

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

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

DATE: July 21, 2009 at 2:30 p.m.
TO: Board of Supervisors
FROM: Sigrid Swedenborg, Project Planner
SUBJECT: PLP09-0013, [REDACTED]

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] for a General Plan Amendment on 175 acres from the Resources and Rural Development 240 acre density to the Resources and Rural Development 150 acre density and a Zone Change from the RRD (Resources and Rural Development), B6-240 acre density, G (Geologic Hazard Combining), to the RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard Combining) district, or other appropriate district pursuant to a Condition of Approval of a previously approved Minor Subdivision (MNS03-0028) on property located at 26026 River Road, Cloverdale; APN 117-120-009; Supervisorial District No. 4.

ISSUES DISCUSSED AT THE PUBLIC HEARING

This was an uncontested item and no issues were raised by the public or the Planning Commission at the public hearing.

List of Attachments:

Draft Board of Supervisors Resolution
EXHIBIT A: Draft Ordinance
EXHIBIT B: Draft Sectional District Map
EXHIBIT C: Planning Commission Resolution No. 09-011
EXHIBIT D: Planning Commission Minutes dated May 7, 2009
EXHIBIT E: Planning Commission Staff Report dated May 7, 2009

Resolution Number

County of Sonoma
Santa Rosa, California

July 21, 2009
PLP09-0013 Sigrid Swedenborg

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE PROJECT EXEMPT FROM CEQA AND APPROVING THE REQUESTED GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED BY [REDACTED], FOR PROPERTY LOCATED AT 26026 RIVER ROAD, CLOVERDALE; APN 117-120-009 (PLP09-0013).

RESOLVED, that the Board of Supervisors of the County of Sonoma ("the Board") hereby finds and determines as follows:

WHEREAS, [REDACTED] (the "Applicant"), filed an application with the Sonoma County Permit and Resource Management Department ("PRMD") for a General Plan Amendment on 175 acres from the Resources and Rural Development 240 acre density to the Resources and Rural Development 150 acre density and a Zone Change from the RRD (Resources and Rural Development), B6-240 acre density, G (Geologic Hazard Combining), to the RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard Combining) district, or other appropriate district (collectively "the Proposed Project"), pursuant to a Condition of Approval of a previously approved Minor Subdivision (MNS03-0028) on property located at 26026 River Road, Cloverdale; APN 117-120-009; Supervisorial District No. 4; and

Whereas, it was determined that the Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations which provides that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA; and

Whereas, the Planning Commission in accordance with the provisions of law, conducted a public hearing on the Proposed Project on May 7, 2009, and with a 5-0 vote, recommended that the Board approve the Proposed Project; and

Whereas, the Planning Commission's recommendation on the Proposed Project has been reviewed and considered by the Board; and

Whereas, in accordance with the provisions of law, the Board held a public hearing on July 21, 2009, at which time all interested persons were given an opportunity to be heard on the Proposed Project; and

WHEREAS, the Proposed Project is part of the third amendment of the General Plan Land Use Element for 2009.

WHEREAS, the third land use amendment of the General Plan Land Use Element for 2009, does not significantly alter the goals, objectives and policies of the General Plan and the change is in harmony with the rest of the General Plan; and

Whereas, the Board concurs with PRMD's determination that the Proposed Project is exempt from CEQA under Section 15061(b)(3) of the State CEQA Guidelines. The facts and

conditions that support this finding are as follows:

1. Section 15061(b)(3) of the State CEQA Guidelines exempts an activity from CEQA where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment;
2. The project details that establish the proposed project's eligibility for exemption under Section 15061(b)(3) of the State CEQA Guidelines are as follows:
 - a. The General Plan Amendment and Zone Change would not allow for any uses on the subject parcel that are not allowed under the current land use designation and zoning.

WHEREAS, the Board makes the following findings concerning the Proposed Project:

1. The General Plan Amendment will eliminate a split designation of the 347 acre parcel and will not allow any additional subdivision potential beyond what was allowed prior to the subdivision.
2. Rezoning the site to RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard) will ensure that further subdivision of the site, in excess of the permitted density of the General Plan, will not occur.
4. The Zone Change is required as a Condition of Approval for a previously approved Minor Subdivision (MNS03-0028).
5. The project is exempt from CEQA pursuant to Section 15061(b)(3), because it can be seen with certainty that there is no possibility that it could have a significant effect on the environment.

