reference the many things that are already a part of what we do to produce wine, and that would resonate with younger consumers,” Mr. McMillan said. “Yet as an industry we are not doing it.”

This is where his report seems problematical. The American wine industry is by no means united in supporting social-justice causes or meaningfully diversifying its work force. It has no industrywide plan for combating climate change, reducing chemical farming or cutting its carbon footprint. It has fought tooth and nail to avoid listing ingredients and nutritional data.

The report suggests that a marketing campaign might be the answer, something along the lines of the [“Got Milk?”](#) promotion that began in the 1990s.

These sorts of slogans are likely to be bland and inoffensive, as they must represent a wide range of producers with wildly differing points of view. I don’t know much about marketing, but it strikes me that actual change in the industry would go a lot further in appealing to young people than targeting them with a public-relations campaign.



That means attacking complicated, thorny issues with solutions that are just as divisive in the wine industry as they are in the country as a whole.

If, as Mr. McMillan argues, younger consumers are truly concerned with social justice and environmental issues, what will an anodyne marketing campaign achieve?

In my little corner of the wine world, I see younger people drawn to natural wines and to traditional styles. These sorts of wines meet many of the concerns that Mr. McMillan expressed, and have demonstrated their appeal.

The winemakers do that by showing their concern with the environment by farming conscientiously, sticking with traditional ingredients and processes and, increasingly, I hope, by addressing social justice and equity issues that are as apparent in natural wine as anywhere else.

It's not just a question of perception, it's a matter of action, of demonstrating a commitment to change and to making the effort. Slogans will not paper over a failure to do that.

*END*

## **Enclosure 2 – North Bay Business Journal – Jeff Quackenbush – Feb 14, 2022**

Meanwhile in Sonoma County, its Planning Commission is set to revisit [the draft winery events ordinance](#) at a virtual meeting Feb. 17. The county and industry advocates have been going back and forth on the matter for six years, with long delays after the wildfires and during the pandemic.

One of the key changes that has coming in the most recent draft of the ordinance is defining “business activities” separately from “events,” according to Michael Haney, executive director of trade group Sonoma County Vintners.

“This is not about big parties,” Haney said. “We tell people that vineyards they see when driving around are not landscaping. That’s how we feed our families. Our wine community says what we need is a clear set of definitions.”

One of the key arguments the trade group has made is that hosting wholesaler and retailer representatives at the winery for a lunch or dinner and having consumers come to the property to pick up wine is notably different for the resilience of agribusiness from holding weddings, concerts and related events.

“Across the nation with wholesalers there is a massive constriction, so many smaller wineries if they want a distributor in another state they can’t get them,” Haney said.

“That’s why marketing directly to the consumer is so vital. If you want to hold a charity event or political fundraiser at the winery, that is another matter.”

However, some aren’t sold on this change in definitions. Preserve Rural Sonoma County is reiterating what it told the Planning Commission when the draft ordinance was last year, in June 2021.

“We want to clarify what has been the county position for the past 15 years, that parties are events,” said Marc Bommersbach, a group member, wine grape grower and part of the Westside Community Association. “Trade meetings are fine, but if they are after hours and serving foods, it is the same impact, regardless if it’s the trade or the public. A trade meeting during day with winetasting is fine, but when it turns into an event, it needs to be addressed.”

The group views wine club pick-ups, harvest parties and similar activities as events.

“Creating carve-outs for certain types of events that are not subject to the limitations in use permits, particularly when there is little if any practical difference in impacts between such types of events, will create a compliance nightmare,” the group wrote to the Planning Commission last year.

The organization also wants the county to specify where wineries can be located, perhaps tailored to the concentration of vintners in a given area: 20-acre minimum parcel size, 18-foot minimum access road width, no outdoor amplified sound and a density standard of no more than two facilities in a half-mile.

**Public  
Comments  
2-17-22 to 5-12-22  
for PC Hearing  
5-19-22**

**From:** [Nick Frey](#)  
**To:** [PlanningAgency](#)  
**Subject:** RE: Comments on noise attenuation setbacks  
**Date:** Thursday, February 17, 2022 3:56:10 PM

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## EXTERNAL

I want to add feedback on the Commissioners' discussions:



- How do you regulate food truck activities if they are permitted. We have food trucks selling lunch to construction workers in our neighborhood. Does the construction company need a use permit. Why would it be different for a winery?
- You are getting into too many what ifs that may not relate at all to the wine business, regardless of size
- If you produce 1000 or more cases of wine, selling it DTC is very challenging compared to large wineries with 500,000 cases pl

---




**From:** Nick Frey  
**Sent:** Thursday, February 17, 2022 10:11 AM  
**To:** [PlanningAgency@sonoma-county.org](mailto:PlanningAgency@sonoma-county.org)  
**Subject:** Comments on noise attenuation setbacks



The proposed setbacks seem arbitrary. What data were used to arrive at the proposed setbacks. Depending on the topography, the amount of vegetation, etc, noise levels will vary by site. Rather than an arbitrary setback, you merely need to set a noise level at the lot line in decibels. They can be easily measured with a cell phone app.

Also amplified music should not matter if the noise level at the lot line is below the decibel limit. Use some science and common sense when setting standards rather than some arbitrary distance.



**NICK FREY**  
*PR & Brand Ambassador*  
[Nick@ballettovineyards.com](mailto:Nick@ballettovineyards.com)  
cell: 707.291.2857  
5700 Occidental Rd. | Santa Rosa, CA 95401  
[ballettovineyards.com](http://ballettovineyards.com)





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**From:** frick winery <[frick@frickwinery.com](mailto:frick@frickwinery.com)>

**Sent:** Wednesday, March 9, 2022 3:01 PM

**To:** William Frick

**Subject:** Sonoma County is Wonderful Wine Country. Don't damage this.

## EXTERNAL

Dear Commissioner, Please no more regulations on winery events/business activities.

After hearing about the February 17, 2022 Sonoma County Planning Commission's meeting on winery events/business activities, I am worried. The wine community cannot survive more regulation that is not warranted and that handicaps our freedom to be hospitable to our consumers. Wineries are already highly regulated on all fronts. Now with fires, floods, pandemic, consolidation of distributors and drought wineries are having a tough enough time surviving without more unneeded regulations to deal with. This is particularly true of small family owned wineries in the county who don't have resources beyond the County of Sonoma.

Sonoma County is Wine Country. Please! Let's keep it that way.

Sonoma County wineries are a major employer and a big contributor to the Sonoma County economy. Wineries are an asset to Sonoma County, preserving rural land and the rural experience that make it a desirable place to be.

Legal restrictions on capacity, hours, accessibility, traffic, parking, noise, sanitation and more are ALREADY in place. We do not need more!

There is no need for change. Except, maybe I suppose, to appease a radical extreme group.

Wineries make our county a great place to visit, live and work. I and they deserve your support.

Thank you.

Bill Frick

7.77 acres and a man

Frick Winery

Since 1976

[frickwinery.com](http://frickwinery.com)

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**From:** Damy Tamburrino <[damy@foppiano.com](mailto:damy@foppiano.com)>

**Sent:** Wednesday, March 9, 2022 11:22 AM

**To:** Greg Carr; Caitlin Cornwall; Larry Reed; Pat Gilardi; Gina Belforte; Jacquelynne Ocana; Kevin Deas; Shaun McCaffery; Eric Koenigshofer; Belén Grady; Susan Gorin; David Rabbitt; Chris Coursey; district4; Lynda Hopkins

**Cc:** Beth Costa

**Subject:** Winery Events

## EXTERNAL

Greetings Supervisor/Commissioner:

In response to the February 17, 2022 Sonoma County Planning Commission's meeting on winery events/business activities, I wanted to reach out to you directly to express my concerns for the Planning

Commission's actions and support for my outlined positions related to winery events/business activities.

Our wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility and

amazing effort, our wine community has survived; however, we cannot survive more regulation that is

not warranted and cripples our ability to engage with consumers.

Our Sonoma County wine community is a major employer and crucial contributor to the Sonoma County

economy. Wineries also support significant philanthropic activities, including hundreds of local nonprofit charitable organizations throughout the county.

Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. Wineries are required to market and fulfill wine sales directly

to consumers in order to survive. It is critical to our wine community's future that business activities like

wine pickup days, winemaker lunches/dinners, trade business visits, and similar activities, be allowed and not arbitrarily limited. Also, wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation and noise.

These legal parameters ALREADY guide wineries as it relates to events/business activities.

I strongly support the following positions:

1. Support of the Current Sonoma County General Plan that states:

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-4d: Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.

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

2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. THESE parameters

already guide wineries as it relates to events/business activities.

3. The operation of a winery in any agricultural Land Use Designation requires a Use Permit.

Use Permit conditions are required to address the impacts of that operation. The conditions are not to

direct how the applicant operates the business. For example, a church needs to provide parking, ADAcompliant access and restrooms, however, limitations are not made on the number of weddings they may perform or the number of services offered.

4. Sonoma County Code Enforcement reports extremely minimal complaints related to winery events/business activities and those few have been easily resolved with communication.

While our winery community is resilient and has worked hard to manage the challenges of the past few

years, it has also worked hard to be an excellent neighbor, steward of our lands and ambassador for our

beautiful county. I appreciate you taking a moment to consider my thoughts and assist our vital winery

community and multigenerational wine families as they work to make our county a wonderful place to

live, work and thrive.

Thank you,

Damy

Damy Tamburrino

DTC/Hospitality Manager

707.433.7272 x240 O | 707.481.6439 M | 707.433.0565 F

[damy@foppiano.com](mailto:damy@foppiano.com)



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**From:** Tessa Gorsuch <[tessa@martinelliwinery.com](mailto:tessa@martinelliwinery.com)>  
**Sent:** Thursday, March 17, 2022 9:26 AM  
**To:** Tessa Gorsuch  
**Subject:** Please Consider

EXTERNAL

Good Morning,

In response to the February 17, 2022 Sonoma County Planning Commission's meeting on winery events/business activities, I wanted to reach out to you directly to express my concerns for the Planning Commission's actions and support for my outlined positions related to winery events/business activities. Our wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility and amazing effort, our wine community has survived; however, we cannot survive more regulation that is not warranted and cripples our ability to engage with consumers. Our Sonoma County wine community is a major employer and crucial contributor to the Sonoma County economy. Wineries also support significant philanthropic activities, including hundreds of local nonprofit charitable organizations throughout the county. Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. Wineries are required to market and fulfill wine sales directly to consumers in order to survive. It is critical to our wine community's future that business activities like wine pickup days, winemaker lunches/dinners, trade business visits, and similar activities, be allowed and not arbitrarily limited. Also, wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation and noise. These legal parameters ALREADY guide wineries as it relates to events/business activities. I strongly support the following positions:

1. Support of the Current Sonoma County General Plan that states: 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-4d: Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories. Policy AR-8b: Encourage programs for promotion and marketing of agricultural products grown in the County.
2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. THESE parameters already guide wineries as it relates to events/business activities.
3. The operation of a winery in any agricultural Land Use Designation requires a Use Permit. Use Permit conditions are required to address the impacts of that operation. The conditions are not to direct how the applicant operates the business. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform or the number of services offered.



4. Sonoma County Code Enforcement reports extremely minimal complaints related to winery events/business activities and those few have been easily resolved with communication. While our winery community is resilient and has worked hard to manage the challenges of the past few years, it has also worked hard to be an excellent neighbor, steward of our lands and ambassador for our beautiful county. I appreciate you taking a moment to consider my thoughts and assist our vital winery community and multigenerational wine families as they work to make our county a wonderful place to live, work and thrive.

Thank you for your time,

Tessa Gorsuch  
Marketing Manager  
Martinelli Winery and Vineyards  
707-525-1017 Ext. 306  
[www.martinelliwinery.com](http://www.martinelliwinery.com)



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**From:** [Chelsea Holup](#)  
**To:** [Georgia McDaniel](#); [Hannah Spencer](#)  
**Subject:** FW: February 17 Planning Commission Meeting (Public comment winery events)  
**Date:** Tuesday, April 12, 2022 3:39:46 PM

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## EXTERNAL

April 6, 2022

Good Afternoon Commissioner Ocana:

First thank you for your time and support for Sonoma County.

We send this letter in response to the February 17, 2022 Sonoma County Planning Commission's meeting on winery events/business activities. We wish to express our observations and concerns regarding the Planning Commission's comments and actions during the meeting. These include the following:

### 1. Sonoma County General Plan

We believe that during the meeting Commissioner Carr misrepresented the policies of the Sonoma County General Plan.

The policy is outlined below and it is clear that visitor-serving uses **are** included in the General Plan and are not excluded as Commissioner Carr led the Commission and the public to believe.

**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-4d:** *Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.*

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

## **2. Draft Definitions and Guidelines**

We are concerned that County staff chose to supply the Commission with only three documents that describe winery events/activities definitions and guidelines. There is only one set of guidelines that have been vetted and hold standing in the permitting process and that is the Dry Creek Guidelines created by the Dry Creek Valley Citizens Advisory Council. The other two documents supplied by County staff include those prepared by the Sonoma Valley Citizens Advisory Council Ad Hoc and the one prepared by County staff. Staff however, continue to ignore, nor do they explain the omission of the draft from the Sonoma Valley Stakeholders, or the one from Sonoma County Vintners, which have been presented to staff numerous times. There also may be more drafts from the public, but they are not being considered.

## **3. Planning Tools**

During the February 17 meeting the Commission discussed the nuance between a “Commercial Kitchen” versus a “Catering Kitchen”. This discussion is actually the micro-management of an allowable business. When considering a Use Permit, The Commission, has the ability to set hours of operation, noise levels and maximum persons allowed based on floor area, parking, septic and access. As long as a “visitor serving use” is supported by General Plan policy, the particular activity is irrelevant.

## **4. Identifying Problem Scope**

We have requested that County staff report the extent of any problems with the operations of winery use permits related to winery events/activities. According to the County’s Code Enforcement office, there are **very few** complaints received and those that have occurred are usually resolved with communications and good neighbor policies.

## **Our Sonoma County Wine Community**

The Sonoma County wine community is a major employer and crucial contributor to the Sonoma

County economy, while also supporting significant philanthropic activities that include hundreds of the county's non-profit charitable organizations.

Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. Wineries are required to market and fulfill wine sales directly to consumers to survive. It is critical to our wine community's future that business activities like wine pickup days, winemaker lunches/dinners, trade business visits, and similar activities, be allowed and not arbitrarily limited.

Our wine community is resilient and has worked hard to manage the challenges of the past few years. It has also worked hard to be an excellent neighbor, steward of our lands and county ambassador. With ingenuity, creativity, flexibility and amazing effort, Sonoma County's wine community has survived wildfires, smoke exposure, floods, power shutoffs, diminished tourism as well as many catastrophic pandemic impacts; however, it cannot survive more unwarranted regulation that cripples our ability to engage with consumers.

Thank you for your time and consideration.

Sincerely

Sincerely,

Mike Martini  
Taft Street Winery  
Chair, SCV Government Relations Committee

Michael Haney  
Executive Director  
Sonoma County Vintners  
Sonoma County Vintners Foundation

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**From:** [Peter Warner](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** your worldview isn't mine!  
**Date:** Friday, April 29, 2022 1:14:14 PM

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## EXTERNAL

PRMD and the political powers in Sonoma County claim that the wine industry is important to business and tourism.

That encapsulates precisely why many of us will forever be opposed to the status quo defenders of capitalism perspective on business, ecological exploitation, and the idiotic denial of physics and chemistry. You are all damned fools and charlatans for disregarding basic laws of universal function.

Your stance of capitulating to the fundamentally destructive nature of capitalism is exactly why global climate and ecosystems are failing, and why humanity continues its march to extinction -- unfortunately taking the myriad miracles of life along with us. How long do you think we can keep this up, morons???

Yet you apologists for business as usual keep up with your justifying drivel, as species disappear, as life-sustaining water is polluted and stolen for profit, and as corporations, politicians, and their lackeys in government continue us all in the spiral towards ultimate destruction. The lack of ecological consciousness is consistent with your profiteering insanity.

