



County of Sonoma Agenda Item Summary Report

Clerk of the Board
575 Administration Drive
Santa Rosa, CA 95403

Agenda Item Number:
(This Section for use by Clerk of the Board Only.)

To: Board of Supervisors

Board Agenda Date: October 11, 2016

Vote Requirement: Majority

Department or Agency Name(s): Permit and Resource Management

Staff Name and Phone Number:

Jennifer Barrett 565-2336
Dean Parsons 565-1948

Supervisorial District(s):

All

Title: Winery Events Study Session Report

Recommended Actions:

1. Receive a report on the results of the winery events study session, adopt a limited Resolution of Intention for development of specific code amendments, and direct staff to develop standards and siting criteria for areas of local concentration, to be adopted either as guidelines or code amendments.
2. Approve the use of contingency funds in the amount of \$68,272 for the County Counsel's Office for legal review of code amendments and development and operational guidelines.

Executive Summary:

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

Staff requests that the Board consider the revised Resolution of Intention limited to code amendments to define events and food service, allow tasting rooms in the Industrial Park zone where processing is sited, and require cultural event permits for industry wide events. Staff would also bring policy options for enhanced code compliance. As requested by some Board members, staff will develop guidelines for winery events that would apply only to specific geographical areas (West Dry Creek, Westside Road and Sonoma Valley).

BOARD COMMENTS

Code Compliance

At the July 12, 2016, meeting, the Board expressed a desire to ensure compliance with existing code, given the difficulty of a “one size fits all” approach in our geographically diverse County. The Board identified new tools to facilitate enforcement and compliance, such as an administrative citation program, third party staff to respond to night and weekend complaints, designation of on-site contacts to respond to complaints, and a progressive discipline (or “three strikes”) approach to use permit modification or revocation. The Board has adopted similar measures to this end in the vacation rental program. Some members of the Board also expressed interest in a Napa County-style auditing and fee program.

Code Amendments

The Board recognized the need to clarify the definition of events; giving vintners and the public a clearer idea of what constitutes an event and food service is good policy, and enables both compliance and enforcement efforts. A countywide definition would not change how events are defined in approved use permits, but would apply to new use permit applications. Other proposed code amendments would require cultural event permits for industry-wide events to better coordinate their occurrence in the public right-of-way with triathlon, cycling and running events. The Board also expressed support for a code amendment to allow tasting rooms and events in Industrial Park zones where facilities already provide processing.

Development and Operational Guidelines

Some Board members expressed interest in developing standards and siting criteria for events in areas of local concentration, potentially including Sonoma Valley, Dry Creek Valley and Westside Road. Two Board members expressed concern that a singular approach would not be sensitive to local needs, and observed that the use permit process tends to ferret out issues based on the circumstances of each case. In order to address areas of local concentration without applying a singular approach to the entire County, Staff could develop siting criteria and standards for those areas only addressing, among other things, the following:

- Minimum parcel size;
- Minimum site area for outdoor events;
- Graduated thresholds (event size/lot size);
- Amplified sound;
- Setbacks for noise;
- Complaint 24/7 contacts;
- Parking management;
- Peak hour limitations;
- Local fruit for custom crush; and
- Incentivizing local foods/produce in tasting rooms.

The Board directed staff to return with options to adopt these types of standards either as part of the zoning code or as separate guidelines. Staff would work through the advisory bodies for the Dry Creek Valley Citizens Advisory Council and the Sonoma Valley Citizens Advisory Commission to develop the criteria and standards.

NEXT STEPS

Once the Board adopts the recommended Resolution of Intention, staff will complete the policy analysis, including the Traffic and Noise Studies that are underway. Staff will prepare a recommended draft ordinance that will go to the Planning Commission for consideration and a public hearing. Government Code Section 65855 requires that the Board receive a written recommendation from the Planning Commission on zoning code amendments before Board consideration. Sonoma County Code Section 26-96-010 states that zoning code amendments may be initiated by a resolution of intention by the Board or Planning Commission.

Prior Board Actions:

- July 12, 2016 – Board Study Session
- December 9, 2014 – Approve the Comprehensive Planning Work Plan
- September 10, 1996 – Adopt resolution of intention to allow limited food service
- March 9, 1993 – Adopt Ordinance updating Zoning Code to reflect new policies for agricultural promotion
- March 23, 1989 – Adopts General Plan including new Agricultural Resources Element

Strategic Plan Alignment Goal 2: Economic and Environmental Stewardship

Agricultural promotional activities and events are considered essential to the economic viability of the wine industry. These activities can also impact neighborhoods as well as agricultural operations and create potential conflicts with incompatible uses. The goal of existing General Plan policies is to balance these competing interests and preserve agricultural lands while maintaining rural character of the area.

