



Sonoma County Planning Commission STAFF REPORT

FILE: PLP20-0007 Tasting Room at Nunes Farm and Winery at Saralee's Vineyard

DATE: September 28, 2023

TIME: At or after 1:05 pm

STAFF: Jen Chard, Project Planner

Appeal Period: 10 calendar days

SUMMARY

Property Owner: Jackson Family Investments III, LLC

Applicant: Tony Korman

Address: 3400 Slusser Road, Windsor, CA 95492

Supervisory District(s): 4

APNs: 057-070-047, 057-070-049, 057-070-050

Description: Request for:

- 1) A Lot Line Adjustment between a 24.28+/- acre parcel (APN 057-070-049) and a 108.82+/- acre parcel (APNs 057-070-047, -050) resulting in a 24.08+/- acre parcel and a 109.01+/- acre parcel;
- 2) A Use Permit and Design Review for a new winery (Saralee's Vineyard) including a tasting room, a winery building used for production, storage, and administration with an annual production of 95,000 cases, 7 wine trade activities with up to 50 people, and up to 13 events (9 agricultural promotional, 4 industry-wide) per year with a maximum of 200 attendees, and marketing accommodations within an existing building on the resulting 109.01+/- acre parcel; and
- 3) A Use Permit and Design Review for a new 4,530-square foot tasting room (Nunes Farm) with 7 wine trade activities with up to 50 people and up to 13 events per year (9 agricultural promotional, 4 industry-wide) with a maximum of 200 attendees on the resulting 24.08 +/- acre parcel.

CEQA Review: Mitigated Negative Declaration

General Plan Land Use: Land Intensive Agriculture, 60 acres per dwelling unit

Specific/Area Plan Land Use: None

Ordinance Reference: 26-06-030, 26-18-030, 26-18-260, 26-18-210

Zoning: Land Intensive Agriculture (LIA) Frozen Lot (B7) with combining districts for Accessory Unit Exclusion (Z), Biotic Habitat (BH), Floodplain (F2), Riparian Corridor with 50 ft and 100 ft setbacks (RC50/25, RC100/50), Scenic Corridor and Scenic Landscape Unit (SR), and Valley Oak Habitat (VOH)



RECOMMENDATION

The Permit Resource and Management Department (Permit Sonoma) recommends that the Sonoma County Board of Zoning Adjustments adopt a Mitigated Negative Declaration and Mitigation Monitoring Program and approve the request for a Lot Line Adjustment and two Use Permits, subject to the attached Conditions of Approval.

EXECUTIVE SUMMARY

Jackson Family Investments LLC and Tony Korman originally submitted an application in February 2020 for a Lot Line Adjustment; two General Plan Amendments to change various land use designations to allow a Use Permit for a hotel, a subdivision application that would result in a Use Permit for a Planned Development and Use Permit for a Winery and Tasting Room. After discussions and feedback from the county and public the applicants chose to put the project on hold and reevaluate their options. The current project proposed was submitted in December of 2021 and is a request for a Lot Line Adjustment between 3 separate legal parcels resulting in two parcels. Each resulting parcel proposes a Use Permit.

Resulting Parcel B is called Saralee’s Vineyard and the proposed Use Permit for this parcel will include a new winery that will produce 95,000 cases annually. The winery will also include a new tasting room serving up to 100 guests daily. The tasting room proposes to host 7 Wine Trade Activities and 13 Winery Events including 4 industry wide events annually. The proposed Use Permit will also allow for Marketing Accommodation in two rooms of an existing single-family dwelling. The single family dwelling currently functions as the administrative offices for the farming operations and this function will remain in the same building as the new Marketing Accommodations. The single family dwelling will undergo a remodel during the construction phase of this proposed Use Permit that will separate the two uses to meet the standards required by the code for the Marketing Accommodations.

Resulting Parcel A is called Nunes Farm and the proposed Use Permit for this parcel will include a new tasting room serving up to 100 guests daily. The tasting room proposes to host 7 Wine Trade Activities and 13 Winery Events including 4 industry wide events annually. This site also has a single family dwelling and duplex that is approved for Agricultural Worker housing. The uses of these dwellings are not proposed to be changed but will be remodeled during the construction phase of the proposed Use Permit.

Permit Sonoma determined that the proposed Lot Line Adjustment and two Use Permits would be evaluated under a single Mitigated Negative Declaration (MND). In July 2023, staff prepared the MND in accordance with Sections 15120-15132 of the CEQA guidelines. All significant environmental effects were found to be reduced to less than significant with mitigation measures and no alternatives were associated with the proposed Lot Line Adjustment and two use permits.

Public Comments received on the current Project Description include two letters of support for the project and one letter of concern.

PROJECT SITE AND CONTEXT

Background



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



The proposed project will be located on the former Nunes dairy site on both the Nunes parcel (24.28 acres) and the Saralee parcel (108.82 acres) located on River Road approximately 0.40 mile west of the River Road/Slusser Road intersection. The Nunes cow breeding and feeding operation has not been in operation since the late 1990s. The overall site includes nine structures, including two residences, farm office, barns, and other former cattle support structures, which consist of approximately 74,000 square feet (sf) of building space (approximately 20,000 sf of building is located on the Nunes parcel and 54,000 sf on the Saralee parcel). These structures are currently used to support and store vineyard maintenance and harvesting equipment. An estimated 17 office employees and seasonal agricultural employees currently work at the site. The two residences include the duplex at the entry to the property on River Road and the Nunes home. The site also includes a 0.27-acre pond on Nunes parcel, maintained landscaping around the two residences, annual grassland, riparian habitat near Mark West Creek, and mature trees including valley oak, red maple, black walnut, coastal redwood, box elder, and fig. The site is located on an elevated hill that is above the 100-year floodplain of Mark West Creek, which is located along the southern and eastern boundary of Saralee parcel. There are two existing access points to the site: a southern access to River Road and a northern access that traverses north and east from the site to Slusser Road through a network of vineyard roads. The site also includes an approximately 4-acre open water pond that is used to store recycled water from the City of Santa Rosa that is used for agricultural operations.

