



Sonoma County Planning Commission STAFF REPORT

FILE: PLP16-0006
DATE: May 16, 2019
TIME: 1:20
STAFF: Eric Gage, Project Planner

Board of Supervisors Hearing will be held at a later date and will be noticed at that time.

SUMMARY

Applicant: County of Sonoma County

Location: North County

APNs: Multiple, see Exhibit A of Attachment 1.

Supervisorial District No.: 1st District, 4th District

Subject: Amendments to General Plan Open Space and Resource Conservation Element and maps to expand designated Scenic Landscape Units, and amendments to the Zoning Ordinance to add the Scenic Resource (SR) zoning combining district expansions into specified hillside parcels in the Cloverdale, Healdsburg, Knights Valley, and Franz Valley environs. The project includes removal of Scenic Landscape Unit designation applied in error to Highway 101 right of way.

PROPOSAL: Amend the General Plan to apply the Scenic Landscape Unit designation to approximately 3,108 parcels, and adopt an ordinance amending the Zoning Database to add the SR combining district to the same parcels to implement the Scenic Landscape Unit designation and policies, consistent with exhibits and attachments herein. Remove Scenic Landscape Unit designation applied in error to Highway 101 right of way.

Environmental Determination: Categorically exempt pursuant to CEQA Guidelines section 15308 (Actions by regulatory agencies for the protection of the environment).



General Plan: Various

Specific/Area Plan: Franz Valley Area Plan applies to some parcels included in this proposal

Land Use: Various

Ord. Reference: 26-02-110 (Scenic Resources)

Zoning: Various

RECOMMENDATION: Staff recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors approve the listed General Plan amendments to expand and modify Scenic Landscape Units, and rezone parcels correspondingly to apply the Scenic Resources combining district on 3,108 parcels included in Exhibit A of Attachment 1.

ANALYSIS

EXECUTIVE SUMMARY: The Scenic Landscape Unit (“SLU”) is an existing General Plan designation that applies in areas with significant scenic resources. The SLU is implemented by the Scenic Resources (SR) combining district in the Zoning Ordinance. Projects within the SLU designation may require design review depending on their scope to protect valued landscapes. Following direction by District Supervisors to provide additional protection of scenic vistas in Franz Valley, Knights Valley, and hillsides surrounding Healdsburg and Cloverdale, staff has analyzed and is proposing to add the Scenic Landscape Unit designation to these areas. Because the General Plan Scenic Landscape Unit policies are implemented in the Zoning Code via the Scenic Resources (SR) combining district, staff also proposes amendments to the Zoning Ordinance to add the SR combining district to each of the parcels proposed to receive the SLU designation.

Following comprehensive site analysis, staff has identified 3,108 parcels where the SLU designation and SR combining district are appropriate. Parcels within the Highway 101 right-of-way designated SLU in error are proposed to have the Scenic Resources combining district removed.

Background:

Scenic Landscape Units (SLU) are designated in the Sonoma County General Plan 2020. Scenic Landscape Unit designation is used to identify and protect landscapes that have little capacity to absorb much development without significant visual impact. There is also a need, as the County continues to develop, to maintain the visual relief provided by open areas and iconic landscapes. Lands designated as Scenic Landscape Units are identified in the Open Space Maps in the Open Space and Resource Conservation Element of the General Plan. The SR (Scenic Resources) Combining District is used to implement the Scenic Landscape Unit designation in

the General Plan. The Scenic Landscape Unit designation and the SR (Scenic Resources) Combining District do not limit the development allowed within the base Zoning District, rather, SR requires administrative design review for most new or expanded development to ensure that visual impacts are minimized and open spaces are preserved.

In the November 2016 general election, voters countywide approved Measure K to add and expand Community Separators, including lands in the Cloverdale and Healdsburg area. Community Separators are described in the General Plan as rural open space lands adjacent to a city or unincorporated community that provide visual separation between cities or unincorporated communities to maintain community identities, prevent sprawl, and protect natural resources.

The SLU serves a similar function as a Community Separator by preserving the visual character and scenic resources of county lands, but the SLU is applied in scenic areas generally not located between communities. In the course of routine permit review of new development in the hillsides surrounding Cloverdale and Healdsburg, and in Knights Valley and Franz Valley, District Supervisors identified a need to protect scenic vistas in these areas beyond that provided by the conventional design review process for non-residential projects.

In June 2017, as part of its approval of the Comprehensive Planning annual workplan, the Board of Supervisors directed staff to prepare an expansion of the SLU in the hillside areas surrounding Cloverdale and Healdsburg, Knights Valley, and Franz Valley.

Areas already within a Community Separator are excluded from the proposed Scenic Landscape Unit expansion because the Community Separator provides the same or a greater level of protection as the SLU. The primary objective of this project is to expand the existing Scenic Landscape Units to protect scenic vistas on the hillsides surrounding Cloverdale and Healdsburg, and hillsides extending east and south from Highway 101 to Franz Valley. In conducting the analysis for the project staff also identified areas in the Highway 101 right-of-way, where the SLU is currently applied but has no effect. The proposed General Plan amendment and rezone includes removing these parcels from the SLU.

