

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only
Meeting Date: _____ Held Until: _____
Agenda Item No: _____ Agenda Item No: _____

Department: Permit and Resource Management
Department

() 4/5 Vote Required

Contact:
Melanie Heckel

Phone:
1931

Board Date:
09-10-96

Deadline for Board Action:

AGENDA SHORT TITLE:

Food service at tasting rooms and wineries

REQUESTED BOARD ACTION:

Direct staff to prepare amendments to the Sonoma County General Plan and Zoning Ordinance to allow limited food service at tasting rooms and wineries.

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES

ADD'L FUNDS REQUIRING BOARD APPROVAL

Estimated Cost \$

Amount Budgeted \$

Other Avail Approp \$
(Explain below)

Additional Requested: \$

Contingencies \$
(Fund Name:)

Unanticipated Revenue \$
(Source:)

Other Transfer(s) \$
(Source:)

Add'l Funds Requested: \$

Explanation (if required):

Prior Board Action(s):

On March 12, 1996, the Board of Supervisors directed the Permit and Resource Management staff to return with options for food service at winery tasting rooms.

On May 21, 1996, the Board of Supervisors established a sub-committee consisting of Supervisors Kelley and Carpenter to work with staff on developing guidelines for preparation of the General Plan and ordinance revisions.

Alternatives - Results of Non-Approval: Staff will not receive direction from the Board.

Background:

A key element of the Sonoma County General Plan is protection of agricultural land. To accomplish this goal incompatible uses are discouraged. Residential densities are kept very low and commercial uses are prohibited in the agricultural land use categories and zoning districts.

There has been a rising interest in allowing some level of food service in winery tasting rooms. Restaurants are clearly not permitted in the agricultural General Plan and Zoning districts. The Board directed staff to do preliminary research and return with some recommendations to allow food service with certain limitations to be included in the Zoning Ordinance. On May 21, 1996, the Board reviewed staff recommendations and appointed a sub-committee of Supervisors Carpenter and Kelley to work with staff to further refine guidelines for consideration by the full Board.

The sub-committee met with staff and wine industry representatives and developed performance standards for allowing limited food service at winery tasting rooms. Those guidelines were scheduled for consideration by the Board on July 16, 1996. At that time the Board continued the item to allow further input from wine industry representatives. Wine industry groups met to develop recommendations to the subcommittee. The Board subcommittee then met two more times with staff and wine industry representatives and developed for Board consideration recommended Guidelines for General Plan and Zoning Ordinance revisions to allow food service at wineries and tasting rooms. The guidelines describe food service uses and performance standards that would require no planning permit, a zoning permit or a use permit.

STAFF RECOMMENDATION

Staff recommends that the Board of Supervisors direct the Permit and Resource Management Department staff to draft General Plan and Zoning Ordinance amendments as outlined in the attached Guidelines. Staff further recommends that the Board of Supervisors direct the Board sub-committee to continue to work with staff as necessary to develop similar guidelines for the following two areas to be incorporated into a comprehensive revision of agricultural General Plan categories and Zoning Districts:

- 1) Allowance for ancillary sales of products in agricultural zoning districts where the product is not grown or processed on the site.
- 2) Development of use permit standards for the rental of wineries and other agricultural properties for weddings and special events.

Public hearings would be held by the Planning Commission before final action by the Board of Supervisors. It is anticipated that General Plan and Zoning Ordinance amendments would come before the Board in January.

Attachments: Guidelines for General Plan and Zoning Ordinance revisions to allow food service at wineries and tasting rooms.

On File With Clerk:

CLERK OF THE BOARD USE ONLY

Board Action (if other than "Requested")

Vote:

MOTION AYE NG

CALE		<i>Obstain</i>	
HARBERTSON		✓	
KELLEY		✓	
CARPENTER		✓	
SMITH		✓	

**Guidelines for General Plan and
Zoning Ordinance Revisions to allow
food service at wineries and tasting rooms**

- I. The following types of food services, when offered in conjunction with tasting or marketing and promotional activities, would be considered to be an ancillary use to a winery or tasting room's use permit. No additional planning permits would be needed for:
- A) food service in conjunction with marketing or promotional activities where no fees are charged.
 - B) food service as part of a pre-paid charitable tasting event.
 - C) complementary samples or tastes featuring Sonoma County food products.
 - D) the offering of pre-prepared food in quantities exceeding samples or tastes for on-site consumption and presented for sale during the permitted hours of a tasting room.
 - E) pre-paid promotional dinners not otherwise open to drop-in guests or noticed to the general public, no more than 24 per year if attendance is over 15 persons/event.

Performance Standards for Food Services as Ancillary Uses:

No interior seating dedicated solely for the purpose of meal service.

No custom orders although a list of available foods may be posted.

No take-out service, except for on-site picnics.

May be promoted by the winery or tasting room using direct communication techniques such as direct mail, word of mouth, Internet home page or press releases but not by using other paid media advertising.

Conform to applicable County and State health requirements and approved food preparation and service practices; Uniform Building Code and General Plan noise standards, (may require Food Industry Permit, change of occupancy and/or Building Permit and Septic clearance).

No outdoor amplified music.

- II. The following types of food services would be permitted with an "over-the-counter" zoning permit after consulting with County staff and being informed as to the related performance standards and any permit requirements or limitations:
- A) the offering of food for sale to the general public outside of the normal permitted tasting room hours where a fee is charged but not to exceed 24 such uses per year. Such events must be charitable, promote the wine industry, or promote an activity of cultural and/or historical significance.

Performance Standards for Food Services Requiring a Zoning Permit

No interior seating dedicated solely for the purpose of meal service.

No custom orders although a list of available foods may be posted.

No take-out service.

May be promoted using either direct communication techniques or mass media advertising, however, advertising may not be dedicated solely to promoting the food service.

Conform to applicable County and State health requirements and to approved food preparation and service practices; Uniform Building Code and General Plan noise standards, (may require Food Industry Permit, change of occupancy and/or Building Permit and Septic clearance).

No outdoor amplified music.

- III. Events at wineries/tasting rooms, including weddings, that exceed the numbers listed above and/or do not meet the listed performance standards, shall require a cultural event permit for individual events or a use permit to allow on an on-going basis.

Food Related Services Not Allowed

Restaurants are not allowed in agricultural areas and are defined as follows:

- open during normal meal hours
- contains interior seating dedicated solely to meal service.
- has table service with wait staff.
- offers a menu from which orders are placed.
- offers food that is cooked to order.