



Sonoma County Board of Zoning Adjustments STAFF REPORT

FILE: UPE16-0052

DATE: April 13, 2023

TIME: At or after 1:05 PM

STAFF: Hannah Spencer, Supervising Planner

Appeal Period: 10 calendar days

SUMMARY

Property Owner: Carneros Vintners, Inc.

Applicant: Carneros Vintners, Inc. Care of: Steve Martin Associates, Inc.

Address: 4202 Stage Gulch Road, Petaluma, CA

Supervisory District(s): 2

APN: 142-051-031

Description: Use Permit Modification to approved winery use permit File No. PLP02-0085 to allow an increase in annual wine production capacity from 250,000 cases to 2.5 million cases; the construction of a new 22,000 square foot wine production building and associated parking and stormwater management improvements; an increase in full-time employees from 10 to 15, reduction in seasonal employees from 14 to 5, and an increase in business visitors from 3 to 4 persons daily. The proposed modification would eliminate previously approved public tasting and hospitality uses. Existing hours of operation would remain unchanged, 7:00 am to 6:00 pm, Monday – Friday off harvest and 6:00 am to 10:00 pm seven days a week during harvest season.

CEQA Review: Addendum to an adopted 2007 Mitigated Negative Declaration prepared for File No. PLP02-0085, consistent with CEQA Section 15164(b). No new or significant environmental effects, no substantial changes to circumstances or to previously identified significant effects, no significant revisions to mitigation measures and no new mitigation measures or alternatives would be associated with the project.

General Plan Land Use: Land Extensive Agriculture 100



Specific/Area Plan Land Use: None

Ordinance Reference: 26-18-030, 26-06-040, 26-64-010, 26-65-040

Zoning: Land Extensive Agriculture (allowed density: 100 acres per dwelling unit) and combining zones for Accessory Unit Exclusion, Riparian Corridor with 50-foot setbacks, and Scenic Resources.

RECOMMENDATION

The Permit Resource and Management Department (Permit Sonoma) recommends that the Sonoma County Board of Zoning Adjustments determine that the 2007 adopted Mitigated Negative Declaration remains valid for the project as documented in the 2023 MND Addenda, and approve the Use Permit request, subject to the attached Conditions of Approval.

EXECUTIVE SUMMARY

Carneros Vintners, Inc. requests a Use Permit Modification for an approved winery use permit on a 20-acre parcel developed with a current maximum capacity of 250,000 cases annually. The use permit modification includes 1) an increase in annual wine production capacity from 250,000 cases to 2.5 million cases by importing additional local grapes and allowing additional grape crushing and wine production as a bulk wine/custom crush service; 2) construction of a new 22,000 square foot wine production building and associated parking and stormwater management improvements; 3) an increase in full-time employees from 10 to 15, a reduction in seasonal employees from 14 to 5, and an increase in daily business visitors from 3 to 4; and, 4) elimination of all previously approved public tasting and hospitality uses. Existing winery production hours of operation would remain unchanged, 7:00 am to 6:00 pm, Monday – Friday off harvest and 6:00 am to 10:00 pm seven days a week during harvest season.

The original winery project (File No. PLP02-0085) was approved in April 2007 and included 1) a Zone Change to remove the MR (Mineral Resource) combining district from a portion of the former 193-acre site that was subject to Lot Line Adjustment LLA06-0004; and 2) a Use Permit for a new winery with annual production capacity of 250,000 cases on a resulting 20-acre parcel. Construction of Phase I of the Use Permit occurred between 2009 - 2012 and included a new 250,000 case winery in a 52,000 square-foot production building, grape crush and receiving area, wastewater treatment ponds, septic system, private well, parking area, a new left turn lane off Hwy 116 and other paved driveway access improvements. The winery operates as a custom crush facility that processes grapes grown in the local area from 7:00 am to 6:00 pm, Monday – Friday off harvest and 6:00 am to 10:00 pm seven days a week during harvest season. Phase II of the Use Permit was never implemented and included adding public tasting and hospitality uses for up to 90 visitors per day from 10:00 am – 4:00 pm with new access and parking improvements. Special events were not included in the original application.

Permit Sonoma determined the adopted 2007 Mitigated Negative Declaration (MND) prepared for the original PLP02-0085 project remains valid for the Use Permit Modification. In January 2022, staff prepared an Addendum to the 2007 MND in accordance with Sections 15162(b) and 15164 of the CEQA Guidelines. There are no new or significant environmental effects, no substantial changes to circumstances or to previously identified significant effects, no significant revisions to mitigation measures and no new mitigation measures or alternatives associated with the proposed changes to the use permit. Additionally, no public comments or concerns from neighbors had been received therefore, staff posted a 10-day Notice of Hearing Waiver pursuant to Sonoma County Code Section 26-92-040 (d), in an attempt to administratively approve the



project. On February 10, 2022, Permit Sonoma received a formal request for a public hearing on the project. The project was scheduled for a public hearing before the Board of Zoning Adjustments on January 12, 2023, however the applicant asked to postpone the hearing while an Addendum to the 2019 OEI Groundwater Report was being prepared for the project.

PROJECT SITE AND CONTEXT

Background

The 20-acre subject parcel was formerly part of a quarry (Stage Gulch Quarry) that was reclaimed and redeveloped as a winery through the approval of File No. PLP02-0085. The original project (File No. PLP02-0085) was approved in April 2007 for 1) a Zone Change to remove the Mineral Resource combining district from a portion of the former 193-acre site that was subject to Lot Line Adjustment LLA06-0004; and 2) a phased Use Permit for a new winery and public tasting with annual production capacity of 250,000 cases on the resulting 20-acre parcel. A Mitigated Negative Declaration (MND) was prepared and posted for the original project in accordance with CEQA. The Planning Commission held a public hearing on March 1, 2007 and recommended to the Board of Supervisors approval of the proposed project. The Board of Supervisors held a public hearing on April 24, 2007 and adopted the MND and approved the project subject to conditions of approval set forth in Board Resolution No. 07-0330. The 2007 Board Resolution found the amended mining and reclamation plan for the Phase I area (project site) had been met. The Notice of Determination was filed on December 6, 2007.

Phase I construction of the original winery project occurred between 2009-2012 and included all aspects of wine production (crushing, fermenting, barrel storage, bottling, case goods storage and administrative/operational support requirements), a new ±52,000 square-foot (sq ft) production building, grape crush and receiving area, wastewater treatment ponds, septic system, private well, parking area, and paved driveway access improvements to provide for an annual production capacity of up to 250,000 cases. The Use Permit Conditions of Approval require the winery to utilize grapes grown from the 1.5-acre onsite vineyard and in the local area. No storage of off-site produced wines is permitted. Carneros Vintners currently uses the winery as a custom crush facility for local producers (clients) who either don't have their own processing facility or may have outgrown their facility.

