

Resolution Number

County of Sonoma
Santa Rosa, California

September 15, 2009
UPE07-0117 Cynthia Demidovich

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, DENYING THE APPEAL, THEREBY UPHOLDING THE USE PERMIT GRANTED TO [REDACTED], FOR PROPERTY LOCATED AT 4700 STOETZ LANE, SEBASTOPOL; APN 074-041-0110.

WHEREAS, the applicant, [REDACTED], filed a Use Permit application with the Sonoma County Permit and Resource Management Department to increase a small family day care home of 8 children to a large family day care home for up to 14 children on a 1.5 acre parcel located at 4700 Stoetz Lane, Sebastopol; APN 074-041-0110; Zoned DA (Diverse Agriculture), B6-20 acre density, SD (Scenic Design Regulations); Supervisorial District 5; and

WHEREAS, at its regularly scheduled meeting on June 11, 2009, the Board of Zoning Adjustments, with a 5-0 vote, approved the request; and

WHEREAS, on June 19, 2009, an appeal of the approval was filed with the Board of Supervisors by the applicant, [REDACTED] and

WHEREAS, on August 25, 2009, the Board of Supervisors held a public hearing at which time all interested persons were given an opportunity to be heard. The Board closed the public hearing and with a 5-0 straw vote continued the item to September 15, 2009, for final action on the modified Final Resolution and Conditions of Approval; and

WHEREAS, the project is exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15274(a), which exempts from CEQA the establishment or operation of large family day care homes for up to 14 children;

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

1. The use, as conditioned, is consistent with the Diverse Agricultural General Plan land use designation and the Diverse Agriculture zoning district regulations as a large family day care center is allowed with an approved Use Permit.
2. The establishment, maintenance and operation of the expanded day care center to 14 children 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 because no new construction is proposed; noise is to be mitigated with the construction of sound walls; and the hours of out door play time are limited to assume compatibility with the neighborhood.
3. The project is exempt from CEQA pursuant to State CEQA Guidelines Section 15274(a).

BE IT FURTHER RESOLVED that the Board of Supervisors denies the appeal and upholds the Use Permit, subject to the Conditions of Approval in Exhibit "A", attached hereto.

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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.