



## PLANNING COMMISSION MEMORANDUM

DATE: May 19, 2022  
ITEM: No. 1 – 1:05 pm  
FROM: Georgia McDaniel, Project Planner

SUBJECT: File No.: **ORD16-0001**; Continued hearing for Winery Events Ordinance  
Applicant: County of Sonoma  
Supervisorial Districts: All

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### Prior Planning Commission Actions:

On June 3, 2021 and February 17, 2022, Permit Sonoma staff presented a draft Winery Events Ordinance to the Planning Commission. On June 3, 2021, Commissioners continued the item and directed staff to return to the Commission with a table comparing the definitions of local guidelines prepared by two advisory groups - Dry Creek Valley Citizens Advisory Council (DCVCAC) and Sonoma Valley Citizens Advisory Commission (SVCAC). During the February 17, 2022 meeting, the Planning Commission took straw votes on revised county definitions and directed staff to return to the Commission with a revised definition and criteria for "Agricultural Promotional Events"; and to review the changes made to definitions and any effects on the draft county standards. The item was continued to a date uncertain.

### Staff Response:

Staff documented the Planning Commission's revised county definitions in the Definition Comparison Table (see Attachment 1). To align the county standards with the straw votes taken on February 17, 2022, staff recommends the Planning Commission consider revisions to the draft county standards which are reflected in the Standards Comparison Table (see Attachment 2). An updated draft Planning Commission Resolution with the revised Winery Events Ordinance (including track changes) is also provided for Planning Commission review (see Attachment 3). Staff may amend the draft ordinance based on on-going Planning Commission deliberations.

### Background:

The draft county ordinance represents staff's recommendation on a set of county definitions and standards that harmonizes with the following: (1) the DCVCAC guidelines that were approved by the Board of Supervisors in October 2018, (2) the draft local guidelines prepared



by the Sonoma Valley Stakeholders Group, and (3) community input, most recently from Permit Sonoma's public workshop held on February 18, 2021. In spring of 2021, SVCAC formed a Winery Events Ad Hoc Committee to recommend changes to the draft guidelines proposed by the Sonoma Valley Stakeholders Group. 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.

Staff have submitted two tables comparing definitions and standards proposed by the draft county ordinance, the DCVCAC guidelines, and the SVCAC guidelines. In the tables, staff have noted, in bold, where there are similarities across the definitions and standards to highlight how the draft countywide definitions and standards presented to Planning Commission on June 3, 2021 were harmonized with the local guidelines and public input.

#### **Prior Board of Supervisors Direction:**

On October 11, 2016, the Board of Supervisors adopted a Resolution of Intention (see Attachment 4) 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. Specifically, the 2016 Resolution directs 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."

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.

#### Attachments

1. "Winery Events Policy – Definition Comparison" reflecting Planning Commission straw votes taken on February 17, 2022.
2. "Winery Events Policy – Standards Comparison reflecting Planning Commission straw votes taken on February 17, 2022.
3. Draft Planning Commission Resolution with draft "Winery Events Ordinance" reflecting Planning Commission straw votes taken on February 17, 2022 (including track changes and a clean copy).
4. Board of Supervisors Resolution of Intention, October 11, 2016.



TERM	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
<b>Catering Kitchen</b>	<p>A facility used <del>to receive catered for the preparation of</del> 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.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved as modified.</i></p>	None	None
<b>Commercial Kitchen</b>	<p>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.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved.</i></p>	None	None
<b>Food &amp; Wine pairing</b>	<p>Providing samples or tastes of site-grown or locally-grown food products that are showcased with different wines.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved.</i></p>	None	None
<b>Rural Area</b>	<p>Any area not located within an urban service area designated on the General Plan Land Use Map.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved.</i></p>	None	None
<b>Winery</b>	<p>An <b>agricultural processing facility</b> that converts fruit into wine. <b>Wineries may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, administrative offices,</b> <del>tasting rooms, event space, commercial kitchen, and catering kitchen.</del></p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved as modified.</i></p>	None	<p>An <b>agricultural processing facility</b> that produces wine from wine grapes. <b>A winery may include crush areas, production rooms, case goods and barrel storage, tank rooms, warehouses, bottling lines, laboratories, and administrative offices.</b></p>

