

County of Sonoma
Santa Rosa, California

November 19, 2020
UPC18-055

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS, COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING A FIVE-YEAR LIMITED-TERM CONDITIONAL USE PERMIT FOR A CENTRALIZED CANNABIS PROCESSING FACILITY LOCATED ON A 28.20-ACRE LAND INTENSIVE AGRICULTURE SITE LOCATED AT 2599 LAUGHLIN ROAD, WINDSOR; APN 059-190-025.

WHEREAS, the applicant, Carolina Siemering, representing Gas Hill Cannabis Solutions Cooperative, Inc., filed a Use Permit application with the Sonoma County Permit and Resource Management Department for a 4,200 square feet centralized cannabis processing facility located at 2599 Laughlin Road, Windsor; APN 059-190-025; Zoned Land Intensive Agriculture (LIA), 40 acre minimum (B6 40), Floodway 1 (F1), Riparian Corridor (RC100/50), Scenic Resources (SR), and Valley Oak Habitat (VOH); Supervisorial District No 4; and

WHEREAS, on November 6, 2020 the Permit and Resource Management Department provided notice of a public hearing on the project to the applicant, neighboring property owners, and interested parties; and

WHEREAS, the project is exempt from the California Environmental Quality Act ("CEQA") pursuant to the following: 1) Section 15301 (Existing Facilities) because it would involve the interior alternations of the existing barn and no additional land disturbance or grading will take place on-site. The catchment system and associated equipment, including a 15,000-gallon water storage tank, will be placed within the barn structure or on previously-disturbed area outside of the riparian corridor; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on November 19, 2020 at which time all interested persons were given an opportunity to be heard.

WHEREAS, the Board of Zoning Adjustments has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board regarding the Project.

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

1. The proposed project is consistent with the General Plan land use designation and policies and the Land Intensive Agriculture general plan land use designation and policies related to the protection of agriculture and the rural character of the project environs. The project is consistent with all applicable General Plan policies, including:
 - a. Sonoma County previously determined that cannabis uses (including processing) are consistent with the overall goals, objectives, policies, and programs of the Sonoma County General Plan.
 - b. The project would involve limited development of land and allow the existing vineyard to continue to operate. The total operations would occupy 4,200 square feet of the 28.20-acre property. The vineyard and the cannabis processing operation

will continue to co-occupy the property and no net loss of agricultural land devoted to vineyard will occur.

- c. The project will not increase residential development, preserves the rural character of the area, is similar to and supportive of agricultural uses, and helps stabilize farm incomes by co-locating with the vineyard operation.
 - d. The project is an indoor operation without significant noise-generating activities, exterior lighting and uses the existing infrastructure.
- 2. The proposed project is consistent with in the project site's Land Intensive Agriculture (LIA), 40-acre density (B6 40), Floodway 1 (F1), Riparian Corridor (RC 100/50), Scenic Resources, Valley Oak Habitat (VOH) zoning , as follows:
 - a. Centralized cannabis processing is an allowed use with a conditional use permit.
 - b. The proposed cannabis processing operation is compliant with the Sonoma County Code Sections 24-04-010 through 030. The proposed use would not alter the exterior dimensions of the existing building which complies with the height, yard, and lot coverage requirements. Design review is not required because the application proposes no exterior modifications to the existing structure or signage.
 - c. The project complies with the Riparian Corridor Combining Zone Designation. The existing barn for the proposed centralized processing operation is bisected by the Riparian Corridor, where most of the north, east, and west sides of the barn are within the 100-foot riparian corridor setback. Per Section 26-65-030, structures are allowed in this area provided the structure is in conformance with Article 94 regarding Nonconforming Uses, and there is minimum vegetation removal and protection of riparian functions. As there would be no further ground disturbance, no vegetation will be removed and the barn would remain in conformance with the nonconforming use provisions of Article 94, staff finds that the proposal would be in compliance with this regulation.
 - d. The project complies with the Scenic Resources Combining Zone Designation. The project site is not located on any exposed ridgeline, does not front a public right-of-way, is screened from the road by the parcel to the south and north of the site, and involves no grading. The project includes interior modifications to the existing barn.
 - e. The project complies with the Valley Oak Habitat Combining Zone Designation. The project site does not include the removal of any existing Valley Oaks or include any new development.
- 3. The proposed cannabis operation complies with all building intensity, development criteria, and operating standards for commercial cannabis operations, and therefore, is consistent with Zoning:
 - a. The proposed processing facility is located within an existing building, where the parcel and buildings located on the site are consistent with the zoning code development criteria for the LIA zoning designation.
 - b. The Zoning Code requires that lighting be fully shielded, downward casting and not spill over onto structures, other properties, or the night sky between sunset and

