



County of Sonoma
State of California

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ON FILE IN THIS OFFICE

ATTEST: November 17, 2020

SHERYL BRATTON, Clerk/Secretary

BY 

Date: November 17, 2020

Item Number: 47

Resolution Number: 20-0450

4/5 Vote Required

Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Adopting A Mitigated Negative Declaration And Approving A General Plan Amendment, Zone Change, Major Subdivision, And Planned Development Use Permit As Requested By K.S. Mattson LP, For Property Located At 18201, 18271, 18275, 18279, And 18285 Highway 12; 30 And 320 Arroyo Road; And 12, 14, 15, And 16 Calle Del Monte, APN 056-415-016, -017, -018, -020. Supervisorial District No. 1.

Whereas, the applicants, K.S. Mattson LP, filed an application with the Sonoma County Permit and Resource Management Department requesting the following entitlements to redevelop an existing mixed-use development: 1) General Plan Amendment from Limited Commercial Traffic Sensitive to Limited Commercial and extend application of this land use to an additional 0.08 acres of area, and change the residentially zoned portion of the site from Urban Residential allowing 5 units per acre to 12 dwelling units per acre, 2) Zone Change from Limited Commercial Traffic Sensitive, Low Density Residential, Scenic Resources, Local Guidelines, Vacation Rental Exclusion District to Planned Community, Scenic Resources, Local Guidelines, Vacation Rental Exclusion District, 3) Major Subdivision to create 11 parcels from 4, and 4) Preliminary and Precise Development Plan for Planned Community Zoning for a 1.26 acre site located at 18201, 18271, 18275, 18279 & 18285 Highway 12; 30 & 320 Arroyo Road; 12, 14, 15 & 16 Calle Del Monte, El Verano, APN 056-415- 016, -017, -018, -020, Supervisorial District No. 1 (“the Project”); and

Whereas, a Mitigated Negative Declaration was prepared for the Project and noticed and made available for agency and public review in accordance with the California Environmental Quality Act (“CEQA”) and the State and County CEQA Guidelines, circulated through the State Clearinghouse on April 29, 2020; and

Whereas, the Design Review Committee reviewed the project on March 7, 2018; and

Whereas, the Development Coordinating Committee reviewed the project on April 17, 2018; and

Whereas, the Sonoma Valley Citizens Advisory Committee reviewed the project on April 25, 2018; and

Whereas, the Project Review Advisory Committee reviewed the application on June 4, 2020, and with a 5-0 vote, set draft conditions for the tentative map and recommended approval to the Planning Commission; and

Whereas, in accordance with applicable provisions of law, the Planning Commission held a public hearing on August 6, 2020, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project; and

Whereas, the Planning Commission passed a unanimous resolution recommending that the Board of Supervisors approve the project; and

Whereas, in accordance with applicable provisions of law, the Board of Supervisors held a public hearing on November 17, 2020 at which time the Board of Supervisors heard and received all relevant testimony and evidence presented orally or in writing regarding the Mitigated Negative Declaration and the Project. All interested persons were given an opportunity to hear and be heard regarding the Mitigated Negative Declaration and the Project.

Now, Therefore, Be It Resolved that the Board of Supervisors of the County of Sonoma, makes the following findings:

1. The project is consistent with the intent of the Limited Commercial land use designation of the General Plan. This category applies to sites where commercial activities are limited to retail sales and services for the daily self-sufficiency of local rural or urban neighborhoods in keeping with the character of those communities. This category is also intended to provide opportunities for a mix of residential and commercial uses in Urban Service Areas. This project is located in an Urban Service Area, provides a mix of residential and local serving commercial uses, and serves as an appropriate transition between the commercial corridor of Highway 12 and the residential neighborhoods to the east.
2. This project is consistent with the intent of the Urban Residential land use designation of the General Plan. This category includes land planned for a full range of urban services for residential development. It accommodates a variety of housing types, such as stick built and manufactured homes, and all tenure types, depending upon the density allowed in the Land Use Element under State law. Uses may include detached single family, clustered, and attached dwellings, multi-family dwellings and affordable housing developments. Permitted densities range from one to twenty units per acre. The housing on the portion of the lot with this underlying land use designation would include two separate groupings of townhomes that are

consistent with this intent. Each town home would be located on its own lot and would be consistent with the permitted density.

