



**Sonoma County Board of Zoning Adjustments
STAFF REPORT**

FILE: UPE16-0086
DATE: July 9, 2020
TIME: 1:45 pm
STAFF: Tricia Stevens, AICP, Consulting Planner

Appeal Period: 10 calendar days

SUMMARY

Applicant: Kevin Skiles

Owner: Solstice, LLC

Location: 3890 Old Redwood Highway, Santa Rosa CA

APNs: 058-020-009 **Supervisory District No.:** 4

Subject: Use Permit

PROPOSAL: Use Permit and Design Review for a lodging, recreation and event facility.

Environmental Determination: Mitigated Negative Declaration (MND)

General Plan Land Use: Resource and Rural Development- 20 acre minimum (RRD 20); Scenic Resource Community Separator

Specific/Area Plan: N/A

Zoning: Resource and Rural Development, 20-acre density (RRD 20), Riparian Corridor (RC), Scenic Resource (SR), and Valley Oak Habitat (VOH)

Ord. Reference: Zoning Ordinance Chapter 26, Article 10

Land Conservation

Contract: N/A

Application Complete: May 6, 2019

RECOMMNDATION: Recommend that the Board of Zoning Adjustments adopt the Mitigated Negative Declaration and approve the Use Permit to allow a lodging, recreation and event facility.

EXECUTIVE SUMMARY: Staff is recommending approval of the Use Permit because:

- The project is a low intensity use and is minimally visible from Old Redwood Highway. The most critical policy consideration is compliance with the community separator policies in the General Plan that were adopted through Measure K.
- A deed restriction will be placed on the property to ensure the long-term preservation of open natural areas.
- Because a General Plan Amendment is not required, voter approval pursuant to Measure K is not triggered.
- Noise from special events will not impact sensitive receptors, and no significant traffic impacts have been identified.
- Significant wildfire risks can be reduced to an acceptable level.
- An Initial Study/Mitigated Negative Declaration has been prepared with the conclusion that any significant impacts can be mitigated to less than significant with mitigation incorporated.

ANALYSIS

Background:

The project site was used for the past 50 years as a recreational camp and special-events facility, hosting approximately 120 overnight campers and large events such as weddings and corporate picnics. Prior to the October 2017 wildfire, the project site contained several bunkhouses, a kitchen and dining facility, a 100-year-old church which was previously relocated to the property, a pool, and two (2) single-family homes. The previous facility, known as Buzzard Gulch, had various levels of activities over the years and at the time of the original submittal (2016), the site was largely abandoned.

The original application submitted in October 2016 involved the renovation of the existing single-family residences, the church, and the kitchen, as well as construction of 27 new cabins, a new event center, and a new office. The DRC considered the prior project on June 21, 2017 and recommended significant changes to the project to achieve a more rural feel.

Before the applicant could proceed with the original application, the Tubbs fire occurred. All structures and most of the trees and vegetation were destroyed by the wildfire. The applicant has significantly revised the project post-fire and intends to construct all new structures to support a lodging, recreation and event facility. The number of cabins has been reduced from 27 (26 for visitors plus one employee cabin) to 13 (12 for visitors plus one employee cabin). The number of cultural events (such as weddings) match the original at 50 events but with a smaller number of guests allowed at each event. The Event Barn is reduced from 14,674 square feet to 9,861 square feet plus a 1,220-square foot check-in building. The permanent parking area is reduced from 160 parking spaces to 102 spaces consisting of 60 designated and 42 valet spaces. The DRC considered the revised project on November 7, 2018. DRC comments are addressed under Issue #6.

On November 8, 2016, the voters of Sonoma County passed Measure K known as the “Community Separators Protection Ordinance”. This measure amended the Sonoma County General Plan to require voter approval of changes to the General Plan that increase the allowed density or intensity of development within areas designated as community separators. This property is located in a community separator.

Project Description: The applicant proposes to redevelop the lodging, recreation, and event facility located on a 22-acre site (see Attachments 2 and 7). The scope of work includes:

Operational elements:

- 12 cabins for visitor-serving lodging. Cabins are available for nightly rental, year round. One cabin for employees.
- Limited retail sales of goods to overnight lodgers will be available in the check-in building
- 50 special events including 20 special events of up to 250 guests and 30 special events up to 175 guests. Hours of special events will be limited to 10 a.m. to 10 p.m. Larger events, with over 150 attendees will exclusively rely on catered food. Smaller events under 150 people will have the use of a commercial kitchen located inside the event barn. Events with over 175 guests will be required to employ staff to valet/manage the parking on-site.
- 50 special-dining events for up to 80 people. Hours of special dining events will be limited to 10 a.m. to 10 p.m.
- Only non-amplified acoustic music outdoors, ending at 9 p.m. Amplified music will be indoors only.