The original application for this project was submitted on February 4, 2020 with the following project description: Request for 1) A Lot Line Adjustment between a 24.28+/- acre parcel (APN 057-070-049) and a 108.82+/- acre parcel (APNs 057-070-047/-050) resulting in a 15.59+/- acre parcel and a 117.51+/- acre parcel; 2) A General Plan Amendment to change the land use of the resulting 15.59+/- acre parcel from Land Intensive Agriculture to Recreation and Visitor Serving Commercial, with a corresponding Zone Change from LIA to K to allow for a new hotel; 3) A Use Permit and Design Review for a new hotel including 50 guest rooms, a 100-seat restaurant and bar, meeting rooms, a fitness center, a pool, and related facilities and infrastructure on the resulting 15.59+/- acre parcel; 4) A Use Permit and Design Review for a new winery including a two-story tasting room, a two-story winery building, and related infrastructure with an annual production of 45,000 cases and up to 20 promotional events per year with a maximum of 200 attendees on the resulting 117.51+/- acre parcel; 5) A General Plan Amendment to change the land use of 4.74+/- acres (APN 039-062-010) from Recreation and Visitor Serving Commercial to Urban Residential, with a corresponding Zone Change from K to R1; and a General Plan Amendment to change the land use of 25.55+/- acres (APNs 039-070-013, -019, -021, and 039-210-006) from Recreation and Visitor Serving Commercial to Public and Quasi Public, with a corresponding Zone Change from K to PF (Public Facilities), to allow for a single family residential subdivision and preservation of an open space parcel for public use; 6) A Major Subdivision of 30.3+/- acres creating 29 single family residential parcels on 4.74+/- acres and one 25.55+/- acre open space parcel with public access; and 7) A Use Permit and Design Review for a single family residential Planned Development to allow for reduced lot sizes, lot widths, and setbacks in accordance with a Precise Development Plan, consisting of 29 single family residences approximately 1000 square feet each, and six accessory dwelling units. The original project was partially withdrawn and the a new project description was submitted on December 20, 2021. The originally proposed Lot Line Adjustment was modified, the Use Permit for the winery and tasting room on one of the resulting lots remained with some modifications to the descriptions and the proposed Use Permit for a hotel on the other resulting lot was change to a Use Permit for a Tasting Room.

Area Context and Surrounding Land Uses

Direction	Land Uses
North	Land zoned LIA; vineyards and a winery



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South	Land zoned LIA, LEA, and RR; grazing and vineyard land, rural residential development
East	Land zoned LIA; grazing and vineyard land, residence
West	Land zoned LIA and RRD; grazing and vineyard land

Significant Applications Nearby

None

Access

Saralee’s Winery and Tasting Room:

Vehicular and emergency access to both the Tasting Room at Nunes Farm and the Winery at Saralee’s Vineyard sites would be a shared two-lane road from Slusser Road and the secondary access from River Road. Approximately 51 parking spaces for employees and guests would be located in various locations on the Winery at Saralee’s Vineyard site. Additional parking to accommodate peak periods and special events would be accommodated by sharing parking with the Nunes Farm site and overflow parking between vineyard rows along project driveways. Sufficient onsite parking is provided for the largest event through sharing parking spaces with the Nunes Farm site and overflow parking between vineyard rows along project driveways. Shuttling is not anticipated to be used to support events. Parking attendants would be used to direct onsite traffic on event days. The driveway from the visitor entrance on Slusser Road to the proposed development is nearly a half mile in length. This would allow for any queuing to happen along the driveway without impacting public roads. On-street parking would not be needed nor convenient for guests and therefore no enforcement of on-street parking restrictions would be necessary.

Nunes Farm Tasting Room:

The primary public access road from Slusser Road would be 20 feet in width. The road would include an existing bridge which is approximately 19-feet wide and therefore will be used as a one-way bridge. Turnouts and appropriate signage would be provided on either side of the bridge. Directional signage would be provided along River Road and Slusser Road to direct visitors to this access. The secondary (business) access road would be provided from the existing driveway at the southwestern boundary of the site on River Road. Emergency access to both sites would be provided by the driveway to River Road. 32 parking spaces for employees and guests plus 4 covered parking spaces for residents would be located in various locations on the Tasting Room at Nunes Farm site. Additional parking to accommodate peak periods and special events would be accommodated by sharing parking with the Saralee’s Vineyard site and overflow parking between vineyard rows along project driveways.

Wildfire Risk

The project is located in a Local Responsibility Area and is outside of the wildland high and very high fire hazard zones mapped by Wildland Fire Hazard Areas Figure PS 1-g of the Sonoma County General Plan 2020. The project is located in a relatively flat area and surrounded by developed agricultural row crops, some open lands, riparian corridors and rural residential uses. The winery and tasting rooms would add population to the site in the form of guests and employees. However, the site is roughly five miles from the Sonoma County Fire District Station #7, ensuring rapid response times in the event of an emergency. To facilitate locating an emergency and to avoid delays in emergency response, the project has been conditioned to require the site provides for safe access for emergency fire apparatus and civilian evacuation concurrently, and unobstructed traffic circulation during an emergency. Additionally, project conditions of approval require the project installs fire hydrants for



fire suppression, and develop fire safety and emergency plans, as well as employee training programs consistent with the requirements of the 2013 California Fire Code and Sonoma County Code. New construction on the site must conform to County Fire Safe Standards building requirements. Fire Safe Standards include building requirements related to fire sprinklers, stairways to roofs, fire apparatus access roads, door panic hardware, fire resistant stairway enclosures, emergency water supply, and defensible space. The construction of new structures in accordance with current building standards should decrease the risk to structures on the project parcel and ensure that the resort project would reduce the exposure of people and property to fire hazards.

Water/Wastewater/Utilities

Saralee’s Winery and Tasting Room:

The water supply for the Winery at Saralee’s Vineyard would be met through an integrated system that would include the water sources and treatment facilities. Potable water demands of the Winery at Saralee’s Vineyard would be approximately 4.6 acre feet annually with a peak day water demand of approximately 11,020 gallons per day (gpd).

The Winery at Saralee’s Vineyard includes rainwater catchment of runoff from the proposed buildings, which would be piped to storage tanks. Water from these tanks would be treated to potable water standards. Rainwater could supply over 40 percent of the project potable water demands in an average rainfall year. Additional storage volume in the lower portion of rain storage tanks could provide fire protection storage.

An existing on-site groundwater well would provide the balance of potable water demands. The groundwater would be treated onsite to potable water standards.

Treated rainwater and groundwater would be stored in a single potable water storage tank and distributed to all facilities requiring potable water on both parcels.

