



County of Sonoma

State of California

Date: October 21, 2025

Item Number: _____

Resolution Number: _____

☐ 4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Denying An Appeal By The Valley Of The Moon Alliance From a Decision of the Sonoma County Planning Commission, Approving An Addendum To The Final Environmental Report, And Approving The Site Plan And Drawings Dated July 6, 2022 As Requested By Kenwood Ranch, LLC For The Kenwood Ranch Winery (Formerly Sonoma Country Inn, Spa, And Restaurant Project), Located At 1180 Campagna Lane, Kenwood, APN 051-260-013; Supervisorial District No. 1. File No. DRH21-0010.

Resolved, that the Board of Supervisors (the “Board”) of the County of Sonoma (“County”) finds and determines as follows:

Section 1. Proposed Project and Procedural History

1.1 On November 2, 2004, the Sonoma County Board of Supervisors (“Board”) adopted Resolution No. 04-1037, certified an Environmental Impact Report (State Clearinghouse Number: 2002052011)(“2004 EIR”), adopted a Statement of Overriding Considerations, and approved the following for parcels located at and then commonly known as 7955, 7965, and 8025 Highway 12 in Kenwood: (1) a General Plan Amendment, (2) rezoning, (3) use permit for a 50-room inn/spa/restaurant, 10,00 case per year winery with public tasting, retail sales, and special events, (4) a subdivision, and (5) a lot line adjustment.¹ This resolution will collectively refer to these approvals as the “2004 Approvals”. In 2004, this project was called the “Sonoma Country Inn Project”.

1.2 The approved Statement of Overriding Considerations mentioned in paragraph 1.1 above was for traffic and night lighting impacts. (See Attachment 4.b Design Review Committee Staff Report, Attachment 9, Exhibit C to Board of Supervisors Resolution No. 04-1037.)

¹ As a result of the subdivision map, all street addresses and Assessor’s Parcel Numbers changed after the Final Map for the subdivision was recorded (File No. PLP01-0006). The APNs of these parcels at the time of the 2004 approvals were 051-020-006, -032, -043, -045; 051- 010-013, -017.

1.3 Condition of approval number No. 97c of the winery use permit² states: “[p]rior to building permit issuance for the winery grading plan, development plan, landscaping plan, sign plan, elevations, and colors and materials shall receive review and approval of the Sonoma County Design Review Committee.”

1.4 On November 30, 2004, the Valley of the Moon Association (“VOTMA”) filed a lawsuit challenging the 2004 Approvals. The County of Sonoma (“County”) and then-applicant prevailed in the Sonoma County Superior Court (Sonoma County Superior Court Case No. 235886) and again in the First District Court of Appeal (Case No. SA111719).

1.5 On October 19, 2007, in a letter from the former Director of the Permit and Resources Management Department, Pete Parkinson, the County formally recognized that the use permit[s] for the inn/spa/restaurant and winery had been timely “used” as Sonoma County Code section 26-92-130 requires.

1.6 On December 13, 2011, the Board adopted Resolution No. 11-0663 approving the Final Map for the subdivision, which was part of the 2004 Approvals.

1.7 Around 2014, the former owner completed construction of the subdivision improvements, and three Notices of Completion were recorded at Official Record Numbers 2014088077, 2014088078, and 2014083004 in the Sonoma County Recorder’s Office.

1.8 In 2015, the Sonoma Country Inn Project and accompanying real property were sold to ToHigh Investments SF LLC.

1.9 In 2017, the Nuns Fire, which was part of the 2017 Sonoma Complex Fires, burned approximately 24-acres encompassing five of the northernmost residential lots created as a result of the Sonoma Country Inn Project.

1.10 In 2018, the Board adopted Resolution 18-0115 denying an appeal and approving Addendum #1 and final Design Review for the inn/spa/restaurant on Sonoma County APN 051-260-014.

1.11 In July of 2020 the Sonoma Country Inn Project and accompanying real property were sold to Kenwood Ranch, LLC and the Sonoma Country Inn Project was renamed **the Kenwood Ranch Project**.

1.12 In August of 2020, the Glass Fire burned the majority of the Kenwood Ranch, including part of the winery property.

1.13 In December 28, 2021, as required by the conditions of approval, Kenwood Ranch, LLC submitted a design review application (“**Winery Design Review Application**”) DRH21-0010 for the previously approved winery with a vested use permit for the winery that was part of the

² The conditions of approval for the winery use permit PLP01-0006 are Exhibit F to Board Resolution No. 04-1037. See Attachment 9 and on file with the Clerk of the Board.

2004 Approvals. The proposed winery will be constructed within the building envelope designated on the tentative and final maps and will occupy 5.23 acres of a 16.73 acre parcel.

1.14 On November 22, 2022, the winery design review applicant, Kenwood Ranch, LLC hosted a community meeting to discuss its Winery Design Review Application DRH21-0010.

1.15 On February 22, 2023, the Sonoma Valley Citizens Advisory Committee considered the Winery Design Review Application DRH21-0010.

1.16 On May 31, 2023, the Sonoma County Design Review Committee held a duly noticed public hearing, considered a presentation from staff and the applicant and heard and considered written and oral comments from the public on DRH21-0010. After due consideration of all written comments, all information presented in the public hearing, the 2004 EIR, and the proposed Addendum to the 2004 EIR, (Addendum #2 to the Final Environmental Impact Report for the Sonoma Country Inn) ("**Winery Addendum**" or "**Addendum #2**") the Design Review Committee approved Addendum #2 to the 2004 EIR and unanimously approved the Winery Design Review Application.

1.17 On June 12, 2023, VOTMA appealed the Design Review Committee's approval to the Sonoma County Planning Commission in the time and manner required by law.

1.18 On September 7, 2023, the Planning Commission held a duly noticed public hearing and considered a presentations from staff, the applicant, the appellant, and considered written and oral comments from the public. After due consideration of all written comments, all information presented in the public hearing, the 2004 EIR, and the proposed Addendum #2 – Winery Addendum - to the 2004 EIR, the Planning Commission approved Addendum #2 to the 2004 EIR and unanimously denied VOTMA's appeal and approved the Winery Design Review application.

1.19 On September 18, 2023, VOTMA appealed the Planning Commission's denial of its appeal and approval of the Winery Design Review Application to the Board.

1.20 On June 3, 2024, the applicant revised its Design Review Application to remove a secondary means of ingress and egress on the adjacent Gray Ranch property. The applicant concomitantly revised its applicant prepared Kenwood Ranch Winery Project Initial Study³ ("**Initial Study**") it previously submitted to reflect this change and updated its previously voluntarily submitted wildfire evacuation analysis to reflect it as well. The applicant submitted a letter on May 14, 2025, again confirming that the secondary means of ingress and egress on the Gray Ranch Parcel is no longer included in the Winery Design Review application.