- Up to 20 employees or contracted workers at any one time will be staffed for the largest events.
- Up to 12 employees or contracted workers will be staffed at any one time to staff for the visitor lodging.
- 2 full-time employees and 1 part-time employee will be staffed on-site to handle general operations and marketing.
- Laundry for guest cabin housekeeping will be accomplished off-site.

Proposed Building Program:

- Four single-story, 1-bedroom 1-bath 442 sf cabins to be built for visitor serving lodging
- Four single-story, 2-bedroom 2-bath 796 sf cabins to be built for visitor serving lodging
- Four single-story, 3-bedroom 2-bath 1,049 sf cabins to be built for visitor serving lodging
- One single-story, 2-bedroom 2-bath 796 sf cabin to be built for full-time employee housing
- Day-use cabanas and bathrooms to be built adjacent to existing pool for use by overnight lodgers
- Approximately 1,500 yards of grading to be done on site to improve ADA-accessible paths and level parking area
- New parking to accommodate 60 individual parking stalls (with valet a total of 102 parking spaces provided)
- Approximately 6 acres of grapes to be planted
- 1,330 square-foot building to serve as the reception office and to offer some items for purchase by overnight lodgers
- New septic system. Existing well is built to public water system standards and can provide enough water for the proposed uses.
- 9,861 gross square foot Event Barn consisting of
 - 4,943 square foot of usable area for enclosed wedding receptions and special events
 - 4,918 square feet of basement for storage, utilities and service areas
- Decking adjacent to the pond (383 sf) and a dock within the pond.

Site Characteristics: Prior to the 2017 wildfire, the site contained:

- Eleven (11) overnight cabin buildings with thirty (30) beds;
- One (1) 2,450 square foot single family residence and one (1) 1,200 square foot single family residence;
- A 2,580-square foot dining hall with kitchen facility;
- A 1,360-square foot recreational hall (Coyote Hall);
- A 1,245-square foot meeting hall (Dalton Bros);
- Eight (8) 230 square foot bath houses;
- Nine (9) 245 square foot bath houses;

- Four (4) 175 square foot pool bathrooms;
- One (1) 600 square foot office;
- One (1) 2,275 square-foot maintenance and storage building;
- A 785 square-foot Chapel; and,
- Cloverleaf Pond with attached amenities such as, but not limited to, a dock and water slide.

The Tubbs wildfire of October 2017 consumed all of the structures that existed on the subject property. The fire also consumed the majority of the trees and vegetation on the site, including the vegetation around the riparian area adjacent to the creek (north edge of the property), the mature walnut and oak trees detailed in the original Arborist report, and all of the conifer trees along the southeast edge of the property by the pool. The site remains with some pavement, two swimming pools, the pond, and an old windmill.

Access to the project site was previously shared with the Cloverleaf Ranch. A new driveway access is proposed on Old Redwood Highway at the south end of the property, with emergency vehicle access through the Cloverleaf Ranch to the north.

Surrounding Land Use and Zoning: The site is surrounded by properties which have a General Plan Land Use designation of Resources and Rural Development-100-acre minimum (RRD 100) to the north and east. Office and urban residential uses exist to the south and southeast, within the City of Santa Rosa. The Cloverleaf Ranch horse facility and youth camp abuts the property to the north and Highway 101 is located to the west.

See Attachments 3 (Vicinity Map), 4 (General Plan Map), 5 (Zoning Map), and 6 (Aerial Map) for reference.

DISCUSSION OF ISSUES

Issue #1: General Plan Consistency

The project is located in the Resource and Rural Development (RRD) Land Use Designation in the Land Use Element of the Sonoma County General Plan and in a Community Separator as shown on Figure OSRC-1 Scenic Resource Area map found in the Open Space and Resource Conservation Element. Relevant policies from these Elements are summarized below:

Land Use Element:

Policies for Resources and Rural Development Areas

- 1) *Protect timberlands needed for commercial timber production under the California Timberland Productivity Act,*
- 2) *Protect lands needed for geothermal resource production,*

