



COUNTY OF SONOMA

PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

2550 Ventura Avenue, Santa Rosa, CA 95403-2829
(707) 565-1900 FAX (707) 565-1103

DATE: June 23, 2009
TO: Board of Supervisors
FROM: Lisa D. Posternak, Comprehensive Planning Division
SUBJECT: ZCE09-0003, Zone Change to Remove HD Zoning, 5190 Vine Hill Road, Sebastopol, APN 078-060-017

BACKGROUND

Action of the Planning Commission:

At its regularly scheduled meeting on May 7, 2009 the Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors approve the request by [REDACTED] to change the zoning of the subject parcel (5190 Vine Hill Road, Sebastopol, APN 078-060-017) from DA B6 10 HD SR (Diverse Agriculture, 10 acre-density, Historic District, Scenic Resources) to DA B6 10 SR to remove the HD Zoning and designation of Sonoma County Historic Landmark from the property.

ISSUES DISCUSSED AT THE PUBLIC HEARING

Issue #1: Significance of Historic Property

Discussion

A neighbor to the subject property, [REDACTED] at 6443 Sequoia Circle, Sebastopol, commented the main house on the property is a unique house, over 100 years old, gives one the feeling of what it was like to live in the 1860s, and still retains enough historic character to be a significant historic building.

Resolution

The Historic Resource Report on the subject property prepared by consultant Diana J. Painter, Ph.D., dated December 2008, concludes that the subject property does not retain sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria.

The buildings on the property were extensively remodeled without permits from PRMD or review by the Landmarks Commission. The historic resources consultant concludes that the alterations made to the buildings do not meet the Secretary of the Interior's Standards for

Rehabilitation. The consultant also concludes that the farmstead as an historic district does not retain sufficient integrity to retain its association with Amasa Bushnell (original owner/builder) and as an example of an early farm complex. Staff explained to the Planning Commission that the Landmarks Commission reviewed the Historic Resource Report, concurred with the conclusion that the property is no longer a significant historic resource and determined that it no longer qualifies as a Sonoma County Historic Landmark, and recommended approval of the Zone Change to remove the HD Zoning from the subject property.

The Planning Commission concurred with the conclusion of the Historic Resource Report and the recommendation of the Landmarks Commission. For more information, see "Issue #1: Appropriateness of Request" in Planning Commission Staff Report dated May 7, 2009 (Exhibit D).

List of Attachments

Draft Board of Supervisors Resolution

Exhibit A: Draft Ordinance

Exhibit B: Sectional District Map

Exhibit C: Planning Commission Resolution Number 09-013

Exhibit D: Planning Commission Staff Report - May 7, 2009

Exhibit E: Planning Commission Minutes - May 7, 2009

Resolution Number

County of Sonoma
Santa Rosa, California

June 23, 2009
ZCE09-0003

Lisa Posternak

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THAT THE PROJECT AS REQUESTED BY [REDACTED] IS EXEMPT FROM CEQA AND APPROVING THE ZONE CHANGE TO REMOVE THE HD (HISTORIC DISTRICT) ZONING DESIGNATION FOR PROPERTY LOCATED AT 5190 VINE HILL ROAD, SEBASTOPOL; APN 078-060-017.

WHEREAS, the applicants, [REDACTED] filed an application with the Sonoma County Permit and Resource Management Department to rezone 4.82 acres from the DA (Diverse Agriculture), B6 10 acre density, HD (Historic District), SR (Scenic Resource) District to the DA, B6 10 acre density, SR District, or other appropriate District, located at 5190 Vine Hill Road, Sebastopol; APN 078-060-017; Supervisorial District No. 5; and

WHEREAS, at their regularly scheduled meeting on May 7, 2009, the Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors find the project to be exempt from CEQA and approve the requested zone change; and

WHEREAS, in accordance with the provisions of law, the Board of Supervisors held a public hearing on June 23, 2009 at which time all interested persons were given an opportunity to be heard; and

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors does make the following findings:

1. The subject property no longer qualifies as a Sonoma County Historic Landmark because it does not retain sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria.
2. The Zone Change is consistent with the General Plan and Zoning Ordinance because it does not involve changing the land use designation, and involves removing only the HD Combining District from the zoning of the subject property.
3. The project is exempt from CEQA pursuant to Section 15061(b).

