

County of Sonoma  
Santa Rosa, California

May 3, 2012  
UPE11-0088 Sigrid Swedenborg

**RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS,  
COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A  
NEGATIVE DECLARATION AND GRANTING A USE PERMIT  
TO RICHARD AND DEE RUED, FOR PROPERTY LOCATED AT  
3850 DRY CREEK ROAD, HEALDSBURG; APN 090-160-034.**

WHEREAS, the applicant, Richard and Dee Rued, filed a Use Permit application with the Sonoma County Permit and Resource Management Department to allow for participation in eight industry-wide events, and 24 special events with a maximum of 100 persons per event to an existing winery located at 3850 Dry Creek Road, Healdsburg; APN 090-160-034; Zoned LIA (Land Intensive Agriculture), B6-20 acre density, Z (Second Dwelling Unit Exclusion), BR (Biotic Resource), F1 (Flood way Combining District), SR (Scenic Resource), VOH (Valley Oak Habitat); Supervisorial District No 4; and

WHEREAS, a Negative Declaration was prepared and posted for the proposed project in accordance with the appropriate law and guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on May 3, 2012, at which time all interested persons were given an opportunity to be heard.

WHEREAS, the Board of Zoning Adjustments determined it appropriate to allow for participation in eight industry-wide events limited to tasting room hours and 17 special events a year with a maximum of 100 people per event. Only one event may be a wedding, which can only be held during the summer; all other events must be related to marketing and promotion of the wine made on-site.

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

1. The proposal is consistent with objectives and policies in the Agricultural Element of the General Plan land use designation to create and facilitate opportunities to promote and market agricultural products grown or processed in Sonoma County.
2. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project. The Negative Declaration has been completed in compliance with CEQA State and County guidelines and the information contained therein has been reviewed and considered.
3. 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: a) adequate parking exists on site; b) roadways in the project vicinity have been determined to be adequate for the proposed use; c) potential noise impacts are less than significant due to the location of the closest receptor, 600 feet from the site.

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 comments received during the public review process, in compliance with CEQA and State and County Guidelines, and finds 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, allowing for participation in eight industry-wide events limited to tasting room hours and 17 special events a year with a maximum of 100 people per event. Only one event may be a wedding, which can only be held during the summer; all other events must be related to marketing and promotion of the wine made on-site. The Use Permit is 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 Commissioner Liles, who moved its adoption, seconded by Commissioner Shahhosseini, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Montoya	Aye
Commissioner Shahhosseini	Aye
Commissioner Liles	Aye
Commissioner Davis	Aye

Ayes: 5    Noes: 0    Absent: 0    Abstain: 0

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

SO ORDERED.