- 3) *Protect lands for aggregate resource production as identified in the Aggregate Resources Management Plan,*
- 4) *Protect natural resource lands including, but not limited to watershed, fish and wildlife habitat and biotic areas,*
- 5) *Protect against intensive development of lands constrained by geologic hazards, steep slopes, poor soils or water, fire and flood prone areas, biotic and scenic areas, and other constraints,*
- 6) *Accommodate agricultural production activities but limit such activities on timberland, or*
- 7) *Protection of county residents from proliferation of growth in areas where there are inadequate public services and infrastructure, including water supply and safe wastewater disposal.*

Permitted Uses: Single family dwellings, resource management and enhancement activities including but not limited to the management of timber, geothermal and aggregate resources, fish and wildlife habitat, and watershed. Livestock farming, crop production, firewood harvesting and public and private schools, hospitals, and places of religious worship are included. Lodging, campgrounds, and similar recreational and visitor serving uses provided that they shall not be inconsistent with the purpose and intent of this category. In addition to the permitted residential densities, existing campgrounds or recreational vehicle parks may be considered for long term residential occupancy of recreational vehicles when such parks have obtained appropriate State HCD permits.

The extent of recreational and visitor serving uses may be further established in Land Use Policies for the Planning Areas.

The category also allows resource related employee housing, processing facilities related to resource production as well as incidental equipment and materials storage, provided that the use is consistent with any applicable resource management plans. Geothermal uses are allowed. Aggregate resource uses are limited to those consistent with the Aggregate Resources Management Plan

Policies for Open Space Separation between and Around Cities/Communities

Community identity is an important aspect of the quality of life for many of the county's residents. Large, continuous areas of urban development where one city or community merges with another without visual relief may detract from this identity. Containment of urban areas is also important in maintaining compact city and community boundaries. On the other hand, property owners often consider areas between and around cities and communities to be prime land for development. The Land Use Element designates these important lands and establishes policies consistent with the Open Space and Resource Conservation Element to reserve them between and around cities and communities.

These designations and policies have been strongly supported by County and City decision makers and have been reinforced by the passage of two ballot measures that require voter approval prior to any significant change in their status.

GOAL LU-5: Identify important open space areas between and around the county's cities and communities. Maintain them in a largely open or natural character with low intensities of development.

Objective LU-5.1: Retain low intensities of use in Community Separators between and around cities and communities as designated in the Open Space and Resource Conservation Element.

Objective LU-5.2: Encourage formation of programs to preserve the visual and scenic character of Community Separators.

The following policies, in addition to those in the Open Space and Resource Conservation Element, shall be used to achieve these objectives:

Policy LU-3e: Until December 31, 2036, the boundaries of Urban Service Areas of unincorporated communities as shown on the Land Use Maps shall not be amended to include lands within Community Separators as shown on the Open Space Maps unless such amendment is approved by the voters of Sonoma County. For the purposes of this policy, approval by the voters of Sonoma County shall be accomplished when a general plan amendment is placed on the ballot through any procedure provided for in the Elections Code, and a majority of the voters vote in favor of it. The Board of Supervisors may adopt a general plan amendment prior to securing the approval of the voters of Sonoma County; provided, however, that whenever the Board of Supervisors adopts an amendment requiring approval of the voters of Sonoma County pursuant to the provisions of this policy, the Board action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The Board of Supervisors shall follow the provisions of the Elections Code in all matters pertaining to such an election. AS AMENDED BY MEASURE K

Policy LU-5a: The County shall neither approve extension of sewer service into any Community Separator nor approve connection of any lot in a Community Separator to existing sewer service except as allowed by the policies of the Public Facilities and Services Element.

Policy LU-5b: Avoid commercial and industrial land uses in Community Separators. Allow the full range of uses allowed in the agricultural and resource categories.

Policy LU-5c: Consider amendments for outdoor recreational or other uses with a low intensity of structures only in those Community Separators along the 101 Corridor and

only where the amendment conforms to the provisions of the voter-approved Community Separators Protection Ordinance.

Policy LU-5d: Decisions regarding the extent of land area or the use of property designated as Community Separator shall conform to the voter-approved Community Separators Protection Ordinance.

Santa Rosa and Environs:

Policy LU-16n: The "Resources and Rural Development" designation is applied to Cloverleaf Ranch (APNs 58-020-08 and 09) to recognize the existing youth camp, riding academy and day care uses.

Open Space and Resource Conservation Element:

GOAL OSRC-1: Preserve the visual identities of communities by maintaining open space areas between cities and communities.

Objective OSRC-1.1: Preserve important open space areas in the Community Separators shown on Figures OSRC-5a through OSRC-5i of the Open Space and Resource Conservation Element.