³ The applicant prepared an Initial Study, which County Staff have independently reviewed, found reliable, and from which staff have drawn and evaluated information for purposes of preparing the revised Addendum #2 for the design review approval that is the subject of the appeal to the Board of Supervisors. All references to the "Initial Study" are to that applicant prepared document. The revised Addendum #2 is a County prepared document that reflects the independent judgment of the County and is the basis for the County's CEQA compliance for the design review approval.

1.21 The County revised its Winery Addendum (Addendum #2) in to reflect the applicant's June 3, 2024 removal of the secondary emergency vehicle access ("EVA") on the adjacent Gray Ranch property and the updated, voluntary emergency evacuation analysis.

1.22 The Board finds that the Winery Design Review Application conforms to the conceptual winery plans approved as part of the 2004 Approvals. As identified in Exhibit B, Table 1 in Addendum #2 and Table 2, the Winery Design Review Application proposes the same or a smaller winery development than the Board approved in 2004. The requested changes result in a smaller winery project than what was previously entitled, and as a result of the reduced size, any environmental impacts would be less than the impacts identified in the 2004 EIR.

1.23 The Board held a duly noticed held a duly noticed public hearing on October 21, 2025, at which it considered all record evidence, including presentations from staff, the applicant, and the appellant, and all written and oral comments from the public, and all information received during the public hearing, the 2004 EIR, and proposed Addendum #2 to the 2004 EIR.

CEQA DOES NOT REQUIRE COMPLIANCE WITH NEW REQUIREMENTS

1.24 If an underlying issue was or could have been known at the time the 2004 Approvals were certified and approved, then CEQA does not consider these issues to be "new information" triggering additional environmental review. (Pub. Res. Code, §21166, subd. (c), 14 Cal. Code Regs., § 15162, subd. (a)(3), *Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1320 [finding that greenhouse gas and climate change impacts were widely known as far back as the 1990s thus a new regulation did not constitute new information requiring a supplemental environmental impact report related to an EIR prepared in 2002]; see also *Fort Mohave Indian Tribe v. Department of Health Servs.* (1995) 38 Cal.App.4th 1574, 1605.)

1.25 While new study requirements were added to the CEQA Guidelines after certification of the 2004 EIR: Greenhouse Gas ("GHG") emissions, vehicle miles traveled ("VMT"), energy, and wildfire, these are issues of general concern that were known prior to the 2004 Approvals, and the Board acknowledges that. GHG was a known issue in the early to mid-2000s. (*Concerned Dublin Citizens v. City of Dublin* (2013) 214 Cal.App.4th 1301, 1320.) The Federal Government has used VMT as a metric to monitor emissions for air quality attainment purposes since at least 1993, and wildfire was mentioned repeatedly in the 2004 EIR. Likewise, energy consumption was a well-known issue in 2004, as was wildfire. Therefore, the issues addressed by new regulations were not new issues and were previously known when the 2004 EIR was certified and do not trigger subsequent CEQA review.

1.26 The Board is aware that principles of *res judicata* prohibit litigating the same issues twice, and acknowledges these principles are relevant to the proceedings. The Board finds any issue that was or could have been raised in the lawsuit challenging the 2004 EIR, or the administrative proceedings leading up to that challenge, is untimely raised in the context of the current design review application. (*Ione Valley Land, Air, & Water Defense Alliance, LLC v County of Amador* (2019) 33 Cal.App.5th 165, 172-175.) For example, wildfire was discussed in the 2004 proceeding and the 2004 EIR. In 2004, the then-Chief of the Kenwood Fire Protection District and Sonoma County's Department of Emergency Services unanimously concluded that

the fire impacts could be mitigated to a level below significance *without* secondary emergency access.⁴ Similarly, the 2004 EIR is replete with discussions, analysis, comments, and responses to comments about water, traffic, and aesthetic impacts.

Section 2. Design Review

2.1 The Board finds that the architectural and general appearance of the buildings, structures and grounds in the proposed project are in keeping with the character of the neighborhood, are not detrimental to the orderly and harmonious development of the county, and do not impair the desirability of investment or occupation in the neighborhood because:

- a) The proposed design changes keep all development within the approved building and septic envelopes, consistent with the maximum allowed square footage listed under Conditions of Approval Nos. 84 and 106 (see Footnote 2), and all portions of the site outside of the building envelopes are protected from development through the combination of open space easement and conservation easements.
- b) The proposed design would include a total of 74 trees for removal, which is consistent with the 2004 EIR estimates of 70 to 120 trees for removal. Additionally, approximately 120 trees planted in 2021 between Highway 12 and the Phase II Proposed Winery site will provide further screening for future winery buildings.
- c) The proposed site plan and landscaping plan conforms to Conditions of Approval Nos. 93 through 97, including adjustments to the final access and parking design for minimizing loss of woodland and forest habitat per Mitigation Measures 5.6-2(b) and 5.6-4(b), and for retaining as many trees onsite as possible to minimize visual impacts as seen from Highway 12.
- d) The proposed colors and materials conform to Condition of Approval No. 97, including use of exterior building surfaces that incorporate a variety of colors and materials matching the natural backdrop of the site surroundings to minimize visual impacts from Highway 12, consisting of (i) Roofing using corrugated metal of bonderized finish for all buildings; (ii) Primary colors including natural stained vertical wood boards of reclaimed and distressed finish for main buildings and courtyard structure; (iii) Secondary exteriors including new and recycled local stone veneer for barrel storage buildings and accenting office building lower level, corrugated metal for rear service building; (iv) Doors and windows using stained wood and dark painted metal doors and window frames with glazing of low-reflectivity finish; and (v) Hardscape consisting of a dry stack stone landscape wall from the local region and painted concrete floor surfaces.

⁴ Wildfire and emergency evacuation issues were addressed on the following pages of the 2004 Approvals: 2002 Environmental Checklist for the Sonoma Country Inn (included as Appendix 8.4 "Initial Study" to the 2004 EIR) at pp. 6–8, 17–18, 24, 27–28, 39, 43; 2004 Draft EIR at pp. 2.0-8, 2.0-19, 3.0-29, 3.0-31 to 3.0-32, 4.0-11, 4.0-13, 4.0-16, 4.0-24, 4.0-32, 5.1-15, 5.2-45, 5.2-68, 5.6-26, 7.0-5, 5.6-14 to 5.6-16, 5.6-25 to 5.6-26, and 5.7-21; 2004 Final EIR or "Responses to Comments on the Draft Environmental Impact Report", at p. 9.0-111.

- e) The Phase II Winery site plan does not increase the amount of light pollution in any substantial or significant amount compared to the Conceptual Design. The proposed lighting conforms to Conditions of Approval Nos. 98 and 99, including design consistency with established LZ1 lighting zone standards for parks, recreation areas and wildlife preserve as demonstrated on the final exterior lighting plan, photometric analysis, and individual fixture cutsheets.

