

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, GRANTING A  
USE PERMIT FOR A BY-APPOINTMENT ONLY TASTING  
ROOM FOR PROPERTY LOCATED AT 211 ADOBE CANYON  
ROAD, KENWOOD; APN 051-040-018

WHEREAS, the applicant, Bennett Martin, filed a Use Permit application with the Sonoma County Permit and Resource Management Department to legalize a 688-square foot wine tasting room serving Sonoma County wines produced offsite with up to 5 customers and one vehicle per appointment, up to two appointments per day, with no events or amplified, operating 7 days per week between the hours of 10 am to 5 pm, on a 1.45-acre property located at 211 Adobe Canyon Road, Kenwood, APN 051-040-018; Zoned Diverse Agriculture (DA) B6 10; Scenic Resources (SR) and Valley Oak Habitat (VOH); Supervisorial District No 1; and

WHEREAS, this project has been found to be categorically exempt from CEQA Guidelines because the request is an existing facility and because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on December 8, 2022, at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings:

1. The project is consistent with the General Plan land use designation of Diverse Agriculture (DA) and General Plan objectives to facilitate County agricultural production by allowing sales and promotion of agricultural products, including tasting rooms, wine production and associated improvements, consistent with Agricultural Resources Goal 6. The General Plan provides for facilities that promote agricultural products in all three agricultural land use categories only where the use supports and is proportional to agricultural production on the site or in the local area. Tasting rooms have been found to promote the region's as well as the grapes grown on-site, educate visitors to the region's wines, on the making of wines, and help to increase wine club membership, thereby increasing direct marketing and sales of the wine produced on site or locally. The proposed tasting room with limited tasting by appointment of Sonoma County wines produced off site by a local winery producing approximately 1,400 cases per year is consistent with the General Plan Noise Element and Agriculture Resource Element Policies AR-4a, AR-6a, AR-6d, and AR-6f. The tasting room can be accommodated on the project site with no cumulative significant impacts to traffic, noise, or groundwater resources.
2. The project is consistent with the Zoning Code because the Diverse Agriculture (DA) zoning district allows tasting rooms with a use permit approval, and the project meets all required zoning development standards of the DA zoning district, as well as the tasting rooms standards listed in Section 26-18-210. Additionally, the project is consistent with the Scenic Landscape Unit as no new construction is proposed and project conditions of approval require all exterior lighting to be dark sky compliant.
3. It is the determination of the department that the project is categorically exempt from the provisions of the California Environmental Quality Act pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15061, Common Sense Exemption because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. Specifically, the project does

not incur new construction; the proposed tasting room will utilize an existing facility and will be accommodated by the existing parking lot, septic system and well; the noise generated by the proposed use will comply with General Plan Noise Standards; and the expected increase in traffic and water use is negligible.

4. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are: (1) exterior lighting must be low mounted, downward casting and fully shielded to prevent glare, lighting shall shut off automatically after closing and security lighting shall be motion-sensor activated; (2) the project will not compromise agricultural capability because the proposed use does not remove agriculture; (3) the project site accommodates; (4) noise generated by the tasting room will comply with General Plan Noise Standards; (5) the expected increase in traffic and water use is negligible; (5) there are no events requested; and (6) amplified sound is not permitted.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants the requested Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11<sup>th</sup> day after the date of the Resolution unless an appeal is taken.

THE FOREGOING RESOLUTION was introduced by \_\_\_\_\_, who moved its adoption, seconded by \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner Ocana  
Commissioner Cornwall  
Commissioner Gilardi  
Commissioner McCaffery  
Commissioner Koenigshofer

Ayes:      Noes:      Absent:      Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.