Objective OSRC-1.2: Retain a rural character and promote low intensities of development in Community Separators. Avoid their inclusion in City Urban Growth Boundaries or Spheres of Influence. Avoid their inclusion within Urban Service Areas for unincorporated communities.

Objective OSRC-1.3: Preserve existing groundwater recharge and stormwater detention areas within Community Separators.

Objective OSRC-1.4: Preserve existing specimen trees and tree stands within Community Separators.

The following policies, in addition to those in the Land Use Element, shall be used to achieve these objectives:

Policy OSRC-1a: Avoid amendments to increase residential density in Community Separators, since these densities were established based upon the policies set forth in other elements of this plan as well as the open space, separation and visual considerations identified in this section. The integrity of Community Separators cannot be maintained at densities in excess of one unit per ten acres. However, under no circumstances shall this policy be used to justify an increase in density from that designated on the land use map.

Policy OSRC-1b: Avoid commercial or industrial uses in Community Separators other than those that are permitted by the agricultural or resource land use categories.

Policy OSRC-1c: Require development within Community Separators to be clustered and limited in scale and intensity.

Policy OSRC-1d: Consider amendments for outdoor recreational uses with a low intensity of structures only in those Community Separators along the Highway 101 Corridor and only where the amendment conforms to the provisions of the voter-approved Community Separators Protection Ordinance.

Policy OSRC-1e: Apply the Scenic Resources combining district consistent with this Element to all lands located within a Community Separator.

Policy OSRC-1f: Unless there are existing design guidelines that have been adopted for the affected area, require that new structures within Community Separators 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) To the extent feasible, cluster structures on each parcel within existing built areas, and near existing natural features such as tree groupings.*
- 7) Utilities are underground where economically practical.*
- 8) 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.*
- 9) Minimize impervious surfaces and encourage groundwater recharge with effective design features and materials that allow stormwater infiltration and detention.*

This policy does not apply to farmworker housing or agricultural accessory structures, such as barns, proposed on parcels in the Diverse Agriculture, Land Extensive Agriculture, Land Intensive Agriculture, and Resources and Rural Development land use categories, and on parcels in the Rural Residential land use category with Agriculture and Residential (AR) Zoning, if their use does not require a

use permit in the Zoning Code. If compliance with these standards would make a parcel unbuildable, site structures where minimum visual impacts would result.

*Exempt telecommunication facilities if they meet the siting and design criteria of the Scenic Resources (SR) Zoning District.**

*Policy OSRC-1h: Place measures on the ballot as needed to extend funding of the Sonoma County Agricultural Preservation and Open Space District for the continuing purpose of acquiring and administering open space lands.**

*Policy OSRC-1i: Consider voluntary transfer of development rights (TDR) and purchase of development rights (PDR) programs and make Community Separators eligible with owner consent.**

Policy OSRC-1j: No lands within a Community Separator should be included in a City's Urban Growth Boundary or Sphere of Influence, in an Urban Service Area for an unincorporated community, or annexed to a city unless the lands are first removed from the Community Separator.

Policy OSRD-1k: Until December 31, 2036, the boundaries of Community Separators as shown on the Open Space Maps and the land use designations and densities of lands within Community Separators as shown on the Land Use Maps shall not be amended unless such amendment is approved by the voters of Sonoma County, except that the following types of amendments may be approved by the Board of Supervisors pursuant to its usual procedures and with-out the approval of the voters of Sonoma County:

- (1) An amendment designating additional lands as Community Separator.*
- (2) An amendment reducing the allowed density or intensity of development within a Community Separator.*
- (3) An amendment both adding and removing lands from a Community Separator, where there is no net loss in land area within the Community Separator.*
- (4) An amendment correcting a mapping error, where lands that do not meet the designation criteria for Community Separators have been inadvertently included within a Community Separator.*

For the purposes of this policy, approval by the voters of Sonoma County shall be accomplished when a general plan amendment is placed on the ballot through any procedure provided for in the Elections Code, and a majority of the voters vote in favor of it. The Board of Supervisors may adopt a general plan amendment prior to securing the approval of the voters of Sonoma County; provided, however, that whenever the Board of Supervisors adopts an amendment requiring approval of the voters of Sonoma County pursuant to the provisions of this policy, the Board action shall have no effect until after such a vote is held and a majority of the voters vote in favor of it. The Board

of Supervisors shall follow the provisions of the Elections Code in all matters pertaining to such an election. AS AMENDED BY MEASURE K

Permitted Uses. Permitted uses in the RRD General Plan land use designation includes “lodging, campgrounds, and similar recreational and visitor serving uses provided that they shall not be inconsistent with the purpose and intent of this category.” In addition, the RRD zoning district allows “Recreational vehicle parks, tent camps or campgrounds, lodging and other recreational or visitor serving uses which do not interfere or detract from the purposes of this district; except such uses are not permitted on land subject to a Williamson Act contract”. Thus, the proposed use is allowable with a conditional use permit if findings of consistency with community separator policies can be made.