Section 3. CEQA Compliance

3.1 The Board notes the following corrections and clarifications to the Winery Design Review Application:

- a) In response to public comments, the Applicant changed the Winery Design Review Application, by removing the redundant ingress and egress that was originally proposed on the adjacent Gray Subdivision. The Applicant submitted this change to the County on June 3, 2024, in the form of a revised project description included in the revised Initial Study. This change and environmental analysis for it are found at Revised Addendum #2 Section E (Environmental Issues, Impacts and Mitigation Measures), and Subsection 2(c) (Traffic and Circulation: Parking Lot Layout Impacts and Emergency Evacuation on Page 13, and Subsection 12(b) (Wildfires: Project Impact Analysis on Pages 37-38).
- b) The Applicant updated its voluntary wildfire evacuation analysis to reflect the removal of the redundant ingress and egress. The revised evacuation analysis is Appendix V of the Initial Study.

3.2 CEQA requires the decision-making body must make certain findings when adopting a Negative Declaration or MND, or certifying a Final EIR. However, it does not require any findings for Addendum #2 or the Initial Study. An addendum is appropriate when staff determines that the proposed project is described in, and adequately addressed by, the prior CEQA document but minor changes or additions are necessary and none of the conditions listed in CEQA Guidelines section 15162 has occurred. In this case, an addendum, is appropriate as only minor technical changes to the document are necessary, and appropriately prepared under CEQA Guidelines section 15164. In an abundance of caution this Board is providing its thought process under the facts before it to show the analytical route the Board took when considering VOMTA's appeal. The Initial Study and Addendum #2 both concluded:

- a) There is no circulation requirement for an addendum. (14 Cal. Code Regs., § 15164, subd. (c).)
- b) Addendum #2 constitutes an adequate, accurate, objective, and complete analysis for the purposes of approving the Winery Design Review Application and represents a good faith effort to achieve completeness and full environmental disclosure for the Winery Design Review Application.

- c) The Winery Design Review Application will not cause new significant environmental effects or substantial increases in the severity of a significant environmental effect identified in the 2004 EIR.
- d) There are no substantial changes in the circumstances affecting the proposed design which would cause increased environmental impacts, nor is there new information which was not known and could not have been known at the time of the 2004 EIR that show new or more severe environmental effects, infeasibility of adopted mitigation measures, new feasible mitigation measures which the applicant declines to adopt, or alternatives different from those in the 2004 EIR which would substantially reduce effects on the environment
- e) Approval of the Winery Design Review Application does not meet any of the requirements in Public Resources Code Section 21166 or in CEQA Guidelines Section 15162 for preparation of a subsequent EIR or a supplement to an EIR.
- f) CEQA allows use of an addendum for changes or additions to a project so long as those changes or additions do not meet the CEQA Guidelines Section 15162 or 15163 triggers.
- g) An addendum, under CEQA Guidelines Section 15164 was appropriate and findings are not required. (*Save Our Heritage Organization v. City of San Diego* (2018) 28 Cal.App.5th 656, 669–70.)

3.3 The Board finds that Addendum #2 was prepared in compliance with the requirements of CEQA, the State CEQA Guidelines, and the County's CEQA Ordinance.

3.4 The Board finds that based upon the evidence submitted and as demonstrated by the analysis included in the EIR, Revised Addendum #2, the applicant prepared June 3, 2024 Initial Study, Sonoma County Planning Commission Resolution 23-40, all staff reports, and the record of proceedings, none of the conditions described in Public Resources Code Section 21166 and Sections 15162 or 15163 of the CEQA Guidelines calling for the preparation of a subsequent or supplemental EIR or negative declaration have occurred, specifically:

3.4.1 There are no substantial changes to the Winery Design Review Application that require major revisions to the 2004 EIR due to new significant environmental impacts resulting from the Winery Design Review Application or a substantial increase in the severity of previously identified significant effects;

3.4.2 There are no substantial changes with respect to the circumstances under which the Winery Design Review Application is undertaken requiring revisions to the 2004 EIR due to new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and

3.4.3 There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of the 2004 EIR that shows any of the following:

- a) The Winery Design Review Application will have one or more significant effects not discussed in the 2004 EIR;
- b) Significant effects previously examined will be substantially more severe than in the 2004 EIR;
- c) Mitigation measures or alternatives previously found not to be feasible would be feasible and would substantially reduce one or more significant effects of the Winery Design Review Application, but the Applicant declines to adopt the mitigation measures or alternatives; or
- d) Mitigation measure or alternatives which are considerably different from those analyzed in the 2004 EIR would substantially reduce one or more significant effects on the environment, but the Applicant declines to adopt the mitigation measures or alternatives.

3.5 The Board in determining that no supplemental or subsequent environmental review is required for the Winery Design Review Application under Public Resources Code Section 21166 and Sections 15162 or 15163 of the CEQA Guidelines the Board makes the following findings in support thereof:

3.5.1 The analysis for many of the environmental criteria in Addendum #2 for the Winery Design Review Application concluded that the Winery Design Review Application would have no impact, no new significant environmental impacts or no substantial increases in the severity of previously identified significant impacts as disclosed in the 2004 EIR with no need for additional or modified Mitigation Measures. Therefore, for the criteria listed in Addendum #2 the Board finds that the Winery Design Review Application would not result in any new significant environmental effects or a substantial increase in the severity of previously identified significant effects disclosed in the 2004 EIR due to any changes proposed in the Winery Design Review Application, changes with respect to circumstances surrounding the Winery Design Review Application, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Board certified the 2004 EIR; additionally for these criteria there is no need for any additional or modified mitigation measures.

3.5.2 Aesthetics: With respect to aesthetic impacts, impacts from the Winery Design Review Application are no more significant than disclosed in the 2004 EIR. This conclusion was reached in reliance on the content of the Addendum, Initial Study, *Visual Impact Analysis* (Appx. G1 to the Initial Study), and in consideration of regulations and standards found in the 2020 County General Plan, the County's Zoning Ordinance, the 2019 County Visual Assessment Guidelines, and the full record of this matter. These Visual Assessment Guidelines allow for, and the facts in the record support, a less-than-significant impact conclusion, even with maximum sensitivity and subordinate visual dominance, with the application of feasible mitigation measures as all impacts from all viewpoints were studied for the Winery Design Review Application and were determined to be less than significant. Therefore, the Board finds there are no new or more severe significant environmental effect relating to visual and aesthetic quality. No new or modified mitigation measures are required.