sunrise (Sec. 26-88-254(f)(19)). Proposed security lighting is compliant with Zoning Code exterior lighting requirements.

- c. A Site Security Plan has been submitted which meets the guidelines established by Permit Sonoma in coordination with the Sheriff and Code Enforcement staff, and therefore, complies with the requirements of the Zoning Code (Sec. 26-88-254(f)(21)).
 - d. The Zoning Code requires that commercial indoor cannabis facilities be equipped with odor control filtration and ventilation systems (Sec. 26-88-254(g)(2). The applicant has proposed odor control devices and techniques, including odor absorbing ventilation, an exhaust filtration system, and a negative air-pressure system, which comply with Zoning Code air quality and odor control requirements.
 - e. The Zoning Code requires energy use to be 100 percent renewable (Sec. 26-88-254(g)(3). Enrollment in the Sonoma Clean Power EverGreen clean power program has been demonstrated, which complies with Zoning Code.
4. The design, location, size, and operating characteristics of the use are considered compatible with the existing and future agricultural and rural residential land uses within the vicinity. The use would not be detrimental to the health, safety, peace, comfort, and general welfare of persons residing or working in the neighborhood of the use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The surrounding parcels are all rural residential or agriculture in character. The nearest residence is approximately 500 feet south of the proposed use with rows of vineyard separating the two uses. The nearest sensitive use is Sonoma County Day School at half a mile north of the site. All other sensitive uses are over a mile away from the project site. The existing barn will be installed with a carbon filtration and negative air pressure/exhaust system and doors are to remain closed except for loading and unloading of the product to control odor during processing. Refer to Condition of Approval number 17. Security measures would be installed and monitored to deter potential theft and other crime. All exterior security lighting would be downward casting and would not project onto neighboring properties or pollute the night sky. Traffic is expected to be minimal with three full time employees. The project includes enough on-site parking for operations. For these reasons, along with the project's compliance with cannabis regulations contained in the County Code, the project is considered compatible with the surrounding neighborhood.
 5. The proposed project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and it has been determined that the project is categorically exempt under the provisions of the CEQA Guidelines, pursuant to the Provisions of Title 14 of the California Administrative Code, Section 15301(a) (Existing Facilities), because the project involves the conversion of an existing agricultural structure to a related use and including only minor interior tenant improvements to the building. The existing barn structure can accommodate a cannabis processing operation. No exceptions to the categorical exemptions apply. There is no reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances (15300.2).

BE IT FURTHER RESOLVED that this determination has been found to be Categorically Exempt from the

California Environmental Quality Act (CEQA) pursuant to Sections 15301 (Existing Facilities).

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby approves the Use Permit UPC18-0055, subject to the Conditions of Approval as set forth in Exhibit "A" attached hereto and incorporated herein by this reference.

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 of Zoning Adjustments 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 Adjustment's 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.

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

Commissioner Cornwall	Aye
Commissioner Shahhosseini	Aye
Commissioner Kelley	Aye
Commissioner Davis	Aye
Commissioner Tamura	Aye

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

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

SO ORDERED.