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<p><b>Winery Events</b> (general statement)</p>	<p><del>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. 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.</del></p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Definition approved as modified; move original language into the draft ordinance standards.</i></p>	<p>None</p>	<p>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.</p>
<p><b>Agricultural Promotional Events</b></p>	<p>Events directly related to public education, <b>sales and promotion of agricultural products</b> to consumers, including but not limited to: winemaker lunches, dinners, <b>release parties</b>, and <b>wine club parties</b> and similar events.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Final review deferred to next meeting; staff to return with a revised definition and new criteria for Agricultural Promotional Events.</i></p> <p><i>4-29-22 Staff Comment: Staff suggest the following revised definition for Agricultural Promotional Events:</i></p> <p><i><b>"Agricultural Promotional Events are promotional activities that involve the sale of products produced onsite or in the area, are directly related to public education, sales and promotion of agricultural products to consumers and have one or more of the following characteristics:</b></i></p> <ol style="list-style-type: none"> <li><i>a. Exceeds normal business hours.</i></li> <li><i>b. Is accompanied by newspaper, internet, social media, radio or television advertising or printed leaflets distributed to the public at large.</i></li> <li><i>c. Requires use of overflow parking areas or shuttling.</i></li> <li><i>d. Serves prepared meals.</i></li> <li><i>e. Has live amplified music."</i></li> </ol>	<p>Other Agricultural Promotional Events are those events that are expected to exceed the Maximum Persons at One Time limit.</p> <ol style="list-style-type: none"> <li>a. Invitations may be issued (using such methods as mail, email, websites or social media).</li> <li>b. Must be explicitly requested in the use permit specifying the number of events annually and the maximum size of each event.</li> <li>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.</li> </ol>	<p>An event that is directly related to the <b>sales and promotion of the agricultural product</b> from the site or local area. Examples include <b>wine club gatherings, wine club releases</b>, wine trade gatherings, and regional tastings as part of Industry-Wide Events.</p>

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<b>Industry-Wide Events</b>	<p><b>Promotional activities sponsored by a recognized wine industry association</b> that may involve <b>multiple wineries and/or tasting rooms</b>. Industry-wide events are held <b>within a specified geographic area</b>, during regular tasting room hours, and may last up to 3 consecutive days.</p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Final review deferred to next meeting.</i></p>	<p>Association Sponsored events (often referred to as Industry Events) are defined as <b>events sponsored by a recognized organization</b> to promote wine sales and tourism, conducted across <b>multiple sites within a specified geographic area</b>.</p> <ol style="list-style-type: none"> <li>Events will meet the requirements and follow the best practices of the association sponsoring the event.</li> <li>Have adequate mitigation plans for septic and parking if they exceed the Maximum Persons at One Time limit.</li> <li>Parking along public roadways is not allowed.</li> <li>Limited to tasting room hours only.</li> </ol>	<p>An agricultural promotion event that is <b>sponsored by a recognized wine industry association involving multiple wineries or tasting rooms within a specified geographical area</b>.</p>
<b>Wine Trade Partners</b>	<p><del>Distributors, wine trade buyers, restaurant owners and their representatives, winery or tasting room owner(s), winery employees, and tasting room employees.</del></p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Delete definition from draft ordinance.</i></p>	None	None
<b>Winery Visitor Serving Activities</b> (general statement)	<p><del>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.</del></p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Delete definition from draft ordinance.</i></p>	None	None
<b>Sales Activities</b>	<p><del>Wine tasting, pickup parties, tours, seminars and other hospitality related activities that support the promotion of wine sales.</del></p> <p><i>2-17-22 Planning Commission Straw Vote Taken: Delete definition from draft ordinance.</i></p>	<p><b>PUBLIC SALES: Wine tasting, tours, wine and food educational pairings, seminars and other hospitality related activities supporting the promotion of wine sales</b> that are open to the public.</p> <ol style="list-style-type: none"> <li>Will not exceed the Maximum Persons at One Time limit established in the use permit.</li> <li>Do not require an invitation.</li> <li>A fee may be charged.</li> <li>May be advertised to consumers.</li> </ol> <p><b>DIRECT SALES:</b> By-invitation activities such as winemaker lunches or dinners, release days or <b>pickup parties</b> designed to promote the sale of agricultural products.</p>	None