In addition, Policy LU-16N of the Sonoma County General Plan Land Use Element specifically addresses the intended land use designation and use of the project site. Policy LU-16n states: *The “Resources and Rural Development” designation is applied to Cloverleaf Ranch (APNs 58-020-08 and 09) to recognize the existing youth camp, riding academy, and day care uses.* The Cloverleaf horse facility and youth camp operates on parcel -008 and the former Buzzard Gulch camp operated on -009. Historically, both parcels were under the same ownership and operated as one facility. Approximately 20-30 years ago, the properties were subdivided and Cloverleaf and Buzzard Gulch operated as separate businesses thereafter.

The subject parcel is APN 58-020-009 and LU-16N recognizes the historic use as a youth camp. This policy is no longer relevant as the prior camp use was destroyed by the 2017 wildfire. The current project is being evaluated against the requirements of the RRD designation and community separator policies.

Community Separator Policies. Consistency with the community separator policies is critical to determining consistency with the purpose and intent of the RRD designation and SR Scenic Resource overlay. The primary goal of the community separator is to “*maintain them in a largely open or natural character with low intensities of development.*” Further, the objectives state: “*Retain a rural character and promote low intensities of development in Community Separators.*” Low intensity uses are not specifically defined in the General Plan.

The proposed project is a low intensity development because it will be minimally visible from public roads and the proposed events and associated impacts are fully contained to the site, as outlined below.

- Views from Old Redwood Highway and Highway 101 will be that of a natural environment with native plantings and vineyards (agricultural use) on the hillside. The proposed buildings, though not visible from public view, will have a rural feel with natural wood siding, metal, and simple building forms that integrate buildings into rural and agricultural landscape. Natural materials and native landscaping will be used for outdoor areas.

- The most noticeable use of the premises will be 50 special events including 20 special events of up to 250 guests and 30 special events up to 175 guests, primarily on weekends. These events will not be perceptible to the general public, and the traffic study did not conclude any significant impacts or need for traffic improvements.

The historical context of this site is also relevant to partly justify this project as the prior youth camp accommodated 120 overnight campers and hosted special events at unknown numbers at its peak. Although the prior youth camp was largely abandoned prior to the Tubbs Fire, there were no prior conditions of approval that regulated the number and size of events since it dated from the 1950's. The proposed project would accommodate approximately 75 overnight guests with limitations on the size and number of special events, which is less than the prior 120 overnight campers and unlimited events.

Voter approval of the project is not triggered pursuant to Measure K since the use is allowed with the issuance of a conditional use permit with appropriate findings and does not need a General Plan Amendment. The site is not in the Urban Growth Boundary of the City of Santa Rosa.

To further substantiate compliance with community separator policies, following is an analysis of each subsection of Policy OSRC-1f:

Policy OSRC-1f: Unless there are existing design guidelines that have been adopted for the affected area, require that new structures within Community Separators 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.*

To demonstrate compliance with Scenic Resource requirements and in order to determine compliance with the County's Visual Assessment Guidelines, a visual analysis has been provided by the applicant consisting of before and after photosimulations of four views from Old Redwood Highway and four cross-sections of view perspectives from the Highway (refer to Attachment 8). The photosimulations demonstrate the extent of screening provided by existing and proposed tree plantings and the view of vineyards on the hillside.

Site Sensitivity. The project site sensitivity would be considered "High" because it is located in a zone designated to protect scenic resources, is in a community separator, and has a slope less than 40 percent. The hillside has an average slope of 15 percent with a maximum slope of 20 percent.

High: The site or any portion thereof is within a land use or zoning designation protecting scenic or natural resources, such as General Plan designated scenic landscape units, coastal zone, community separators, or scenic corridors. The site vicinity is generally characterized by the natural setting and forms a scenic backdrop for the community or scenic corridor. This category includes building and construction areas within the SR designation located on prominent hilltops, visible slopes less than 40 percent or where there are significant natural features of aesthetic value that are visible from public roads or public use areas (i.e. parks, trails etc.). This category also includes building or construction sites on prominent ridgelines that may not be designated as scenic resources but are visible from a designated scenic corridor.