You are responsible, and we shall not forget or forgive your collaboration with death and destruction.

Peter Warner

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From: [Brian Ball](#)  
To: [PRMD-WineryEvents](#)  
Subject: Winery Events Request  
Date: Tuesday, May 03, 2022 12:23:04 PM  
Attachments: [Skipstone-logo-Art-optimized-1.4.png](#)

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## EXTERNAL

Hello,

I am writing to express my concerns for the Planning Commission's indication of their intentions to proceed with harmful restrictions on winery activities, in light of the February 17th, 2022 Sonoma County Planning Commission's meeting.

Skipstone is a small, family owned winery here in Alexander Valley. Over the past decade, the wine industry has seen unprecedented consolidation in the wholesale market, making market penetration and promotion all but impossible outside of the growing Direct to Consumer channel. We, like so many of our fellow vintners in Sonoma County, must rely on the DtC channel for almost 100% of our business, and the proposed restrictions by the Planning Commission would be crippling, at a time of immense challenges already heaped onto our industry by challenging market conditions, wildfires, a worldwide pandemic, and competition from other wine regions. The evolution of consumer's preferences towards direct engagement with the businesses they choose to support necessitates a regulatory environment that supports a modern business engaging with their customers in person. Sonoma County's existing process of issuing Use Permits that outline permitted and non-permitted activities is already sufficient for covering what the county has deemed appropriate for winery business, and the proposed structure of the Winery Events Ordinance feels like an arbitrary limitation of activities that support local business, fulfills consumers' desires, and falls within existing permitted activities through the Use Permit process and other existing regulations.

I strongly support the following positions:

**1. Support of the Current Sonoma County General Plan that states: 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-4d: Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories. Policy AR-8b: Encourage programs for promotion and marketing of agricultural products grown in the County.

**2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts.** Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. THESE parameters already guide wineries as it relates to events/business activities.

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made on the number of weddings they may perform or the number of services offered.

**4. Sonoma County Code Enforcement reports extremely minimal complaints related to winery events/business activities and those few have been easily resolved with communication.** While our winery community is resilient and has worked hard to manage the challenges of the past few years, it has also worked hard to be an excellent neighbor, steward of our lands and ambassador for our beautiful county. I appreciate you taking a moment to consider my thoughts and assist our vital winery community and multigenerational wine families as they work to make our county a wonderful place to live, work and thrive.

I hope you please take our industry's plea for consideration of the significant impacts the proposed restrictions will have on the flourishing local community, and actively work with the Sonoma County wine community to incorporate our requests into the proposed regulations. What we are requesting is not carte blanche to "do whatever we want with our business." We simply ask that the Planning Commission engage with our business and others to have a real discussion to address potential concerns of others that might be driving this push for regulation while providing the flexibility to act responsibly to cater towards a changing set of demands of the modern consumer.

I would sincerely welcome an opportunity to connect, discuss our viewpoint, and provide an inside view into the realities of a small winery business and how devastating moving forward with these regulations would be to the small business community, our employees, and customers.

Sincerely,

**Brian Ball**

General Manager - Skipstone

Cell: 703.505.7722 | Direct: 707.857.2558 | Skipstone Office: 707.433.9124

2505 Geysers Rd. Geyserville, CA 95441

[www.skipstonewines.com](http://www.skipstonewines.com)

S K I P S T O N E

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**do not** click any web links, attachments, and **never** give out your user ID or password.

**From:** [Laura Jones](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Support for winery events and business activities  
**Date:** Tuesday, May 03, 2022 3:30:28 PM  
**Attachments:** [clip\\_image001.png](#)

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## EXTERNAL

Good afternoon,

In response to the February 17, 2022, Sonoma County Planning Commission's meeting on winery events and business activities, I wanted to reach out to you directly to express my concerns for the Planning Commission's actions and support for my outlined positions related to winery events and business activities.

Our wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility, and amazing effort, our wine community has survived. However, we cannot survive more regulation that is not warranted and cripples our ability to engage with consumers.

Our Sonoma County wine community is a major employer and crucial contributor to the Sonoma County economy. Wineries also support significant philanthropic activities, including hundreds of local nonprofit charitable organizations throughout the county.

Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. Wineries are required to market and fulfill wine sales directly to consumers in order to survive. It is critical to our wine community's future that business activities like wine pickup days, winemaker lunches/dinners, trade business visits, and similar activities, be allowed and not arbitrarily limited. Also, wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. These legal parameters already guide wineries as it relates to events and business activities.

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I appreciate you taking a moment to consider my thoughts and assist our vital winery community and multigenerational wine families as they work to make our county a wonderful place to live, work and thrive.

Thank you,

**Laura Jones**

Winemaker - Skipstone

Cell: 310.985.4406 | Direct: 707.584.6654

2505 Geysers Rd. Geyserville, CA 95441

[www.skipstonewines.com](http://www.skipstonewines.com)

S K I P S T O N E



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**From:** [Hilary Cline](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Support for Winery Events  
**Date:** Thursday, May 05, 2022 12:04:49 PM

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## EXTERNAL

Greetings,

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  - a. **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.
  - b. **Policy AR-4d:** Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.
  - c. **Policy AR-8b:** Encourage programs for promotion and marketing of agricultural products grown in the County.
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Thank you.

**Hilary Cline**

Operations | [Cline Cellars](#), [Jacuzzi Family Vineyards](#), & [Gust Wines](#)

24737 Arnold Drive, Sonoma, CA 95476

Phone 707.721.8681 | email: [hcline@clinecellars.com](mailto:hcline@clinecellars.com)

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**From:** Marc Bommersbach <mbommersbach@att.net>  
**Sent:** Sunday, May 8, 2022 5:43 PM  
**To:** Brian Oh <Brian.Oh@sonoma-county.org>  
**Subject:** Winery Event Definitions

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## EXTERNAL

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Biran,

I would like to offer the following suggestions regarding the Staff's assignment from the Planning Commission regarding the Event definitions.

I feel this might simplify the ordinance based on the comments of the Commissioners.

I realize the Commissioners took a straw vote on the general definition of a winery event, but I think it does make sense to add the other criteria the County uses such as after tasting room hours and serving a meal. I added entertainment as a suggestion.

I will be traveling, but available to talk or e-mail. I realize this is a tough assignment, so hope this helps.

Regards,

Marc  
415-860-2116

**General Plan Standard:** Winery visitor serving uses in agricultural categories are limited to promotion of agricultural production in the County, including 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. **Policy AR-6a**

These uses can be broken into two categories – **Winery Events** and **Other Winery Visitor Serving Uses**

**Winery Event** - A gathering of people 1) at a pre-scheduled date and time, **or** 2) held outside tasting room hours, **or** 3) where food is served, excluding small bites in connection with wine pairing, **or** 4) where entertainment is provided, whether or not a fee is required to attend.

Some events last for two or three days. In these cases, each day is counted as a separate event. There are two types of **Winery Events** – **Agricultural Promotion** and **Industry Wide Events**

**Agricultural Promotional Event** – A Winery Event directly related to the education and development of consumers where the primary focus of the event and the reason for attendance is the sampling and direct marketing of wine produced on the premises.

**Industry Wide Event – (Same as Staff)** Promotional activities sponsored by a recognized wine industry association that may involve multiple wineries and/or tasting rooms. Industry-wide events are held within a specified geographic area, during regular tasting room hours, and may last up to 3 consecutive days.

**Other Winery Visitor Serving Uses** - Wine tasting, tours, seminars and other similar hospitality related activities that support the promotion of wine sales produced at the winery, excluding Winery Events.

Consistent with the County's practice, events such as private parties, charitable and political events that do not meet the requirements of an Agricultural Promotional Event are handled as "cultural" or "special" events through a zoning or cultural event permit process and not defined as a subset of Winery Events. Such events would not be included in use permits that create entitlements that run with the land.

