

MEMORANDUM

DATE: 20 July 2023
TO: Project Review Advisory Committee
FROM: Joshua Miranda, Project Planner
RE: File No: PLP20-0023; Certificate of Modification
 Owner: John Mills, 21 Baker Street, San Francisco CA 94117
 Address: 3000 Sweetwater Springs Road, Healdsburg CA 95448
 APN(s): 110-200-020

Request

Request for a Certificate of Modification to relocate an existing 37,800 square foot building envelope on Lot 1 of PM05-0048 to accommodate a residential accessory structure on the 170.31-acre parcel. Project Conditions of Approval include a requirement to modify the property's Land Conservation (Williamson Act) Contract's "Land Conservation Plan". Zoning for the property is Resources and Rural Development (RRD) 160-Acre Density, Riparian Corridor (RC 50/50).

Site Details

General Plan Land Use:	Resources and Rural Development (RRD)
Zoning Designation:	Resources and Rural Development (RRD) 160- Acre Density, Riparian Corridor (RC 50/50)
Parcel Size:	170.31 acres
Parcel Specific Policy:	N/A
Applicable GP Policies:	N/A
Fire Protection (LRA/SRA):	State Responsibility Area (SRA)
Fire Hazard Severity Zone:	Moderate
Groundwater Area:	Class 1 - Major groundwater basin, Class 4 - Areas with low or highly variable water yield
NPDES:	N/A
Water Quality Control Board:	North Coast Region
Williamson Act/Conservation Easement:	Open Space Williamson Act Contract recorded under Document No. 2013-108326

Project Details

The request is for a Certificate of Modification (CMO) to relocate an existing 37,800 square foot building envelope (BE) on Lot 1 of PM05-0048 (recorded under Book 713 Page 31 of Sonoma County Records), later modified by CMO11-0006 (recorded under Document No. 2012-018981). The purpose of the modification request is to accommodate a future residential accessory structure in an area of the property that is more suitable for building and accessible. The landowner finds that the current BE is in not in a suitable location of the property due to its proximity to Porter Creek, and geologic hazards within

the envelope. The proposed BE is approximately 200 feet further from Porter Creek and has better soils to construct on.

Additionally, the property is subject to a Williamson Act Contract and a Land Conservation Plan approved by the Board of Supervisors and recorded under Document Number 2013-108326. The County's Uniform Rules for Agricultural Preserves and Farmland Security Zones require any substantial change in the open space uses specified in the land conservation plan for which the Board of Supervisors approved a land conservation contract shall require an amendment of the plan. Therefore, the proposed CMO Conditions of Approval require the landowner record an amended Land Conservation Plan for the property prior to recordation of the CMO.

Prior PRAC Action:

A previous Certificate of Modification (CMO11-0006) was reviewed and approved by PRAC, recorded under document number 2012-018981 under Book 713 Page 31 of Sonoma County Records. The request was to relocate Building Envelopes on Parcel Map MNS05-0048 recorded on September 18, 2007 (Book 713 of Maps, Pgs31-36) to allow for future construction of barn and single-family residence on a 170.31 acre parcel. On November 17, 2011, PRAC reviewed the project at a public hearing, and approved the applicants to extinguish the two existing BE's, at the time of application, and approval was given to establish three new BE's 37,800, 62,400, and 43,200 square feet in size. See Att 4 Recorded CMO11-0006.

Environmental Review

A Mitigated Negative Declaration was previously prepared in accordance with CEQA Guidelines and adopted for the minor subdivision creating the subject lot (MNS05-0048). The existing BE for the subdivision were required as mitigation measures to reduce potential impacts to Archaeological and Biological resources. PM05-0048 Parcel Map Note # 10 requires a Cultural Resources Study and Biological Assessment of the site in the proposed expansion areas. In accordance with Parcel Map Note #10, the applicant provided the following studies and findings:

- The Biological Resources Assessment, prepared by WRA INC, in November 2021, and as amended May 16, 2023 concludes that the area of the proposed BE would not have an impact to the terrestrial land covers, aquatic resources, special status plant species, special status animal species and wildlife movement. The biologist has found the site for the proposed BE to be suitable in terms of biological impacts, as there is no proposed tree or shrub removal, and that a majority of the substrate has been previously disturbed.
- The Cultural Resource Assessment, prepared by Tom Origer & Associates on October 14, 2021, concludes no new buildings, structures or archaeological sites within the study area, and the application of buried sites within in the study area resulted in a very low potential for buried resources. Permit Sonoma notified local Tribes and a local Tribe requested a as a condition of approval that a tribal and/or archaeological monitor be present during ground disturbing activity and that a 50 foot buffer around the sites be included, see conditions of approval number 7 for language. No requests were made for further consultation.



Additionally, Permit Sonoma Professional Geologist, Robert Pennington accepted the applicant's geotechnical study prepared by PJC & Associates, INC on February 21, 2023 and did not require conditions of approval for the CMO request.

The project site is not a designated Scenic Resources identified by the General Plan nor within an area plan that identifies the site as visually sensitive.

Williamson Act Contract/Land Conservation Plan:

The 2013 Williamson Act Contract requires the use of the property shall at all times conform to the Land Conservation Plan (Exhibit "B" to the Contract). If an amendment to the Land Conservation Plan is approved by the Board of Supervisor's designee (Permit Sonoma Director per Board Resolution No. 11-0678) and recorded, the amended Land Conservation Plan shall be deemed automatically incorporated into the Contract without need for a contract amendment.

The existing Land Conservation Plan site plan for the property allows three Building Envelopes totaling 3.29 acres, 165.31 acres of open space/wildlife area, and an existing road, driveway, and access points. The Building Envelopes are identified as "A" (43,200 square feet acres), "B" (62,400 square feet), and "C" (37,800 square feet). The CMO request proposes to relocate Building Envelope "C" of 37,800 square feet in size to an area of the property that pre-disturbed, connected to an existing ranch road for access, and will not result in environmental impacts. Staff finds the CMO is consistent with the Williamson Act Contract because the total number and size of Building Envelopes will remain unchanged, the relocation of Building Envelope will not impair the open space use of the property, and the property will continue to be devoted to qualifying open space uses as 165.31 acres will continue to be designated open space/wildlife habitat area. Additionally, all future structures on the property are required to be placed within the Building Envelopes and comply with the County's Uniform Rules for Compatible Uses for Open Space Contracts. Compatible Uses include but are not limited to a primary dwelling, accessory residential structures, passive recreational uses, scientific and educational uses, and limited agricultural uses.

Recommendation

Staff recommends that the Committee determine that the 2006 adopted MND remains valid for the project as documented in the 2023 MND Addenda and approve the project subject to the attached Conditions of Approval.

Attachments

1. Conditions of Approval
2. Recorded Map MNS05-0048
3. MNS05-0048 MND
4. Recorded CMO11-0006
5. Current Land Conservation (Williamson) Act Contract with Land Conservation Plan
6. Proposal Statement
7. Proposed Certificate of Modification Site Plan
8. Biological Resource Assessment Addendum dated May 16, 2023
9. Geotechnical Plan Review, dated May 27, 2022
10. CEQA Addendum, dated July 20, 2023



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