Visual Dominance. The project site is characterized as “Subordinate” because the built portion of the proposed project is minimally visible from public view.

Subordinate: Project is minimally visible from public view. Element contrasts are weak – they can be seen but do not attract attention. Project generally repeats the form, line, color, texture, and night lighting of its surroundings.

The public viewing points would be from Old Redwood Highway and Highway 101. The existing visual character of the project site is primarily open space. The buildings from the prior use of the property (Buzzard Gulch) were partially visible from Old Redwood Highway, but all the buildings were destroyed by the 2017 wildfire. Current views include grassland, trees, an open wood fence, the hillside, and power lines. While the planting of vineyards and screen trees will be introduced to the existing grasslands, the vineyards and trees would maintain open space views. Only the proposed identification sign, new fencing, and the paved driveway and sidewalk will be visible from Old Redwood Highway.

The surrounding character is primarily a built environment. The south view is an office building located in the City of Santa Rosa. Highway 101 is located to the west, with retail buildings on the west side of the highway. The views directly to the north include the Cloverleaf Ranch which contains a parking area for horse trailers and vehicles. To the northwest, the two-story Kaiser Permanente Vision office building surrounded by a large parking lot is located within the City of Santa Rosa.

The proposed buildings and parking lot are screened from Old Redwood Highway by a hill that slopes up from Old Redwood Highway. The proposed buildings will be behind the ridgeline, as demonstrated by the visual analysis.

New screen trees will be planted consisting of evergreen and deciduous native oaks and California Black Walnut. Olive trees will be planted behind the screen trees. The hillside will be planted with vineyards. Although most existing trees were destroyed by the wildfire, some can be preserved to help screen the site.

The most notable improvements along Old Redwood highway will be the paved driveway, wood fence, and entry signage (25 square feet). A gravel/dirt driveway currently exists at this location and there are no known access alternatives. The driveway will be 24 feet in width and paved with asphalt, and a sidewalk will be located on the north side of the driveway. The open fencing along Old Redwood Highway will be four feet in height and constructed of wood slats. Proposed landscaping around the entrance will consist of native and fire-resistant trees. Septic leach fields and a bioretention area will also be located in the level area along Old Redwood Highway. The leach fields will be seeded with wildflower/meadow mix for non-irrigated areas. There is an existing overhead power line along Old Redwood Highway that will remain.

Thresholds of Significance. The project’s visual effect on the visual character or quality of the site and its surroundings was determined based on County “Visual Assessment Guidelines” Table 1 – Thresholds of Significance for Visual Impact Analysis.

Table 1. Thresholds of Significance for Visual Impact Analysis

Sensitivity	Visual Dominance			
	<i>Dominant</i>	<i>Co-Dominant</i>	<i>Subordinate</i>	<i>Inevident</i>
<i>Maximum</i>	Significant	Significant	Significant	Less than significant
<i>High</i>	Significant	Significant		Less than significant
<i>Moderate</i>	Significant	Less than significant	Less than significant	Less than significant
<i>Low</i>	Less than significant	Less than significant	Less than significant	Less than significant

Considering the project site’s High visual sensitivity and the project’s “Subordinate” visual dominance, the project would be considered to have a “Less than significant” effect on the existing visual character or quality of the site and its surroundings with mitigation incorporated. Based on all these factors, the project is considered in compliance with Policy OSRC-1f.

2) *Minimize cuts and fills on hills and ridges.*

The project involves minimal grading. No grading will occur on the hillside slope facing Old Redwood Highway, except for minor grading for the entry driveway, septic system, and bioretention basins. In the area behind the hill where the new structures, driveways and parking areas will be constructed, the existing topography will be used to the extent feasible and grading will consist of cuts and fills in order to achieve level finished floors and parking areas, for a total of 1,500 cubic yards of grading. The maximum cut or fill is approximately five feet. The graded area will not be visible from Old Redwood Highway.

- 3) *Minimize the removal of trees and other mature vegetation; avoid removal of specimen trees, tree groupings, and windbreaks.*

The October 2017 wildfire destroyed most of the trees on-site. The site originally contained 112 Coast Live Oak, Valley Oak, Black Oak, and a variety of other tree species. The updated Arborist Report dated November 14, 2018 and amended on April 29, 2019 recommends that all destroyed, and significantly damaged trees should be removed for safety reasons. Twenty-two trees received moderate damage and may recover over time with supplemental care and pruning.

- 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.*

The applicant has proposed significant planting of new trees to screen the project from Old Redwood Highway and provide a natural environment. Screen trees along Old Redwood Highway will include evergreen and deciduous native oaks and California black walnut. Valley Oak and Coast Live Oak trees will be planted at the crest of the hill for screening and visual continuity. All new trees are native and fire-resistant.