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**From:** [ray.johnson@sonoma.edu](mailto:ray.johnson@sonoma.edu)  
**To:** [David Rabbitt](#); [PRMD-WineryEvents](#)  
**Subject:** Upcoming Planning Commission Meeting  
**Date:** Saturday, May 07, 2022 8:10:27 PM

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## EXTERNAL

Greetings Supervisor Rabbitt and the Team at Permit Sonoma,

I'm addressing my concerns to the team in general and to Supervisor Rabbitt specifically as we live in Hessel and are represented by David. I also have a view based on the many alumni of our programs who work and thrive in wine and viticultural careers.

In response to the February 17, 2022 Sonoma County Planning Commission's meeting on winery events/business activities, I wanted to reach out to you directly to express my concerns for the Planning Commission's actions and support for my outlined positions related to winery events/business activities. Our wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility and amazing effort, our wine community has survived; however, we cannot survive more regulation that is not warranted and cripples our ability to engage with consumers.

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I strongly support the following positions:

**1. Support of the Current Sonoma County General Plan that states:**

**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-4d:** *Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.*

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

**2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts.** Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. THESE parameters already guide wineries as it relates to events/business activities.

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Thank you most sincerely,

Ray

Ray Johnson

Executive Director

[wbi25@sonoma.edu](mailto:wbi25@sonoma.edu)

707.280.8188 - mobile

Sonoma State University

School of Business and Economics

1801 East Cotati Avenue

Rohnert Park, CA 94928

[ray.johnson@sonoma.edu](mailto:ray.johnson@sonoma.edu)

---

**From:** Brian Ball <[brian@skipstonewines.com](mailto:brian@skipstonewines.com)>  
**Sent:** Tuesday, May 3, 2022 12:23 PM  
**To:** Greg Carr <[Greg.Carr@sonoma-county.org](mailto:Greg.Carr@sonoma-county.org)>  
**Subject:** Winery Activities Request

Hello Commissioner Carr,

I am writing to express my concerns for the Planning Commission's indication of their intentions to proceed with harmful restrictions on winery activities, in light of the February 17th, 2022 Sonoma County Planning Commission's meeting.

Skipstone is a small, family owned winery here in Alexander Valley. Over the past decade, the wine industry has seen unprecedented consolidation in the wholesale market, making market penetration and promotion all but impossible outside of the growing Direct to Consumer channel. We, like so many of our fellow vintners in Sonoma County, must rely on the DtC channel for almost 100% of our business, and the proposed restrictions by the Planning Commission would be crippling, at a time of immense challenges already heaped onto our industry by challenging market conditions, wildfires, a worldwide pandemic, and competition from other wine regions. The evolution of consumer's preferences towards direct engagement with the businesses they choose to support necessitates a regulatory environment that supports a modern business engaging with their customers in person. Sonoma County's existing process of issuing Use Permits that outline permitted and non-permitted activities is already sufficient for covering what the county has deemed appropriate for winery business, and the proposed structure of the Winery Events Ordinance feels like an arbitrary limitation of activities that support local business, fulfills consumers' desires, and falls within existing permitted activities through the Use Permit process and other existing regulations.

I strongly support the following positions:

**1. Support of the Current Sonoma County General Plan that states: 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



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I hope you please take our industry's plea for consideration of the significant impacts the proposed restrictions will have on the flourishing local community, and actively work with the Sonoma County wine community to incorporate our requests into the proposed regulations. What we are requesting is not carte blanche to "do whatever we want with our business." We simply ask that the Planning Commission engage with our business and others to have a real discussion to address potential concerns of others that might be driving this push for regulation while providing the flexibility to act responsibly to cater towards a changing set of demands of the modern consumer.

I would sincerely welcome an opportunity to connect, discuss our viewpoint, and provide an inside view into the realities of a small winery business and how devastating moving forward with these regulations would be to the small business community, our employees, and customers.

Sincerely,

**Brian Ball**

General Manager - Skipstone

Cell: 703.505.7722 | Direct: 707.857.2558 | Skipstone Office: 707.433.9124

2505 Geysers Rd. Geyserville, CA 95441

[www.skipstonewines.com](http://www.skipstonewines.com)

S K I P S T O N E

Dear Commissioner Carr

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Thank you.

Sincerely

Adam Sbragia

Sbragia Family Vineyards

Dear Commissioner Carr:

May 8, 2022

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Karen Maley, General Manager

Robert Young Estate Winery, Geyserville, CA.

**Public  
Comments  
after 5-12-22 distribution  
for PC Hearing  
5-19-22**

May 13, 2022



Dear Commissioner Carr:

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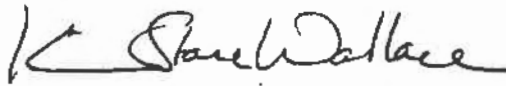
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1. Support of the Current Sonoma County General Plan that states: **Policy AR-4a:** The primary use of any parcel within the three agricultural land use categories shall be agricultural production and related processing, support services, and visitor 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-4d:** Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories. **Policy AR-8b:** Encourage programs for promotion and marketing of agricultural products grown in the County.
2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. **THESE** parameters already guide wineries as it relates to events/business activities.

3. The operation of a winery in any agricultural Land Use Designation requires a Use Permit. Use Permit conditions are required to address the impacts of that operation. The conditions are not to direct how the applicant operates the business. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform, or the number of services offered.

4. Sonoma County Code Enforcement reports extremely minimal complaints related to winery events/business activities and those few have been easily resolved with communication. While our winery community is resilient and has worked hard to manage the challenges of the past few years, it has also worked hard to be an excellent neighbor, steward of our lands and ambassador for our beautiful county. I appreciate you taking a moment to consider my thoughts and assist our vital winery community and multigenerational wine families as they work to make our county a wonderful place to live, work and thrive. Thank you.

Sincerely,

A handwritten signature in black ink, reading "Kim Stare Wallace". The signature is written in a cursive, flowing style. The first letter "K" is large and stylized, with a long horizontal stroke extending to the left. The name "Stare Wallace" follows in a similar cursive script.

Kim Stare Wallace  
President



May 12, 2022

Sonoma County Board of Supervisors  
575 Administration Drive  
Room 100 A  
Santa Rosa, CA 95403  
[bos@sonoma-county.org](mailto:bos@sonoma-county.org)

Sonoma County Planning Commission  
2550 Ventura Ave  
Santa Rosa, CA 95403  
[planningagency@sonoma-county.org](mailto:planningagency@sonoma-county.org)

**RE: Sonoma County Winery Events and Business Activities**

Dear Sonoma County:

Landmark Vineyards is concerned with the recent Sonoma County Planning Commission proposal to restrict permitting for certain events and business activities, and respectfully requests that the County continue to use the existing County General Plan and permitting rules pertaining to wineries.

Landmark Vineyards has been a staple of the community since 1974. We are dedicated to creating rich, balanced, handcrafted, wine that tells the robust history of this particular wine region. We pride ourselves in offering unparalleled experiences for our guests and bringing unique opportunities for the public to learn and engage in the Sonoma County wine industry. One way we do this is through offering a diverse range of programming at our vineyard location, including wine pick up days, winemaker lunches, trade business visits, and offering facilities for local non-profit events. Considering the multitude of challenges facing the Sonoma County wine community these days – from wildfires to impacts from the pandemic – the future of the industry hinges on our ability to bring awareness to the region. As such, it is critically important that these events continue to be allowed.

Landmark Vineyards supports the continued use of the current Sonoma County General Plan provisions regulating events (e.g., Policy AR-4a, Policy AR-4d, and Policy AR-8b), and urges the County to focus on compliance with the existing planning and land use rules that already provide a sufficient structure for the safe and respectful hosting of events in the region.

Sincerely,

Tom LeClair  
Associate Vice President, Hospitality



May 13, 2022



Dear Commissioner McCaffery:

In response to the February 17, 2022, Sonoma County Planning Commission's meeting on winery events/business activities, I wanted to reach out to you directly to express my concerns for the Planning Commission's actions and support for my outlined positions related to winery events/business activities.

Our wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility and amazing effort, our wine community has survived; **however, we cannot survive more regulation that is not warranted and cripples our ability to engage with consumers.**

Our Sonoma County wine community is a major employer and crucial contributor to the Sonoma County economy. Wineries also support significant philanthropic activities, including hundreds of local nonprofit charitable organizations throughout the county.

Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. **Wineries are required to market and fulfill wine sales directly to consumers in order to survive. It is critical to our wine community's future that business activities like wine pickup days, winemaker lunches/dinners, trade business visits, and similar activities, be allowed and not arbitrarily limited.**

**Also, wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. These legal parameters ALREADY guide wineries as it relates to events/business activities.**

I strongly support the following positions:

1. Support of the Current Sonoma County General Plan that states: **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-4d:** Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories. **Policy AR-8b:** Encourage programs for promotion and marketing of agricultural products grown in the County.
2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts. Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. **THESE** parameters already guide wineries as it relates to events/business activities.

ESTABLISHED 1972  
DRY CREEK VALLEY  
SONOMA COUNTY

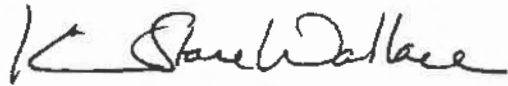
POST OFFICE BOX T  
3770 LAMBERT BRIDGE RD  
HEALDSBURG, CA 95448

TELEPHONE 707-433-1000  
FACSIMILE 707-433-5329  
WWW.DRYCREEKVINEYARD.COM

3. The operation of a winery in any agricultural Land Use Designation requires a Use Permit. Use Permit conditions are required to address the impacts of that operation. The conditions are not to direct how the applicant operates the business. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform, or the number of services offered.

4. Sonoma County Code Enforcement reports extremely minimal complaints related to winery events/business activities and those few have been easily resolved with communication. While our winery community is resilient and has worked hard to manage the challenges of the past few years, it has also worked hard to be an excellent neighbor, steward of our lands and ambassador for our beautiful county. I appreciate you taking a moment to consider my thoughts and assist our vital winery community and multigenerational wine families as they work to make our county a wonderful place to live, work and thrive. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Stare Wallace". The signature is fluid and cursive, with a large initial "K" and "S".

Kim Stare Wallace  
President

---

**From:** Christina Meyer <[cmeyer1106@gmail.com](mailto:cmeyer1106@gmail.com)>

**Sent:** Monday, May 16, 2022 10:31 PM

**To:** Greg Carr <[Greg.Carr@sonoma-county.org](mailto:Greg.Carr@sonoma-county.org)>; Pat Gilardi <[Pat.Gilardi@sonoma-county.org](mailto:Pat.Gilardi@sonoma-county.org)>; Jacquelynne Ocana <[Jacquelynne.Ocana@sonoma-county.org](mailto:Jacquelynne.Ocana@sonoma-county.org)>

**Cc:** Shaun McCaffery <[Shaun.McCaffery@sonoma-county.org](mailto:Shaun.McCaffery@sonoma-county.org)>; [ErickKoenigshofer@sonoma-county.org](mailto:ErickKoenigshofer@sonoma-county.org) <[ErickKoenigshofer@sonoma-county.org](mailto:ErickKoenigshofer@sonoma-county.org)>

**Subject:** Wine Event Ordinance

Thank you for all the work you have done on the Winery Event Ordinance.

When you meet on May 19 to review the current draft of the Winery Event Ordinance, please continue to tighten existing loopholes and ambiguities to strengthen the Ordinance: in these areas:

- **Please** clarify that Agricultural Promotional Events do not include private parties, weddings or political, charitable or other non-ag related events
- Please add **IMPORTANT** siting criteria as follows:
  - a. 20-acre minimum parcel size
  - b. 20-foot minimum access roads
  - c. No outdoor amplified sound
  - d. Density standard of no more than 2 facilities in 1/2 mile
  - e. Include other criteria for limiting the size and number of events in such concentrated areas.

THANK YOU SO MUCH. Christina Meyer

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**From:** Laura Morgan <[thesquig@yahoo.com](mailto:thesquig@yahoo.com)>

**Sent:** Monday, May 16, 2022 10:51 AM

**To:** Greg Carr <[Greg.Carr@sonoma-county.org](mailto:Greg.Carr@sonoma-county.org)>; Pat Gilardi <[Pat.Gilardi@sonoma-county.org](mailto:Pat.Gilardi@sonoma-county.org)>; [Shaun.McAfer@sonoma-county.edu](mailto:Shaun.McAfer@sonoma-county.edu) <[Shaun.McAfer@sonoma-county.edu](mailto:Shaun.McAfer@sonoma-county.edu)>; Jacquelynne Ocana <[Jacquelynne.Ocana@sonoma-county.org](mailto:Jacquelynne.Ocana@sonoma-county.org)>; Eric Koenigshofer <[Eric.Koenigshofer@sonoma-county.org](mailto:Eric.Koenigshofer@sonoma-county.org)>

**Subject:** Winery Event Ordinance Hearing this Thursday

## EXTERNAL

Dear Esteemed Planning Commissioners,

When you meet on May 19 to review the current draft of the Winery Event Ordinance, we ask that you please consider tightening existing loopholes and ambiguities to strengthen the Ordinance:

- **Please** Clarify that Agricultural Promotional Events do not include private parties, weddings or political, charitable or other non-ag related events
- Please add **IMPORTANT** siting criteria as follows:
  - a. 20-acre minimum parcel size
  - b. 20-foot minimum access roads
  - c. No outdoor amplified sound
  - d. Density standard of no more than 2 facilities in 1/2 mile
  - e. Include other criteria for limiting the size and number of events in such concentrated areas.

Thank you,

Laura Morgan and Jim Seward  
2821 Dyer Ave  
Sebastopol

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**From:** [Anna Ransome](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Winery Event Ordinance  
**Date:** Monday, May 16, 2022 8:05:47 PM

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Thank you for your work on the Winery Event Ordinance. Missing from the current draft however, is siting criteria. The Board of Supervisors directed the Staff to develop these standards, not the wine industry or concerned neighbors. The October 2016 Board resolution stated:

***“The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines (emphasis added).”***

Please add siting criteria to the Winery Event Ordinance, including criteria for areas of concentration as directed by the Board. We support the PRSC recommendations, previously suggested:

- a. 20-acre minimum parcel size
- b. 20-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

The ordinance should also include other criteria for limiting the size and number of events in such concentrated areas.

Thank you,  
Anna Ransome

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**From:** [Padi Selwyn](#)  
**To:** [PRMD-WineryEvents](#); [Pat Gilardi](#); [Jacquelynnne Ocana](#); [Shaun McCaffery](#); [Eric Koenigshofer](#); [Greg Carr](#)  
**Subject:** Comments regarding the Winery Event Ordinance  
**Date:** Monday, May 16, 2022 12:32:50 PM

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Dear Staff and Planning Commissioners:

As you put the finishing touches on the Winery Event Ordinance, we are respectfully requesting that you consider the following elements be added. We have been advocating for these two critical categories for the past six years after much study and participation in the Winery Working Group as well as numerous study groups.

1. Clarify that Agricultural Promotional Events do not include private parties, weddings or political, charitable or other non-ag related events

Agricultural Promotional Events should be directly related to the education of consumers where the primary focus of the event is the direct marketing and tasting of wine produced on the premises. Absent this clarification, non-agricultural, commercial uses might be included, simply because wine from the winery is served.

Consistent with the County's current practice, events such as private parties, charitable and political events that do not meet the requirements of an Agricultural Promotional Event should be handled as "cultural" or "special" event through a zoning permit process and not defined as a subset of Winery Events. Such events would not be included in use permits, that create entitlements that run with the land.

2. Include siting criteria, in addition to criteria for areas of concentration as directed by the Board

In October 2016, the Board directed staff to develop siting criteria for areas of concentration. The resolution by the Board in October 2016 states:

***"The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines (emphasis added)."***

The Commission should include siting criteria for Areas of Concentration and for the County as a whole in the creation of the Winery Event Ordinance.

As previously requested, PRSC requests the County include the following criteria:

- a. 20-acre minimum parcel size
- b. 20-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

Please include other criteria for limiting the size and number of events in such concentrated areas.