BE IT FURTHER RESOLVED that the Board of Supervisors has determined with certainty that there is no possibility that the activity described in this resolution may have a significant effect on the environment and therefore is also exempt from the requirements of the California Environmental Quality Act by virtue of Section 15061(b)(3) of the state CEQA Guidelines.

BE IT FURTHER RESOLVED that the Board of Supervisors approves the request to rezone 4.82 acres from the DA (Diverse Agriculture), B6 10 acre density, HD (Historic District), SR (Scenic Resource) District to the DA, B6 10 acre density, SR District.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Clerk of the Board 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

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office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California
95403.

SUPERVISORS VOTE:

Brown: Kerns: Zane: Carrillo: Kelley:

Ayes: Noes: Absent: Abstain:

SO ORDERED.

ORDINANCE NO.

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY FROM DA (DIVERSE AGRICULTURE), B6 10 ACRE DENSITY, HD (HISTORIC DISTRICT), SR (SCENIC RESOURCES) DISTRICT TO THE DA, B6 10 ACRE DENSITY, SR DISTRICT FOR 4.82 ACRES LOCATED AT 5190 VINE HILL ROAD, SEBASTOPOL; APN 078-060-017.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property from the DA (Diverse Agriculture), B6 10 acre density, HD (Historic District), SR (Scenic Resource) District to the DA, B6 10 acre density, SR District for 4.82 acres located on the east side of Vine Hill Road, approximately 790 feet south of the intersection with Vine Hill School Road, also known as 5190 Vine Hill Road, Sebastopol, APN 078-060-017. File No. ZCE09-0003. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No. _____.

SECTION II: If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION III: This ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in a newspaper of general circulation, published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this _____ day of _____, 2009, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

| | | | | |
|--------|--------|---------|-----------|---------|
| Brown: | Kerns: | Zane: | Carrillo: | Kelley: |
| Ayes: | Noes: | Absent: | Abstain: | |

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Clerk of the Board of Supervisors

DA B6 10, SR
(Remove HD)

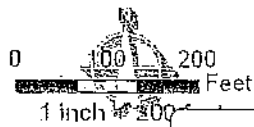
078-060-017

Yine Hill Rd

DRAFT

Zoning Combining Districts

- ++ LU Policy
- |||| AH Affordable Housing
- //// HD Historic District
- BR Biotic Resource
- SD Scenic Design
- SR Scenic Resource
- VOH Valley Oak Habitat
- MR Mineral Resource
- G Geologic Hazard
- F1 Floodway
- F2 Floodplain



Permit & Resource Management Department
Project Review Section
2550 Ventura Avenue, Santa Rosa, CA 95403

FILE: ZCE 09-0003
AP #: 078-060-017
Ordinance No.
Sectional District Map No.

26A

Sectional District Map

ZCE 09-0003

Resolution Number 09-013

County of Sonoma
Santa Rosa, California

May 7, 2009
ZCE09-0003

Lisa Posternak

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS FIND THAT THE PROJECT AS REQUESTED BY [REDACTED] IS EXEMPT FROM CEQA AND APPROVE THE ZONE CHANGE TO REMOVE THE HD (HISTORIC DISTRICT) ZONING DESIGNATION FOR PROPERTY LOCATED AT 5190 VINE HILL ROAD, SEBASTOPOL; APN 078-060-017.

WHEREAS, the applicants, [REDACTED], filed an application with the Sonoma County Permit and Resource Management Department to rezone 4.82 acres from the DA (Diverse Agriculture), B6 10 acre density, HD (Historic District), SR (Scenic Resource) District to the DA, B6 10 acre density, SR District, or other appropriate District, located at 5190 Vine Hill Road, Sebastopol; APN 078-060-017; Supervisorial District No. 5; and

WHEREAS, the Permit Resource and Management Department (PRMD) determined that the project was exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on May 7, 2009 at which time all interested persons were given an opportunity to be heard.

NOW THEREFORE BE IT RESOLVED that the Planning Commission does make the following findings:

1. The subject property no longer qualifies as a Sonoma County Historic Landmark because it does not retain sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria.
2. The Zone Change is consistent with the General Plan and Zoning Ordinance because it does not involve changing the land use designation, and involves removing only the HD Combining District from the zoning of the subject property.
3. The project is exempt from CEQA pursuant to Section 15061(b).

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the project to be exempt from CEQA and approve the requested Zone Change.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission 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.