Approximately 95% of the cases currently produced at the project site are made for custom crush facility clients. The remaining 5% of cases produced are made for Carneros Vintners wine. All employees onsite are employed by Carneros Vintners. Carneros Vintners receives and processes client work orders which specify how the clients want their wine to be made. Custom crush facility clients do not work onsite. Approximately 95% of the grapes processed onsite are sourced from Sonoma County vineyards and the remaining 5% are sourced from vineyards located in the Carneros AVA in Napa County, 10 miles east of the project site.

Phase II was never completed; the tasting and hospitality uses never commenced. Phase II of the original winery project included adding tasting and hospitality uses housed in two separate existing structures (±1,260 sq ft residence and ±4,200 sq ft casegoods/winery storage barn) with a new access road and parking area to serve them. The existing 1,260 sq ft residence was to be converted into offices and tasting room with up to 90 tasting room visitors on a peak day. No events were proposed.

The original project was approved for 17 employees on a typical day and 24 employees total during crush season during the hours of 7:00 am to 6:00 pm, Monday – Friday off harvest, and 6:00 am to 10:00 pm seven



days a week during harvest season. The public tasting room was expected to serve up to 90 visitors per day during the hours of 10:00 am to 4:00 pm, seven days a week.

On July 13, 2016, the applicant submitted a use permit modification application under File No. UPE16-0052 to increase the wine production services allowed under Phase I and eliminate the previously approved hospitality uses included in Phase II of the original PLP02-0085 use permit. In January 2022, Permit Sonoma prepared an Addendum to the 2007 adopted MND for PLP02-0085 in accordance with Sections 15162(b) and 15164 of the CEQA Guidelines. On February 2, 2022 staff posted a Notice of Hearing Waiver for the use permit modification request pursuant to Sonoma County Code Section 26-92-040 (d), in an attempt to administratively approve the project. On February 10, 2022, Permit Sonoma received a formal request for a public hearing on the project.

The project was scheduled for a public hearing before the Board of Zoning Adjustments on January 12, 2023, however the applicant asked to postpone the hearing while an Addendum to the 2019 OEI Groundwater Report was being prepared for the project. The BZA meeting scheduled for January 12, 2023 was cancelled.

Area Context and Surrounding Land Uses

The 20-acre project parcel is located on the north side of Highway 116 / Stage Gulch Road in the hills between the Petaluma River Valley and the Sonoma Valley, adjacent to the existing Soils Plus quarry and County Refuse Disposal Site.

Direction	Land Uses
North	Soils Plus quarry site (Land Extensive Agriculture zoning) and Refuse Disposal Site (Public Facilities zoning) is located immediately to the north and northeast of the subject parcel. Beyond that is scattered residential and agricultural use in Land Extensive Agriculture zoning. The Sonoma residential neighborhood (Planned Community zoning), Temelec, is located about 1.5 aerial miles to the northeast.
South	Primarily grazing land and scattered residential use in Land Extensive Agriculture zoning. Tolay Lake Regional Park is located approximately 2.5 aerial miles to the south.
East	Vineyard, grazing land, and scattered residential use in Diverse Agriculture zoning. The nearest winery, Robledo Winery, is located approximately 1.5 aerial miles to the east.
West	Grazing land, vineyard, a chicken farm, and scattered residential use in Land Extensive Agriculture zoning. Petaluma is about 6.5 aerial miles to the west.

Significant Applications Nearby

Permit Sonoma is processing two nearby planning applications: PLP20-0030 Robledo Family Winery use permit modification (located 1.5 miles east) to increase case production, add tasting and events; and UPE12-0031 Stage Gulch Organics Compost Facility to construct a new commercial compost facility. There are no other significant applications nearby.

Access

Site access is from the main driveway on County Dump Road, which is located 700 feet from the intersection of Stage Gulch Road (SR 116) and County Dump Road. A 450-foot-long northbound left-turn lane has been constructed at the intersection since the approval of the original Use Permit PLP02-0085. The County Dump Road has been providing access to a variety of commercial uses (the winery, rock quarry and Sonoma County Refuse) for many years and meets minimum standards for commercial development. The requested Use Permit modification will not change the existing access to the site.



Wildfire Risk

According to the Wildland Fire Hazard Area map in the Sonoma County General Plan, the project site is located in the State Responsibility Area and is designated as a High Fire Hazard Severity Zone. Projects located in High and Very High Fire Severity Zones are required by state and county code to have a detailed vegetation management plan developed and reviewed by the Sonoma County Fire Prevention Division before a building permit can be issued. Additionally, all construction projects must comply with County Code Fire Safe Standards (Chapter 13), including but not limited to, installing fire sprinklers in buildings, providing emergency vehicle access, and maintaining a dedicated fire-fighting water supply on-site, all of which would reduce the potential hazard of wildfires.

Water/Wastewater/Utilities

Water Supply:

The property falls within two different Groundwater Availability Zones: Zone 1 and 3. The existing winery water supply well (Well 3) is located on a nearby parcel approximately 2,000 feet to the east (on APN 142-051-029) within Zone 1 a “major groundwater basin”. The property and its water supply parcel are located 1,300 feet southwest of the boundary of the Sonoma Valley Groundwater Basin (SVGB) – a designated priority groundwater basin.

Well 3 is a Class I irrigation well developed in 2016 (File No. WEL15-0224) and yields 500 gallons per minute. An “Assignment and Assumption Agreement” recorded on December 21, 2018 under OR# 2018-086808 provides for the maintenance of pipeline and well, and the right to source up 8 million gallons (24.55 acre feet) of water per year from Well 3. It is unclear which well was expected to support the original Carneros Vintners winery project. The original use permit application filed in 2002 (PLP02-0085) described two existing onsite wells. The project parcel currently contains two dry holes and a domestic well that was developed in 2003 (Well 1). Well 1 yields approximately 15 gallons per minute and serves the onsite residence. Prior to the approval of PLP02-0085, the landowner entered a “Easement Agreement for Water Well and Water Line” for Well 2 which is located approximately 2,300 feet east of the project site on APN 142-051-209 (OR# 2005-124236).

For approximately 10 years the winery obtained water from Well 2. In 2018 the winery switched to using water from Well 3. The rights to use water from Well 3 currently belong solely to Carneros Vintners Winery (project parcel) and the Soils Plus rock quarry. O’Connor Environmental, Inc. (OEI) prepared a groundwater report for the project (dated March 7, 2019) and found there is little potential for the project to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. In response to concerns raised during the Sonoma Valley Citizens Advisory Commission meeting held on December 28, 2022, the applicant submitted an Addendum to supplement and update the OEI groundwater report prepared in 2019. See discussion on groundwater below for more detail.