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<b>Sales Activities (cont.)</b>		<ul style="list-style-type: none"> <li>a. Will not exceed the Maximum Persons at One Time limit established in the use permit.</li> <li>b. A fee may be charged.</li> <li>c. Invitations may be issued using such methods as mail, email, websites or social media.</li> </ul>	
<b>Wine Trade Activities</b>	<p><del>By invitation meetings, seminars, harvest parties and similar activities attended only by wine trade partners and are not advertised to the consumer.</del></p> <p><u>2-17-22 Planning Commission Straw Vote Taken:</u> Delete definition from draft ordinance.</p>	<p><b>By-invitation</b> activities for staff, <b>trade</b> or distribution partners.</p> <ul style="list-style-type: none"> <li>a. Will not exceed the Maximum Persons at One Time limit established in the use permit.</li> <li>b. Are not advertised to the consumers.</li> </ul>	None
<b>Tasting Room</b>	<p><u>Tasting Room is defined under Sec. 26-18-210 of the Zoning Code.</u></p> <p><u>2-17-22 Planning Commission Straw Vote Taken:</u> Add a Tasting Room definition to the draft ordinance, referencing location of existing zoning code definition for Tasting Room.</p> <p><u>4-29-22 Staff Comment:</u> Sec. 26-18-210 (Tasting rooms) currently states: "A. Definition. A retail food facility where one (1) or more agricultural products grown or processed in the county are tasted and sold. Agricultural products sold may include alcoholic beverages. 1. Includes: Wine tastings, olive oil, honey, fruit preserves. 2. Excludes: Farm stands, farm retail sales."</p>	None	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.

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Additional terms defined in CAC Guidelines (by alphabetical order):			
<b>Event Space</b>	None  <i>2-17-22 Planning Commission Straw Vote Taken: Concurred with staff recommendation not to include definition in the draft ordinance.</i>	None	An indoor or outdoor part of a winery or tasting room used for hosting events.
<b>Locally Grown Agricultural Products</b>	None  <i>2-17-22 Planning Commission Straw Vote Taken: Concurred with staff recommendation not to include definition in the draft ordinance.</i>	None	Agricultural products that are primarily grown and produced within Sonoma County and/or at neighboring counties in close proximity to the proposed use.
<b>Max Persons at One Time</b>	None  <i>2-17-22 Planning Commission Straw Vote Taken: Concurred with staff recommendation not to include definition in the draft ordinance.</i>	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: A. Septic system capacity B. On-site parking as follows: 1. 1 space for each employee 2. 1 space for every 2.5 visitors 3. Road access C. Building occupancy levels as authorized by the Fire Department	None
<b>Over-concentration</b>	None  <i>2-17-22 Planning Commission Straw Vote Taken: Concurred with staff recommendation not to include definition in the draft ordinance.</i>	None	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.

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<b>Private Event</b>	None  <i><u>2-17-22 Planning Commission Straw Vote Taken:</u> Concurred with staff recommendation not to include definition in the draft ordinance.</i>	None	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.