Resolution # 09-013

May 7, 2009

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

| | |
|---------------------------|-----|
| Commissioner Feibusch | aye |
| Commissioner Shahhosseini | aye |
| Commissioner Schaffner | aye |
| Commissioner Lynch | aye |
| Commissioner Fogg | aye |

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

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

SO ORDERED.



Sonoma County Planning Commission STAFF REPORT

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-7383 FAX (707) 565-8343

FILE: ZCE09-0003
DATE: May 7, 2009
TIME: 1:10 p.m.
STAFF: Lisa Posternak

SUMMARY

Applicant: [REDACTED]

Owner: [REDACTED]

Location: 5190 Vine Hill Road, Sebastopol
APN 078-060-017 Supervisorial District No. 5

Subject: Zone Change

PROPOSAL: Zone Change to Remove HD Zoning

Environmental Determination: CEQA Exemption - Section 15061(b)

General Plan: DA 10 (Diverse Agriculture, 10 acre-density)

Specific/Area Plan: Russian River

Land Use: Residential

Zoning: DA B6 10 HD SR (Diverse Agriculture, 10 acre-density, Historic District, Scenic Resources)

RECOMMENDATION: Recommend that the Board of Supervisors approve removing the HD Zoning from the subject property.

ANALYSIS

Background:

The subject property is 4.82 acres at 5190 Vine Hill Road in Sebastopol. It is listed as Sonoma County Historic Landmark #132. The property contains the following structures: 1) Main House (circa 1882 or earlier); 2) Carriage House (circa 1900) that consists of a small residence, storage area, and small garden; 3) Cottage; 4) Picnic Shelter; 5) Barn; 6) contemporary Pole Barn; and 7) large stone and concrete terrace enclosed by a low stone wall. It is referred to as Bushnell Ranch, Pitkin Ranch, and Jones Tree Farm.

The Applicant filed an application for a Zone Change to remove the HD Zoning from the subject property on February 2, 2009. The application included an Historic Resource Report on the subject property dated December 2008 prepared by Diana J. Painter, Ph.D. The Historic Resource Report concludes that the subject property does not retain

sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria, the same criteria the Sonoma County Landmarks Commission uses to determine whether a property qualifies as a Sonoma County Historic Landmark.

At its meeting on March 3, 2009, the Landmarks Commission determined that the subject property no longer qualifies as a Sonoma County Historic Landmark, and recommended that the Planning Commission recommend approval of the Zone Change to remove the HD Zoning from the subject property.

Project Description:

The proposed project is a Zone Change to remove the HD Zoning from the subject property.

DISCUSSION OF ISSUES

Issue #1: Appropriateness of Request

The Historic Resource Report on the subject property prepared by consultant Diana J. Painter, Ph.D., dated December 2008 concludes that the subject property does not retain sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria. Therefore, the property no longer qualifies as a Sonoma County Historic Landmark.

The buildings on the property were extensively remodeled without permits from PRMD or review by the Landmarks Commission. The historic resources consultant concludes that the alterations made to the buildings do not meet the Secretary of the Interior's Standards for Rehabilitation. The main house does not retain integrity of design, workmanship, feeling, or association. While the basic form and massing of the house is intact, the design has been altered by the addition of historic elements from other Victorian-era styles, thus the Greek Revival characteristics of the building have been lost. Changes include the addition of two bay windows, new porch supports and balustrades, added architectural detailing, an exterior chimney with small flanking windows, an octagon window under the eaves and an additional window on the west facade which affects the symmetry of the building, and a deck.

The consultant also concludes that the farmstead as an historic district does not retain sufficient integrity to retain its association with Amasa Bushnell (original owner/builder) and as an example of an early farm complex. Each of the buildings except the barn now have a residential component, and the picnic shelter and terrace are clearly later additions intended for recreational use. The property's apparent use as an extended family compound and a country property in the last half of the 20th century has contributed to its changed appearance and loss of association with its agricultural past.

Issue #2: Landmarks Commission Review

The Landmarks Commission agreed with the consultant's findings in the Historic Resources Report that the subject property no longer qualifies as a significant historic resource under California Register of Historical Resources criteria, and therefore no longer qualifies as a Sonoma County Historic Landmark. Since HD Zoning is only applied to properties designated as an Historic Landmark or in a designated geographic Historic District, the HD Zoning of the property is no longer appropriate and should be removed.