As noted below, the Winery at Saralee’s Vineyard would include an on-site wastewater treatment facility for winery process water to produce recycled water. The recycled water would be used to irrigate landscaped areas for both the Nunes parcel and Saralee parcel. Landscaped area water demand would 3.1 acre feet annually with a peak demand of 6,700 gpd.

A separate on-site wastewater treatment system would be installed to treat domestic wastewater from the winery, tasting room, and offices/marketing uses. The system would be sized in accordance with the County of Sonoma OWTS Manual. Design flow estimate guidance in the OWTS manual is generally more conservative than a water demand estimate which considers the use of low flow fixtures and appliances. The base design flow is approximately 1,095 gpd. Total design flow including flow from promotional events in accordance with Permit Sonoma Policy 9-2-31 is 1,345 gpd. The system would include at a minimum collection piping from domestic uses in the winery and tasting room, a septic tank and a leach field. The domestic leach field would be constructed in an area northwest of the proposed winery in the existing vineyard and would include an expansion area for future system replacements for a total of 8,400 sf of land area. Leach lines would be installed between vine rows. No vine removal would be required.

The average wastewater flow during the peak month from the winery is estimated to be approximately 7,700 gpd. Process wastewater from winemaking activities would be collected through a network of sink and floor drains in the winery and flow by gravity to a lift station, which would deliver the collected wastewater to a packaged treatment plant housed in a covered service yard area on the southwest corner of the winery building. To allow for recycling of effluent and use of the existing recycled water storage pond, the plant would produce



Title 22 compliant tertiary water. The plant would be designed to accommodate the high biochemical oxygen demand and total suspended solids concentrations typical of winery wastewater, and the highly seasonal nature of winery wastewater flow rates. The preliminary design concept assumes the use of a membrane bioreactor. Biosolids generated by the wastewater treatment plant would be removed by truck and disposed at an appropriate off-site facility. This system would require approvals from the County and the North Coast Regional Water Quality Control Board. Recycled water would be stored in the existing 4-acre pond on the Saralee parcel.

Nunes Farm Tasting Room:

The water supply for the Tasting Room at Nunes Farm would be served through an integrated system that would include the water sources and treatment facilities described below and identified on Figure 5. Potable water demands of the Tasting Room at Nunes Farm would be approximately 0.7 acre feet annually with a peak day water demand of approximately 1,930 gallons per day (gpd).

The Tasting Room at Nunes Farm includes rainwater catchment of runoff from proposed buildings, which would be piped to storage tanks. Water from these tanks would be treated to potable water standards. Rainwater could supply over 40 percent of the project potable water demands in an average rainfall year. Additional storage volume in the lower portion of rain storage tanks could provide fire protection storage.

An existing groundwater well on the Saralee parcel would provide the balance of potable water demands. The groundwater would be treated onsite to potable water standards. Treated rainwater and groundwater would be stored in a single potable water storage tank and distributed to all facilities requiring potable water on both parcels.

The Winery at Saralee's Vineyard would include an on-site wastewater treatment facility for winery process water to produce recycled water pursuant to California Code of Regulations Title 22 standards for disinfected recycled water. The recycled water would be used to irrigate landscaped areas for both the Nunes parcel and Saralee parcel. Landscaped area water demand would be approximately 3.1 acre feet annually with a peak demand of approximately 6,700 gpd.

An on-site wastewater treatment system would be installed to treat wastewater from all buildings on the Nunes parcel, including the tasting room, single-family dwelling, and duplex. The system would be sized in accordance with the County of Sonoma Onsite Waste Treatments Systems (OWTS) Manual. Design flow estimate guidance in the OWTS manual is generally more conservative than the water demand estimate which considers the use of low flow fixtures and appliances. The base design flow is approximately 1,245 gpd. Total design flow including flow from promotional events in accordance with Permit Sonoma Policy 9-2-31 is 1,495 gpd. The system would include at a minimum collection piping from all buildings, a septic tank, and a leach field. The domestic leach field would be constructed in the location indicated on the plans, south of the proposed tasting room and west of the single-family dwelling.

There is an existing on-site wastewater treatment system serving the duplex. The condition of this system has not been recently evaluated and therefore it is assumed within the use permit application package that flow from the duplex would be directed to the new system. Before construction, the existing system would be evaluated and may continue to serve the duplex. The existing system serving the single-family residence and office would be removed.

Agricultural Conditions/Land Encumbrances/Contracts



The project site (three separate legal lots) collectively contains 90 acres of vineyard and two agricultural reservoirs. The project properties were previously subject to a multi-parcel 1998 Williamson Act contract recorded under Instrument 1998-0153731 of Sonoma County Official Records. On October 5, 2012, recorded Instrument No. 2012-098801 initiated phase out the Williamson Act contract; phase out completed December 31, 2021.

Other Environmental Conditions

Mark West Creek, a perennial stream that runs through the property's frontage along River Road, is designated as a Riparian Corridor with 100 and 50-foot setbacks for new development. There are special status species known to occur in the creek. The project would remove a barn currently located in the 100-foot riparian corridor setback and all new construction will be located more than 100 feet from the top of bank, outside of the riparian corridor setback. Mitigation measures for protection of the creek include BIO-5a and BIO-5b.

The project site is a Valley Oak Habitat designated area and per that designation the removal of Valley Oaks is prohibited unless removal is properly mitigated. The project does propose removal of one of the existing Valley Oaks on the property but proposed Landscaping Plan includes the planting of eight 36" boxed Valley Oaks. Mitigation measures for protection of the Valley Oaks include BIO-8 and BIO-9.

The project site has a seasonal ephemeral drainage swale area (Biotic Habitat) that has the potential to be a habitat for CESA (California Endangered Species Act) special status plants. There is no construction proposed in this area and five mitigation measures have been applied to the project to ensure the protection of these plants. Mitigation measures for the protection of these special status plants and ephemeral drainage swale area include BIO-1a1, BIO-1a2, BIO-1b1, BIO-1b2, BIO-1c, BIO-6 and BIO-7.

The project site has two agricultural ponds that hold recycled water from the City of Santa Rosa and are used for the irrigation of the vineyards. The ponds have become habitats for the Western Pond Turtle and Mitigation Measure BIO-2 is proposed for their protection.

The majority of the parcels related to this project are in the Floodplain. The development related to this project has been strategically placed at elevations on the property that are outside of the Floodplain. The proposed new buildings are not subject to the development standards for floodplain combining district.