Winery Process Wastewater:

Winery facility water use primarily involves using water to clean equipment and wash down barrels, tanks, floors, etc. twice a day. Winery process wastewater from the existing facility and expanded facility will be treated in the existing aerated wastewater pond system. The Wastewater Feasibility Study (Attachment 9) finds the existing pond system has adequate capacity for the increase in production provided minor alterations are made, including installation of a floating baffle, upsizing of surface aerators, and increasing the land irrigation area.



Approximately 31 acres on a neighboring agricultural property is currently used to dispose of reclaimed winery process wastewater. Winery process wastewater is treated and stored in the winery wastewater pond then used for spray and drip irrigation on adjacent pasture and vineyard land (see wastewater irrigation site plan under Attachment 9, last page). The “Winery Wastewater Disposal Agreement” recorded under OR# 2008-046033 provides for the maintenance and disposal of winery wastewater from the project parcel on nearby properties (APN 142-051-043 and -041; formerly ptn. of APN 068-040-010 and 142-051-029). Permit Sonoma Geologist Robert Pennington considered the agreement sufficient to reasonably guarantee that adequate wastewater disposal area is available to the project.

Domestic Wastewater:

Domestic or sanitary sewage will continue to be treated in existing septic tanks and disposed of in the existing onsite mound system (SEP08-0834) that is designed to accommodate 20 full time employees on a peak day with up to 5 business visitors with a designated 200% reserve area. The existing residence is over 60 years old and is served by a separate onsite septic system.

Other Utilities:

The new electrical line to the proposed new winery building will be routed underground from the existing service.

Agricultural Conditions/Land Encumbrances/Contracts

The project parcel was previously subject to a multi-parcel 1974 Williamson Act contract recorded under Book 2841, Page 471 of Sonoma County Official Records. On December 3, 2007, recorded Instrument No. 2007-127518 removed the entire project parcel from the Williamson Act contract.

Other Environmental Conditions

Champlin Creek, a perennial stream that runs through the property’s frontage along Hwy 116, is designated as a Riparian Corridor with 50-foot setbacks for new development. There are two reported sightings of the California red-legged frog (CRLF) directly adjacent to the property; one on Champlin Creek and the other on a drainage channel along the east side of County Dump Road. CRLF are federally listed as threatened and occupy both aquatic and upland terrestrial habitat components. CRLF habitat includes non-breeding aquatic habitat in pools of slow-moving streams, perennial or ephemeral ponds, and upland sheltering habitat such as rocks, small mammal burrows, logs, densely vegetated areas, and man-made structures (i.e. culverts, livestock troughs, spring-boxes, treatment ponds etc.).

The proposed new 22,000 sq ft winery production building would be located approximately 250 feet from the CRLF occurrence on Champlin Creek, set back approximately 350 feet from the top of the bank of Champlin Creek and 50 feet from an onsite drainage swale which will be undisturbed. Mitigation Measures required by the 2007 MND to ensure protection of CRLF have been incorporated into the project Conditions of Approval. To enhance the effectiveness of the existing 2007 MND Mitigation and Monitoring Measures for protecting CRLF, staff incorporated construction-related best management practices into the project Conditions of Approval. These measures include pre-construction surveys, amphibian exclusion fencing, and onsite biological monitoring during construction activities.



PROJECT DESCRIPTION

The applicant requests to modify the existing winery use permit (File No. PLP02-0085) to allow: (1) an increase in annual production capacity from 250,000 cases of wine to a maximum of 2.5 million cases by importing local grapes from local area growers and allowing additional grape crushing and wine production as a bulk wine/custom crush service, (2) the construction of an additional 22,000 sq ft winery production building, (3) the elimination of hospitality uses including public tours and wine tastings approved with PLP02-0085, and (4) other minor site improvements that include paving an internal access road, adding 9 new standard and 1 ADA parking spaces, stormwater management improvements, site utilities and associated grading and landscaping improvements at the new building. PLP02-0085 provided approval for 10 full-time employees (during non-harvest) and an additional 14 seasonal employees (during harvest) for a total maximum of 24 employees. The proposed winery expansion project would increase the number of full-time employees from 10 to 15 off harvest and the total number of seasonal employees would be reduced from 14 to 5 for a total maximum of 20 employees. The total number of business visitors would increase from 3 to 4 on a peak day.

Detail Summary of the Proposed Winery Expansion Project:

- (1) Increase annual wine production capacity from 250,000 cases of wine to 2,500,000 cases. The 2.5 million annual case wine production proposal includes processing grapes grown off-site, sourced from locally grown grapes (95% Sonoma County; 5% Napa County Carneros AVA). Annual case wine production is projected to consist of the following breakdown:
 - a. 55,000 cases (873 tons) - full production (crush, fermenting, barrel storage) and bottled onsite
 - b. 289,000 cases (4,587 tons) - crush and bulk off haul of juice – grapes crushed onsite but fermented (or subsequently barrel-aged) in another location
 - c. 1,056,000 cases (16,762 tons) - crush, fermentation and bulk off haul wine
 - d. 300,000 cases (4,762 tons) - Lees wine – fermentation byproduct that is further pressed and filtered
 - e. 800,000 cases bottling only - bulk wine import for bottling on site
- (2) Construct a new 22,000 sq ft, two-level winery production building and canopy which includes the following occupancy areas:
 - a. 3,363 sq ft open canopy for grape receiving and processing
 - b. 14,933 sq ft wine production and support space
 - c. 1,615 sq ft administration, conference/meeting room and office space
 - d. 1,615 sq ft second story mezzanine for light storage located above administration space and employee restrooms
 - e. architectural design will be in character to the existing winery buildings
- (3) Eliminate preapproved tasting and hospitality uses, including retail, public tours and wine tasting for up to 90 visitors per day allowed under existing Use Permit (File No. PLP02-0085). Note: special events were not approved by the original use permit.
- (4) Construct accessory facilities and improvements:
 - a. Place new gravel on the existing lower gravel driveway that serves the existing residence, garage and case goods/winery storage barn
 - b. Add new paved access road that connects to existing driveway



- c. Add nine new standard and one new ADA parking space(s) at the new winery production building
- d. Expand existing process wastewater treatment system (increased aeration and reclaimed wastewater irrigation fields)
- e. Improve storm water management
- f. Improve site utilities and associated grading and landscaping at the new building

(5) Employees and Business Visitors:

- a. Increase full-time employees (non-harvest) from 10 to 15 and decrease seasonal employees (harvest) from 14 to 5 for a maximum of 20 employees total. Note: existing use permit PLP02-0085 allows a maximum of 24 employees total.
- b. Increase business visitors (custom crush customers and marketing representatives) from 3 to a maximum of 4 on a peak day.