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<b>Winery Visitor Serving Activities</b>	<p><del>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.</del></p> <p><i>4-29-22 Staff Comment:</i> Staff recommend deleting this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</p>	All activities will promote agricultural products grown or processed in the local area.	None
<b>Winery Events</b>	<p><u>Winery Events held at wineries and tasting rooms must:</u></p> <ul style="list-style-type: none"> <li>a. <u>Promote and market agricultural products grown or processed in the County; and</u></li> <li>b. <u>Be secondary and incidental to agricultural production activities occurring onsite and/or in the area; and</u></li> <li>c. <u>Be consistent with General Plan Policy AR-6d; and</u></li> <li>a-d. <u>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.</u></li> </ul> <p><i>4-29-22 Staff Comment:</i> Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners directed staff to incorporate the "Winery Events (general statement)" definition into the draft ordinance standards.</p>	All events will promote agricultural products grown or processed in the local area.	<p>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.</p> <p>The owner/host, or other responsible party shall provide community notification of events.</p>
<b>Sizing of Activities/Events and Maximum Number of Event Days</b>	Sizing of <del>winery visitor serving activities and</del> 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	<ul style="list-style-type: none"> <li>• Public and Direct Sales Activities During Regular Hours: Limited to the Maximum Persons at One Time set in the use permit.</li> <li>• Direct Sales Activities Outside of Regular Hours: 50 visitors at one time, or the Maximum Persons at One Time set in the use permit; max. 12 times a year and max. 2 per month.</li> </ul>	<p>The total number of events, including agricultural promotion, industry-wide, and private events are limited to a maximum of 12 per year.</p> <p>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.</p>

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<p><b>Sizing of Activities/Events and Maximum Number of Event Days (cont.)</b></p>	<p>of hazards, and the potential for negative cumulative effects related to noise, traffic, and water supplies.</p> <p><i>4-29-22 Staff Comment:</i> Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</p>	<ul style="list-style-type: none"> <li>Trade Marketing Activities: Limited to maximum Persons at One Time set in the use permit</li> <li>Association Sponsored Events: Up to 15 event days per year.</li> <li>Agricultural Promotional Events: Maximum of 2 days per quarter; events outside of regular hours limited to 2 event days per year.</li> </ul>	
<p><b>Hours of Operation</b></p>	<p>The maximum hours of operation for <u>tasting rooms</u> <del>winery visitor serving activities</del> and winery events are specified below, unless further limited by the use permit.</p> <p>a. <b>Tasting Rooms. Regular business hours for tasting rooms are 10 am - 5 pm.</b></p> <p><del>b. Winery Visitor Serving Activities. The maximum hours of operation for winery visitor serving activities are specified below by activity type.</del>  <del>(1) Sales Activities: 10 am – 5 pm.</del>  <del>(2) Wine Trade Activities: 8 am – 10 pm.</del></p> <p><del>c. Winery Events. The maximum hours of operation for events are specified below by event type.</del>  <del>(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.</del>  <del>(2) Industry-wide Events may occur during the hours of 10 am – 5 pm.</del></p> <p><i>4-29-22 Staff Comment:</i> Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</p>	<ul style="list-style-type: none"> <li>Public and Direct <b>Sales Activities regular hours: limited to the hours of 10am – 5pm.</b></li> <li>Direct Sales Activities Outside of regular hours: limited to the hours of 8am – 10pm.</li> <li><b>Trade Marketing Activities: limited to the hours of 8am – 10pm.</b></li> <li><b>Association Sponsored Events: limited to the hours of 10am – 5pm.</b></li> <li><b>Agricultural Promotional Events: limited to the hours of 8am – 10pm.</b></li> </ul>	<ul style="list-style-type: none"> <li>The hours of operation for wineries and <b>tasting rooms</b> shall be limited to <b>10 am-5 pm.</b></li> <li>The hours of operation for <b>Events shall be limited to 10am to 9pm. All cleanup after the events shall occur by 10 pm.</b></li> <li>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.</li> </ul>

