



## Legislation Details (With Text)

**File #:** 2019-1223  
**Type:** Consent Calendar Item **Status:** Passed  
**File created:** 7/29/2019 **In control:** Permit and Resource Management  
**On agenda:** 8/20/2019 **Final action:** 8/20/2019  
**Title:** Withdrawal of PLP14-0031 Westside Road Winery Appeal  
**Sponsors:** Permit and Resource Management  
**Indexes:**  
**Attachments:** 1. Withdrawal of PLP14-0031 Westside Road Winery Appeal.Summary.pdf

Date	Ver.	Action By	Action	Result
8/20/2019	1	Board of Supervisors	Approved as recommended	Pass

**To:** Board of Supervisors

**Department or Agency Name(s):** Permit and Resource Management

**Staff Name and Phone Number:** Milan Nevajda (707) 565-0626

**Vote Requirement:** Majority

**Supervisorial District(s):** Fourth

### Title:

Withdrawal of PLP14-0031 Westside Road Winery Appeal

### Recommended Action:

Consent to the appellant's voluntary request to withdraw its appeal of a Board of Zoning Adjustments decision, Resolution 17-006, to deny a Use Permit application for Rudd Winery.

Appellant (requesting appeal withdrawal): Backen, Gillam & Kroeger Architects for applicant, Broken Hill LLC 1. (Fourth District)

### Executive Summary:

On July 6, 2017 the Board of Zoning Adjustments (BZA) considered and denied an application for a Use Permit, and an associated Mitigated Negative Declaration, for a new winery with annual production of 10,000 cases on a 26.20 acre parcel located at 4603 Westside Road, Healdsburg. As outlined in BZA Resolution 17-006, the application was denied on findings related to traffic and public safety impacts, the number and scope of winery events, land use incompatibility, and zoning and General Plan inconsistency.

The project applicant filed a timely appeal of the BZA decision on July 11, 2017 and included a revised site plan with supplemental technical information, including a supplemental traffic analysis and biological assessment on the site to substantiate the appeal. The appeal to the Board of Supervisor's was scheduled for hearing on August 20, 2019 and notice of the hearing was posted on July 20, 2019.

On August 8, 2019 the appellant submitted a formal request to Permit Sonoma to withdraw the appeal. Pursuant to County Code §26-92-160(c), an appeal may be withdrawn with Board of Supervisors consent.

### Discussion:

Pursuant to County Code §26-92-160, any interested person may appeal any decision made by the Board of Zoning Adjustments to the Board of Supervisors. Subsection (c) of this regulation allows that “any appeal filed pursuant to this section may be withdrawn where the appellant requests such withdrawal and the board of supervisors consents.”

Permit Sonoma received a formal request to withdraw the appeal from the appellant on August 8, 2019. The appellant cited simply that they no longer desire to appeal the BZA denial.

**Prior Board Actions:**

None

**FISCAL SUMMARY**

None. The cost of this appeal and permit process is paid by the applicant.

**Narrative Explanation of Fiscal Impacts:**

None

**Narrative Explanation of Staffing Impacts (If Required):**

None

**Attachments:**

None

**Related Items “On File” with the Clerk of the Board:**

None