(6) Hours would not change and would remain: 7:00 am – 6:00 pm Monday – Friday off harvest and 6:00 am – 10:00 pm Monday – Sunday during harvest season.

The increase in production would be accommodated within both the existing 52,000 sq ft winery building and the proposed 22,000 sq ft winery production building.

Due to the elimination of public tours, the existing 1,260 sq ft existing residence would not be converted to office/hospitality space as allowed by PLP02-0085 and will remain a residence not associated with the winery. The existing 4,250 sq ft case goods barn will remain as winery storage but will not have any hospitality use associated with it.

The proposed 22,000 sq ft winery production building would be situated adjacent to the existing 52,000 sq ft winery production building primarily utilizing the existing utility infrastructure and access roads. The existing property entrance on Stage Gulch Road (Highway 116), which contains a left turn lane, deceleration and acceleration lanes, would continue to serve the expanded project.

Project History

The table below summarizes key project milestones and events.

Date	Project Event/Milestone
4/24/2007	PLP02-0085: Board of Supervisors holds public hearing, adopts MND and approves project
2/18/2009	PLP02-0085: Design Review Committee review on Phase I
2009-2013	PLP02-0085: Phase I construction
7/13/2016	Use Permit Modification application submitted
7/24/2018	Referral to appropriate agencies
11/1/2021	Application deemed complete for processing
1/26/2022	Addendum to 2007 MND completed
2/2/2022	Notice of Waiver for Public Hearing
2/10/2022	Request for public hearing received
12/28/2022	Sonoma Valley Citizens Advisory Commission recommends approval of the project
12/30/2022	Board of Zoning Adjustments Public Hearing Notice
1/12/2023	Board of Zoning Adjustments Public Hearing Cancelled
4/3/2023	Board of Zoning Adjustments Public Hearing Notice



General Plan and Area Plans

The site is not subject to any Area Plans. The following General Plan goals, objectives and policies are applicable to the project:

Land Use:

The General Plan designates the project site as Land Extensive Agriculture (LEA). The LEA land use policy seeks to enhance and protect lands capable of and generally used for animal husbandry and the production of food, fiber, and plant materials. Agricultural support uses, such as wineries, are allowable uses in the LEA land use designation as provided in the Agricultural Resources Element.

Agricultural Resources:

Agricultural Resources Element Policy 2.5 states “The determination of which support uses belong on agricultural lands involves their connection to agriculture, potential for conflicts, the size, scale and adaptability of the use, and the amount of land lost to farming. Policies are needed to permit on agricultural lands those agriculture-related uses which support agriculture without undermining production activities. Policies for support activities should also balance the need for such uses with the continued preservation of the rural character and agricultural diversity of the County, and should support products grown in Sonoma County over those produced elsewhere.”

The Agricultural Resources Element recognizes agricultural processing, storage, bottling, canning and packaging land uses (e.g., wineries) as “agriculture-related support uses”.

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.*

Goal AR 5: *Facilitate agricultural production by allowing agriculture related support uses, such as processing, storage, bottling, canning and packaging, and agricultural support services, to be conveniently and accessibly located in agricultural production areas when related to the primary agricultural production in the area.*

Policy AR-5a: *Provide for facilities that process agricultural products in all three agricultural land use categories only where processing supports and is proportional to agricultural production on site or in the local area.*

Policy AR-5c: *Permit storage, bottling, canning, and packaging facilities for agricultural products either grown or processed on site provided that these facilities are sized to accommodate, but not exceed, the needs of the growing or processing operation. Establish additional standards in the Development Code that differentiate between storage facilities directly necessary for processing, and facilities to be utilized for the storage of finished product such as case storage of bottled wine. Such standards should require an applicant to demonstrate the need for such on-site storage.*

Policy AR-5e: *Only permit agricultural support services that support local agricultural production consistent with the specific requirements of each of the three agricultural land use categories. Insure that such uses are subordinate to on-site agricultural production and do not adversely affect agricultural production in the area.*



Consider the following factors in determining whether or not an agricultural support service is subordinate to on-site agricultural production:

- (1) The portion of the site devoted to the service as opposed to production.*
- (2) The extent of structure needed for the service as opposed to production.*
- (3) The relative number of employees devoted to the support service use in comparison to that needed for agricultural production.*
- (4) The history of agricultural production on the site.*
- (5) The potential for the service facility to be converted to non agricultural uses due to its location and access.*

Policy AR-5f: *Use the following guidelines for approving zoning or permits for agricultural support services:*

- (1) The use will not require the extension of sewer or water,*
- (2) The use does not substantially detract from agricultural production on-site or in the area,*
- (3) The use does not create a concentration of commercial uses in the immediate area, and*
- (4) The use is compatible with and does not adversely impact surrounding residential neighborhoods.*

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.*

Water Resources:

The proposed project is partially located within a Class 3 Groundwater area. Discretionary projects located in Class 3 groundwater areas require a hydrogeologic study that details potential impacts to groundwater resources according to General Plan Policy WR-2e.

Policy WR-2e: *Require proof of groundwater with a sufficient yield and quality to support proposed uses in Class 3 and 4 water areas. Require test wells or the establishment of community water systems in Class 4 water areas. Test wells may be required in Class 3 areas. Deny discretionary applications in Class 3 and 4 areas unless a hydrogeologic report establishes that groundwater quality and quantity are adequate and will not be adversely impacted by the cumulative amount of development and uses allowed in the area, so that the proposed use will not cause or exacerbate an overdraft condition in a groundwater basin or subbasin. Procedures for proving adequate groundwater should consider groundwater overdraft, land subsidence, saltwater intrusion, and the expense of such study in relation to the water needs of the project.*



Zoning

The table below summarizes the development standards that apply to the site as outlined in the Sonoma County Zoning Ordinance and the existing and proposed development.