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Third Party Rentals	Wineries and tasting rooms shall not be rented out to third parties for events	All activities and events will be hosted by the proprietor, with on-site management by the proprietor's staff. <b>The facility will not be rented out for use by a 3rd party</b> and no rental fees will be charged	None
On-Site Parking	<p>The following <b>on-site parking is required</b> for wineries and tasting rooms:</p> <p>a. <b>1 parking space per 2.5 guests and 1 space per employee.</b> 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 <b>shuttling may be allowed <u>only</u> to accommodate winery events, if specified in the use permit.</b></p> <p><del>c. Overflow parking and shuttling shall not be used to accommodate parking for winery visitor serving activities.</del></p> <p>d. <b>No parking is permitted along any public or private roadways</b> or on shared vineyard roads.</p> <p><i>4-29-22 Staff Comment: Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</i></p>	<ul style="list-style-type: none"> <li>• <b>All parking is on-site. There is no parking along public roadways.</b></li> <li>• Parking in vineyard rows and avenues may be inadequate in wet conditions.</li> <li>• Parking plans that utilize road easements have the written agreement of all neighbors who share those easements.</li> </ul> <p><i>Staff Comment: The DCVCAC Guidelines definition for Maximum Persons at One Time includes the following parking requirement:</i></p> <p><i>On-site parking as follows:</i></p> <p><b>a. 1 space for each employee</b> <b>b. 1 space for every 2.5 visitors</b></p>	<p>The following on-site parking is required for tasting rooms and events:</p> <ol style="list-style-type: none"> <li>1. 1 space per 250 square feet of the winery production facility; plus</li> <li><b>1 space per 2.5 guests and 1 space per employee for the tasting room and events.</b></li> <li>Where events are proposed that could exceed the parking provided on-site, <b>shuttle service shall be provided to transfer guests to and from off-street parking locations.</b> Shuttles from off-site public parking areas are required, for all events with over 50 guests.</li> <li>No parking is permitted along any public or private roadways or on vineyard roads.</li> </ol>
Food Service	<p>Food service is allowed as specified below.</p> <p>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.</p> <p>b. <b>Operating the food service area as a restaurant, café, delicatessen or any food service offering cooked-to-order food is prohibited.</b></p> <p>c. <b>Food and wine pairings featuring local foods and food products is allowed in conjunction with <u>winery visitor serving activities and winery events</u> wine tasting.</b></p> <p>d. Prepared meals featuring local foods and food products is allowed in conjunction with <del>wine trade activities and</del> winery events.</p>	<p>a. <b>Food service is allowed for wine and food pairings and in conjunction with activities and events, however operating as a restaurant is prohibited.</b> More specifically:</p> <ul style="list-style-type: none"> <li>• the predominate activity in the tasting room is wine tasting, wine sales and related wine marketing, not dining</li> <li>• meal service is not available to the general public on a regular basis</li> <li>• no cooked-to-order food is served</li> </ul> <p>b. Catering and commercial kitchens are acceptable, including indoor or outdoor equipment such as stoves, wood-fired ovens and barbecues.</p>	<p>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.</p> <ol style="list-style-type: none"> <li><b>A restaurant is prohibited.</b></li> <li>Catering is acceptable and may include indoor, but not outdoor equipment such as stoves, wood-fired ovens and barbecues.</li> <li><b>Sale of pre-packaged foods in conjunction with wine tasting is allowed</b> per County standards.</li> </ol> <p><b>Daytime food and wine pairings may occur during tasting room hours,</b> subject to the following conditions, and only with food prepared off-site. Food and wine</p>