3.5.3 Air Quality. With respect to air quality impacts, there are no more significant impacts than were disclosed in the 2004 EIR. This conclusion was reached in reliance on a new Health Risk Assessment to examine potential carbon monoxide and toxic air emission impacts on sensitive receptors (Appx. I3 & Appx. I4 to the Initial Study), which the Board finds to be reliable, and utilizing standards developed by the California Environmental Protection Agency's Office of Environmental Health Hazard Assessment and adopted by the Bay Area Air Quality Management District. Based on this evidence in the record, the Board finds that the Winery Design Review Application would not result in a new significant environmental effect relating to air quality impacts on sensitive receptors or a substantial increase in the severity of a previously identified significant effect due to substantial changes proposed in the project, substantial changes with respect to project circumstances, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Board certified the 2004 EIR. No new or modified mitigation measures are required.

3.5.4 Noise. With respect to noise, impacts from the Winery Design Review Application are no more significant than disclosed in the 2004 EIR. This conclusion was reached in reliance on a new series of noise studies and modeling (Appx. M1, M2, N1, & N2 to the Initial Study and utilizing Table NE-2 in the 2020 County General Plan, the Conditions of Approval (part of the 2004 Approvals). Using these standards, impacts from the Winery Design Review Application for construction and operational noise impacts, inclusive of event noise, were found to be less than significant with the application of Mitigation Measures and Conditions of Approval that have been unchanged since the 2004 Approvals. Based on this evidence in the record and applicable standards, the Board finds that the Winery Design Review Application would not result in a new significant environmental effect relating to temporary or operational ambient noise impacts or a substantial increase in the severity of a previously identified significant effect due to substantial changes proposed in the project, substantial changes with respect to project circumstances, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Board certified the 2004 EIR. No new or modified mitigation measures are required.

3.5.5 Biotics. With respect to biological resource impacts, the 2004 EIR identified impacts for this criterion as less than significant with mitigation. Addendum #2 and the Initial Study supporting it also found impacts from the Winery Design Review Application to be less than significant with application of existing mitigation measures and voluntary conditions of approval. This conclusion was reached in reliance on new field studies conducted for the site and included in the *Biological Resources Assessment* (Appx. J to Initial Study prepared by Macmillan and Peron-Burdick (Apr. 10, 2022)) and using regulations established by the California and Federal Endangered Species Acts, the Migratory Bird Treaty Act, the California Fish and Game Code, and CEQA. While the new field surveys did not find any direct impacts on special status species, the *Biological Resources Assessment* found potential temporary impacts during the construction phases to the habitats of nesting songbirds (passerine species), special-status bats, and the American Badger. The applicant submitted three Voluntary Conditions that are consistent with currently applicable best management practices BMPs for protection of special-status wildlife, as proposed in the Letters to Georgia McDaniel, Permit Sonoma, from Law Offices of

Tina Wallis, Inc., March 16, 2023 and March 23, 2023 (provided under Attachment 4.b, DRC Staff Report dated May 31, 2023). The voluntary conditions of approval include passerine nesting sites conservation measures, special status bat conservation measures, and American Badger conservation measures. Based on these facts and applicable regulations, the Board finds that the Winery Design Review Application would not result in a new significant environmental effect relating to impacts on special status species or a substantial increase in the severity of a previously identified significant effect due to substantial changes proposed in the project, substantial changes with respect to project circumstances, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Board certified the 2004 EIR. No new or modified mitigation measures are required.

3.5.6 Cultural Resources. With respect to cultural resource impacts (Initial Study: Criteria 3.5b-c Impacts to archaeological resources or disturbance of human remains) The 2004 EIR identified impacts for these criteria as less than significant with mitigation and Addendum #2 and the Initial Study supporting it also found impacts from the Winery Design Review Application to be less than significant with application of existing mitigation measures. This conclusion was reached in reliance on new field studies conducted for the site and included in the *Cultural Resources Study for the Kenwood Ranch Project Sonoma County, CA* (Appx. K to Initial Study prepared by Tom Origer & Assoc. (Jan. 26, 2022)) and using regulations established by CEQA and the California Public Resources Code. The *Cultural Resources Study* identified one previously unrecorded archaeological resource in an area that had recently been subject to fire, thus allowing additional visibility in the area, and the Winery Design Review Application plans were modified to avoid the resource area. Due to potential concerns of temporary impacts during the construction phases, the applicant submitted a Voluntary Condition that is consistent with currently applicable BMPs and regulations regarding inadvertent discovery protocols that provides a timeline for communication and reporting as well as monitoring provisions. Based on this evidence in the record and applicable standards, the Board finds that the Winery Design Review Application would not result in a new significant environmental effect relating to impacts on cultural or archeological resources or a substantial increase in the severity of a previously identified significant effect due to substantial changes proposed in the project, substantial changes with respect to project circumstances, or new information of substantial importance that was not known and could not have been known with the exercise of reasonable diligence at the time the Board certified the 2004 EIR. No new or modified mitigation measures are required.

3.5.7 Energy. With respect to energy impacts, energy is a topic added to CEQA after certification of the 2004 EIR that was known before the 2004 EIR was certified. Energy is a new requirement that does not apply to Winery Design Review Application. Nevertheless, impacts from the Winery Design Review Application were determined to be less than significant as to Criteria 3.6a (Wasteful or inefficient energy consumption) and no impact for Criteria 3.6b (Obstruct a state or local plan for renewable energy or energy efficiency).

3.5.8 Green House Gas. With respect to GHG impacts (Initial Study, Criteria 3.8a Impacts from the generation of GHG emissions and Criteria 3.8 b Conflicts with GHG reduction

plans) these topics were added to CEQA after certification of the 2004 EIR and constitute a new requirement that does not apply to the Winery Design Review Application.

3.5.9 Vehicle Miles Travelled. With respect to transportation impacts, or VMT, (Initial Study, Criteria 3.17b Consistency with CEQA Guidelines Section 15064.3, subdivision (b)) this section is a topic added to CEQA after certification of the 2004 EIR and constitutes a new requirement that does not apply to the Winery Design Review Application.