Project Description:

The project designates the hills surrounding Cloverdale, additional parts of Alexander Valley and the areas of Knights Valley and Franz Valley as Scenic Landscape Unit. The project scope includes text amendments to the General Plan Open Space and Resource Conservation (OSRC) Element Policy 2.2 to add language describing the Scenic Landscape Unit for the hills surrounding Cloverdale, Knights Valley and Franz Valley. Also proposed are amendments to General Plan Figures OSRC-1, OSRC-5b, and OSRC-5c to add Scenic Landscape Units for the hills surrounding Cloverdale, Knights Valley, Alexander Valley, and Franz Valley; and to remove the

SLU from the Highway 101 right-of-way. The proposal includes zoning amendments to add the SR (Scenic Resources) combining district to 3,108 identified parcels totaling 167,011 acres.

County staff used viewshed analysis software to identify geographic areas visible from Highway 101, Highway 128, Chalk Hill Road, Timberline Drive, Franz Valley Road, and other public viewing areas. The product of this analysis is the list of parcels included as Exhibit A of Attachment 1 of the staff report. In addition to a parcel's existing General Plan designations and base zoning, all the parcels listed are proposed to be designated as SLU and zoned to apply the Scenic Resources combining district.

Development Potential Analysis

The expansion would add 3,108 parcels to the Scenic Landscape Unit. The SLU expansion has the potential to increase the number of requests for administrative Design Review permits, as new construction or modification of existing structures in the Scenic Resources zoning district would be subject to design review.

An analysis of development potential in the proposed SLU expansion area determined that there are 3,040 parcels zoned residential or agricultural where a single-family dwelling is a permitted use, and 1,537 of those parcels are undeveloped. To evaluate the potential increase in design review resulting from the SLU expansion, staff counted the number of building permits for new residences within the proposed SLU expansion boundary for a 10-year period, from 2008 to 2018. A total of 38 building permits for single-family residential were processed over 10 years, resulting in a simple average of four per year. Staff also evaluated the number of administrative Design Review permit applications submitted since 2005 for approximately 1,300 parcels within existing community separator designations, which yielded a list of 53 permits over a period of 14 years, yielding a similar average of less than four new permits per year. For context, countywide there were 212 applications for administrative design review in 2016, 151 applications in 2017, and 128 applications in 2018. Not all projects in the SLU expansion would result in an extensive permit review, properly screened residential additions and other minor modifications to existing structures could qualify for an over-the-counter design review approval.

Countywide Average Annual Administrative Design Review Submittals (2016-2018)	163
Average Annual Residential Building Permit Submittals Within Proposed SLU Expansion Boundary (2008-2018)	3.8
Average Annual Administrative Design Review Submittals Within Existing Community Separators (2005-2018)	3.8

Although 575 parcels affected by the 2017 Complex fire would be subject to the expanded SLU, provisions of Chapter 40 of the County Code already exist to provide relief from design review requirements for rebuilding fire-damaged structures in SLU areas.

Based on this information, the overall development potential of new Scenic Landscape Unit parcels is limited, and not anticipated to substantially increase the number of administrative Design Review permits.

New development applications submitted after the effective date of the ordinance would be subject to these standards and requirements. Projects in process prior to the effective date would not be subject to SLU provisions. After the effective date, new development within the SLU would need to select colors and materials that blend with the natural landscape and vegetation. New development would need to minimize tree and vegetation removal, minimize grading, be substantially screened from public roads, and avoid projecting above hills and ridgelines. A Design Review application is the mechanism to ensure compliance with these requirements, based on photographs, color and material samples, and other documentation at the discretion of the planner. In addition, new subdivisions would be required to establish development envelopes, minimize tree removal, consider height limits, and cluster development on newly created lots to minimize visual impact. Staff anticipates that the subdivision potential of these areas to be extremely limited due to very high minimum lot acreage for lots in these agricultural and rural areas.

General Plan Consistency

The proposed SLU expansion is consistent with the General Plan Land Use element in that it does not modify the existing allowable uses in these areas and minimizes grading, tree removal, and other land modification to agricultural and natural resource areas. The second goal of the General Plan's Open Space and Resource Conservation Element is the application and implementation of the Scenic Landscape Units:

GOAL OSRC-2: Retain the largely open, scenic character of important Scenic Landscape Units.

The intent of the SLU is to preserve the visual character and scenic resources of county lands. In particular, the SLU is intended to preserve natural topography in hillside areas, the character of wooded areas and their natural vegetation, and public views of ridgelines.

All these natural resources are present in the hills and mountains surrounding the Alexander Valley, Knights Valley and Franz Valley, supporting the expansion of existing SLUs to include these areas. The removal of the SLU from the Highway 101 right-of-way does not conflict with the General Plan because the SLU has no effect on Caltrans property.

