

11/16 Public Meeting

Background Information & Talking Points

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The Problem:

Since 2000, Sonoma County has experienced explosive growth in the approval of wineries, with accessory tasting rooms holding increasingly more intense hospitality and entertainment activities. It's important to note that wineries holding nearly 80% of the events, account for less than 10 percent of the County's case production. The move to "direct to consumer" sales has opened the door to a large number of new facilities competing to survive on small volumes of retail sales and the extra revenue from events.

Consequently, we are now engaged in an "arms race" for expanded facilities such as lounges with seated tasting and food service, commercial kitchens, overnight accommodations and evening events on Ag zoned lands in order to attract and retain retail customers in an increasingly crowded marketplace. *Are the "hot new venues" merely taking business away from our established small family wineries and restaurants in town?*

By 2014, the County had already approved twice the number of facilities assumed in the General Plan (GP), and there are now 60 applications pending. Under our environmental laws, the County can only approve a permit that is found to be compatible with the health, safety and welfare of the people residing in the neighborhood. The County's bias toward approval (only two denied!) has undermined the GPs protective policies, called into question the accuracy of underlying technical analysis, resulting in unstudied cumulative impacts to road safety and water resources, and degradation of rural character.

The Zoning Code requires events to be specified in each facility's Use Permit, and currently only 30% of the existing Use Permits have conditions that address event impacts. Many existing facilities are holding un-permitted events, with no assessment of event-related impacts as required by the GP's AG and Noise elements to ensure compatibility with the neighborhood.

The Solution:

The County is required by law to define standards and criteria that reduce land use conflicts and address the intensity and scale of events on Ag zoned land. The General Plan has clear policies stating that tasting rooms and events are to be secondary and incidental, that restaurants and lodging are prohibited, and that the Zoning Code must define compatible visitor serving uses and their permissible sizes and intensities.

At the **Nov 16 Workshop**, planners will present a range of options, obtained through input from the wine industry and community groups.

In the Workshop, expect to hear wine industry representatives state that conditions to address the impacts of promotional events and other hospitality uses should not be included in their Use Permits.

This position is not legally defensible, lacks insight into what's best for the whole community, and shows disrespect for neighbors, the environment, and the laws designed to protect public resources and prevent conflicts in land use.

Talking & Email or Letter Points

In your own words, speak at the workshop and/or write to the PRMD Director Tennis.Wick@sonoma-county.org (please bcc: preserveruralsonomacounty@gmail.com) stating what standards or issues are important to you and protect your interests. Tell stories of your experience.

Here are key points you may want to address:

1. No Events on Parcels without a winery: Only permit tasting rooms and events that are accessory to a winery processing facility, as is the standard in most other jurisdictions benchmarked by the county. Limit one on-site tasting room per parcel. Do not permit a 2nd set of events on a winery's vineyard-only parcels.

2. Address road safety concerns: Require 18-foot access road width to ensure emergency vehicle access. Set criteria for adequate stopping distance based on actual travel speeds and accounting for blind curves. Require adequate land for traffic queuing and all weather on-site parking.

Prevent future approvals creating road safety issues, such as the situation on West Dry Creek where the County has approved 29 weddings on a stretch of road only 13-17 feet wide, with multiple blind curves.

3. Set adequate noise setbacks from the property line: Define setbacks that ensure event related speech, music, traffic and parking lot noise meets the noise standards at the property line. Base setbacks on ambient noise; especially low levels from 6-10 pm. Prohibit outdoor amplified music and limit outdoor events to tasting room hours.

In our ag valleys, it is not unusual to have event related parking lot noise and amplified music disturb neighbors in the evening, with a call to the sheriff as the only remedy. Rural neighbors are often awoken again in the wee hours of the morning, when farming practices begin. We accept ag-related noise, yet shouldn't be subjected to additional event-related noise during our quiet evenings and late into the night.

4. End tasting and hospitality activities at 5 pm: Limit outdoor events to tasting room hours. Count activities spanning the cocktail hour and catered dinners as events and limit the allowed number and size in the Use Permit. On-premise seated food and wine service, given the county's lack of enforcement, is essentially a quasi- restaurant; the GP specifically prohibits expansion of restaurants and lodging on Ag lands.

5. Reduce cumulative impacts: Set minimal parcel sizes of 10 acres (20 on Land Intensive Agriculture) and define separation criteria to prevent detrimental

concentrations. Uphold noise and scenic setbacks for all new development. Per GP, hire a County event coordinator and utilize the calendaring system developed by the County to fairly allocate and disperse event impacts.

In sensitive locations, set protective guidelines as the cumulative impacts resulting from small increases in number of events, extended hours of operation, and tasting rooms becoming restaurants have strong ripple effects that together undermine rural character.