Fiscal Summary - FY 16-17

Expenditures		Funding Source(s)	
Budgeted Amount	\$ 96,510	County General Fund	\$ 96,510
Add Appropriations Req'd.	\$ 68,272	State/Federal	\$
	\$	Fees/Other	\$
	\$	Use of Fund Balance	\$
	\$	Contingencies	\$ 68,272
	\$		\$
Total Expenditure	\$ 164,782	Total Sources	\$ 164,782

Narrative Explanation of Fiscal Impacts (If Required):

PRMD planning staff hours for this effort were estimated at \$96,510 in the approved Winery Events Work Plan and are included in the approved budget for FY16/17.

Additional legal review by County Counsel is required and is estimated at \$68,272 for FY 16/17. This adjustment would be made at second quarter consolidated budget adjustments.

Staffing Impacts			
Position Title (Payroll Classification)	Monthly Salary Range (A – I Step)	Additions (Number)	Deletions (Number)
Narrative Explanation of Staffing Impacts (If Required):			
Attachments:			
Draft Board of Supervisors Resolution of Intention			
Related Items “On File” with the Clerk of the Board:			



County of Sonoma

State of California

Date: October 11, 2016

Item Number: _____
Resolution Number: 16- _____

ORD16-0001 Jennifer Barrett

4/5 Vote Required

Resolution Of Intention of the Board of Supervisors Of The County Of Sonoma, State Of California, Directing Staff To Initiate Zoning Code Amendments To Address Key Issues Associated With Winery Events And Promotional Activities, and To Develop Siting Criteria and Standards for Areas of Local Concentration

Whereas, the General Plan Agricultural Resources Element allows for the sale and promotion of agricultural products grown or processed in the County, including promotional events that support and are secondary and incidental to local agricultural production; and

Whereas, the General Plan Agricultural Resources Element contains a number of policies relating to the definition and limitations for agricultural promotional events; and

Whereas, General Plan Policies AR-6f and AR-6g state that local concentrations of visitor serving and recreational uses can be detrimental to the primary use of the land for production of food, fiber and plant materials and may constitute grounds for denial of such uses. Detrimental concentration can be caused by the following factors: road access conflicts, negative impacts to neighboring wells, and rural character; and

Whereas, General Plan Policy AR-6g calls for the Board to “define in the Development Code compatible visitor serving uses such as tasting rooms, sales and promotion of products grown or processed in the County, educational activities and tours, incidental sales of items related to local area agricultural products, and promotional events which support and are incidental to local agricultural production, and define their permissible sizes and intensities”; and

Whereas, in 2014 the Board of Supervisors adopted a Work Plan for Comprehensive Planning that included development of guidelines, policies, and implementation programs addressing agricultural promotional events and potential overconcentration in areas including Sonoma Valley and West Dry Creek/ Westside Road; and

Whereas, the PRMD Director formed a Winery Working Group of County stakeholders to provide input and guidance on potential regulation of promotional event activities at wineries and tasting rooms and policies to address areas of concentration. The Working Group was comprised of community volunteers, including representatives from the wine industry, grape growers and neighborhood groups. The Working Group met over a period of six months and a number of issues and concerns emerged from their meetings, including: 1) business need for direct marketing activities; 2) neighborhood compatibility; 3) potential impacts related to noise, traffic, dust and water supplies; 4) commercialization of agricultural lands and concentration; and 5) maintaining rural agricultural character; and

Whereas, following the Working Group meetings, staff conducted a public workshop attended by an estimated 500 people and received written comments from various groups. Staff reviewed regulations from other counties, completed an audit of use permits issued to date, updated the winery database and contracted with qualified traffic and noise consultants to assist with the analysis. The traffic and noise reports are currently in progress.

Now, Therefore, Be It Resolved that the Board of Supervisors hereby directs staff to prepare a draft ordinance amending the County Zoning Code for consideration by the Planning Commission and recommendation to the Board of Supervisors to clarify the definition of events and food service, require cultural event permits for industry-wide events, and allow tasting rooms and events in Industrial Park zones where facilities already provide processing. The Board of Supervisors further directs staff to develop standards and siting criteria for events in areas of local concentration, for adoption either as part of the Zoning Code or as separate guidelines.

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin:	Rabbitt:	Zane:	Gore:	Carrillo:
Ayes:	Noes:	Absent:	Abstain:	

So Ordered.