PROJECT DESCRIPTION

The project is a request for: 1) a Lot Line Adjustment (Attachment 3); 2) Design Review and Use Permit to construct a new 4,530 square foot tasting room building on the resulting Lot A of 24.08 acres (Nunes Farm Site); and 3) Design Review and Use Permit to construct a new 55,000 square foot winery production building and 5,616 square foot tasting room on the resulting Lot B of 109.01 acres (Saralee's Vineyard).

Use Permit for Saralee's Vineyard Site (Eastern Parcel – Resulting Lot B):

The Saralee's Vineyard Site's new 55,000 square foot production building will include 47,000 square feet wine production, fermentation and storage for annual wine production of 95,000 cases per year. The building will also include 6,000 square feet of supporting administration uses and a 2,000 square foot crush pad area. The new 5,616 square foot tasting room will include 1,000 square foot overlook room, 1,000 square foot reserve room, commercial kitchen, cellar, restrooms, administration offices and an 1800 square foot hospitality patio. The site will also retain and remodel of an existing 2,200 square foot with a 300 square foot deck single family dwelling



used for vineyard operation staff and marketing accommodations for industry guests. A new parking lot is proposed around the new productions facility and tasting room building and will contain 58 parking spaces (including 4 accessible spaces). 28 of these spaces would have electric vehicle charging capacities (including 9 spaces with electric charging stations). The winery and tasting room is proposed to accommodate 34 employees, 14 seasonal employees and 100 guests a day.

Proposed Hours of Operation:

- Winery operation hours - 8:00 am to 5:00 pm, Monday-Friday
- Winery Harvest hours - 7:00 am to 9:00 pm, Monday-Saturday
- Tasting room hours - 10:00 am to 5:00 pm, 7 days a week
- Event hours - 10:00 am to 10:00 pm
- Tours of the vineyards for the general public are to be held during normal tasting room hours only.

Proposed Winery Events and Activities:

Agricultural Promotional Events	Number of Events	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Winemaker Dinner	3	30	Weekend	Evening	Onsite	No
Communication Fundraisers	4	100	Weekend	Evening	Catered	Yes
Pick Up Parties	2	100	Weekend	Daytime	Catered	Yes
Industry Events	4	200	Weekend	Daytime	Catered	Yes
Wine Trade Activities	Number of Activities	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Vendor Meetings	4	50	Weekday	Daytime	Onsite	No
Sales Events	3	30	Weekday	Daytime	Onsite	No

Proposed Food Service:

- Food and Wine Pairings (no meals) may be provided during permitted tasting hours as part of normal business activities. Food and wine pairing will be pre-prepared samples or tastes produced from food products from the local area. Food will be from a pre-fixed pairing menu and only during tasting room hours. There is no restaurant or deli service provided.
- Food on site will be prepared in the food preparation area within the tasting room building. Food can be provided for occasional employee lunches and employee harvest party. Appetizers or meals featuring local foods and food products may be prepared for occasional marketing or promotional activities that are not open to drop-in guests. Food must be consumed on site.



Proposed Employees:

- Tasting room, Winery, and Events: Not to exceed 34 full-time employees
- Tasting room and Winery during harvest: 48 full-time employees

Use Permit for Nunes Farm Site (Western Parcel – Resulting Lot A):

The Nunes Farm Site new 4,530 square foot tasting room will include a commercial kitchen, support offices, restrooms, 900 square foot private reserve room and 1,300 square foot public serving tasting room. The site will also retain and remodel an existing 5,000 square foot single family dwelling and an existing 3,500 square foot duplex. A new parking lot is proposed adjacent to the new tasting room building and will contain 36 parking spaces (including 2 accessible spaces and 4 covered spaces). 17 of these spaces would have electric vehicle charging capacities (including 6 spaces with electric charging stations). The tasting room is proposed to accommodate 26 employees and 100 wine tasters a day.

Proposed Hours of Operation:

- Tasting room hours - 10:00 am to 5:00 pm, 7 days a week
- Event hours – 10:00 am to 10:00 pm
- Tours of the vineyards for the general public are to be held during normal tasting room hours only.

Proposed Winery Events and Activities:

Agricultural Promotional Events	Number of Events	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
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Pick Up Parties	2	100	Weekend	Daytime	Catered	Yes
Industry Events	4	200	Weekend	Daytime	Catered	Yes
Wine Trade Activities	Number of Activities	Maximum Attendees	Time of Week	Time of Day	Food Service	Amplified Music
Vendor Meetings	4	50	Weekday	Daytime	Onsite	No
Sales Events	3	30	Weekday	Daytime	Onsite	No

Proposed Food Service:

- Food and Wine Pairings (no meals) may be provided during permitted tasting hours as part of normal business activities. Food and wine pairing will be pre-prepared samples or tastes produced from food



products from the local area. Food will be from a pre-fixed pairing menu and only during tasting room hours. There is no restaurant or deli service provided.

- Food on site will be prepared in the food preparation area within the tasting room building. Food can be provided for occasional employee lunches and employee harvest party. Appetizers or meals featuring local foods and food products may be prepared for occasional marketing or promotional activities that are not open to drop-in guests. Food must be consumed on site.

Proposed Employees:

- Tasting room and Events: Not to exceed 26 full-time employees

Project History

The table below summarizes key project milestones and events.

Date	Project Event/Milestone
02/04/2020	Original application submitted for Zone Change, General Plan Amendment, Hotel Use Permit, Major Subdivision, Planned Development Use Permit, Lot Line Adjustment, and Winery/Tasting Room Use Permit
02/07/2020	Referral to prominent agencies
03/04/2020	Application determined incomplete
03/23/2021	Customer Hold
12/20/2021	Revised project description received; applicant withdraws request for Zone Change, General Plan Amendment, Hotel Use Permit, Major Subdivision, and Planned Development Use Permit
01/25/2022 & 03/14/2022	Referral to prominent agencies
06/30/2022	Application Complete for Processing
07/20/2022	Design Review Committee holds public meeting on preliminary design plans
06/29/2023 07/28/2023	Mitigated Negative Declaration (MND) circulated for public comment; Permit Sonoma receives comments from California Department of Fish and Wildlife
08/14/2023- 09/13/2023	Revised MND circulated for public comment
09/18/2023	Notice of BZA Hearing

General Plan and Area Plans

There are no Area or Specific Plans affecting the site.

