

COUNTY OF SONOMA
PERMIT AND RESOURCE MANAGEMENT DEPARTMENT

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

DATE : October 6, 2009 at 2:10 p.m.
TO: Board of Supervisors
FROM: Scott Hunsperger, Project Planner
SUBJECT: PLP08-0005, [REDACTED]

Action of the Planning Commission:

At its regularly scheduled meeting on August 6, 2009, the Planning Commission, with a 5-0 vote, recommended that the Board of Supervisors approve a request from [REDACTED] for 1) a General Plan Amendment from the DA (Diverse Agriculture), 10 acre density to the LIA (Land Intensive Agriculture), 20 acre density land use designation and 2) a Zone Change from the DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to the LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning or other appropriate district on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008) located at 5080 West Soda Rock Lane, Healdsburg; APN 088-050-017; 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. 09-025
Exhibit D: Planning Commission Minutes Dated August 6, 2009
Exhibit E: Planning Commission Staff Report Dated August 6, 2009

Resolution Number 09-

County of Sonoma
Santa Rosa, California

October 6, 2009
PLP08-0005 Scott Hunsperger

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE PROJECT EXEMPT FROM CEQA AND APPROVING 1) A GENERAL PLAN AMENDMENT FROM THE DA (DIVERSE AGRICULTURE), 10 ACRE DENSITY TO THE LIA (LAND INTENSIVE AGRICULTURE), 20 ACRE DENSITY LAND USE DESIGNATION AND 2) A ZONE CHANGE FROM THE DA (DIVERSE AGRICULTURE), B6-10 ACRE DENSITY, Z (SECOND DWELLING UNIT EXCLUSION), VOH (VALLEY OAK HABITAT) TO THE LIA (LAND INTENSIVE AGRICULTURE), B6-20 ACRE DENSITY, Z, VOH ZONING OR OTHER APPROPRIATE DISTRICT ON 3.87 ACRES AS REQUIRED BY A CONDITION OF APPROVAL OF A LOT LINE ADJUSTMENT (LLA06-0008) LOCATED AT 5080 WEST SODA ROCK LANE, HEALDSBURG; APN 088-050-017.

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

WHEREAS, [REDACTED] (“Applicant”) filed an application with the Sonoma County Permit and Resource Management Department (“PRMD”) for 1) a General Plan Amendment from the DA (Diverse Agriculture), 10 acre density to the LIA (Land Intensive Agriculture), 20 acre density land use designation and 2) a Zone Change from the DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to the LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning or other appropriate district (collectively “the Proposed Project”) on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008) located at 5080 West Soda Rock Lane, Healdsburg; APN 088-050-017; 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 August 6, 2009, 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

October 6, 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 fourth amendment of the General Plan Land Use Element for 2009.

WHEREAS, the fourth 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 purpose of the General Plan Amendment and Zone Change is to eliminate the existing split land use and zoning designation portions of the subject parcels to match the newly created parcel boundaries. The rezoning is consistent with the LIA (Land Intensive Agriculture) General Plan Land Use designation.
 - b. The amendment was required as a condition of the previously approved Lot Line Adjustment (LLA06-0008).

WHEREAS, the Board of Supervisors does make the following findings concerning the Proposed Project:

1. The proposed General Plan Amendment and Zone Change for DA (Diverse Agriculture), 10 acre density to LIA (Land Intensive Agriculture), 20 acre density land use designation are consistent with the General Plan and Zoning Ordinance.
2. The General Plan Amendment and Zone Change are necessary to ensure that the zoning district boundaries coincide with the new property lines and to eliminate the split zoning within the resulting parcel of the Lot Line Adjustment.
3. The General Plan Amendment and Zone Change fulfill Condition of Approval #4 for the previously approved Lot Line Adjustment LLA06-0008.
4. The project is exempt from CEQA pursuant to Section 15061(b)(3).

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 fourth 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 of the subject site from the DA (Diverse Agriculture), 10 acre density to the LIA (Land Intensive Agriculture), 20 acre density land use designation.
 - c. The Zone Change from the DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to the LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning or other appropriate district on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008) is to follow (see Ordinance No.).