3. The proposed General Plan Amendment is in the public interest because it will facilitate the development of a project that is consistent with the policies of the General Plan and standards of the Zoning Ordinance and because the project will exceed the statutory requirement for affordable housing by providing 200% of the required units. The amendment will facilitate a better mix of land uses for an underutilized urban site and will facilitate the provision of affordable housing which exceeds statutory requirements, and provides improvements and services that benefit the surrounding neighborhood.

4. The project is consistent with the Planned Community Zone, the purpose of which is to implement provisions of the General Plan Land Use Element which provides for a mix of residential and commercial uses. Planned Communities are intended to allow for diversification in the relationship of various uses, buildings, structures, lot sizes and open spaces while insuring substantial compliance with the General Plan and meeting basic requirements of public health, safety and general welfare. The proposed mixed-use development would provide a mix of local serving commercial uses and a diverse range of dwellings at a range of size, type, affordability, and for both rent and sale. The proposed mixed-use development is consistent with the purpose and intent of the proposed zoning.

5. Based upon the information contained in the Initial Study included in the project file, it has been determined that there will be no significant environmental effect resulting from this project because Mitigation Measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.

6. The establishment, maintenance or operation of the use for which application is made 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. The particular circumstances in this case are:

- a. The use, as conditioned, is consistent with the zoning district in which it is located.
- b. The use, as conditioned, will not have an adverse environmental impact.
- c. Based upon the information contained in the Initial Study included in the project file, all mitigation measures have been identified and incorporated into the project and/or the conditions of approval.

- d. The project includes the improvement of the public right of way with new sidewalks on all project frontages, improved sewer, water and storm drain lines, bio-swales and other low impact development measures.
- e. The project triples the amount of housing provided on the project site with units available at a range of sizes and affordability, including 8 deed restricted low- income units.
- f. The project would pay school, parks, and traffic mitigation fees to help address area wide service needs.
- g. The project exceeds parking requirements.

7. The modification of Mitigation Measure Noise-4(b) as follows will reduce noise impacts on residents on the project site and those in the project vicinity, and will reduce impacts to a greater extent than the language included in the circulated Mitigated Negative Declaration by specifying that work on Sundays and holidays is prohibited, except where approved on a case-by-case basis, as written below,

- a. "Except for actions taken to prevent an emergency, or to deal with an existing emergency, all construction activities shall be restricted to the hours of 7:00 a.m. and 5:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on Saturdays. Construction work may be permitted on Sundays, only where advance written approval is provided by Planning Staff. The applicant shall notify the project planner of any work done outside of the approved hours for emergency purposes as soon as practical."

NOW, THEREFORE, Be It Further Resolved, that based on the foregoing findings and determinations and the full record of these proceedings, the Board hereby 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 Board certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County CEQA Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgement and analysis of the Board.
3. The General Plan Amendment, Zone Change, Major Subdivision and Planned Development Use Permit are granted for the Proposed Project as presented in the application package submitted on February 15, 2018, and as subsequently amended, and as described in the Conditions of Approval attached hereto as Exhibit A and incorporated herein.

4. Staff is directed to file and post a Notice of Determination of this action pursuant to the California Environmental Quality Act within five (5) days of the date of this resolution.

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, CA 95043

Supervisors:

Rabbitt: Aye

Zane: Aye

Gore: Aye

Hopkins: Aye

Gorin: Aye

Ayes: 5

Noes: 0

Absent: 0

Abstain: 0

So Ordered.