Standard	Ordinance	Existing Condition	Proposed Project
Lot Area	1.5 acre minimum	20 acres	No change
Residential Density	1 primary dwelling unit per 100 acres	1 primary dwelling unit	No change
Front Setback	30 ft	Storage Barn: 35 ft Residence/Garage: >90 ft Production Building: >60 ft	No change to existing structures. New Production Building: >280 ft
Side Setback	10 ft	All structures: >200 ft	No change to existing structures. New Production Building: 29 ft
Rear Setback	20 ft	All structures: >200 ft	No change to existing structures. New Production Building: 29 ft
Building Height	35 ft / 50 ft for Agricultural Structures (U-occupancy only; does not include processing facilities)	Storage Barn: 23 ft Residence/Garage: <20 ft Production Building: 34 ft 7 in	No change to existing structures. New Production Building: 33 ft
Lot Coverage %	Maximum allowed: 10% of lot (87,120 square feet)	6% (58,798 square feet)	9% (80,798 square feet)
Riparian Corridor Protection	New development required to meet 50-foot setback from top of stream bank	Residence/Garage: >100 ft Production Building: >300 ft Storage Barn: ~45 ft	No change to existing structures. New Production Building: 350 ft
Parking Spaces	1 parking space per employee 1 parking space per dwelling	18 employee spaces 3 ADA spaces 1 dwelling unit space	27 employee spaces 4 ADA spaces 1 dwelling unit space

Other Development Regulations or Guidelines

Land Extensive Agriculture (LEA) Zoning District:

The project site is zoned LEA (Land Extensive Agriculture). The LEA Zoning allows agricultural processing with a use permit. Section 26-18-030 of the Zoning Code defines “Agricultural Processing” as changing an agricultural product from its natural state to a different form, such as grapes to wine, and includes processing agricultural products grown or produced primarily on-site or in the local area, storage of agricultural products grown or processed on-site, and bottling or canning of agricultural products grown or processed on-site. Section 26-18-030 applies the following standards to Agricultural Processing in the LEA Zoning District:



Sonoma County Permit and Resource Management Department
 2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900
www.PermitSonoma.org



- *LIA, LEA, DA, AR zones: the use must be sized to accommodate, but not exceed, the needs of the on-site growing or processing operation. (general plan policy AG-5c)*
- *To approve an Agricultural Processing facility in the LIA, LEA, DA, or AR zone that processes products grown off-site, the review authority must find that the facility will be consistent with general plan policy AG-5g.*

Additionally, Sec. 26-18-050 of the Zoning Code allows agricultural support services with a use permit provided that the use meets the minimum criteria of General Plan Policies AR-5e and AR-5f. Agricultural support services are defined as “A commercial service that provides services purchased by farmers and agricultural enterprises. Includes farm product processing services, custom farming services, agricultural waste handling and disposal services, veterinary clinics, farm machinery and equipment maintenance and repair; irrigation, and vineyard management services.”

Riparian Corridor with 50-foot setbacks (RC50/50) Combining District:

The County has enacted General Plan policies that designate Riparian Corridors throughout the County and provides for the protection and conservation of the riparian corridors, which includes both the stream or river and land alongside the stream or river. The project site is subject to 50-foot setbacks from the top of bank of Champlin Creek – an intermittent stream that flows through the property near the southeastern property line, adjacent to Stage Gulch Road. Section 26-65-005 of the Zoning Code prohibits new development within the Riparian Corridor setback unless a use permit for a Streamside Conservation Plan is adopted that provides for the appropriate protection of the biotic resources, water quality, floodplain management, bank stability, groundwater recharge, and other applicable riparian functions.

Scenic Resources (SR) Combining District:

The project site is located within a designated Scenic Corridor for Stage Gulch Road / Hwy 116 as outlined in the Open Space and Resource Conservation Element of the General Plan. Article 64 of the Zoning Code sets forth development criteria for new development located within Scenic Corridors established outside of the urban service area boundaries for the purpose of preserving the visual character and scenic resources of lands in the county.

Accessory Unit Exclusion (Z) Combining District:

The property is zoned with the Z combining district which excludes new Accessory Dwelling Units. During the implementation the 1989 General Plan, lands that were previously zoned as AE (Agriculture Exclusive) or that were subject to a Land Conservation (Williamson Act) Contract were rezoned to include the Z combining district. The property and surrounding parcels were subject to a Land Conservation Contract from 1974 – 2007. The property is not developed with an ADU.

Design Review:

The Design Review requirements listed under Sec. 26-82-050 of the Zoning Code set forth minimum development standards and approval requirements applicable to commercial projects, industrial projects, and planned developments. Applications for design review are evaluated with an emphasis on site planning,



circulation, architectural design, quality and type of materials, colors, and landscaping. After the project is approved, conditions of approval often require final Design Review (by Permit Sonoma staff or Design Review Committee) prior to grading and building permit issuance.

State Water Resources Control Board:

The State Division of Drinking Water requires water quality testing and a water supply permit for private wells that serve 25 or more persons per day for 60 days or more within a year. On January 3, 2023, the applicant requested a change to the project proposal, limiting the maximum daily business visitors to 4 per day to ensure the overall project will serve 24 or less people per day. Standard project Conditions of Approval require the applicant to obtain a water supply permit or clearance from the State Division of Drinking Water prior to building permit issuance.

Disposal of winery process wastewater is regulated by the San Francisco Regional Water Quality Control Board (RWQCB). Project Conditions of Approval require the applicant to file an application for wastewater discharge requirements with RWQCB prior to finalizing the building permit and operating the new winery production building.

ANALYSIS

General Plan Consistency

Staff has determined the project as designed and conditioned, is consistent with the goals and policies of the General Plan, based on the following analysis.

The project site is primarily devoted to agriculture related support uses. The site contains an existing 52,000 square foot production building for wine grape processing and bottling and a 4,250 square foot case goods storage barn. There is one residence onsite and approximately 1.5 acres of vineyard. The production facility is permitted for a 250,000 annual case production using grapes grown onsite and in the local area.

Approximately 95% of the grapes currently processed onsite are sourced from Sonoma County vineyards and the remaining 5% are sourced from vineyards located in the Carneros AVA in Napa County, 10 miles east of the project site. The use permit modification request includes an increase in annual wine production capacity from 250,000 cases to 2.5 million cases by importing local grapes from Sonoma County and the Carneros AVA in Napa and allowing additional grape crushing and wine production as a bulk wine/custom crush service, and 2) construction of a new 22,000 square foot wine production building and associated parking and stormwater management improvements. Of the 2.5 million annual case production, 800,000 cases (32%) would result from bottling wines made from locally grown and processed grapes.

The project site currently serves as a custom crush facility for local producers who either don't have their own processing facility or who have outgrown their facility. The use permit modification would continue the use of the facility as a custom crush facility where Carneros Vintners receives and processes client work orders which specify how the clients want their wine to be made. Approximately 95% of the cases currently produced at the project site would be made for custom crush facility clients and the remaining 5% of cases produced would be made for Carneros Vintners wine. All employees onsite will continue to be employed by Carneros Vintners. There would be no changes to the existing case goods storage barn. Project Conditions of Approval limit the facility to processing grapes grown in the local area.