6. All events require a permit – A Use Permit that “runs with the land” to only permit 12 Ag Promotional Events (plus 12 industry-wide events per qualifying winery). Use the **Cultural/ Special Event permit** process for private or cultural events – rental for celebrations, fundraisers etc. where the primary event purpose is different from agricultural promotion.

7. Monitoring and Enforcement: Measurable standards are required if neighbors are relied on to monitor use permit compliance. Request County hire enforcement staff and establish a process for random audits. *The public has lost faith in technical studies that the county provides. There is an inherent conflict of interest when an applicant pays a consultant to do noise and traffic studies with specific results required for permit approval. It's like asking a barber if you need a haircut.*

Community Groups believe it's in the best interest of the whole community to:

Preserve Rural Character – defined as areas with low density, low intensity development, open agrarian landscapes and a sense of serenity – i.e. quiet and low traffic volumes.

Agricultural lands are an important part of Sonoma County's heritage. And, preserving the characteristics that draw tourists is key to keeping Sonoma County a premier wine destination.

Fix the Use Permit Process: Set standards that are balanced, fair, more consistent and reliable. Set the expectation that not all Ag zoned parcels have the attributes required to qualify for winery or hospitality uses.

Measurable standards and improved integrity of the tech studies will address impacts to water sources, ensure peaceful enjoyment of our property, and reduce conflicts on our sub-standard roads.

Address impacts both on neighbors and public resources: Land use conflicts are impact driven and the solutions need to address the impacts, both on-site and on a cumulative area-wide basis (road safety, water, etc.).

As the Direct to Consumer model intensifies more hospitality uses on each winery property, the impacts on adjacent properties escalate.

Level the Playing Field: Everyone should follow the rules. Invest in monitoring and enforcement.

Stop un-permitted events: require facilities with winery or tasting room ONLY permits, to conduct necessary studies to determine the appropriate size, duration and number of permitted Ag Promotional events for the site, and then obtain a Use Permit modification to allow events.

Endnote: Key Statistics & Cumulative Impacts

The General Plan evaluated the impact to Ag lands from winery and tasting room development based on only 239 facilities by 2020; yet, they have approved 436 facilities and 60 applications are now being processed.

The County has not conducted a cumulative impact assessment, even though the potential for existing and known future projects may generate **upwards of 10,000 events**. This is just one reason to set reasonable limits on the number of events per facility – yet even 12 events/new permit yields nearly 7,000 events.

- Only 30% of existing wineries have permits with conditions that specify events – with 2,600 events currently permitted countywide;
- 70% of existing wineries or tasting rooms have permits that do NOT include provisions for events or analysis of event impacts,
- When existing facilities obtain event permits at approximately the same proportion – they may add another 6,000 events
- Now, with the events that may be added to the 60 pending applications – that would add approximately 1,000 events

Areas of Concentration – Cumulative Impacts Scenarios

Sonoma Valley: In 2004, the Valley of the Moon Alliance (VOTMA) provided data to demonstrate the concern of the potential impacts on Ag lands from over-concentration. Unfortunately, the County ignored the early warning, and significant road impacts and saltwater intrusion into groundwater have occurred.

- The 2004 VOTMA study assessed the pockets of concentration for existing and permitted facilities on valley Ag zoned lands – and calculated that event facilities generated **over 115,500 visitors per year**.
- In the last 10 years, the County granted 48 new use permits and expanded 8 existing permits that generate another **78,350 visitors to event facilities for a new cumulative total of 155K vehicle trips**.
- The most concentrated areas are a 5-mile stretch of **Highway 12 through Kenwood** with 250 permitted events and **Highway 121**(Hwy 116 to Viansa) with 400 events.

The County did not heed the warning --and now nearly 200,000 event-related visitors in the valley, compounded by commute traffic, has resulted in unbearable road conditions and congestion on Highways 12 and 121, negatively impacting residents and tourists.

Westside Road: Can this rural by-way accommodate the same number of events at the most congested highways in Sonoma Valley? Road safety and joint use conflicts with significant bicycle traffic are concerns – it's an accident waiting to happen.

- Only half of the existing facilities have permits specifying events, with a cumulative total of 157 events. (3 properties are not permitted for other than industry-wide events.
- Granting **only 4 Ag Promotional events** to the 19 existing wineries and pending applications results in a total of 225 events – a number rivaling Highway 12.
- Granting **12 events per existing facility plus pending applications** yields a number of events on this rural by-way that **rivals Highway 121's 400 events**.
- Permitting Wine and food pairing twice daily for 4 days / week could add 5,000 vehicle trips per facility annually, for a cumulative total of 145K additional vehicle trips/ year.