3.5.10 Wildfire. With respect to impacts related to wildfire, the Board finds:

- a) Wildfire was not a CEQA study requirement in 2004; it is a new study area that by law, does not apply to the Kenwood Winery Design Review Application. Additionally, wildfire references are replete throughout the 2004 EIR (see footnote 4 of this Resolution) and the proceedings leading to its adoption. Even though it was not a CEQA study area, the 2004 EIR concluded, with input from Bob Uboldi, the then-Chief of the Kenwood Fire Protection District, Jerry Faddis with Sonoma County's Department of Emergency Services, and Jack Rosevear, the then-Sonoma County Fire Marshal, that fire impacts could be mitigated to "a level below significance without secondary access with mitigation". They required three mitigations: (1) a 22 foot road width with two foot shoulders from Highway 12 to the inn/restaurant/spa; (2) a fire hydrant system; and (3) installation of fire sprinklers in all structures. (2004 Responses to Comments, FEIR, at p. 9.0-111.) Campagna Lane, the road from Highway 12 to the inn/restaurant/spa was constructed to be 24 feet wide with two-foot shoulders, and hydrants were installed. (Letter from Dave Brown, Civil Engineer, dated Aug. 15, 2024.) Future structures will be sprinklered as is required by the current California Fire Code and Chapter 13 of the Sonoma County Code.
- b) Since the 2004 EIR was certified, the Nuns Fire touched the northernmost part of the Kenwood Ranch (not the winery parcel) and the Glass Fire burned significant portions of the Kenwood Ranch, including the northernmost part of the winery parcel. The Winery Design Review Application includes measures to reduce wildfire risk and minimize any potential impact to evacuation traffic. The risk reduction measures include staff training, early evacuation, coordination with first responders, communication protocols, underground utilities, backup power sources, exit route signage, internal alert and warning systems, regular evacuation trainings, and, as a last resort, an emergency shelter. These measures were prepared by retired Sonoma County Fire Chief Vern Losh and retired Sonoma County Sheriff Rob Giordano, both of whom have first-hand experience responding to wildfires in Sonoma County and the Valley of the Moon. Additionally, structural hardening measures were included in the winery's design and material selection. David Shew, who previously served as a Staff Chief for the Office of the State Fire Marshal and an Assistant Fire Chief for Cal Fire—the Sonoma-Lake-Napa Unit and who is also a California licensed architect, directed the structural hardening features. Wildfire related technical reports are: Appendices O1, O2, P1, P2, P3, Q1, Q2, R, S, TV, X, and Y to the Initial Study.

- c) The Sonoma County Sheriff conducted a site visit, reviewed the Sonoma County Operational Area-Emergency Operations Plan (EOP), and reviewed the proposed early evacuation and responded by saying the “Sheriff’s Office was pleased with the level of detail the plan presented to effectively evacuate persons from danger during a disaster”. (Initial Study, Appx. P4.) The Sonoma Valley Fire District, which serves the Valley of the Moon, reviewed the wildfire-related technical reports and stated:

The applicant's diligent process, which includes the development of project-specific evacuation protocols, structure-specific hardening techniques, evacuation traffic modeling, an evacuation plan prepared by a qualified professional, and wildfire modeling, has produced vital information and data. These efforts are essential for safeguarding our community by ensuring a higher level of preparedness and resilience.

The detailed nature of these protocols, studies, and models will be invaluable to fire agencies if Sonoma County approves the Design Review application. They are instrumental in helping first responders assess the wildfire impacts of new developments and improving our overall readiness for emergency situations. We fully support this thorough process and strongly encourage Sonoma County to require such robust levels of wildfire and evacuation studies for all development applications whenever appropriate.

Upon reviewing the documents related to the Kenwood Ranch Winery Design Review application, we have determined that the protocols, studies, models, and plans are sound and will not impair or interfere with approved evacuation or response plans in the Kenwood area. While each event is unique and cannot be precisely predicted, this type of rigorous project-level study and planning is highly beneficial and likely reduces the risk of significant loss or injury from wildland fires. (Letter from Stevphen Akre, Fire Chief, Sonoma Valley Fire District, dated Jul. 15, 2024. See Attachment 11 – Public Comments.)

- d) The Board further finds that even though it was not required, the Applicant voluntarily conducted a robust wildfire analysis which showed that wildfire impacts from the Winery Design Review Application are less than what was studied in the 2004 EIR and that evacuation impacts, as is set forth herein, are less than significant. The Board finds that the Revised Addendum #2, the Initial Study, and the record of this matter, which includes expert wildfire and evacuation analysis, satisfies applicable CEQA requirements, which do not include later adopted requirements that were not applicable to the 2004 EIR.

3.5.11 In connection with the Winery Design Review Application and the Board's review of Revised Addendum #2 and the Initial Study, the Board independently reviewed all the CEQA documents and exercised its independent judgement in making the findings and determinations set forth herein.

Section 4. Public Comments

4.1 The Board received and considered public comments on the Winery Design Review Application and makes the following additional findings:

4.2 Regarding aesthetics, commentators raised the following issues/questions:

- a) Story poles. A comment requested story poles installation be part of the visual impact analysis for the winery. As discussed in the *Visual Impact Analysis* story poles were installed in September of 2021 to document heights and limits of the portion of the winery facing Highway 12. (Initial Study, Appx. G1, at p. 2.)
- b) Community forum. A comment requested a community forum be established to monitor progress on screening the winery. The *Visual Impact Analysis* shows the winery is not meaningfully visible from Highway 12 nor is it any more visible than was analysis in the 2004 EIR. A forum is not required by law and the Board declines to establish one.
- c) Tree mortality. A comment asserted the tree mortality numbers were inconsistent, rendering visual profiles of the winery from Highway 12 uncertain. The project arborist, James MacNair, provided documentation regarding original tree removal estimates for construction, the impacts of fire at the site, and the current tree construction impacts for the Winery Design Review Application in a letter report dated January 13, 2023 with multiple supporting attachments (*Sonoma Country Inn-Tree Removal Estimate Summary* (MacNair & Assoc.) dated Sept. 2, 2003; *Kenwood Winery Listing of Fire Killed or Severely Damaged Trees* (MacNair & Assoc.) dated Apr. 2021; *Kenwood Winery Parcel Building Envelope Tree Evaluation Matrix* (MacNair & Assoc.) dated Aug. 2021; *Kenwood Winery Landscape Plan Set Revised DRC Drawings Issue* (Ground Studio Landscape Architecture) dated Jul. 6, 2022); *Post-Fire Tree Assessment Update* (MacNair & Assoc.) dated Jan. 12, 2023) supporting the tree counts. The Board finds based on the record before it that any perceived inconsistency is explained in Addendum #2 and the MacNair letter report (and supporting documentation) and no uncertainty in the visual profile due to tree mortality numbers remains.
- d) Chimneys. A comment questioned why chimneys were included in the winery structures' design. Chimneys shroud mechanical equipment and vents into a single spot and hide them from view, putting a traditional form around required and essential modern structural equipment. All chimneys are within allowable height

allowances and have been included in the visual studies included in the Visual Impact Analysis, included as Appendix G1 of the Initial Study.

