

County of Sonoma
Santa Rosa, California

March 28, 2024

UPE19-0072 – Adam Sharron – Project Planner

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS (BZA), COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING THE USE PERMIT TO CONSTRUCT A NEW 2,809-SQUARE FOOT TASTING ROOM BUILDING ON A 16.6-ACRE PARCEL. RESTROOMS ARE PROPOSED IN A SEPARATE 302-SQUARE FOOT BUILDING LOCATED APPROXIMATELY 8- FEET FROM THE PROPOSED TASTING ROOM BUILDING. AN APPROXIMATE 4,973-SQUARE FEET OF PATIO/WALKWAYS ARE PROPOSED AND AN APPROXIMATELY 2,000-SQUARE FOOT TERRACE FOR VIEWING. NO MORE THAN TWENTY WINE TASTING GUESTS ARE ALLOWED PER DAY. TEN WINERY EVENTS (8 AGRICULTURAL PROMOTIONAL EVENTS AND 2 INDUSTRY-WIDE EVENTS) PER YEAR ARE PROPOSED AT THE TASTING ROOM WITH 200 GUESTS PER EVENT AND 3 EMPLOYEES, WHICH INCLUDE THE 2 TASTING ROOM EMPLOYEES. A NEW PARKING LOT IS PROPOSED ADJACENT TO THE NEW TASTING ROOM BUILDING AND AN OVERFLOW PARKING AREA IS PROPOSED TO THE EAST. TWO NEW DRIVEWAYS ARE PROPOSED TO ALLOW ACCESS TO THE PROPOSED PARKING LOT FROM SPRING HILL ROAD. REQUESTED BY KAMAL AZARI, FOR PROPERTY LOCATED AT 1321 SPRING HILL ROAD, PETALUMA; APN 020-050-026.

WHEREAS, the applicant, Kamal Azari, filed a Use Permit application with Permit Sonoma on September 25, 2020, to construct a new 2,809-square foot tasting room and associated structures and site improvements, and hold winery events on a 16.6-acre parcel; APN 020-050-026; and

WHEREAS, the project site is zoned LEA (Land Extensive Agriculture) B6 100, RC50/50 (Riparian Corridor Combining District), in Supervisorial District 2; and

WHEREAS, an Initial Study and Mitigated Negative Declaration was prepared for the project, noticed, and posted for the Use Permit in accordance with the California Environmental Quality Act (CEQA) and the State and County CEQA guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a duly noticed public hearing on March 28, 2024, at which time the Board of Zoning Adjustments heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustments does make the following findings:

1. The proposed project is consistent with the Sonoma County General Plan Agricultural Element Land Extensive Agriculture (LEA) land-use designation, and Policies AR-4a, AR-6d, and AR-6f:
 - i. The building will contain an approximately 2,409-square foot tasting area for wine produced on-site and an approximately 400-square foot food preparation area. The food preparation area is proposed to be utilized to warm prepared food catered for the proposed special events.
 - ii. The tasting room is proposed to accommodate 2 employees and 20 wine tasters a day. Agricultural Promotional Events will include up to eight (8) events from 11:00am to 5:00pm with a maximum of 200 guests. Food and wine pairings may be provided. Events will utilize music and amplified sound which will meet the noise standards of the General Plan. All the proposed events would be held at the tasting room on the second Saturday of the month from March to December.
 - iii. Industry-Wide Event Days up to a total of two (2) per year with a total of 200 people over the course of the entire day, with no more than 100 people at any one time during the day. Industry-wide events shall be between 11:00am and 5:00pm, unless the event sponsors require otherwise. Events will utilize music and amplified sound which will meet the noise standards of the General Plan.
2. The proposed project is consistent with the Land Extensive Agriculture (LEA) base zoning district of the Sonoma County Zoning Ordinance which allows for tasting rooms per Sec. 26-18-210 and consistency with the above-referenced General Plan Policies AR-6d and AR-6f. Pursuant to Sec. 26-06-030 – *Agriculture & Resource Zones Allowed Land Uses*, the winery, tasting rooms, and related agricultural promotional events and industry-wide events are allowed in the LEA zone, subject to obtaining a Use Permit.
3. The proposed project is consistent with the Riparian Corridor (RC) Combining Zone (Sec. 26-65-040) per the findings of the submitted Biological Assessment Report which states that no jurisdictional wetland habitat or waters of California habitat exists on the project site, plus no nexus or connectivity exists from the project site to the off-site watercourse. The project does not involve any direct removal, filling, or hydrological interruption of any protected wetlands.
4. The proposed project is consistent with Sec. 26-18-260(E) – *Winery Events Operating Standards* which allows for events that have been evaluated for a variety of factors specific to the site and surrounding uses, including, but not limited to septic capacity, available water supply, emergency access, availability of on-site parking, noise attenuation, and an increased risk of harm to people or property as a result of hazards.

The proposed events related to UPE19-0072 were evaluated as part of the CEQA analysis and found to not result in cumulative negative effects with the implementation of Mitigation Measures as required.

5. The establishment, maintenance, or operation of the use for which this 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, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. The Board of Zoning Adjustments certifies that the Negative Declaration has been completed, reviewed, and considered, together with the comments received during the public review process, in compliance with CEQA and State and County Guidelines, and find that the Negative Declaration reflects the independent judgment of the Board.

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 action shall be final on the 11th day after the date of the Resolution unless an appeal is taken pursuant to Sonoma County Code Section 26-92-160.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary of the Board of Zoning Adjustments as the custodian of the documents and other material which constitute the record of proceedings upon which the 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.

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

Commissioner *****	***
Commissioner *****	***
Commissioner *****	***
Commissioner *****	***
Commissioner *****	***

Ayes: * Noes: * Absent: * Abstain: *

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

SO ORDERED.