Respectfully submitted,

Padi Selwyn, Co-chair

(707) 569-6876

**PRESERVE RURAL SONOMA COUNTY**

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

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

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**From:** [Dee Swanhuysen](#)  
**To:** [PRMD-WineryEvents](#); [Greg Carr](#); [Pat Gilardi](#); [Jacquelynn Ocana](#); [Shaun McCaffery](#); [Eric Koenigshofer](#)  
**Subject:** Draft Winery Events Ordinance Comments from Dee Swanhuysen  
**Date:** Monday, May 16, 2022 11:33:50 AM

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Please consider the comments below in your deliberations on Thursday May 19th.  
Thank you, Dee Swanhuysen - 1800 Jonive Rd, Sebastopol, CA 95472 — phone 707-823-3236

**Comment #1 and #2 refer to: Attachment 2: “Winery Events Policy – Standards Comparison” spreadsheet below:**

<b>Local Focus/Source of Wine Grapes</b>	None.		
	<i>June 2021 Staff Comment: Zoning Code requires 1) agricultural processing to consist of agricultural products grown or produced primarily on- site or in the local area; and 2) tasting rooms to serve agricultural products grown or processed in the county — pursuant to <a href="#">Sec. 26-18-030</a> (Agricultural Processing) and <a href="#">Sec. 26-18-210</a> (Tasting Rooms) of the Zoning Code.</i>		

1. Local Focus/Source of Wine Grapes — what % of ag products must be grown on-site or locally grown to comply with this ordinance? What is definition of “locally grown?”
2. How are the following allowed food services, which are mandated to be “local,” to be enforced or monitored?

"Prepared meals featuring **local foods and food products** is allowed in conjunction with wine events."

"Food and Wine Pairing means providing samples or tastes of **site-grown or locally-grown food products** that are showcased with different wines."



**Below comment refers to 26-18-260 – Winery Standards D6:**

Recommend adding "during regular tasting room hours" after the word "time" in the first sentence below:

**Winery Events** means a gathering of people at a pre-scheduled date and time. Some events last for two or three days. In these cases, each day is counted as a separate event.

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**From:** [Marc Bommersbach](#)  
**To:** [PRMD-WineryEvents](#); [Pat Gilardi](#); [Greg Carr](#); [Eric Koenigshofer](#); [Jacquelynne Ocana](#); [Shaun McCaffery](#); [Brian Oh](#); [Georgia McDaniel](#)  
**Subject:** Winery Event Ordinance May 19 hearing  
**Date:** Tuesday, May 17, 2022 2:30:50 AM

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Commissioners,

### Ag Promotion

I appreciate the concern expressed by several Commissioners that Ag promotion should only allow visitor uses in ag zones where the primary focus and the reason for attendance is the sampling and direct marketing of wine produced on the premises. There are already examples where, if the only requirement to be considered an ag promotion event is the serving of a glass of wine, we have seen yoga classes and regular movie showings held at wineries. Such uses are not allowed in Ag zones and belong in commercially zoned areas.

Private parties, charitable and political events clearly do not meet the requirements of an Agricultural Promotional Event, and should not be defined as a subset of Winery Events, and not be included in use permits that create entitlements that run with the land. As been the County's practice, such uses should be handled as a "cultural" or "special" event through a zoning permit process.

### Siting Criteria

It is time for Staff to develop siting criteria for Areas of Concentration as directed by the Board of Supervisors in their October 2016 resolution.

***"The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines (emphasis added)."***

Community groups have spent considerable time and effort working with stakeholder groups and made numerous proposals to Staff for definitive siting criteria for areas of concentration and for areas of the County that are not yet concentrated. While it is important for Staff to get input from community groups and the wine industry, at the end of the day, it is the County's responsibility to draft and secure approval for such standards.

Thank you for your consideration of these matters.

Marc Bommersbach

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[www.winewaterwatch.org](http://www.winewaterwatch.org)

May 17, 2022

RE: Winery Event Ordinance

Wine and Water Watch is a local organization of over 250 citizens concerned with the overdevelopment of the wine tourism industry and promotes ethical land and water use. We oppose the industrialization of agricultural lands not growing food, medicine fiber or silage.

We appreciate the effort to create balance of impacts from winery events in Sonoma County, however a few details overlooked will have huge impacts in the community. Agricultural events are not weddings or parties and need to be clearly defined as not part of agricultural promotion at our wineries.

There is clearly an over concentration of winery events that have caused traffic and safety concerns. Parameters should be clearly addressed for not only residents but winery owners who need to know before time and money are spent to seek approval. Access and parcel size should be used for that evaluation. We suggest 20 acre minimum and no conflicting events within a minimum of 1/2 mile.

Thank you for your consideration.  
Sincerely,

Janus Holt Matthes for

Wine & Water Watch Board

**From:** [Mercy Sidbury](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Re: Winery Event Ordinance  
**Date:** Tuesday, May 17, 2022 11:45:22 PM

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To Whom It May Concern,

Thank you for your work on the Winery Event Ordinance. Missing from the current draft however, is siting criteria. The Board of Supervisors directed the Staff to develop these standards, not the wine industry or concerned neighbors. The October 2016 Board resolution stated:

***“The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines (emphasis added).”***

Please add siting criteria to the Winery Event Ordinance, including criteria for areas of concentration as directed by the Board. We support the PRSC recommendations, previously suggested:

- a. 20-acre minimum parcel size
- b. 20-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

The ordinance should also include other criteria for limiting the size and number of events in such concentrated areas.

Thank you,

Mercy Sidbury  
District 5

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**From:** Jill Rayna Lippitt <[jennerjill@gmail.com](mailto:jennerjill@gmail.com)>

**Sent:** Tuesday, May 17, 2022 1:13 AM

**To:** Greg Carr <[Greg.Carr@sonoma-county.org](mailto:Greg.Carr@sonoma-county.org)>; Pat Gilardi <[Pat.Gilardi@sonoma-county.org](mailto:Pat.Gilardi@sonoma-county.org)>; Jacquelynne Ocana <[Jacquelynne.Ocana@sonoma-county.org](mailto:Jacquelynne.Ocana@sonoma-county.org)>; Shaun McCaffery <[Shaun.McCaffery@sonoma-county.org](mailto:Shaun.McCaffery@sonoma-county.org)>; Eric Koenigshofer <[Eric.Koenigshofer@sonoma-county.org](mailto:Eric.Koenigshofer@sonoma-county.org)>

**Subject:** Winery Event Ordinance

When you meet on May 19 to review the current draft of the Winery Event Ordinance, please consider tightening existing loopholes and ambiguities to strengthen the Ordinance:

- **Please** clarify that Agricultural Promotional Events do not include private parties, weddings or political, charitable or other non-ag related events
- Please add **IMPORTANT** siting criteria as follows:
  - a. 20-acre minimum parcel size
  - b. 20-foot minimum access roads
  - c. No outdoor amplified sound
  - d. Density standard of no more than 2 facilities in 1/2 mile
  - e. Include other criteria for limiting the size and number of events in such concentrated areas.

Thank you,

Jill Lippitt  
Jenner, CA

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**From:** [Deb Preston](#)  
**To:** [PRMD-WineryEvents](#); [Greg Carr](#); [Pat Gilardi](#); [Jacquelynn Ocana](#); [Shaun McCaffery](#); [Eric Koenigshofer](#)  
**Subject:** Re: Winery Event Ordinance  
**Date:** Wednesday, May 18, 2022 7:36:01 AM

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Thank you for your work on the Winery Event Ordinance.

The current draft would be greatly improved with the clarification that an Agricultural Promotional Event should be directly related to the education and development of consumers where the primary focus of the event and the reason for attendance is the sampling and direct marketing of wine produced on the premises. Without such clarification, non-agricultural, commercial uses might be included, simply because wine from the winery is served. Please clarify that Agricultural Promotional Events do not include private parties, weddings or political, charitable or other non-ag related events.

In addition, siting criteria is missing from the current draft.

The Board of Supervisors directed the Staff to develop these standards, not the wine industry or concerned neighbors. The October 2016 Board resolution stated:

***"The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines (emphasis added)."***

Please add siting criteria to the Winery Event Ordinance, including criteria for areas of concentration as directed by the Board. I support the PRSC recommendations, previously suggested:

- a. 20-acre minimum parcel size
- b. 20-foot minimum access roads
- c. No outdoor amplified sound
- d. Density standard of no more than 2 facilities in 1/2 mile

The ordinance should also include other criteria for limiting the size and number of events in such concentrated areas.