The Sonoma County General Plan General Plan designates the project site as LIA 60 (Land Intensive Agriculture, 1 dwelling unit per 60 acres). As outlined in the General Plan Land Use Element, the LIA Land Use designation is intended to “enhance and protect lands capable of and generally used for animal husbandry and the production of food, fiber, and plant materials.” Permitted uses within this land use designation consist of agricultural production, agricultural support uses such as wineries, and visitor serving uses as provided for in the Agricultural



Resources Element. The General Plan Agricultural Resources Element states: “Successful promotion and marketing of agricultural products grown in Sonoma County can both enhance the County's image and reduce economic pressure on farmers and ranchers to subdivide or convert the land to nonagricultural uses.”

Applicable General Plan policies include:

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

Policy AR-3a: *In the "Land Intensive Agriculture" category, new parcels shall not be created which are smaller than 20 acres.*

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

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

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

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

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

In cases where the proposed processing use would process only products grown on site, such use would not be subject to this concentration policy.”

Policy AR-6a: *Permit visitor serving uses in agricultural categories that promote agricultural production in the County, such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events that support and are secondary and incidental to local agricultural production.*

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

(1) The use promotes and markets only agricultural products grown or processed in the local area.

(2) The use is compatible with and secondary and incidental to agricultural production activities in the area.

(3) The use will not require the extension of sewer and water.

(4) The use is compatible with existing uses in the area.

(5) Hotels, motels, resorts, and similar lodging are not allowed.

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



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

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

Noise Standards:

General Plan Noise Element policies requires that noise generated from agricultural processing and visitor serving uses is mitigated to comply with Table NE-2 (or an adjusted Table NE-2 with respect to ambient noise as described in General Plan 2020, Policy NE-1c,). Noise is measured at the exterior property line of any affected residential or sensitive land use:

Hourly Noise Metric ¹ , dBA	Daytime	Nighttime
	(7 a.m. to 10 p.m.)	(10 p.m. to 7 a.m.)
L50 (30 minutes in any hour)	50	45
L25 (15 minutes in any hour)	55	50
L08 (4 minutes 48 seconds in any hour)	60	55
L02 (72 seconds in any hour)	65	60

¹ The sound level exceeded n% of the time in any hour. For example, the L50 is the value exceeded 50% of the time or 30 minutes in any hour; this is the median noise level. The L02 is the sound level exceeded 72 seconds in any hour.

Zoning

The table below summarizes the development standards that apply to the sites as outlined in the Sonoma County Zoning Ordinance, the existing and proposed development, and whether the project is consistent with the Zoning Ordinance.

Saralee’s Vineyard Site (proposed winery and tasting room):

Standard	Ordinance	Existing Condition	Proposed Project
Lot Area	20 acres	108.82 acres	109.01 acres
Residential Density	Frozen Lots; 1 primary dwelling unit	One primary dwelling	Remodel to primary dwelling will result in conversion to office space and Marketing Accommodation Units.
Front Setback	200’ Scenic Corridor	Milk Barn within 200’ setback	Milk barn to be removed, all new structures are outside the 200’ setback
Side Setback	30’ (Street-side) and 10’	All existing structures outside setbacks	All new structures are outside setbacks



Corner Setback	10'	All existing structures are outside of setbacks	All new structures are outside setbacks
Rear Setback	20'	All existing structures are outside of setbacks	All new structures are outside setbacks
Building Height	35' maximum	Less than 35'	All new structures comply with 35' limit
Lot Coverage %	5% or 85,000 sq ft, whichever is greater	1% or 54,000 sq ft	2% or 73,532 sq ft
Parking Spaces	1 space per dwelling unit; 1 space per employee; and 1 space per 2.5 guests	1 space per dwelling unit; 17 employee spaces	1 space per dwelling unit; 58 spaces for winery, tasting room, and event uses

Nunes Farm Site (proposed tasting room):

Standard	Ordinance	Existing Condition	Proposed Project
Lot Area	20 acres	24.28 acres	24.08 acres
Residential Density	Frozen Lots; One primary dwelling unit	One primary dwelling and one duplex (designated as agricultural employee housing)	No Change
Front Setback	200' Scenic Corridor	Existing Duplex within 200' Scenic Corridor setback	No changes to duplex; all new buildings are outside the 200' setback
Side Setback	10'	All existing structures outside setbacks	All new structures are outside of setbacks
Corner Setback	10'	All existing structures outside setbacks	All new structures are outside of setbacks
Rear Setback	20'	All existing structures outside setbacks	All new structures are outside of setbacks
Height	35' maximum	Less than 35'	All new structures comply with 35' limit
Lot Coverage %	5 % or 85,000 sq ft, whichever is greater	2% or 20,000 sq ft	2% or 19,120 sq ft
Parking Spaces	1 space per dwelling unit; 1 space per employee; and 1 space per 2.5 guests	1 space per dwelling unit; 17 employee spaces	1 space per dwelling unit; 36 spaces for tasting room, and event uses

Other Development Regulations or Guidelines

The property is zoned LIA (Land Intensive Agriculture). The purpose of the LIA as stated in Zoning Code Sec. 26-06-020.B.2 is as follows: *“Enhances and protects lands best suited for permanent agricultural use and capable of*



relatively high production per acre of land; and; and to implement the provisions of the land intensive agriculture land use category of the General Plan and the policies of the Agricultural Resource Element.”

LIA Zoning allows Agricultural Processing (wineries) and Tasting Rooms with use permit approval. Agricultural Processing is defined as changing an agricultural product from its natural state to a different form, as grapes to wine, apples to juice or sauce. Section 26-18-030 of the Zoning Code requires Agricultural Processing to be sized to accommodate, but not exceed, the needs of the on-site growing or processing operation, consistent with General Plan Policy AR-5c. Tasting Rooms are defined as a retail food facility where one or more agricultural products grown or processed in the county are tasted and sold. Agricultural products may include alcoholic beverages. Section 26-18-210 of the Zoning Code requires tasting rooms to be consistent with General Plan Policies AR-6d and AR-6f.

Additionally, the Zone Code requires that wineries and tasting rooms are consistent with the Winery Definitions and Standards Ordinance approved by the Board of Supervisors in 2023. Section 26-18-260 of the Zoning Code (Winery Definitions and Standards) provides definitions for winery and related promotional activities and events, as well as operating standards for wine tasting rooms, sales and wine trade activities, agricultural promotional events, and industry-wide events. See Attachment 11 for a full list of the winery definitions.