BE IT FURTHER RESOLVED that the Clerk of the Board is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100A, Santa Rosa, CA 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, Z (SECOND DWELLING UNIT EXCLUSION), VOH (VALLEY OAK HABITAT) TO LIA (LAND INTENSIVE AGRICULTURE), B6-20 ACRE DENSITY, Z, VOH ZONING OR OTHER APPROPRIATE DISTRICT ON 3.87 ACRES AS REQUIRED BY A CONDITION OF APPROVAL OF A LOT LINE ADJUSTMENT (LLA06-0008) LOCATED AT 5080 WEST SODA ROCK LANE, HEALDSBURG; APN 088-050-017.

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, are amended by reclassifying the following real property from DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning or other appropriate district on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008) approximately 1 mile from the intersection of Old Barn Road and West Soda Rock Lane, also known as 5080 West Soda Rock Lane, Healdsburg; APN 088-050-017. File No. PLP08-0005. 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:

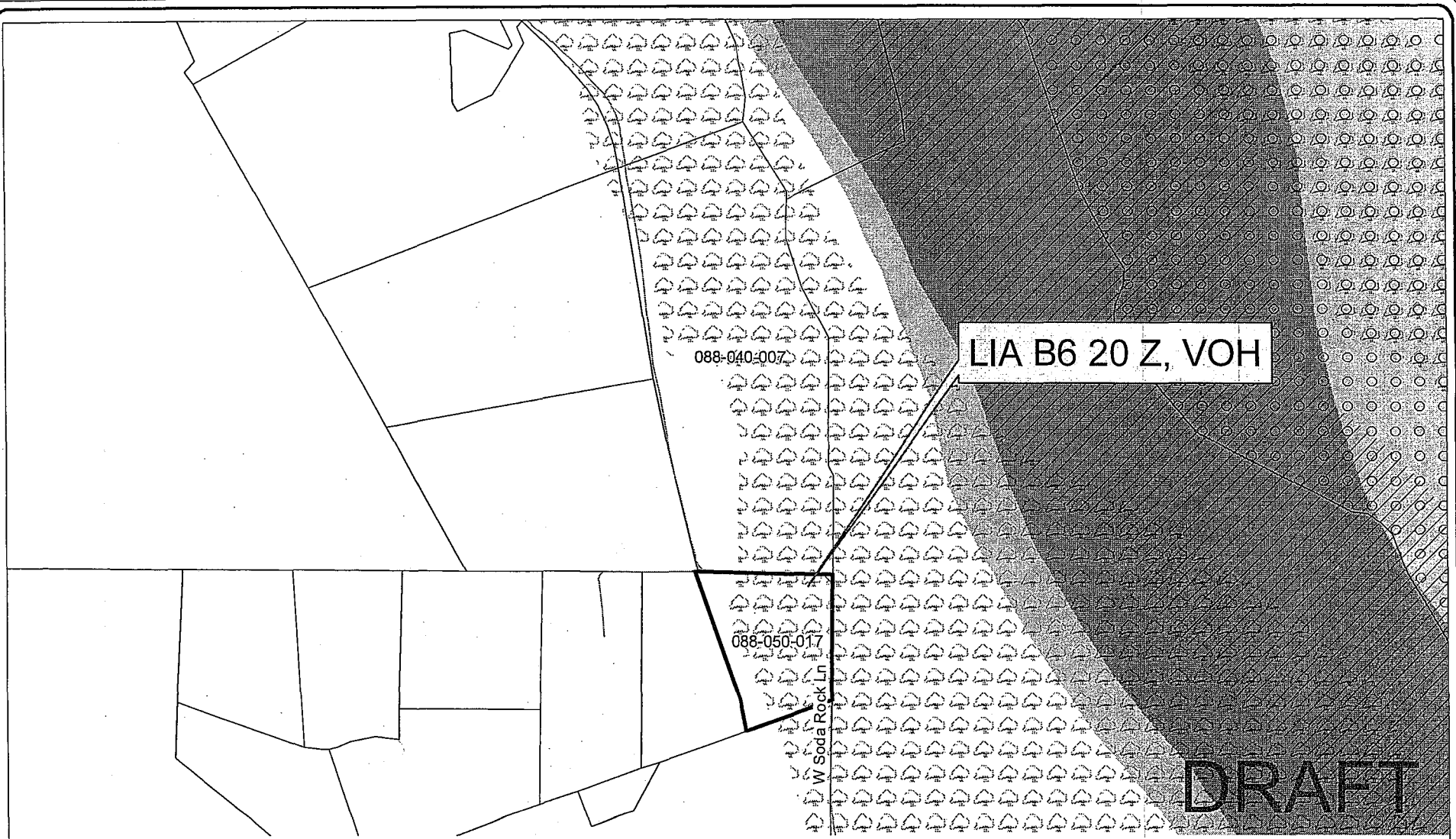
WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Clerk of the Board of Supervisors



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
 (707) 565-1900 Fax (707) 565-1103

FILE: PLP 08-0005
 AP #: 088-050-017
 Ordinance No.
 Sectional District Map No.