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<b>Food Service (cont.)</b>	<p>e. <b>Retail sales of pre-packaged food in conjunction with wine tasting is allowed</b> subject to the following limitations:</p> <ul style="list-style-type: none"> <li>(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.</li> <li>(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.</li> <li>(3) Indoor seating area or table service in conjunction with retail sales of pre-packaged food is prohibited.</li> <li>(4) Off-site signs advertising retail sales of pre-packaged food are prohibited.</li> </ul> <p><i>4-29-22 Staff Comment: Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</i></p>	<p>c. 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.</p> <p>d. Sale of pre-packaged foods is allowed.</p> <p>e. All food service requires appropriate health permits under existing County regulations.</p>	<p>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</p>
<b>Event Coordination</b>	<p>On-Site Coordinator. <b>An on-site coordinator is required to address complaints about winery events</b> both during and following an event. The On-site Coordinator shall:</p> <ul style="list-style-type: none"> <li>(1) <b>Ensure that the winery's website prominently lists a telephone number for the public to make event-related complaints;</b> and</li> <li>(2) <b>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></li> </ul>	None	<p>On-Site Coordinator. All activities and events must be hosted by the proprietor or have onsite management by the proprietor's staff. <b>A designated person on the proprietor's staff must be available at all times during the events to address complaints</b> or resolve problems. The On-Site Coordinator shall:</p> <ul style="list-style-type: none"> <li>1. <b>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;</b> and</li> <li>2. <b>send out a notice to site neighbors to inform them that the "complaint hot line" is available should they wish to call.</b></li> </ul>
<b>Traffic Management</b>	<p>Traffic Management Plan. Traffic management and parking plans are required to <b>address the maximum number of people visiting during <del>winery visitor serving activities and</del> winery events.</b></p>	<p>For Association Sponsored Events and Other Agricultural Promotional Events, <b>traffic and parking plans are required</b> if Maximum Persons at One Time is exceeded.</p>	<p><b>Traffic management and parking plans are standard conditions of approval</b> for new and modifications of winery use permits. These <b>plans should take into account the maximum number of people visiting the tasting room during tasting room hours as well as during any event.</b></p>

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
	<p>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> <p><u>4-29-22 Staff Comment:</u> Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</p>		
<p><b>Noise Attenuation Setbacks</b></p>	<p>Noise is attenuated by distance from the noise source. To <b>ensure compliance with the Sonoma County General Plan Noise Element</b> thresholds for maximum allowable exterior noise exposure levels, <del>winery visitor serving activities and</del> 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 music, or loud instruments such as brass instruments, horns, or drums: 1,600 feet</li> </ul> <p>Exceptions to the setbacks listed 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</p>	<p>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 <b>Sonoma County General Plan 2020 Noise Element</b>, 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.</p> <ol style="list-style-type: none"> <li>a. <b>All noise impact conforms to the Sonoma County Noise Standards as set forth in the General Plan.</b></li> <li>b. 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.</li> <li>c. All outdoor amplified music ends by 9pm.</li> </ol>	<p>Noise Attenuation. When considering the proposed activity and intensity of use, <b>the proposed use must meet the standards of the General Plan Noise Element.</b> In addition, no outdoor amplified sound is allowed during events. <b>Noise attenuation strategies, including setbacks from property lines and noise muffling interventions, may be combined to meet this standard,</b> however permanent structures and installations for noise muffling must meet Scenic Resource requirements.</p>

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
	<p>County General Plan Noise Element due to <b>intervening structures or natural features, available open land on noise sensitive parcels, or by incorporating noise mitigation measures.</b></p> <p><u>4-29-22 Staff Comment:</u> Staff recommend revising this standard to align with the Planning Commission's straw votes taken on February 17, 2022. Commissioners do not support setting criteria for winery visitor serving activities and removed the "Winery Visitor Serving Activities", "Sales Activities", and "Wine Trade Activities" definitions from the draft ordinance.</p>		
Additional standards provided in CAC Guidelines (by alphabetical order):			
<b>Access</b>	<p>None.</p> <p><u>June 2021 Staff Comment:</u> Access must comply with standards set by County Department of Transportation and Public Works requirements, Board of Forestry regulations, and subject to approval by County Fire Marshal.</p>	<p>a. Access to the parcel on public roadways of at least 18 feet in width is for use permits with visitor-serving agricultural uses.</p> <p>b. 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.</p>	<p>Public roadways of at least 18' in width are required. The applicant must show that the design will address:</p> <ol style="list-style-type: none"> <li>1. Ingress/Egress. Follow County standards for ingress and egress to the property.</li> <li>2. Sight Distance. Follow ASHTO sight distance standards.</li> <li>3. Parking. "No Parking" signs should be installed and enforced along adjacent County roads</li> <li>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.</li> <li>5. Potential evacuation guidance and routes shall be posted on site.</li> </ol>
<b>Concentration / Separation Criteria</b>	<p>None.</p> <p><u>June 2021 Staff Comment:</u> General Plan Policy AR-5g states: "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</p>	<p>c. 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</p>	<p>The entire Sonoma Valley is considered either to be over-concentrated or to become over-concentrated in the near future.</p> <p>Wineries and tasting rooms are limited to 2 per half mile.</p>