The winery operating standards consider winery visitor serving activities (sales and wine trade activities) as part of normal winery and tasting room business operations. The size and number of winery events are 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.

Use permits for tasting rooms and winery events may be approved with the following maximum hours of operation: 10:00 a.m. – 5:00 p.m. for tasting rooms, sales activities, and industry-wide events; 8:00 a.m. – 10:00 p.m. for wine trade activities; and 10:00 a.m. – 10:00 p.m. for agricultural promotional events with all cleanup occurring no later than between 9:30 p.m. – 10:00 p.m. On-site parking must be provided at a ratio of one space per employee and one space per 2.5 guests. Use of unimproved overflow parking may be used to accommodate winery events. To avoid local traffic delays, provisions for event coordination and parking attendants are required for events with 100 or more attendees.

The operating standards set forth requirements for food service at wineries and tasting rooms. All food service must be designed to promote and enhance marketing of wine, be secondary and incidental to agricultural production, wine sales and education. Food and wine pairings featuring local foods is allowed in conjunction with tasting room activities and events. Winery events and wine trade activities may also serve prepared meals featuring local foods.

Agricultural Marketing Accommodations are defined as overnight guest accommodations to promote agricultural products grown or processed on site. This use must be consistent with the standards outlined in section 26-88-086 of the Zoning Code and General Plan Policies AR-6d and AR-6f.

Lot Line Adjustments:

A Lot Line Adjustment (LLA) is a realignment of boundary lines between two to four existing legal parcels (per Section 66412 of the Subdivision Map Act), where the land taken from one parcel is added to an adjacent parcel.



This process is undertaken when the owner(s) of adjacent lots or parcels desire to change the shape, size, and/or location of the parcels. Permit Sonoma processes Lot Line Adjustments in accordance with the standards of County Code Sections 25-70 through 25-70.7 (Lot Line Adjustment processing, approval criteria, etc.), 26-06-040 (Development Standards), and 26-88-190 (Limitations on Lot Line Adjustments). Generally, lot line adjustments must demonstrate the resulting parcels have legal access, have adequate potential for water supply and sewage disposal, comply with lot sizes, setbacks and other development criteria, and conform with the General Plan, zoning, and building ordinances. No lot line adjustment shall result in increased subdivision potential for any affected parcel.

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 was subject to a Land Conservation Contract from 1998 – 2021. No new accessory dwelling units are proposed.

Biotic Habitat (BH) Combining District:

The Biotic Habitat combining zone is established to protect and enhance Biotic Habitat Areas for their natural habitat and environmental values and to implement the provisions of the General Plan Open Space and Resource Conservation Element, Area Plans and Specific Plans. Protection of these areas helps to maintain the natural vegetation, support native plant and animal species, protect water quality and air quality, and preserve the quality of life, diversity and unique character of the County. The designated Biotic Habitat areas are along the southern most edge of the property and no existing or proposed development are within the Biotic Habitat.

Floodplain (F2) Combining District:

The southern portion of the property along Mark West Creek is classified as being within a 100-year flood hazard on the General Plan’s Public Safety Element. The 100-year flood zone or Special Flood Hazard Area (SFHA) is defined as the area that will be inundated by the flood event having a 1-percent chance of being equaled or exceeded in any given year. The proposed winery and tasting rooms are at an elevation above the flood zones and therefore are not subject to the development standards for floodplain combining district.

Riparian Corridor (RC) Combining District:

The project site is subject to 100-foot and 50-foot setbacks from the top of bank of Mark West Creek – an intermittent stream that flows through the property near the southeastern property line. 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. The proposed winery, tasting rooms and associated uses are more than 100 feet away from the top of bank. All event parking is located in existing developed areas and along vineyard roads that are outside of the riparian corridor.

Scenic Resources (SR) Combining District:

The project site is located within a Scenic Corridor and Scenic Landscape Unit 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 and Scenic Landscape Units for the purpose of preserving the visual character and scenic resources of lands in the county. The project is not proposing any new development with in the 200-foot Scenic Corridor setback. Per requirements for Scenic Landscape Units the



project is using existing and proposed landscape to make the project minimally visible from public view and the colors and building shapes will make the element contrasts weak.

Valley Oak Habitat (VOH) Combining District:

The purpose of the Valley Oak Habitat (VOH) zoning overlay is *“To protect and enhance valley oaks and valley oak woodlands and to implement the provisions of Section 5.1 of the general plan resource conservation element.”* The project will result in removal of some valley oak trees but the proposed landscape plan mitigates the removal of those trees with replacement trees in accordance with Zoning Code section 26-67-030.

Design Review Ordinance:

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 North Coast Regional Water Quality Board (NCWQB). Project Conditions of Approval require the applicant to file an application for wastewater discharge requirements with NCWQB 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 lot line adjustment proposes to adjust three existing separate legal properties, resulting in two properties approximately 109-acres and 24-acres in size. The lot line adjustment is consistent with General Plan Policy AR-3a as each resulting lot exceeds the 20-acre lot minimum for Land Intensive Agriculture zoned parcels.

Staff determined the winery, tasting rooms, and event proposals are consistent with General Plan Policy AR-4a, as the project sites are devoted to agricultural production and related processing, support services, and visitor serving uses.

- The Saralee’s Vineyard site proposes a new winery and tasting room on a 109-acre property that contains 80 acres of vineyard and two agricultural reservoirs. The winery includes a 55,000 square foot



production building for wine grape processing and bottling, case goods storage and a 5,986 square foot Winery Administration building. The existing residence onsite will be converted to allow for Marketing Accommodations and also continue to be used for farming administration activities. The new Tasting Room will be approximately 5,616 square feet. The production facility will produce 95,000 cases per year using grapes grown onsite (28% of production, or 26,568 cases) and in Sonoma County (72% of production, or 68,432 cases). No vineyard is being removed as a result of project construction.

- The Nunes Farm site proposes a new tasting room 4,530 square feet in size on a 24-acre property that contains 15 acres of vineyard. The Tasting Room will serve wine made from grapes grown onsite (approximately 4,982 cases) and wine made from grapes grown and processed in Sonoma County. The site will retain the single-family dwelling and the duplex used for agricultural employees. No vineyard is being removed as a result of project construction.

