

Resolution Number

County of Sonoma  
Santa Rosa, California

November 4, 2021  
CMO21-0002 Claudette Diaz

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING THE REQUEST BY BLAKE MIREMONT FOR A CERTIFICATE OF MODIFICATION TO EXPAND BUILDING ENVELOPE FOR PROPERTY LOCATED AT 156 SHELINA VISTA Way, PETALUMA; APN 021-060-042.

WHEREAS, the Board of Supervisors approved MJS95-0432, a Major Subdivision, which created the subject parcel; and

WHEREAS, the applicant, Blake Miremont, filed an application with the Sonoma County Permit and Resource Management Department for a Certificate of Modification to expand a building envelope and to add the note "The maximum building height for the expanded building envelope area, shown in shaded hatch pattern, on Lot 4 will be 16 feet. Landscaping and irrigation shall be maintained at all times. Any dead and or dying plants shall be replaced immediately." Lot 4 is 3.12 acres and located at 156 Shelina Vista Way, APN 021-060-042, Zoned AR (Agriculture and Residential) B6 3 (Density), NONE; Supervisorial District 2; and

WHEREAS, in accordance with the provisions of law, the Project Review and Advisory Committee held a public hearing on September 30, 2021, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Project Review and Advisory Committee moved to recommend Findings and Conditions to the Planning Commission and passed with a 6-0-1-0 vote; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on November 4, 2021, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission finds that there will be no impacts from the proposed modifications to the final map by expanding the building envelope; and

WHEREAS, this project has been found to be categorically exempt from CEQA guidelines.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. The Certificate of Modification is Consistent with the land use and zoning designated of the subject parcels.
2. The Certificate of Modification is consistent with the Sonoma County Subdivision Ordinance.

3. In accordance with Section 66472.1 of the Subdivision Map Act, the following findings are made:
  - a. That there are changes in circumstances which make the conditions of such map no longer appropriate or necessary, as to the proposed project site for the subject parcel. Specifically, the project site has a high sensitivity and subordinate visual dominance resulting in a less than significant visual impact. Based on review of aerial photos, location of mature vegetation, the height limitation of 16 feet, and required maintenance of existing landscaping, there will be no visual impact of the expanded building envelope, as proposed, compared to the existing building envelope's configuration. Residential accessory structures within the expanded building envelope would also be exempt from the California Environmental Quality Act (CEQA) since they are considered ministerial building permits.
  - b. The expansion of the alternate building envelope does not impose any additional burden on the present fee owner of the property because the new building area will allow for a residential accessory structure as proposed by the property owner. The expanded alternate building envelope area has been studied by PJC and Associates Consulting Engineers and Geologists, and the report dated April 12, 2021, shows the area to be safe for construction as long as the Engineer's recommendations are followed.
  - c. The expansion of the alternate building envelope does not alter any right, title or interest in the real property reflected on the recorded map because it only affects the subject parcel.
  - d. The map, as modified, conforms to all the provisions of the Subdivision Map Act and local implementing ordinances.
4. The Certificate of Modification is exempt from the California Environmental Quality Act pursuant to section 15305 given that there will be a minor alteration in land use as the result of the project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission grants the requested Certificate of Modification, subject to the Conditions of Approval in Exhibit "A", attached hereto.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary 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 Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, California 95403.

BE IT FURTHER RESOLVED that the Planning Commission's action shall be final on the 11<sup>th</sup> day after the date of this Resolution unless an appeal is taken.

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

Commissioner  
Commissioner  
Commissioner  
Commissioner  
Commissioner

Ayes:      Noes:      Absent:      Abstain:

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

SO ORDERED.