Resolution Number 09-025

County of Sonoma
Santa Rosa, California

August 6, 2009
PLP08-0005 Scott Hunsperger

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE GENERAL PLAN AMENDMENT AND ZONE CHANGE AS REQUESTED BY [REDACTED] FOR PROPERTY LOCATED AT 5080 WEST SODA ROCK LANE, HEALDSBURG; APN 088-050-017; SUPERVISORIAL DISTRICT NO. 4.

WHEREAS, the applicant, [REDACTED], filed an application with the Sonoma County Permit and Resource Management Department for 1) a General Plan Amendment from DA (Diverse Agriculture), 10 acre density to LIA (Land Intensive Agriculture), 20 acre density land use designation and 2) a Zone Change from DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning district on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008) located at 5080 West Soda Rock Lane, Healdsburg; APN 088-050-017; 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 August 6, 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 proposed General Plan Amendment / Zone Change for 3.87 acres is consistent with the LIA (Land Intensive Agriculture) 20 acre density General Plan land use designation.
2. The General Plan Amendment and Zone Change are necessary to ensure that the General Plan land use and zoning district boundaries coincide with the new property lines and to eliminate the split zoning within the resulting parcels of the Lot Line Adjustment.
3. The General Plan Amendment and Zone Change fulfill Condition of Approval #4 for the previously approved Lot Line Adjustment LLA06-0008.
4. The project is exempt from CEQA pursuant to Section 15061(b)(3).

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.

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

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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 Schaffner, who moved its adoption, seconded by Commissioner Cook, and adopted on roll call by the following vote:

Commissioner Feibusch	Aye
Commissioner Cook	Aye
Commissioner Schaffner	Aye
Commissioner Lynch	Aye
Commissioner Fogg	Aye

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

WHEREUPON, the Chairman 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: **August 6, 2009**
Meeting No.: **09-013**

ROLL CALL

Commissioners

Marcel Feibusch
Paula Cook
Lisa Schaffner
Tom Lynch
Dick Fogg, Chair

Staff Members

Jennifer Barrett
Scott Hunsperger
Traci Tesconi
Francine Archer
David Hurst, Chief Deputy County Counsel

1:05 PM Call to order and Pledge of Allegiance

UNCONTESTED CALENDAR

Item No. 1 Time: 1:05 p.m. File: PLP08-0005
Applicant: Sharpe Associates Staff: Scott Hunsperger
Env. Doc.: Categorical Exemption
Proposal: Request for 1) a General Plan Amendment from DA (Diverse Agriculture), 10 acre density to LIA (Land Intensive Agriculture), 20 acre density land use designation and 2) a Zone Change from DA (Diverse Agriculture), B6-10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat) to LIA (Land Intensive Agriculture), B6-20 acre density, Z, VOH zoning district on 3.87 acres as required by a Condition of Approval of a Lot Line Adjustment (LLA06-0008).
Location: 5080 West Soda Rock Lane, Healdsburg
APN: 088 050 017 Supervisorial District: 4
Zoning: DA (Diverse Agriculture), B6 -10 acre density, Z (Second Dwelling Unit Exclusion), VOH (Valley Oak Habitat)
Board of Supervisors Hearing date to be determined.

Public Hearing Opened and Closed: 1:14 p.m.

Action: Commissioner Schaffner moved to recommend approval to the Board of Supervisors with modified conditions. The motion was seconded by **Commissioner Cook** and passed with a 5-0 vote.
Appeal Period: None
Resolution No.: 09-025

Feibusch : aye Cook : S/aye Schaffner : M/aye Lynch : aye Fogg: aye
Ayes: 5 Noes: 0 Absent: 0 Abstain: 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.