- e) Wood burning. A comment asked why wood burning would be used for cooking other than BBQs. Wood burning for cooking purposes is allowed at the winery site and beyond BBQs could be utilized in applications such as pizza ovens provided that provisions of Mitigation Measure 5.10-4 are followed (restricting wood burning fireplaces). The Board finds that adherence to all applicable laws and regulations as well as mitigation measures and conditions applicable to the Winery Design Review Application ensure that commenters' concerns regarding wood burning are sufficiently addressed.
- f) Cumulative impacts. Commenters asked about cumulative impacts and asked questions about the inclusion of impacts from the Elnoka, Sonoma Development Center, and Hanna Boys Center projects along with the Sonoma Country Inn in the forecast of cumulative impacts for the Winery Design Review Application. The Initial Study, in Section 3.21, on page 3.21-2 recognized these and explained the Winery Design Review Application is approximately 51 percent smaller than what was proposed in the 2004 EIR and the contribution of the Winery Design Review Application to the cumulative impacts identified in the 2004 EIR would be less than the contribution of the winery as envisioned in the 2004 EIR for the same cumulative impacts. Therefore, while significant and unavoidable cumulative impacts with respect to traffic and light pollution disclosed in the 2004 EIR would remain, the severity of these impacts would not be as great for the winery as designed, compared to the winery as discussed in the 2004 EIR. Similarly, any less-than-significant cumulative impacts (with or without mitigation) as disclosed in the 2004 EIR would also be less for the winery as designed when compared to the 2004 Project with particular regard to evacuation impacts from the Winery Design Review Application, see Attachment V to the Initial Study (*Kenwood Ranch Winery Evacuation Travel Time Assessment* prepared by Fehr & Peers (May 3, 2024) at p. 6–7) (“Evacuation Study”) which discusses specifically the projects named by commenters and why the Elnoka and Sonoma Development Center (SDC) projects were included in evacuation analyses and the Hanna Boys Center was excluded because Hanna’s occupants would use a different evacuation route and the distance between Kenwood and Hanna would dilute any impact from Kenwood evacuees. It should be further noted that, since the preparation of the Initial Study, the Elnoka project reduced the proposed number of housing units by approximately 60%, the Hanna Boys Center project was withdrawn, and the Sonoma Development Center EIR was struck by CA Superior Court, though in 2023 a builder’s remedy application to redevelop the SDC site was submitted and the County is preparing a new specific plan for the core campus. Because the 2004 analysis included analysis of operations at the SDC site, redevelopment of the core campus does not constitute new

circumstances that would require major revisions to the EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified substantial effects. The Board finds, based on the substantial evidence provided in the record, cumulative impacts have been sufficiently addressed to comply with CEQA.

4.3 The Board received and considered comments about evacuating from the winery site:

- a) Redundant evacuation route. Commentors objected to the previously proposed redundant evacuation access route on the adjacent Graywood Ranch. The Board notes this evacuation route was removed from the Winery Design Review Application. Evacuation from the winery will travel down Campagna Lane to Highway 12. (Evacuation Study at pp. 2, 3)
- b) Wildfire. The Board finds that the comments on wildfire are untimely where they relate to an issue appropriately raised in the context of the prior 2004 EIR, and that studying wildfire and evacuation impacts is a new CEQA requirement that did not apply to the 2004 EIR, and that does not apply to the Winery Design Review Application, that was a condition of the prior approval. In that context, the Board finds such comments inapposite for the purpose of considering the present Revised Addendum #2 and supporting Initial Study. However, to the extent they may be relevant to CEQA compliance, the Board finds that it has fully considered the evidence concerning wildfire and evacuation issues and confirms that factually Addendum #2 and supporting Initial Study fully comply with CEQA in support of the current action.
- c) No notice scenario. Commenters felt “troubled” over the “no notice” scenario discussed in the Evacuation Study and expressed concern regarding the approximate 15 minutes of evacuation time that the Winery Design Review Application was predicted to add to the overall study area evacuation time in the near-term “no notice” scenario. The Board finds that comments do not indicate factual or analytic errors in the study, but present opinions or beliefs that the commenters hold about the evacuation analysis. Also, discussed on page 12 of the Evacuation Study, because the elements of the Winery Design Review Application represents approximately 35.2 percent of the total Kenwood Ranch site evacuation demand and, additionally, changes in traffic operations are generally proportional to the amount of vehicles being added to the system, the added evacuation demand potentially generated from Winery Design Review Application would in actuality be approximately 5.3 minutes in the near-term scenario. Additionally, the Evacuation Study noted (on pages 12-13) that about one-half of the Winery Design Review Application evacuation demand is related to special event guests, which have been included conservatively in the evacuation analysis, but which are prohibited by Condition of Approval 47(b) from being present onsite at events after 4:30 pm (which is when the

“No Notice” scenario takes place). Other aspects of the No Notice scenario that make it a very conservative analysis are discussed on pages 6 and 7 of the Evacuation Study (e.g., holiday, harvest season, peak commute time, simultaneous evacuation of entire study area). Therefore, the Board finds that the Initial Study’s conclusion of less than significant impacts relative to the Winery Design Review Application’s impacts on evacuation plans and emergency response plans is sufficiently supported by the substantial evidence contained in the Initial Study, and support the Revised Addendum #2.

- d) Evacuation & Response Plans. Commentors questioned the impact of the Winery Design Review Application on Sonoma Valley Fire Department’s evacuation plans. As is stated by Fire Chief Akre in his letter dated July 15, 2024, “robust levels of wildfire and evacuation studies” produced for the Winery Design Review Application the “the protocols, studies, models, and plans are sound and will not impair or interfere with approved evacuation or response plans in the Kenwood area.” Chief Akre’s letter was placed in the record of this matter on July 17, 2024. Based on this evidence and the record of this matter, this Board concludes that the Winery Design Review Application will have a less than significant impact, as stated in the Initial Study, Section 3.20, Criteria 3.20a with respect to impacts on emergency response and evacuation plans.
- e) VMT. Commenters questioned the lack of a VMT/LOS analysis in the evacuation report, as is set forth above, VMT is a new requirement that nevertheless, based on the record, was or could have been known when the 2004 EIR was certified, so this requirement does not apply to the Winery Design Review Application.
- f) SCTA Model. Commenters questioned the reliance on the 2019 Sonoma County Transportation Authority (“SCTA”) model in the Evacuation Study that does not incorporate the Hanna Boys Center or Sonoma Development Center Projects. As explained on pages 8 and 9 of the Evacuation Study, the 2019 SCTA model was selected for use as it was the last available data not affected by the COVID-19 pandemic. The data was then independently reviewed and modified for the far term scenario to include adjustments that included adjustments for the development of the Elnoka and Sonoma Development Center sites. As was explained on page 6 of the Evacuation Study, the Hanna Boys Center was not included in the Evacuation Study as it was outside the boundaries of the expansive study area, evacuation demand from that location would be distributed amongst the Sonoma Springs area roadway grid system, temporal effects resulting from the distance between the Winery Design Review Application and Hanna Boys Center may dilute the interaction between evacuation demand from both sites, and the effects of the Winery Design Review Application evacuation demand on evacuation time estimates are greatest at bottlenecks in the study area roadway system. Further, the Hanna Boys Center

project was withdrawn, effectively eliminating the need for consideration in the SCTA analysis. Lastly, while the SDC specific plan considered as part of the Evacuation Study was rescinded, the mixed-use development project application currently in process and accompanying campus specific plan contemplate largely the same scope and quantity of uses. In light of this evidence, this Board finds that use of the 2019 SCTA model was appropriate in the evacuation analysis.