Staff determined the project is consistent with General Plan Agricultural Resource Element Goal AR-5, and Policies AR-4a, AR-5a, and AR-5c as the project site is devoted to an agriculture related support use located conveniently and accessibly at the Stage Gulch Road/County Dump Road intersection with paved access improvements at an existing production facility. The site is in southern Sonoma County near the border of the Petaluma Gap and Carneros American Viticultural Areas. The proposed increase in processing and bottling services supports local smaller producers and is proportional to wine grape production in southern Sonoma County and the project area. The project will use the existing case goods storage building and no additional storage buildings are proposed.

Policy AR-5g states that local concentrations of agricultural support uses, including processing, storage, and bottling, are detrimental to the primary use of the land for the production of food, fiber and plant materials and shall be avoided. Staff determined the proposed project would not constitute a detrimental concentration of agricultural support uses as the project would not 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. Proposed construction, traffic, noise, and elimination of public tasting uses would not be detrimental to the rural character of the area. Additionally, Policy AR-5g requires staff to assess if the increased water use could impact water availability in neighboring wells within the “zone of influence”. Permit Sonoma’s Geologist confirms there are neighboring wells that draw water from the same aquifer and agrees with the OEI groundwater report which finds that due to the significant depth and confined nature of the aquifer, increased pumping from the project well is unlikely to have significant impacts on nearby streams or neighboring wells.

The request for bottling 800,000 cases of wine produced offsite relates to “agricultural support services” because the wine will be sourced from locally grown and processed grapes. The use permit request is consistent with policies for agricultural support services (AR-5e and AR-5f) as bottling services will support local vineyard producers and will be subordinate to the overall winery case production – 68% of winery case production will involve wines processed on site and 32% of case production will result from bottling wines sourced from locally grown and processed grapes. Bottling, crush, and production services will be accommodated within the existing and proposed winery buildings and all services will be managed by Carneros Vintners employees. There are no retail services associated with the request and bottling services do not include daily visitors outside of the maximum four daily business visitors expected for the overall facility. Additionally, the site is developed with adequate access located off Highway 116 and County Dump Road in the Carneros AVA. Allowing the project site to provide bottling services for local growers supports Goal AR-5 which calls for facilitating agricultural production by allowing agricultural processing, bottling, and support services to be conveniently and accessibly located in agricultural production areas when related to the primary agricultural production in the area.

Traffic:

The proposed winery expansion project will eliminate the public tasting room traffic, increase production, reduce the overall number of employees and as a result, reduce the overall traffic associated with the original PLP02-0085 approved project. The original winery project is permitted for up to 90 tasting room visitors per day (estimated 78 daily trips), 24 employees (estimated 51 daily trips), and 250,000 annual case production (estimated 9 daily truck trips) which amounts to an average total of 138 daily trips. However, the hospitality uses approved by the original project never commenced. W-trans estimates the existing winery production facility generates an average of 45 daily employee trips and 3 daily truck trips in their 2019 trip generation comparison memo (Attachment 7). Note, W-trans’ memo incorrectly described the original winery project’s permitted daily employee and truck trips. See discussion below for more detail.



The original project approval required the left turn lane on Stage Gulch Road be completed prior to occupancy of any winery or hospitality related structures. Caltrans completed the Route 116 Stage Gulch Road Curve Improvement and Realignment Project in 2012 which realigned the road to smooth out the winding road alignment. The new left turn lane at County Dump Road was incorporated into the Caltrans project. The new left turn lane was designed to handle the increased truck traffic related to the County's waste transfer facility and was designed to improve safety at the intersection. The 2007 adopted MND determined that the left turn lane could also accommodate the traffic resulting from the PLP02-0085 winery project.

Sonoma Public Infrastructure or SPI (formerly Transportation and Public Works) evaluated the UPE16-0052 use permit modification project under PLP02-0085 and requested the applicant prepare a trip generation comparison memo for the use permit modification request. The 2019 W-trans trip generation comparison memo compared the trips for the proposed winery expansion UPE16-0052 project to the original PLP02-0085 project. Note, W-trans incorrectly described the original winery project's permitted employee trips as 72 daily trips (instead of 51) and permitted truck trips as 19 daily trips (instead of 9). SPI confirmed these errors do not affect the SPI's findings on the winery expansion project.

W-trans estimates the UPE16-0052 use permit modification request will generate an average of 60 daily employee traffic trips and 63 daily truck traffic trips during harvest season (August, September, October) for a total of 123 daily trips. Off harvest season, W-trans estimates an average of 45 daily employee trips and 23 daily truck traffic trips for a total of 68 daily trips. Daily truck trips were determined based on the amounts of fruit grown on-site as well as the amount of juice, fruit, bottles, barrels, and other supplies that are required to produce the bottled wine as well as shipping the finished goods. The requested ten-fold increase in production is not a direct ratio to increase in traffic. The estimated traffic resulting from the project is based on the range of production services requested:

- 55,000 cases - full production (crush, fermenting, barrel storage, and bottling).
- 289,000 cases - crush and bulk off haul of juice (grapes crushed onsite but fermented/ barrel-aged offsite).
- 1,056,000 cases - crush, fermentation and bulk off haul wine
- 300,000 cases - Lees wine (a fermentation byproduct that is further pressed and filtered)
- 800,000 cases bottling only (bulk wine import for bottling onsite)

W-trans found that the existing left turn lane and road conditions are adequate for the queuing anticipated with the increase in truck traffic. Most of project-generated trucks would be a result of the grape importation. Grapes are typically picked at night and early in the morning. W-trans' memo finds that these inbound fruit truck trips would therefore occur at off-peak times for the roadway. SPI reviewed and accepted W-trans findings on estimated trip generation for the winery expansion project. SPI did not require a new traffic study for the winery expansion because the proposal would increase current trip conditions by adding 20 new Passenger Car Equivalent (PCE) daily trips during the peak hour (or 6 truck trips during the peak hour), which is below Sonoma County's Traffic Study Guidelines threshold of 25 new PCE trips during the critical peak hour. SPI confirmed all requirements were already met by work on the prior PLP02-0085 project and no new project Conditions of Approval nor any new mitigation measures were required for traffic related impacts. SPI finds the infrastructure at the project intersection already exists for truck traffic as there is adequate sight distance, the intersection is wide with a left turn lane and wide shoulders on both sides of the road.