The proposed General Plan amendment and zoning amendment implement a greater level of discretionary review by elevating development of new structures to some degree of design review. This allows staff to assess the project against the design criteria in these general plan policies:

Policy OSRC-2c states:

Apply the Scenic Resources combining district consistent with this element to all lands located within Scenic Landscape Units.

Policy OSRC-2d states:

Unless there are existing design guidelines that have been adopted for the affected area, require that new structures within Scenic Landscape Units meet the following criteria:

- (1) Site and design structures to take maximum advantage of existing topography and vegetation in order to substantially screen them from view from public roads.*
- (2) Minimize cuts and fills on hills and ridges.*
- (3) Minimize the removal of trees and other mature vegetation. Avoid removal of specimen trees, tree groupings, and windbreaks.*
- (4) Where existing topography and vegetation would not screen structures from view from public roads, install landscaping consisting of native vegetation in natural groupings that fits with the character of the area in order to substantially screen structures from view. Screening with native, fire retardant plants may be required.*
- (5) Design structures to use building materials and color schemes that blend with the natural landscape and vegetation.*
- (6) On hills and ridges, avoid structures that project above the silhouette of the hill or ridge against the sky as viewed from public roads and substantially screen driveways from view where practical.*
- (7) To the extent feasible, cluster structures on each parcel within existing built areas and near existing natural features such as tree groupings.*

Policy OSRC-2e states:

Use the following standards in addition to those of Policy OSRC-2d for subdivisions in Scenic Landscape Units:

- (1) Establish building envelopes for structures and consider use of height limitations if necessary to further mitigate visual impacts.*
- (2) Use clustering to reduce visual impact where consistent with the Land Use Element.*
- (3) Locate building sites and roadways to preserve significant existing tree stands and significant oak trees.*

Environmental Determination

CEQA Guidelines Section 15162 (Subsequent EIRs and Negative Declarations) requires that when an EIR has been certified for an adopted project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, that one or more of the following exists:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
3. New information of substantial importance, which was not known and could not have been known with exercise of reasonable diligence at the time of the previous EIR was certified as complete shows any of the following:
 - a. The project will have one or more significant on discussed in the previous EIR;
 - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

Staff has reviewed the project and analyzed it based upon the above provisions. The proposal would expand Scenic Landscape Units and add the SR Combining District to implement the General Plan SLU policies, but the proposal does not propose any changes to the already permitted land uses on each affected parcel. No new development is proposed or would be authorized by approval. Accordingly, development on the identified parcels was considered under the FEIR. There are no new significant environmental effects or substantial increase in the severity of previously identified significant effects. No new information of substantial importance has been identified. Therefore, no further environmental review is required.

In addition or in the alternative, the Board finds that the project is exempt from CEQA pursuant to CEQA Guidelines section 15308, because the proposed actions are being taken

for protection of the environment, which broadly includes scenic resources. The Board also finds that the project is exempt from CEQA pursuant to the general rule of CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

STAFF RECOMMENDATION

RECOMMENDATION: Recommend that the Planning Commission adopt a resolution recommending that the Board of Supervisors approve a General Plan Amendment to expand and modify Scenic Landscape Units, to remove the Scenic Landscape Unit designation from the Highway 101 right-of-way, and to adopt an Ordinance amending the Official Zoning Database to rezone corresponding parcels with the Scenic Resource–Scenic Landscape Unit Combining District as detailed in Exhibit A of Attachment 1.

FINDINGS FOR RECOMMENDED ACTION

1. The proposed rezoning and General Plan amendments are consistent with the County's General Plan in that they implement the policies of the Open Space and Resource and Conservation chapter of the General Plan. The proposed changes to General Plan Open Space Maps and related text further the General Plan's goals, objectives, and policies which provide for the expanded Scenic Landscape Unit areas as set forth in the Open Space and Resource Conservation Element. The project is also consistent with the County's Land Use Element, Area Plans, and Specific Plans because the proposed expansion areas do not change allowable land uses or development standards.
2. The project is consistent with CEQA. The proposal would expand Scenic Landscape Units and add the SR combining district to implement the General Plan SLU policies, but the proposal does not change the already permitted land uses on each affected parcel. No new development is proposed or would be authorized by approval. Accordingly, development on the identified parcels was considered under the FEIR. There are no new significant environmental effects or substantial increase in the severity of previously identified significant effects. No new information of substantial importance has been identified. Therefore, no further environmental review is required.

In addition or in the alternative, the Board finds that the project is exempt from CEQA pursuant to CEQA Guidelines section 15308, because the proposed actions are being taken for protection of the environment, which broadly includes scenic resources. The Board also finds that the project is exempt from CEQA pursuant to the general rule of CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

3. The proposed rezoning to add the SR (Scenic Resources) combining district to designated parcels would not affect allowable density or uses permitted under the base zoning of any of the affected parcels. All properties would remain developable based on their current zoning designations and development standards.

LIST OF ATTACHMENTS

Attachment 1 - Planning Commission Resolution

Attachment 1 - EXHIBIT A: Draft Ordinance, Rezoning Parcel List

Attachment 1 - EXHIBIT B: Draft General Plan Open Space and Resource Conservation Text