Removal of the HD Zoning would remove the designation of Sonoma County Historic Landmark from the subject property, and allow the property owner to make exterior alterations to the main house and other buildings on the property without review and approval of the Landmarks Commission.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission recommend approval to the Board of Supervisors of the Zone Change to remove the HD Zoning from APN 078-060-017.

FINDINGS FOR RECOMMENDED ACTION

1. The subject property no longer qualifies as a Sonoma County Historic Landmark because it does not retain sufficient integrity to be a significant historic resource under California Register of Historical Resources criteria.
2. The Zone Change is consistent with the General Plan and Zoning Ordinance because it does not involve changing the land use designation, and involves removing only the HD Combining District from the zoning of the subject property.
3. The project is exempt from CEQA pursuant to Section 15061(b).

LIST OF ATTACHMENTS

- Exhibit A: Vicinity Map
- Exhibit B: Existing and Proposed Zoning/AP Map
- Exhibit C: General Plan Land Use Map
- Exhibit D: Assessor's Parcel Map
- Exhibit E: Landmarks Commission Meeting Minutes dated March 3, 2009
- Exhibit F: Draft Ordinance
- Exhibit G: Draft Sectional District Map
- Exhibit H: Draft Planning Commission Resolution

Separate Attachment for Commissioners: Historic Resource Report



Sonoma County Planning Commission Minutes

Sonoma County Permit and Resource Management Department
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

Date: **May 7, 2009**
Meeting No.: **09-007**

ROLL CALL

Commissioners

Marcel Feibusch
Komron Shahhosseini
Dennis Murphy
Tom Lynch
Dick Fogg, Chair

Staff

Dean Parsons
Sigrid Swedenborg
Scott Hunsperger
Lisa Posternak
Sue Dahl

1:00 PM Call to order and Pledge of Allegiance
Minutes Approved: April 16, 2009

REGULAR CALENDAR

Item No. 3 Time: 1:10 p.m. File: ZCE09-0003
Applicant: [REDACTED] Staff: Lisa Posternak
Env. Doc.: Categorical Exemption
Proposal: Request for a Zone Change to Remove HD (Historic Combining District) Zoning Designation
Location: 5190 Vine Hill Road, Graton
APN: 078 060 017 Supervisorial District: 5
Zoning: DA (Diverse Agriculture), SR (Scenic Resource), HD (Historic District)
Board of Supervisors Hearing to be determined

Commissioner Lynch asked for a summary of the historic designation on the property. Staff **Posternak** stated that a former owner had established the HD designation, and over time a great deal of remodeling was done without permits, which has negated some of the historic properties of the structure. The current owner, the applicant, is requesting that the designation be removed. **Commissioner Lynch** was concerned about sanctions for the violator, but Staff **Posternak** said that there had never been a complaint reported to Code Enforcement, and the violations were discovered by PRMD staff after an ownership change.

Public Hearing Opened: 1:25 p.m.

Speakers: Chris Ebell, Sebastopol, lives across the street from the site and said he never was included in the noticing process for the Landmark hearings. The structure in question is 150 years old and still retains much of it's original character. He opposed the request.

██████████, property owner, found out about designation two days before close of escrow. At first, the house could not be seen from the road, but he cleared brush and now it is visible. ██████████ plans to improve the house, which has already been drastically changed from it's original state.

Public Hearing Closed: 1:30 p.m.

Commissioner Lynch asked Kenner to describe the improvements and square footage. ██████████ stated that the decks are rotting, paint is needed, and he wished to put a small master bedroom addition that will sit in with the existing style. Commissioner Lynch acknowledged that it was unfortunate that the neighbors were not included in the Landmarks process, but also understood that owner's concerns. Commissioner Lynch made a motion to recommend approval to the Board of Supervisors.

Action: **Recommend approval to the Board of Supervisors**
Resolution No.: 09-013
Appeal Period: n/a

Feibusch: S/aye
Shahhosseini: aye
Schaffner: aye
Lynch: M/aye
Fogg: aye

Vote: ayes 5 noes 0 abstain 0 absent 0

There being no further business to come before the Planning Commission at this time, all items having been handled and all persons having been given an opportunity to be heard on any matter before the Planning Commission in public hearing or otherwise, the meeting was adjourned.

Minutes adopted June 4, 2009.

Background information is on file at:

County of Sonoma Board of Supervisors Office
575 Administration Drive, Room 100A
Santa Rosa, CA 95403

It can be viewed and/or copies requested during regular business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday. Call (707) 565-2241 for more information.