Groundwater:

In accordance with Water Resources Element Policy WR-2e, Permit Sonoma Geologist Robert Pennington required a groundwater study for the project. The Groundwater Report prepared by O'Connor Environmental, Inc. (OEI), dated March 7, 2019 (see Attachment 6), states the existing winery water use is approximately 1,200,000 gallons per year (3.7 acre feet), and the proposed expanded winery water use is estimated to request approximately 6,259,200 gallons per year (19.2 acre feet). Winery facility water use primarily involves using water to clean equipment and wash down barrels, tanks, floors, etc. twice a day. Water is also used for employees, the production lab, and irrigation. Estimated water use rates are primarily based on the range in wine production services taken from the winery wastewater feasibility report prepared by the applicants, Steve Martin, PE, and Tamara Martin, REHS (Steve Martin and Associates).

The OEI Report found that groundwater storage (3,722 acre feet) and average year recharge (345 acre feet/year) are greater than the foreseeable water demands (326 acre feet) of the cumulative impact area. The project water supply well and nearby wells exhibit characteristics of a confined aquifer with two of the four wells reporting artesian conditions and two reporting static water levels. The project well recharge area contains eight wells – the two wells that supply the project site and six irrigation wells for nearby vineyard and grazing land. There are no other wineries located within the project well recharge area.

In response to concerns raised during the Sonoma Valley Citizens Advisory Commission meeting held on December 28, 2022, the applicant submitted an Addendum to supplement and update the OEI groundwater report prepared in 2019. The OEI Addendum dated January 27, 2023 (Attachment 15) acknowledges that since the preparation of the 2019 OEI groundwater report, there have been additional years of low rainfall and critical regional drought conditions, as well as the development of the Sonoma Valley Groundwater Sustainability Plan. The OEI Addendum concludes that *“Groundwater use in the project recharge area, which has not changed since 2019, is equivalent to 65% of the estimated mean annual groundwater recharge of 345.6 acre-ft/yr, indicating a reasonable balance between groundwater use and available groundwater. Declining groundwater level trends have been identified in monitoring wells accessing the deep aquifer in the SVGB. The existing permit condition to install a monitoring well is believed to be an appropriate means to evaluate potential future effects of the project on aquifers in the SVGB.”* Permit Sonoma Geologist Robert Pennington found the OEI Addendum to be acceptable and accurate and modified project Condition of Approval No. 63 to require completion of the groundwater monitoring well prior to any expansion of existing use or building permit issuance. Robert Pennington concurred with OEI findings in that there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. Additionally, since there are no other wineries located within the mapped recharge area the project does not appear to result in a detrimental concentration of wineries.

The OEI Report satisfies Water Resource Element Policy WR-2e which requires discretionary projects in Groundwater Class 3 Areas to confirm groundwater quality and quantity are adequate and will not be adversely impacted by the cumulative amount of development and uses allowed in the area. Project Conditions of Approval require a groundwater monitoring easement to water wells serving this project, water meters to collect groundwater level measurements, and a separate dedicated monitoring well.

Rural Character:

The project will not be detrimental to the rural character of the area as the increase in production will not result in significant noise, traffic, or visual impacts. The project site borders Stage Gulch Road / Hwy 116 and is



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surrounded by lands devoted to grazing, vineyard, a quarry, and the County Refuse Disposal Site. Permit Sonoma determined there are no sensitive noise receptors within vicinity of the project and Sonoma Public Infrastructure confirmed that all traffic related impact requirements were already met by the original PLP02-0085 project. Like many of the existing structures on the property, a portion of the proposed winery production building would be visible to travelers on Stage Gulch Road and to the adjacent properties on County Dump Road. However, the proposed 22,000 sq ft winery production building would be located approximately 380 feet from Stage Gulch Road, entirely outside of the 200-foot Scenic Corridor setback and situated behind the existing structures in the southeastern corner of the property. The existing 52,000 square foot winery production building is 34 feet 7 inches tall. The proposed building would have a maximum building height of 33 feet. Project Conditions of Approval require final Design Review on final development plans (architectural, exterior lighting, parking, and landscaping) prior to grading and building permit issuance. Additionally, the project site has capacity for the additional 10 parking spaces, no events are proposed, and all previously approved public tasting and hospitality uses will be eliminated from the use permit.

Zoning Consistency

Staff has determined the project as designed and conditioned, is consistent with the Zoning Code, based on the following analysis.

The proposed 22,000 square foot winery production building will meet all the development standards for the Land Extensive Agriculture Zoning District, as well as the 200-foot Scenic Corridor setback from Stage Gulch Road/Hwy 116. Project Conditions of Approval require final Design Review prior to grading and building permit issuance to minimize visual impacts, reduce nighttime light pollution, and ensure compliance with the Article 82 (Design Review) minimum development standards for commercial projects.

Champlin Creek is designated as a Riparian Corridor with 50-foot setbacks for new development. The new 22,000 square foot winery production building would be set back approximately 350 feet from the top of the bank of Champlin Creek, situated adjacent to the existing winery building. Existing utility infrastructure and access roads will serve the new 22,000 square foot production building. Project Conditions of Approval prohibit construction and grading activities within 50 feet of the top of bank of Champlin Creek. No changes are proposed to the existing 4,250 square foot case goods storage barn which is partially located in the Riparian Corridor setback, approximately 45 feet from Champlin Creek.

The use permit modification request is consistent with the standards required for agricultural processing and agricultural support services in the LEA Zoning District. Specifically, Section 26-18-030 of the Zoning Code allows for approval of agricultural processing facilities that process products grown off-site provided that the facility is consistent with General Plan Policy AR-5g. Sec. 26-18-050 of the Zoning Code allows agricultural support services with a use permit provided that the use meets the minimum criteria of General Plan Policies AR-5e and AR-5f. As discussed above, staff determined the proposed project is consistent with AR-5g because it will not constitute a detrimental concentration of agricultural support uses. The project would not 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. The OEI Groundwater Report prepared for the project finds that there is little potential to negatively impact groundwater supply, groundwater levels in neighboring wells, and surface waters. Additionally, the OEI Groundwater Report satisfies Water Resource Element Policy WR-2e which requires discretionary projects in Groundwater Class 3 Areas to confirm groundwater quality and quantity are adequate and will not be adversely impacted by the cumulative amount of development and uses allowed in the area. There are no other wineries within the project supply well recharge area, and the proposed construction, traffic, noise, and elimination of public tasting uses would not be detrimental to the rural character of the area.



As discussed in the General Plan consistency analysis above, staff finds the request to allow bottling services for 800,000 cases of offsite produced wines per year is consistent with Policies AR-5e and AR-5f because the wine will be sourced from locally grown and processed grapes and bottling services are subordinate to the overall winery production. Bottling, crush, and production services will be accommodated within the existing and proposed winery buildings and all services will be managed by Carneros Vintners employees. There are no retail services associated with the request and bottling services do not include daily visitors outside of the maximum four daily business visitors expected for the overall facility. The site is developed with adequate access and will not require extension of sewer and water.