Thank you.  
Deborah Preston  
5391 Lone Pine Rd  
Sebastopol

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**Public  
Comments  
after 5-18-22 11am distribution  
for PC Hearing  
5-19-22**

**From:** [laura@auteurwines.com](mailto:laura@auteurwines.com)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** FEEDBACK  
**Date:** Wednesday, May 18, 2022 3:42:13 PM  
**Sensitivity:** Confidential

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We strongly oppose more regulation within our industry. The wine industry is that is the primary economic drivers of our region. In addition to the California wine industry contribution of over 100 billion dollars to the state of California.

As a small business and winery owner, we have seen our compliance and legal expenses nearly double in the last years with the bombardment of regulations that keep coming down on small businesses. Wine is the heartbeat of the town filling hotels and restaurants that keep us thriving. More regulation will close doors, which is a loss to the community as a whole.

During the pandemic, we finally felt appreciated when we continued to bring in tax dollars to our community while many business had to close. The community rallied around the wineries and restaurants to keep us alive. We truly do NOT understand the hostility against the wineries that is advocated by our own leaders.

We must change our mindset for we are all facing an extremely uphill battle. If you take the time, you will see our winery leaders are respectful and appreciate of our amazing community. We are working together to on sustainability, climate change, wildfire alliances, diversity and inclusions. Let's stop the fight.

We hope for leaders to build bridges not further division, on local and national level.

Thank you for your time,

Laura and Kenneth Juhasz

Chief of Operations, Founders

**Auteur Wines**

Call or Text (707) 696-8949

**Top 25 Wineries to Visit** | San Francisco Chronicle

**Consistently Exceptional** | Robert Parker Jr

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**From:** [Mia Mascarin-Oven](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** In support of the winery events ordinance.  
**Date:** Wednesday, May 18, 2022 10:40:31 PM

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EXTERNAL

As a principal and owner of Mascarin family states, doing business as 32 Winds, I would like to write to you in support of the winery events ordinance being heard on May 19 in a public hearing.

We are a Small family owned winery and our survival as a member of the community depends on brand awareness as well as income by providing our visitors wonderful experiences and a deeper understanding of farming and winemaking in this beautiful Sonoma countryside. Having wine centric events at our property provide a critical opportunity to reach out to our current and potential customer base. It is also an opportunity for people to explore what this great Sonoma county has to offer.

Please seriously consider this proposal As it provides an important aspect of our ability to thrive and survive in this difficult and competitive environment.

Thank you.

Mia Mascarin Oven  
32 Winds Wine  
[Mia@32windswine.com](mailto:Mia@32windswine.com)

Sent from my iPhone

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**From:** [Jacob Pickett](#)  
**To:** [PRMD-WineryEvents](#)  
**Subject:** Fwd: Sonoma County Planning Commission Winery Events Ordinance  
**Date:** Wednesday, May 18, 2022 10:10:53 AM

---



Hi,

Like many Sonoma County businesses, the wine community has faced the challenges of wildfires, smoke exposure, floods, power shutoffs, diminished tourism and many catastrophic pandemic impacts. With ingenuity, creativity, flexibility and amazing effort, our wine community has survived; however, we cannot survive more regulation that is neither warranted nor necessary. While any one regulation when viewed by itself may seem reasonable, the tremendous quantity of regulations that have been created to appease every single enthusiast group has created a burden that would be viewed as unreasonable by any reasonable person. Our wine community plays a crucial role by being engaged with and supporting significant philanthropic activity, including hundreds of non-profit charitable organizations throughout Sonoma County. Over the past five years, national representation for our wineries has greatly diminished because of wine wholesale and distribution consolidation, making it even more difficult for local wineries to gain wholesale distribution across the country. Wineries are required to market and fulfill wine sales directly to consumers to survive

**1. I support the current Sonoma County General Plan, which states:**

- **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-4d:** *Apply the provisions of the Right to Farm Ordinance to all lands designated within agricultural land use categories.*
- **Policy AR-8b:** *Encourage programs for promotion and marketing of agricultural products grown in the County*

**2. Planning and permitting should focus on compliance with planning documents and the mitigation of impacts.**

- Wineries are subject to the general plan and the zoning code, which clearly identify the facility capacity to address hours of operation, traffic, parking, sanitation, and noise. These parameters **ALREADY** guide wineries as it relates to events/business activities.

**3. The operation of a winery in any agricultural Land Use Designation requires a Use Permit.**

- Permit conditions are required to address the **impacts** of that operation. The conditions **are not** to direct how the applicant operates the business. For example, a church needs to provide parking, ADA compliant access and restrooms, however, limitations are not made on the number of weddings they may perform or the number of services offered.

**4. Sonoma County Code Enforcement reports extremely minimal complaints** related to winery events/business activities and those few have been easily resolved with communication.

Jake

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**From:** [Kathy Pons](#)  
**To:** [PRMD-WineryEvents](#); [Greg Carr](#); [Pat Gilardi](#); [Jacquelynn Ocana](#); [Shaun McCaffery](#); [Eric Koenigshofer](#)  
**Subject:** Winery Event Ordinance  
**Date:** Wednesday, May 18, 2022 5:13:47 PM

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Dear Planning Commissioners,

Please include within the definition of Agricultural Promotional Events clarification that private parties are not considered a promotional event just because you are pouring your winery's wine. If you are pouring wine for a private party, like a wedding or fundraiser, the focus is the party, not the wine. These events would not be related to public education, sales and promotion of the agricultural product.

Also will the Winery Event Ordinance have any siting criteria standards as to where these events can happen to reduce impacts? This would be helpful in determining the potential impacts of new winery applications.

I appreciate all your hard work in sorting this issue.

Thank you,

Kathy Pons

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# WINERY EVENTS POLICY

BOARD OF SUPERVISORS

Winery Events Ordinance

November 1, 2022



# AGENDA

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- ❑ Key Issues
- ❑ Prior Board Actions
- ❑ General Plan & Zoning Consistency
- ❑ Community Input & Local Guidelines
- ❑ Draft Ordinance
- ❑ CEQA Determination
- ❑ Planning Commission & Staff Recommendations

# KEY ISSUES

- ❑ **Wine-Industry Business Needs**
- ❑ **Neighborhood Compatibility**
- ❑ **Impacts of Traffic, Noise, Water**
- ❑ **Commercialization of Agricultural Lands**
- ❑ **Preserving Rural Character/Local Concentrations**
- ❑ **Legal Non-conforming and Unpermitted Events**
- ❑ **Monitoring and Enforcement**



# PRIOR BOARD ACTIONS

4

- ❑ **1989:** Agricultural Resources Element added to General Plan
- ❑ **1993:** Ag promotional activities/events allowed with use permit
- ❑ **1996:** Limited food service allowed in tasting rooms
- ❑ **2008:** G.P. policies regulating ag promotional activities/events
- ❑ **2014 & 2019:** Work Plan approved with Winery Events
- ❑ **2016:** Winery Event Study Sessions; staff to prepare zoning amendments, definitions, standards for local areas of concentration
- ❑ **2018:** Dry Creek Valley local guidelines approved
- ❑ **2020:** Staff to prepare Countywide Ordinance



# GENERAL PLAN & ZONING CONSISTENCY

5

## □ General Plan:

- ***Promote locally produced products***
- ***Develop regulations defining compatible ag promotional activities***

## □ Proposed Winery Events Ordinance:

- Applies to LIA, LEA, DA Zoning (inland)
- Does not involve specific development or increase development potential
- Clarifies compatible ag promotional uses currently allowed