NOW, THEREFORE, based on the foregoing findings and determinations and the record of these proceedings, the Board declares and orders as follows:

1. The foregoing findings and determinations are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
2. The Proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15061(b)(3) of the California Code of Regulations.
3. The Proposed Project is approved as follows:
 - a. The General Plan Amendment is approved as part of the third amendment of the General Plan Land Use Element for 2009.
 - b. The General Plan Land Use Amendment is approved to amend the land use designation on APN 117-120-009 from the Resources and Rural Development 240 acre density to the Resources and Rural Development 150 acre density on 175 acres.
 - c. The Zone Change on APN 117-120-009 from the RRD (Resources and Rural Development), B6-240 acre density, G (Geologic Hazard Combining) to the RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard Combining) district, or other appropriate district on 175 acres is to follow (see

Ordinance No. _____).

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 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.

Resolution Number 09-011

County of Sonoma
Santa Rosa, California

May 7, 2009
PLP09-0013 Sigrid Swedenborg

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS EXEMPT THE PROJECT FROM CEQA AND APPROVE THE GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED BY CHESTNUT SPRINGS RANCH C/O [REDACTED] FOR PROPERTY LOCATED AT 26026 RIVER ROAD, CLOVERDALE; APN 117-120-009.

WHEREAS, the applicant, Chestnut Springs Ranch c/o [REDACTED] filed an application with the Sonoma County Permit and Resource Management Department for a General Plan Amendment on 175 acres from the Resources and Rural Development 240 acre density to the Resources and Rural Development 150 acre density and a Zone Change from the RRD (Resources and Rural Development), B6-240 acre density, G (Geologic Hazard Combining), to the RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard Combining) district, or other appropriate district pursuant to a Condition of Approval of a previously approved Minor Subdivision (MNS03-0028) on property located at 26026 River Road, Cloverdale; APN 117-120-009; Supervisorial District No. 4; 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 makes the following findings:

1. The General Plan Amendment will eliminate a split designation of the 347 acre parcel and will not allow any additional subdivision potential beyond what was allowed prior to the subdivision.
2. Rezoning the site to RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard) will ensure that further subdivision of the site, in excess of the permitted density of the General Plan, will not occur.
4. The Zone Change is required as a Condition of Approval for a previously approved Minor Subdivision (MNS03-0028).
5. The project is exempt from CEQA pursuant to Section 15061(b)(3), because it can be seen with certainty that there is no possibility that it could have a significant effect on the environment.

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 General Plan Amendment and Zone Change.

Resolution # 09-011

May 7, 2009

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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.

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

Commissioner Feibusch	Aye
Commissioner Shahhosseini	Aye
Commissioner Murphy	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 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

UNCONTESTED CALENDAR

Item No. 1 **Time:** 1:05 p.m. **File:** PLP09-0013
Applicant: [REDACTED] **Staff:** Sigrid Swedenborg
Env. Doc.: Categorical Exemption
Proposal: Request for a General Plan Amendment on 175 acres from the Resources and Rural Development 240 acre density to the Resources and Rural Development 150 acre density, and a Zone Change from the RRD (Resources and Rural Development), B6-240 acre density, G (Geologic Hazard), to the RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard) required as a condition for a previously approved Minor Subdivision (MNS03-0028)
Location: 26026 and 21912 River Road, Cloverdale
APN: 117 120 009, 141 140 032, 033 **Supervisorial District:** 4
Zoning: RRD (Resources and Rural Development), B6-240 acre density/RRD (Resources and Rural Development), B6-150 acre density, G (Geologic Hazard Combining), BR (Biotic Resource)
Board of Supervisors Hearing to be determined

Public Hearing Opened and Closed: 1:10 p.m.

Commissioner Murphy made a motion to recommend approval to the Board of Supervisors.

Action: Recommend approval to the Board of Supervisors
Resolution No.: 09-011
Appeal Period: n/a

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

Vote: ayes __5__ noes __0__ abstain __0__ absent __0__

Supporting maps are on file at:

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

They 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.

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.