

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING CHAPTER 26 OF THE SONOMA COUNTY ZONING CODE FOR WINERY VISITOR SERVING USES BY AMENDING USES ALLOWED IN AGRICULTURAL ZONING DISTRICTS (LIA, LEA, AND DA), ADDING DEFINITIONS, AND ESTABLISHING STANDARDS FOR WINERIES, TASTING ROOMS AND WINERY EVENTS.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. Purpose. The Board finds and declares that the adoption of this Ordinance is necessary and appropriate to implement the policies and programs of the Sonoma County General Plan, to ensure neighborhood compatibility, protect the general welfare of residents in the County, protect agricultural lands, and promote the economic viability of the local agricultural economy.

Section II. The Agricultural & Resource-Based Land Use Category in Table 6-1 of Section 26-6-030 of the Sonoma County Code is amended as shown in underline, in Exhibit A, attached.

Section III. New Section 26-18-260 is added to Sonoma County Code Chapter 26, Article 18 as shown in *Exhibit B*, attached.

Section IV. Sonoma County Code Chapter 26, Section 26-18-030(C) is amended to add new subsection 26-18-030(C)(5), as follows:

5. LIA, LEA, DA zones: Wineries, winery visitor serving activities, and winery events are subject to Winery Definitions and Standards in section 26-18-260.

Section V. Sonoma County Code Chapter 26, Section 26-18-210(B) is amended to add new subsection 26-18-210(B)(3), as follows:

3. LIA, LEA, DA zones: Wine tasting rooms, winery visitor serving activities, and winery events are subject to Winery Definitions and Standards in section 26-18-260.

Section VI. The Board of Supervisors hereby finds and declares that the project is exempt from the California Environmental Quality Act pursuant to Public Resources Code Section 15308 in that the standards set forth in the ordinance are authorized by state law to assure the protection of the environment; and Section 15061(b)(3) because it can be seen with certainty that adoption of the ordinance will not result in a significant effect on the environment. The basis for this determination is the Ordinance proposes zoning amendments that do not create an intensification of use of land, involve specific development, or increase development beyond what County Code currently allows by Use Permit in agricultural zones. Further, the Ordinance implements General Plan Land Use Element and Agriculture Resource Element policies and programs to protect and

enhance agricultural lands and the unique character of unincorporated communities and areas, as designated by the Board, while allowing for land uses and development associated with agricultural- production, processing, and visitor serving uses authorized by General Plan Land Use Element Policy 2.6, consistent with the General Plan Agriculture Resource Element policies for promoting and marketing agricultural products. The changes proposed by the Ordinance are in line with current application evaluation practices which requires a discretionary review process, including CEQA review, for winery visitor serving uses. No exceptions listed under Section 15300.2 apply.

Section VII. Pipeline Projects. An application for winery, tasting room or winery event activity that was determined complete for processing prior to the effective date of this ordinance may continue to be processed and reviewed under the zoning code provisions pertinent to winery events and tasting rooms in effect at the time the applications were deemed complete or approved.

Section VIII. Severity Clause. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IX. Effective Date. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, introduced on the ____ day of _____, 2023, and finally passed and adopted this ____ day of _____ 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Rabbitt: Gore: Hopkins: Coursey:

Ayes: Noes: Absent: Abstain:

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Christina Rivera,
Clerk of the Board of Supervisors

Exhibit A: Table 6-1 of Section 26-6-030
Exhibit B: New Section 26-18-260