# COMMUNITY INPUT

6

**2014: Winery Events Policy Effort added to Comp Work Plan**

**2015: Winery Event Working Group meetings & Public Workshop**

**2016: Board Winery Event Study Sessions**

**2016-2021: Local Advisory and Stakeholder meetings**

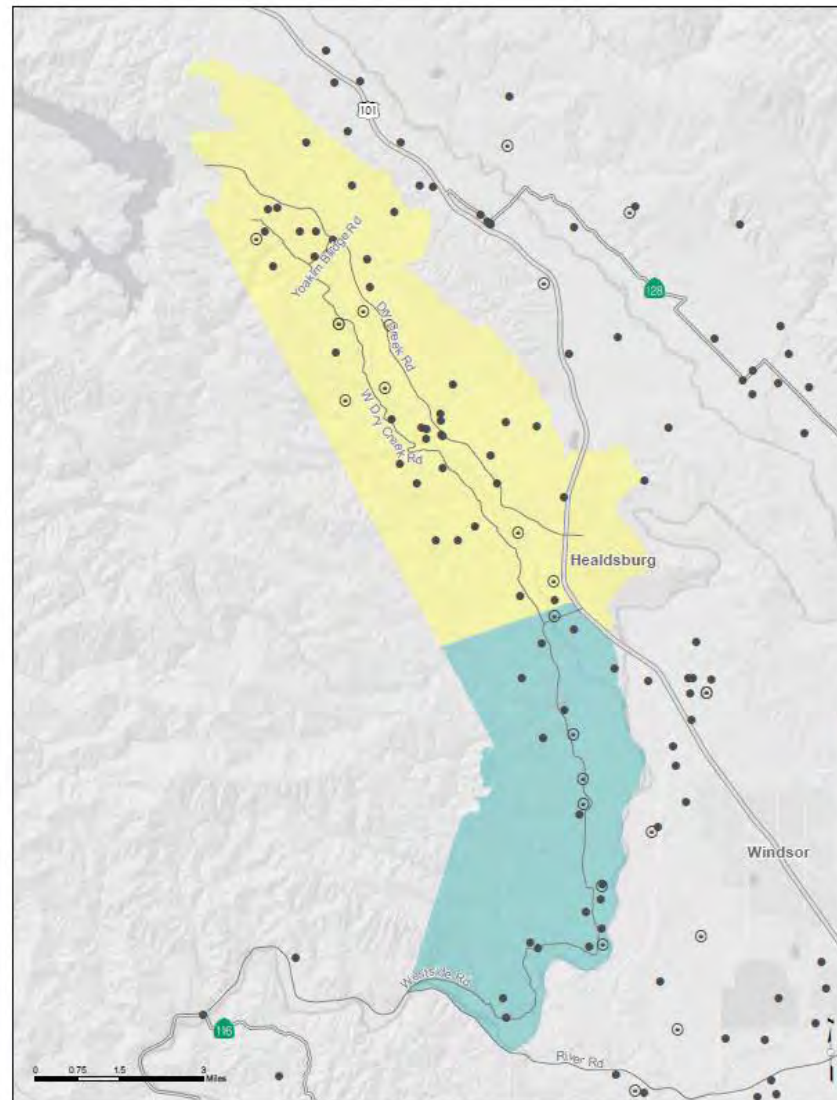
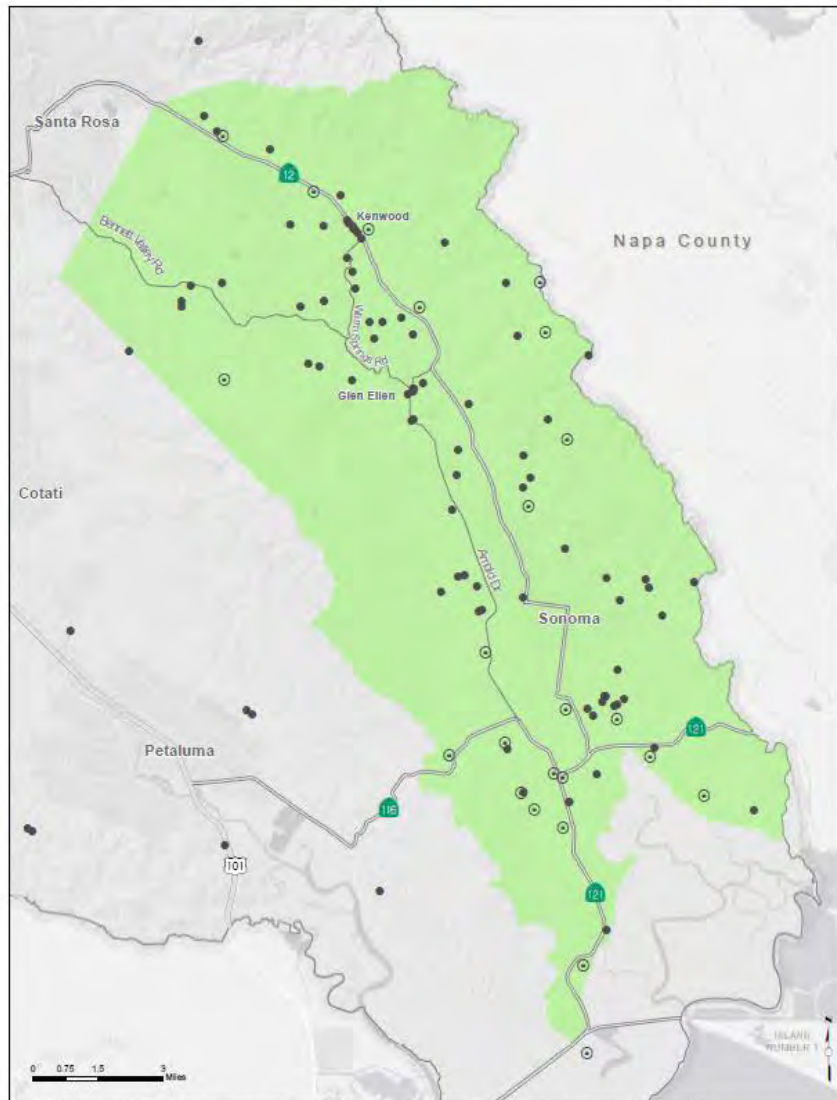
- Local Guidelines for Sonoma & Dry Creek Valleys, Westside Rd

**2020: Board Winery Events Policy Update**

**2021: Public Workshop**

**2021-2022: Planning Commission hearings**

# LOCAL GUIDELINES



## Winery Event Concentration Areas

- Approved Winery/  
Tasting Room
- Pending Winery/  
Tasting Room
- Concentration Areas
  - Sonoma Valley
  - Dry Creek Valley
  - Westside Rd
- County Boundary
- Interstate
- State Highway
- Road

County of Sonoma  
Permit and Resource Management Department  
2555 Ventura Avenue, Santa Rosa, California 95403  
707.545.1400 707.545.1400



July 18, 2022

# WINERY EVENTS ORDINANCE

## 9 Definitions:

1. Catering Kitchen
2. Commercial Kitchen
3. Food and Wine Pairing
4. Rural Area
5. Winery
1. Winery Events
2. Agricultural Promotional Events
8. Industry-Wide Events
9. **Wine Tasting Room\***

*\*Added by Planning Commission*

# WINERY EVENTS ORDINANCE

## 13 Operating Standards:

1. Winery Events
2. Wine Tasting Rooms\*
3. Sizing of Events
4. Hours of Operation
5. Neighborhood Notification\*
6. Third Party Rentals
7. Event Space\*
8. Access\*
9. On-Site Parking
10. Food Service
11. Event Coordination & Traffic Management
12. Noise Attenuation
13. Outdoor Burning\*

*\*Added by Planning Commission*

# CEQA DETERMINATION

10

- ❑ CEQA Exempt Section 15308
  - Standards for protecting environment
- ❑ CEQA Exempt under “General Rule” Section 15061(b)(3)
  - No significant effect on environment
  - No increase in development
  - No intensification of use



# PLANNING COMMISSION

**June 7, 2022**

May 19, 2022

Feb. 17, 2022

June 3, 2021

Recommend the Board of Supervisors adopt an Ordinance amending Chapter 26 of the Sonoma County Zoning Code to add Winery Definitions and Standards, and find the action exempt from CEQA.

# REQUESTED ACTION

Adopt an Ordinance to amend Chapter 26 of the Sonoma County Zoning Code to add Winery Definitions and Standards, and find the action exempt from CEQA

- new/modified use permits only
- LIA, LEA, DA Zoning Districts only