- g) Persons evacuating from site. Commenters question the number of persons counted in the evacuation study. The Evacuation Study on pages 3 and 4 presents the occupancy numbers used to calculate vehicles generated during estimated evacuations. As is stated in the Evacuation Study, the occupancy numbers represent a conservative presumption insofar as they presume that maximum occupancy of all winery uses along with maximum occupancy of all Kenwood Ranch uses (e.g. inn/spa/restaurant and residences) with no overlap between uses. These presumptions resulted in a total presumed vehicle generation rate for the Evacuation Study of 456.8 vehicles. (Evacuation Study, at p. 4.) This Board finds that based on the substantial evidence contained in the Evacuation Study, the estimates of vehicles to be evacuated from the Winery Design Application site was accurate.
- h) Evacuation scenario evaluated. Commenters question the impact evacuation of the Winery Design Review Application site on Sonoma Valley in the event of another “Glass Fire scale evacuation.” The Evacuation Study examined this precise scenario in the “with notice” scenario looking at a fire that would provide advance notice to persons in the area of the need to evacuate and the study also examined the evacuation pattern under this “Glass fire evacuation pattern” if the advance notice was not in place. (Evacuation Study, at p. 7.) With this evidence, the Board finds that commenters concerns have been sufficiently addressed.

4.4 The Board received and considered the following comments and questions about wildfire and evacuation:

Wildfire modeling & assessment. Commenters questioned if the CEQA analysis for the Winery Design Review application included an evacuation plan or wildfire risk analysis. Evacuation is discussed previously in this resolution. There are numerous appendices to the Initial Study supporting the wildfire and evacuation analysis for the Winery Design Review such as Appendix S, a wildfire assessment by FlameMapper (dated Feb. 2, 2023) that models wildfire scenarios. FlameMapper’s Wildfire Assessment found that the development of the Winery Design Review Application will reduce mean burn probability for downwind parcels by 20-63 percent, fire line intensity by 95 percent on the winery site; flame length by 95 percent; and rate of spread by 87 percent. Based on the information contained in these appendices, and even though it is not required by law, the Board finds there is

substantial evidence that the wildfire and evacuation impacts of the Winery Design Review Application have been sufficiently analyzed in the record for CEQA purposes.

- a) Glass and Nuns fires. Commenters asserted that the Glass and Nuns fires represents new significant environmental effects and significant changes under CEQA that, along with the “passage of time,” justify preparation of a supplemental EIR. The passage of time alone is not an environmental impact nor a rationale under Public Resources Code section 21366 or CEQA Guidelines 15162 or 15163 that would justify additional environmental review after the certification of the 2004 EIR. As listed in footnote 4 of this Resolution, the 2004 EIR addressed wildfire and evacuation from the Winery Design Review Application site and thus, the issues are not “new” nor have they “not been previously reviewed” nor do they present “changed circumstances” as is claimed by commenters. The issue of wildfire is thoroughly assessed as it relates to the Winery Design Review Application in Section 3.20 of the Initial Study where impacts are concluded to be less than significant with the application of Conditions of Approval from the 2004 Approvals. Based on the substantial evidence presented in Addendum #2 and the Initial Study, the Board concludes that issues relating to wildfire do not trigger preparation of a supplemental or subsequent EIR under Public Resources Code section 21366 or CEQA Guidelines 15162 or 15163.
- b) Alleged significant changes. Commenters claim that two fires, an extended drought, and an overconcentration of winery events constitute “significant changes” to winery impacts mandating additional environmental review under Public Resources Code section 21366 or CEQA Guidelines 15162 or 15163. The issues raised by commenters are all addressed in the Initial Study within the substantive sections on groundwater (Criteria 3.10b), water supply (Criteria 3.19b), transportation (§ 3.17), noise (§ 3.13), wildfire (§ 3.20), and cumulative impacts (Criteria 3.21b). These sections cite the locations in the 2004 EIR where each of these topics were previously addressed. Based on the substantial evidence contained in Addendum #2 and the Initial Study, the Board finds that commenters’ claims have been addressed, and that the Winery Design Review Application does not require review under either a supplemental or subsequent EIR under Public Resources Code section 21366 or CEQA Guidelines 15162 or 15163.
- c) Landslides & slope stability. Commenters questioned whether the impacts from the Winery Design Review Application on landslide, slope stability, flooding and drainage as they relate to the Glass Fire had been assessed and claim these were new issues not previously considered under CEQA. Initial Study Criteria 3.20d addressed these issues specifically along with Appendix Y, *Debris and Mud Flow Analysis* Prepared by RGH Consultants (Apr. 18, 2023). (“Debris Flow Analysis”) As concluded in the Debris Flow Analysis and stated under Criteria 3.20d of the Initial Study, with application of

Mitigation Measures from the 2004 EIR and Conditions of Approval from the 2004 Approvals (MM 5.7-7(b), 5.7-7(c), 5.3-1; COAs 8, 15, 16, 18, 19), impacts relative to landslide, slope stability, flooding and drainage as they relate to wildfire would be less than significant. The Initial Study on page 3.20-30 acknowledges that the 2004 FEIR was prepared prior to the inclusion of wildfire impacts as a specific topic of consideration in the CEQA Guidelines and thus considered general impacts related to flooding, drainage, and hydrology in Section 5.3 (Hydrology and Water Quality) and general impacts associated with landslides and slope instability in Section 5.7 (Geology and Soils). The Board finds that substantial evidence exists to support the conclusions and that commenters' concerns have been resolved.

- d) Erosion & debris flow. Commenters claim that the CEQA analysis lacks substantial evidence supporting conclusions related to a post-fire soil and geology study including erosion and debris flow and claim that such issues are new issues not previously considered under CEQA for the Winery Design Review Application. Initial Study Criteria 3.20d addressed these issues specifically along with Appendix Y, *Debris and Mud Flow Analysis* Prepared by RGH Consultants (Apr. 18, 2023). ("Debris Flow Analysis") As concluded in the Debris Flow Analysis and stated under Criteria 3.20d of the Initial Study, with application of Mitigation Measures from the 2004 EIR and Conditions of Approval from the 2004 Approvals (MM 5.7-7(b), 5.7-7(c), 5.3-1; COAs 8, 15, 16, 18, 19), impacts relative to erosion and debris flow as they relate to wildfire would be less than significant. The Initial Study on page 3.20-30 acknowledges the 2004 FEIR was prepared prior to the inclusion of wildfire impacts as a specific topic of consideration in the CEQA Guidelines and thus correctly considered general impacts related to flooding, drainage, and hydrology in Section 5.3 (Hydrology and Water Quality) and general impacts associated with landslides and slope instability in Section 5.7 (Geology and Soils). The Board finds substantial evidence exists to support the conclusions and that commenters' concerns have been resolved.
- e) Evidentiary support. Commenters raise a generic question whether wildfire impacts, and its collateral effects are supported by substantial evidence in the Winery Design Review Application CEQA documentation. The Board finds there is ample evidence to support the analysis of wildfire and its effects in the record of this matter.