The project proposes visitor serving activities, including wine tasting, sales and wine trade activities, agricultural promotional events, and agricultural marketing accommodations consistent with Agricultural Resource Element Policies AR-1a, AR-6a, AR-6d and AR-6f. Policy AR-1a encourages the permitting of a wide variety of promotional and marketing activities of County grown and processed products. Policies AR-6a and AR-6d require that visitor serving uses only promote or sell products grown and produced in the local area and that the visitor serving uses are secondary and incidental to local agricultural production. The proposed project is conditioned to only process and promote products from the local area and less than one percent of the site will be used for the tasting rooms and event uses. Approximately 95 acres of vineyard and 1.5 acres of development on the multi-parcel site will remain in agricultural production. Policy AR-6d further requires the use will not require extension of sewer or water and that it is compatible with the surrounding uses in the area. The proposed project will not require the extension of sewer or water and is primarily surrounded by agricultural lands.

Policy AR-6f states that local concentrations of visitor serving and recreational uses, and agricultural support uses as defined in Goal AR-5g, 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. Staff determined the proposed project would not constitute a detrimental concentration of visitor serving 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, provided the mitigation measures recommended by W-Trans and accepted by Sonoma County Public Infrastructure are incorporated into the project. These measures include installing a new traffic signal at River Road/Slusser Road intersection and dedicating sufficient right-of-way along the project's frontage on River Road to accommodate any widening associated with future Class II bicycle lane enhancements.

The project will not be detrimental to the rural character of the area as the winery and two tasting rooms will not result in significant traffic, visual, noise, or water impacts. The project site borders River Road and Slusser Road and is surrounded by lands devoted to vineyard, grazing, and several rural residential properties. The proposed development would be partially screened by existing vegetation of coast live oaks and native shrubs along River Road. All buildings are limited to a maximum building height of 35 feet and all exterior lighting is required to be dark-sky compliant. 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.

Noise resulting from construction and operations of the winery, tasting room, and event uses is expected to meet General Plan noise standards at the property lines. The Noise Study prepared by Ascent Environmental recommended incorporating one noise mitigation measure that requires a specialized noise study to determine



the location of emergency generators. All other existing and future noise environment at the project site will continue to result primarily from vehicular traffic along River Road. Additionally, the new tasting rooms and winery would not draw water from the same aquifer and be located within the zone of influence area wells. On July 8, 2022, Permit Sonoma’s Geologist accepted the Groundwater Resource Impact Assessment prepared for the project by Formation Environmental. The Groundwater Assessment finds that the project will comply with General Plan Policy WR-2e which requires that project demonstrates groundwater supplies are adequate and would not be adversely affected by the cumulative amount of development and uses allowed in the area, the proposed use would not cause or exacerbate an overdraft condition in a groundwater basin or subbasin, and the proposal would not result in groundwater overdraft, land subsidence, or saltwater intrusion. Additionally, the project will not result in a critical reduction in flow in directly connected surface waters or cause adverse effects to groundwater dependent ecosystems (such as wetlands and riparian areas).

Zoning Consistency

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

The proposed Lot Line Adjustment will meet the standards of Zoning Code Sections 25-70 and 26-88-190. The resultant parcels will comply with minimum lot sizes, setbacks and development criteria of the zoning code. The parcels will also have suitable building sites outside of geologic and flood hazards, legal access and adequate water and sewage potential. The Lot Line Adjustment will not result in a greater number of developable lots than existed prior and will not increase subdivision potential.

The proposed project will meet all the development standards for the Land Intensive Agriculture Zoning District, as well as the 200-foot Scenic Corridor setback from River Road and all requirements for Scenic Landscape Units per Zoning Code Section 26-64-020. 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 and the afore mentioned Scenic Landscape Unit requirements.

The majority of the project properties are classified as being within a 100-year flood hazard on the General Plan’s Public Safety Element (F2 Combining District). The proposed winery and tasting rooms, excepting the driveway entrance, are located on a portion of the property that is outside of the F2 Combining District, therefore project construction is not the development standards for building in a floodplain. Floodplain development standards do not apply to driveways.

Mark West Creek is designated as a Riparian Corridor with 100 and 50-foot setbacks for new development. The project proposes to remove an existing barn located in the Riparian Corridor, however all new construction associated with the proposed winery, tasting rooms and associated uses are more than 100 feet away from the top of bank. All event parking is located in existing developed areas and along vineyard roads that are outside of the riparian corridor. Project Conditions of Approval prohibit construction and grading activities within the Riparian Corridor. Additionally, project construction activities will result in removal of one Valley Oak tree, only 17” in diameter but the proposed landscape plan mitigates the removal of that tree with replacement trees consistent with the requirements of Zoning Code Section 26-67-030 (Valley Oak Habitat Combining District). Project Conditions of Approval will require compliance with mitigation of Valley Oak removal.

The use permit requests are consistent with the standards required for agricultural processing and tasting rooms in the LIA Zoning District. 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. Per above General Plan Analysis the project is found to be consistent with this General Plan Policy and therefor consistent with Zoning Code Section 26-18-030. Section 26-18-210 allows for approval of tasting rooms provided there is no requirement for extension of sewer or water and consistency with General Plan Policies AR-6d and AR-6f. The proposed project does not require an extension of sewer or water and per the above General Plan Analysis the project is found to be consistent with General Plan Policies AR-6d and AE-6f.

The request is consistent with winery events ordinance definitions and operating standards, Zoning Code Section 26-18-260. Section 26-18-260(E)(3) of the Zoning Code allows for events that have been evaluated for 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. The proposed events related to the two Use Permits were evaluated as a part of the CEQA analysis and found to not result in cumulative negative effects with Mitigation Measures. Section 26-18-260(E)(4) restricts hours of operations related to Tasting Rooms and Events. The proposed hours of operations for both tasting rooms and proposed events meet these standards. Section 26-18-260(E)(6) of the Zoning Code outline parking requirements for wineries and tasting rooms. The winery and tasting room at Saralee's Vineyard proposes 58 parking spaces that will accommodate the required 50 spaces for peak daily activities of the tasting room and Wine Trade Activities. Overflow parking in the vineyard rows and parking at Nunes Farm will accommodate the additional 48 spaces required for the proposed events up to 200 people. The tasting room at Nunes Farm proposes 36 that will accommodate the required 30 spaces for peak daily activities of the tasting room and Wine Trade Activities. Overflow parking in the vineyard rows and parking at Saralee's Vineyard will accommodate the additional 70 spaces required for the proposed events up to 200 people. Per traffic study the events for over 50 people will not occur at both tasting rooms at the same time. Proposed food services for the tasting rooms and events meet the requirements of Zoning Code section 26-18-260(E)(7). The tasting rooms' Conditions of Approval that ensure continued consistency with the food service standards.