- 5) *Design structures to use building materials and color schemes that blend with the natural landscape and vegetation.*

The applicant has provided a stylebook (Attachment 11) that summarizes the intended architecture of the cabins and other structures. See discussion under Issue #6 Design Issues. The principles of the design include:

- Indoor and outdoor spaces integrated into site with an emphasis on large openings, tree and natural site preservation. Cabins are clustered together with the sharing of porches.
- Deep roof overhangs to provide sun screening, and articulated facades.
- Natural wood siding, metal, and simple building forms to be used to integrate building into rural and agricultural landscape.
- Daylighting and passive solar employed to reduce energy use.
- Highly articulated and refined materials.
- Natural materials and native landscaping to be used for paved and outdoor areas.

- 6) *To the extent feasible, cluster structures on each parcel within existing built areas, and near existing natural features such as tree groupings.*

Proposed buildings are clustered within the existing previously built area, although there are no existing tree groupings for clustering purposes.

7) *Utilities are underground where economically practical.*

The existing overhead lines on the property will remain as is. Undergrounding is not economically practical.

8) *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.*

See discussion under 1) above.

9) *Minimize impervious surfaces and encourage groundwater recharge with effective design features and materials that allow stormwater infiltration and detention.*

The project would minimize impervious surfaces and encourage groundwater recharge, and all runoff will be collected on-site. The existing site currently drains in the westerly direction toward Old Redwood Highway and northwest toward Piner Creek, which has a fifty-foot riparian corridor setback. The site does not receive run-on from surrounding sites, as there is an existing pond which cuts off any run-on onto the site. According to the Initial Storm Water Low Impact Development Submittal (Urban Green Investments, 2018) available as an appendix to the IS/MND, the proposed project would have approximately 3.14 impervious acres (over 100,000 square feet). The project incorporates pollution prevention measures and BMPs to minimize impacts. The paving/driving surface for internal circulation is a chipseal permeable paving and turfblock or similar permeable, natural surfaces. Runoff from impervious surfaces will be directed toward the proposed bioretention facilities.

*Policy OSRC-1i: Consider voluntary transfer of development rights (TDR) and purchase of development rights (PDR) programs and make Community Separators eligible with owner consent.**

Although TDR and PDR programs are not available, a deed restriction will be recorded to protect existing scenic and open space features and ensure the long-term preservation of the natural area. This deed restriction would preclude the placement of any building or other unapproved improvements within the designated area, and would cover 6.5 acres or 29.5 percent of the site. The deed restriction area, as proposed, does not include the riparian areas adjacent to the creek and pond. The applicant feels that this area is protected by existing regulations under the RC zone. Attachment 15 provides the deed restriction area.

Other General Plan policies relating to noise, traffic, greenhouse gas reductions and wildfire risk are addressed under Issues 7, 10 and 11 in this staff report and in the Mitigated Negative Declaration.

Issue #2: Zoning Consistency

The site is in the Resources and Rural Development RRD Zoning District whose purpose is:

Section 26-18-005 Purpose

Purpose: to implement the provisions of the resources and rural development land use category of the General Plan, namely to provide protection of lands needed for commercial timber production, geothermal production, aggregate resources production; lands needed for protection of watershed, fish and wildlife habitat, biotic resources, and for agricultural production activities that are not subject to all of the policies contained in the agricultural resources element of the General Plan. The resources and rural development district is also intended to allow very low density residential development and recreational and visitor-serving uses where compatible with resource use and available public services.

Section 26-18-020 Uses Permitted With a Use Permit states:

(ee) Recreational vehicle parks, tent camps or campgrounds, lodging and other recreational or visitor serving uses which do not interfere or detract from the purposes of this district; except such uses are not permitted on land subject to a Williamson Act contract.

Section 26-10-030 outlines applicable development standards for the project and are summarized below.