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
<p><b>Concentration / Separation Criteria (cont.)</b></p>	<p><i>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:</i></p> <p><i>(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.</i></p> <p><i>(2) Whether the above uses would draw water from the same aquifer and be located within the zone of influence of area wells.</i></p> <p><i>(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."</i></p>	<p>or are closer to major highways will be viewed as more favorable.</p>	
<p><b>Event Proposal</b></p>	<p>None</p>	<p>None</p>	<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p>

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
<b>Event Space</b>	None	None	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.
<b>Industry-wide Events</b>	None	None	<p>Industry-wide events are considered to be agricultural promotion events.</p> <p>Each participating tasting room is limited to the total number of events specified in the Use Permit. Industry-wide events shall:</p> <ol style="list-style-type: none"> <li>1. meet the requirements, and follow the best practices, of the association sponsoring the event.</li> <li>2. provide a plan for overflow parking</li> <li>3. shall not allow parking along public roadways.</li> <li>4. provide community notification of the event.</li> </ol>
<b>Lighting</b>	<p>None.</p> <p><i>June 2021 Staff Comment:</i> Wineries and tasting rooms are subject to development standards (including lighting) in <a href="#">Article 82</a> (Design Review) of the Zoning Code.</p>	<p>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 favorable.</p>	<p>Lighting. Setbacks shall be sufficient to limit light visibility from public travel ways and to maintain the rural and scenic qualities of the Sonoma Valley. Nighttime lighting levels shall be limited to what is necessary to provide security and safety for users. Exterior lighting shall be consistent with Dark Sky standards (e.g. low mounted, downward casting and fully shielded to prevent glare).</p>
<b>Maximum Site Area for Tasting Room and Tasting Associated Areas</b>	None	<p>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</p> <p>Visitor serving areas: The area under roof dedicated to public tasting facilities does not exceed 2500 sq ft. This does not include outdoor areas or space dedicated to uses such as kitchens, bathrooms, barrel rooms, storage or seated tasting.</p>	<p>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 offices and other administration purposes are limited to 15% of the total size of all of the non-residential buildings on site.</p> <p>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.</p>
<b>Maximum Winery Size</b>	None	<p>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</p>	<p>Winery size should be the minimum necessary to process the proposed level of wine grape production that will supply the winery.</p>



STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
Maximum Winery Size (cont.)		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.	
Minimum Parcel Size	None	Parcels of at least 20 acres are preferred for use permits with visitor serving agricultural uses.	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.
Neighborhood Outreach	None.  <i>June 2021 Staff Comment:</i> <i>Discretionary permit processing requires public engagement through early neighborhood notification, citizen advisory groups, agency/interested party referrals, public circulation of the CEQA document, and the public hearing.</i>	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.	None
Private Events	None	None	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.
Marketing Accommodations	None.  <i>June 2021 Staff Comment:</i> <i>Zoning Code currently allows Agricultural Marketing Accommodations on winery properties, subject to approval of a use permit and standards in <a href="#">Sec. 26-88-086</a> of the Zoning Code.</i>	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).	Private marketing accommodations and agricultural farmstays are appropriate and are allowed as regulated by the Sonoma County Zoning Ordinance.
Visual Impacts	None.  <i>June 2021 Staff Comment:</i> <i>Structures are subject to base zoning building setbacks from property lines and roadways. Properties zoned for Scenic Resources (Scenic Highway, Scenic Landscape, or Community Separator) are subject to additional setbacks</i>	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.	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.  Visual Impacts. Facilities should be sited to minimize visual impact, especially in scenic areas/corridors.