Environmental Analysis

A Mitigated Negative Declaration (MND) was prepared and posted for the original PLP02-0085 project in accordance with the California Environmental Quality Act (CEQA). The Planning Commission held a public hearing on March 1, 2007 and recommended to the Board of Supervisors approval of the proposed project. The Board of Supervisors held a public hearing on April 24, 2007 and adopted the MND and approved the project subject to conditions of approval set forth in Board Resolution No. 07-0330 (see Attachment 12). The Notice of Determination was filed on December 6, 2007.

Consistent with CEQA Section 15164(b), an addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. After reviewing the 2007 MND and updated technical reports submitted for the project, including a trip generation comparison memo, groundwater report, greenhouse gas emissions analysis, vehicle miles travelled assessment, and wastewater feasibility study; staff determined that an Addendum, consistent with CEQA Section 15164(b), is the appropriate course to address potential environmental impacts associated with the proposed winery expansion project.

The Addendum is provided under Attachment 10 and assesses the use permit modification request for consistency with the 2007 adopted MND (see Attachment 11) as well as the current CEQA Checklist criteria. Staff determined that no new or significant environmental effects, no substantial changes to circumstances or to previously identified significant effects, no significant revisions to mitigation measures and no new mitigation measures or alternatives would be associated with the proposed winery expansion project.

Mitigation measures included in the 2007 adopted MND that are applicable to the use permit modification project are summarized below and have been incorporated into the project Conditions of Approval:

Topic Area	Mitigation Measure Summary
Aesthetics	Requirements for design review and exterior lighting plan prior to construction.
Air Quality	Requirements for dust control required during construction and grape crush residue odor management.
Biological Resources	Grading and construction prohibited within 50 feet of top of bank of Champlin Creek to protect potential CRLF habitat. All project related drainage must infiltrate into native soils prior to draining into creek.
Cultural Resources	Archeology discovery notes required on construction plan sheets.
Geology and Soils	Ground disturbing activities must comply with County and State building codes. Erosion and sediment control plan required prior to grading/building permit issuance.
Hazards and Hazardous Materials	Requirements for hazardous materials storage, washout area, vehicle storage, fueling/maintenance, and portable toilets during construction.



Hydrology and Water Quality	Project subject to NPDES requirements. Drainage improvements must be designed by civil engineer in accordance with Water Agency Flood Control Design Criteria.
Noise	Noise must be controlled in accordance with Table NE-2 of the General Plan. Noise complaints require PRMD investigation and may result in professionally designed noise control measures.

The 2007 Board of Supervisors Resolution for the original PLP02-0085 project found that traffic generated by the use would not have a significant effect on private roads and state highways, based on the traffic study and subsequent updates, review by Caltrans and County Transportation and Public Works Department review. A left turn lane was required to be constructed on Stage Gulch Road prior to occupancy of any winery or hospitality related structures and traffic mitigation fees were determined to be sufficient to reduce traffic impacts to a less than significant level. On July 10, 2019, Sonoma Public Infrastructure (formerly TPW) reviewed the use permit modification request and determined no new traffic mitigation measures were required as the use permit modification project would reduce the number of peak hour trips compared to what was originally approved for the project site. Additionally, Sonoma Public Infrastructure confirmed the six mitigation and monitoring measures included in the Transportation/Traffic section of the 2007 adopted MND have been satisfied or are no longer applicable. Four of the six mitigation measures (15.a.1, 15.a.2, 15.a.3 and 15.a.4) were related to the left-hand turn lane on Stage Gulch Road at the intersection of County Dump Road, which was part of Caltrans Route 116 Stage Gulch Road Curve Improvement and Realignment Project and was completed by Caltrans in 2012. The remaining two mitigation measures (15.a.5 and 15.f) were related to public tasting room hours and associated parking, a Phase II component of the original winery project that never commenced and are no longer applicable.

Permit Sonoma finds the proposed use permit modification project meets the project objectives of the original project. No new, collective or cumulative impacts have been identified with the entirety of the proposed winery expansion project that cannot be mitigated to a level of less than significant with mitigation measures contained in the 2007 adopted MND. The findings contained in the 2007 adopted MND remain valid for the proposed winery expansion project and no new impacts or increases in previously analyzed impacts have been identified. All applicable mitigation measures contained in the 2007 adopted MND have been incorporated into the project Conditions of Approval for UPE16-0052 (See Attachment 1). All potential impacts resulting from the project will be mitigated to a less-than-significant level.

NEIGHBORHOOD/PUBLIC COMMENTS

The project is located in Supervisory District 2, in the hills between Petaluma Valley and Sonoma Valley, and also within the boundaries of the Sonoma Valley Citizens Advisory Commission (SVCAC). The SVCAC provides recommendations to elected officials and other decisions makers on new or modified use permits on land that is zoned Agricultural (LIA, LEA, DA) and Resource and Rural Development (RRD). The application was originally referred to SVCAC in 2018 however, due to a communication error, Permit Sonoma did not advise the applicant to present before the SVCAC until November 2022. On December 28, 2022, the applicant presented the proposed use permit modification project to the SVCAC. The SVCAC voted unanimously to recommend approval of the project with serious reservations regarding availability of water for the project and safety of more large trucks on and off Stage Gulch Road. SVCAC did not have copies of the project groundwater and traffic studies to review before making the recommendation. The SVCAC meeting minutes for December 28, 2022 are provided under Attachment 14.



No other public comments were received.

RECOMMENDATIONS

Preceding Review Authority Recommendation

None.

Staff Recommendation

Permit Sonoma recommends that the Sonoma County Board of Zoning Adjustments determine that the 2007 adopted Mitigated Negative Declaration remains valid for the project as documented in the 2023 MND Addenda, and approve the Use Permit request, subject to the attached Conditions of Approval.

ATTACHMENTS

1. Conditions of Approval
2. Vicinity Map
3. Site Plans
4. Preliminary Building Plans
5. Proposal Statement
6. Groundwater Report
7. Traffic Memo & VMT Assessment
8. GHG Analysis
9. Wastewater Feasibility Study
10. Updated 2007 MND Addendum, April 2023
11. 2007 Adopted MND
12. PLP02-0085 Board Resolution No. 07-0330
13. PLP02-0085 Site Plans
14. SVCAC Meeting Minutes December 28, 2023
15. OEI Addendum January 27, 2023
16. Board of Zoning Adjustments Resolution