4.5 The Board received and considered the following comments and questions about traffic issues:

- a) Revised traffic study. Commenters raised concerns about the lack of a revised traffic study for the Winery Design Review Application. As is discussed on page 11 of Addendum #2 and page 3.17-2 to 3.17-3 of the Initial Study regarding Criteria 3.17a because the Winery Design Review Project will (1) continue to employ the same number of workers and attract the same number of visitors as previously assumed

for the 2004 EIR, (2) will have similar pedestrian and bicycle use as was assumed for the 2004 EIR, (3) will not create any new driveways on Highway 12 that would substantially increase safety hazards on Highway 12, (4) will not interfere with existing transit services operated by Sonoma County Transit (Route 30 and Route 34), or (5) preclude implementation of the bicycle facilities proposed for Highway 12, that impacts identified in the 2004 EIR would remain applicable to the 2022 Project (design review application), and no new impacts would occur as a result of new or updated traffic-regulations. There are no proposed changes to the winery that would increase the amount of traffic to or from the winery over what was studied as part of the 2004 EIR. Subject to the conditions of approval in the winery use permit, special events are limited to 20 per year, with a maximum capacity of 200 participants as allowed by the 2004 Approvals. Therefore, there are no “changed circumstances” that relate to the current number of winery-related special events in the County. The concentration of those winery events in the Sonoma Valley is not relevant to the Winery Design Review Application, because the design changes will not add to the number of special events. Therefore, commenters’ concerns regarding the “passage of time” do not present an environmental condition triggering additional environmental review after an EIR has been certified under Public Resources Code section 21366 or CEQA Guidelines 15162 or 15163. Therefore, the Board finds that commenter’s concerns are without merit and that no revised traffic study is required beyond what is presented in Addendum #2 and the Initial Study for the Winery Design Review Application.

- b) Parking. Commenters questioned the number of parking spaces and the design of the parking lot as it related to trip generation estimates. As is discussed on page 13 of the Addendum #2 and page 1-40 and Figure 1-15 of the Initial Study, the Winery Design Review Application contains the same 147 space parking lot as required by Condition of Approval No. 84 and responds to the requirement in Condition of Approval 95 to adjust parking to avoid tree resources as much as possible utilizing a layout divided into a primary parking lot and a trailhead parking lot, as required by Condition of Approval.74 and 84. The Board finds that the design of parking, with no change in the number of spaces, has no bearing on the project’s potential off-site impacts and would not draw visitors to the site beyond what was already analyzed in the 2004 EIR. The parking lot design and number of spaces has no bearing on trip generation estimates, which are driven instead by employee figures. (Initial Study, § 1.7.3, and §3.17 (Criteria 3.17a).) Therefore, this Board finds that the commenters’ questions have been resolved, and that substantial evidence exists to support the Applicant’s parking lot figures in the CEQA documentation for the Winery Design Review Application.
- c) VMT. Commenters question the failure to include a VMT or LOS analysis for the traffic analysis for the Winery Design Review Application. Regarding transportation

impacts, or VMT, (Initial Study, Criteria 3.17b Consistency with CEQA Guidelines Section 15064.3, subdivision (b)) this section is a topic added to CEQA after certification of the 2004 EIR and constitutes a new requirement that does not apply to the Winery Design Review Application.

4.6 GHG. Commentors question the failure of the Initial Study to include a GHG analysis. Regarding GHG impacts (Initial Study, Criteria 3.8a Impacts from the generation of GHG emissions and Criteria 3.8 b Conflicts with GHG reduction plans) these topics were added to CEQA after certification of the 2004 EIR and constitute new requirements that do not apply to the Winery Design Review Application.

4.7 Limiting winery events. Commenters raise concerns about limiting winery events to weekdays. Commenters concerns about the restriction of winery events to weekdays per Mitigation Measure MM 5.2-8a-b is noted and per Initial Study page 3.17-4 events are so restricted as required by the mitigation measure.

4.8 Evidentiary support for Addendum #2. Commenters claim that Addendum #2 is not supported by substantial evidence—Commenters make a generic comment. As is set forth herein in this Resolution, this Board finds there is ample evidence in the record to support the analysis presented in Addendum #2 for the Winery Design Review Application’s CEQA documentation.

4.9 Review under 21166 and 15162. Commenters claim that the Winery Design Review Application should be reviewed under Public Resources Code Section 21166 and CEQA Guidelines Section 15162. The Winery Design Review Application was reviewed under Public Resources Code Section 21166 and CEQA Guidelines Section 15162 as is discussed on page 2-1 of the Initial Study, and pages 4, 5, 6, and found not to require preparation of a supplemental or subsequent EIR. (Addendum #2, at p. 40). This Board has also independently reviewed the Winery Design Review Application and confirmed that additional environmental review under Section 21166 and CEQA Guidelines 15162 and 15163 are not appropriate, and that an addendum under CEQA Guidelines section 15164 is the appropriate CEQA document.

Section 5. Additional Finding.

5.1 The findings and determinations set forth in this resolution are based upon the record of these proceedings and the facts contained therein. References to specific statutes, case law, ordinances, regulations, standards, reports, or documents in a finding or determination are not intended to identify those sources as the exclusive basis for the finding or determination.

NOW, THEREFORE, Be It Further Resolved that based on the findings and determinations set forth in this resolution and the facts and information contained in the record of these proceedings, the Board hereby declares and orders as follows:

Resolution #

Date: October 21, 2025

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1. The findings and determinations set forth in this resolution are true and correct, supported by substantial evidence in the record, and adopted as set forth above.
2. The Revised Addendum No. 2 is accepted.
3. The Appeal is denied.
4. Design Review approval for the Proposed Project including the Phase II Proposed Winery design, colors, and materials, as presented, and landscaping and lighting plans, is granted, subject to the 2004 Use Permit Conditions of Approval, in accordance with the site plan and drawings titled "The Winery At Kenwood Ranch," dated July 6, 2022, Backen & Gillam Architects.
5. The Clerk of the Board is designated as the custodian of the documents and other material that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

Supervisors:

Hermosillo:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.