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
<b>Visual Impacts (cont.)</b>	<i>and design standards for minimizing visual impacts pursuant to <a href="#">Article 64</a> (Scenic Resources) of the Zoning Code. Wineries and tasting rooms are also subject to development standards in <a href="#">Article 82</a> (Design Review) of the Zoning Code.</i>		Setback distances shall be designed to ensure that the visual impacts of the new facilities are minimized.
<b>Water</b>	None.  <i><u>June 2021 Staff Comment:</u> Winery and tasting room applications are assessed in accordance with General Plan policies and State regulations for management of water resources. Groundwater studies, professional water use estimates, water conservation plans and groundwater monitoring/reporting are standard requirements.</i>	There is sufficient water on the parcel to support all new visitor serving agricultural uses without negatively impacting neighboring properties.	None
<b>Local Focus/Source of Wine Grapes</b>	None.  <i><u>June 2021 Staff Comment:</u> 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>	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.  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 view favorably.	Wines offered for sale or tasting should be produced from at least 75% grown in Sonoma County.
<b>Tasting Rooms</b>	None.  <i><u>June 2021 Staff Comment:</u> Zoning Code Agriculture and Resource Based Use Standards for Tasting Rooms state: A. "Definition: A retail food facility where one (1) or more agricultural products grown or processed in the county are tasted and sold. Agricultural products sold may include alcoholic beverages. 1. Includes: Wine tastings, olive oil, fruit preserves. 2. Excludes: Farm stands, farm retail sales. B. Standards. 1. Shall not require extension of sewer and water. 2. RRD Zone: Allowed only for agricultural products grown or processed onsite.</i>	None	Are subject to the same Guidelines identified in subsections A-E* above. Standalone tasting rooms are not allowed. Tasting rooms should be secondary and incidental to the proposed levels of production and processing.  * 'Subsections A-E above' refers to the above standards for Access, Setbacks, Noise, Visual, and Lighting.

STANDARDS	Draft WINERY EVENTS ORDINANCE	DRY CREEK VALLEY CAC GUIDELINES <b>**Advisory**</b>	SONOMA VALLEY CAC GUIDELINES <b>**Advisory**</b>
Tasting Rooms (cont.)	<p><i>C. General Plan Consistency.</i></p> <ol style="list-style-type: none"> <li>1. <i>Must be consistent with general plan policy AR 6-d and AR 6-f."</i></li> </ol>		

Resolution Number

County of Sonoma  
Santa Rosa, California

May 19, 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 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 duly noticed public hearings on June 3, 2021, February 17, 2022, and May 19, 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 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.

**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

**Draft 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~~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, administrative offices, ~~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. 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 promotional activities that involve the sale of products produced onsite or in the area, are directly related to public education, sales and promotion of agricultural products to consumers and have **one or more** of the following characteristics:~~

- ~~a. Exceeds normal business hours.~~
- ~~b. Is accompanied by newspaper, internet, social media, radio or television advertising or printed leaflets distributed to the public at large.~~
- ~~c. Requires use of overflow parking areas or shuttling.~~
- ~~d. Serves prepared meals.~~
- ~~e. Has live amplified music.~~

~~7. 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.~~

~~8-9. **Tasting Room** is defined under Sec. 26-18-210 of the Zoning Code.~~

~~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.~~

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

- ~~a. Promote and market agricultural products grown or processed in the County; 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~~

a-d. ~~Be 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.

2. 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.

3. Hours of Operation. The maximum hours of operation for ~~winery visitor serving activities~~ tasting rooms 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.~~

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.

4. Wineries and tasting rooms shall not be rented out to third parties for events.

5. 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-e. 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.~~

~~e-f.~~ No parking is permitted along any public or private roadways or on shared vineyard roads.

6. 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~~ ~~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.

7. 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.
8. 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.

**DRAFT EXHIBIT “B”**  
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- 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.
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- E. Operating Standards.
1. Winery Events. Winery events held at wineries and tasting rooms must:
    - a. Promote and market agricultural products grown or processed in the County; 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. 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.
  2. Sizing of 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.
  3. Hours of Operation. The maximum hours of operation for tasting rooms 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.
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- (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.
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County of Sonoma  
State of California

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

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.**