Finally, the request for Agricultural Marketing Accommodation on the Saralee's Vineyard site is consistent with Zoning Code Section 26-28-120 and the standards in Section 26-88-086. Section 26-28-120 allows for the approval agricultural marketing accommodation when the use is found to be consistent with General Plan Policies AR-6d and AR6f. Per the above General Plan Consistency analysis this use is found to be consistent. The standards section requires the marketing accommodations to be for private marketing accommodations for use by distributors, investors, partners and owners of the processing facility for short term occupancy related to the agricultural operation. Marketing accommodations shall only be located on parcels where the use promotes or markets agricultural products processed on the site and complies with applicable policies of the General Plan Agricultural Resource Element. Marketing accommodations shall not be permitted within accessory dwelling units, or in structures with County covenants or agreements restricting their use including, but not limited to, affordable housing units, agricultural employee units, farmworker housing, or farm family units. There is a limit of two units of 640 square feet each and there can be no kitchen facilities. The proposed use has two units less than 640 sq feet in size and no kitchen. The project has been conditioned to meet the performance standards related to noise and limiting the commercial use of the accommodations.

Environmental Analysis

The proposed project has been analyzed under the California Environmental Quality Act (CEQA) and the CEQA Guidelines, California Code of Regulations. Staff has determined that the project is subject to the California



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Environmental Quality Act. Based on application materials provided by the applicant and technical specialists, an Initial Study was completed.

As a result of the Initial Study, it was determined that project impacts could be mitigated to a less than significant level, and so a Mitigated Negative Declaration was drafted for the project. Staff circulated the Mitigated Negative Declaration (MND) for public review and comment from June 29, 2023 through July 28, 2023. In response to agency comments received from the California Department of Fish and Wildlife (CDFW), staff revised the proposed MND by including additional habitat analysis information and adjusting several mitigation measures to address CDFW comments regarding the protection of rare plants and burrowing owls. Permit Sonoma circulated the revised MND for public review and comment from August 14, 2023 through September 13, 2023 and no additional agency comments were received. The revised MND finds that potential environmental impacts have been fully mitigated to less-than-significant levels. Mitigation measures for these potential impacts are detailed in the Mitigated Negative Declaration, and have been incorporated into the conditions of approval.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” or “Less than Significant with Mitigation” as indicated in the Initial Study and in the summary table below.

Topic Area	Abbreviation*	No	Yes
Aesthetic/Visual	VIS	X	
Agricultural & Forest Resources	AG	X	
Air Quality	AIR		X
Biological Resources	BIO		X
Cultural Resources	CUL		X
Energy	ENE	X	
Geology and Soils	GEO		X
Greenhouse Gas Emission	GHG	X	
Hazards and Hazardous Materials	HAZ	X	
Hydrology and Water Quality	HYDRO		X
Land Use and Planning	LU	X	
Mineral Resources	MIN	X	
Noise	NOISE		X
Population and Housing	POP	X	
Public Services	PS	X	



Topic Area	Abbreviation*	No	Yes
Recreation	REC	X	
Transportation and Traffic	TRANS		X
Tribal Cultural Resources	TCR		X
Utility and Service Systems	UTL	X	
Wildfire	WILD	X	
Mandatory Findings of Significance		X	

For more detailed analysis and the prescribed mitigation measures for the topic areas that may have impacts that are “Less than Significant with Mitigation”, please refer to the corresponding sections of the CEQA Initial Study (Mitigated Negative Declaration) for the project:

- Section 3: Air Quality: pages 23-26
- Section 4: Biological Resources: pages 26-41
- Section 5: Cultural Resources: pages 42-43
- Section 7: Geology and Soils: pages 45-48
- Section 10: Hydrology and Water Quality: pages 54-59
- Section 13: Noise: pages 60-63
- Section 17: Transportation: pages 65-69
- Section 18: Tribal Cultural Resources: pages 69-71

NEIGHBORHOOD/PUBLIC COMMENTS

Public Comment related to the originally proposed project were received and saved to the file (Attachment 12). These public comments and concerns were addressed with the partial withdraw of the original project.

Public Comments received on the current Project Description are provided under Attachment 13, and include concerns with the project creating a winery events center in agricultural zoning, traffic, protection of agricultural land and increase in tourism in the region. Staff has also received comments in support of the project.

RECOMMENDATIONS

Preceding Review Authority Recommendation

On July 20, 2022, preliminary design review on the project was completed during a public meeting before the Design Review Committee (DRC). The DRC generally supported the project proposal, identifying several design and site planning aspects that needed to be addressed by the applicant, including adjusting Saralee’s Vineyard tasting room footprint to align with northerly vineyard rows, adjusting Saralee’s Vineyard parking to provide separation from east elevation of winery building, adding landscaping between Saralee’s Vineyard parking lot and adjacent winery building, and adding native trees to provide sufficient screening of winery main parking area from River Road. The DRC has required the applicant demonstrate their comments have been addressed in



a Final Design Review meeting, after BZA approval on the use permits is obtained. See DRC Record of Action under Attachment 9.

Staff Recommendation

Permit Sonoma recommends that the Board of Zoning Adjustments adopt the Mitigated Negative Declaration and approve the request for a Lot Line Adjustment and two Use Permits with Design Review, subject to the attached Conditions of Approval.

ATTACHMENTS

1. Draft BZA Resolution
2. Draft Conditions of Approval Exhibits A (Lot Line Adjustment), B (Saralee’s Vineyard Winery and Tasting Room Use Permit), and C (Nunes Farm Tasting Room Use Permit).
3. Vicinity Map
4. Proposal Statement
5. Lot Line Adjustment Site Plan
6. Saralee’s Vineyard and Nunes Farm Site Plan
7. Saralee’s Winery and Tasting Room Site Plan and Preliminary Building Plans
8. Nunes Farm Tasting Room Site Plan and Preliminary Building Plans
9. DRC Record of Action
10. Revised Mitigated Negative Declaration circulated for public comment August 14 – September 13, 2023
11. Zoning Code Section 26-28-260 “Winery Definitions and Standards”
12. Public Comments for Original Project Description
13. Public Comments for Current Project Description