As outlined in Section 26-10-020 (ee) of the RRD Zoning District, lodging and other recreational and visitor serving uses, such as event centers, are a permitted use through the review and approval of a Use Permit. To be approved, the project must comply with the development standards of the RRD District. Compliance with these standards is summarized in the table below:

Metric	Standard	Project Proposal	Compliant ?
a) Density	1 dwelling unit/20 acres	Not applicable	
b) Minimum lot area	20 acres	22 acres	Y
c) Minimum lot width	125 feet	660 feet	Y
d) Maximum height	35 feet	24 feet (event hall) 14 feet (cabins)	Y

		17 feet (check-in building)	
e) Maximum lot coverage		23,025 sq. ft. or 2.5%.	Y
f) Yards (1) (2) (3)	30 feet 10 feet 20 feet	400 feet 47 feet 294 feet	Y
g) Parking	Min. 62	102 spaces; 60 designated and 42 valet. Unpaved overflow parking also provided.	Y

The parking requirements (Section 26-86-010) do not have a specific requirement for this use. The closest comparison would be public assembly uses, which is one space per four seats. If the maximum event size is 250 guests, required parking is 62 spaces. A total of 102 permanent parking spaces are provided, consisting of 62 designated spaces, (52-space guest parking lot and 8-space employee lot) and 42 spaces for valet parking. In addition, an unpaved area in the north portion of the site is designated for overflow parking. Parking is sufficient.

Issue #3: Scenic Resources (SR) Combining District Consistency

The proposed project is located in the Scenic Resources (SR) Combining District with the following requirements:

Section 26-64-020 Community separators and scenic landscape units

(a) All structures, except certain telecommunications facilities as provided for in Section 26-64-040, located within community separators and scenic landscape units illustrated on Figures OS-5a through OS-5i, inclusive, of the general plan open space element and included within the SR district shall be subject to the following criteria:

- (1) Structures shall be sited below exposed ridgelines;*
- (2) Structures shall use natural landforms and existing vegetation to screen them from view from public roads. On exposed sites, screening with native, fire resistant plants may be required;*
- (3) Cuts and fills are discouraged, and where practical, driveways are screened from public view;*
- (4) Utilities are placed underground where economically practical*

(d) Require development within community separators to be clustered and limited in scale and intensity.

Section 26-64-050 Design review approval

(a) All plans for land divisions or development projects shall be reviewed and approved, conditionally approved, or denied by the planning director on the basis of compliance with the provisions of this article. Where a use permit is required and following design review approval, development plans shall be reviewed and acted upon by the board of zoning adjustments/planning commission. Where a local citizen's committee has been recognized by the board of supervisors, development plans shall be submitted to such committee for review and advisory recommendation prior to action by the planning director.

The SR standards are nearly identical to the policies in the Open Space and Resources General Plan policies. Compliance with subsections (a) and (d) is articulated under Issue #1: General Plan consistency. With regard with design review, the project was reviewed by the Design Review Committee on November 7, 2018. See Issue #6 for discussion of design issues.

Issue #4: Riparian (RC) and Valley Oak Habitat (VOH) Consistency

Portions of the project site are located in both the Riparian (RC) and Valley Oak Habitat (VOH) combining district. The RC overlay is located along the creek on the north side of the property and the VOH overlay is located along Old Redwood Highway.

The purpose of the RC zone is:

The RC combining zone is established to protect biotic resource communities, including critical habitat areas within and along riparian corridors, for their habitat and environmental value, and to implement the provisions of the General Plan Open Space and Resource Conservation and Water Resources Elements. These provisions are intended to protect and enhance riparian corridors and functions along designated streams, balancing the need for agricultural production, urban development, timber and mining operations, and other land uses with the preservation of riparian vegetation, protection of water resources, floodplain management, wildlife habitat and movement, stream shade, fisheries, water quality, channel stability, groundwater recharge, opportunities for recreation, education and aesthetic appreciation and other riparian functions and values.

Section 26-65-020. - Determination of streamside conservation areas and setbacks for agricultural cultivation further states:

The streamside conservation area indicated in the zoning database is approximate to allow for a parcel-specific determination of the boundary based upon the location of the top of the higher bank and existing riparian vegetation. The streamside conservation area shall be determined by the director. The setback for agricultural cultivation indicated in the zoning database is also approximate to allow for a site-specific determination of the boundary

based upon the location of the top of the higher bank, existing riparian vegetation, and, for upland areas of 50-foot riparian corridors, the slope and soil types of the planting area. The setback for agricultural cultivation shall be determined by the agricultural commissioner.

The purpose of the VOH Valley Oak Habitat is:

To protect and enhance valley oaks and valley oak woodlands and to implement the provisions of Section 5.1 of the general plan resource conservation element.

Section 26-67-030 further provides mitigation requirements for the removal of valley oaks.

Design review approval may be required of projects in the VOH, which would include measures to protect and enhance valley oaks on the project site, such as requiring that valley oaks shall comprise a minimum of fifty percent (50%) of the required landscape trees for the development project.

Riparian Corridor: The applicant has designed the project so that any developed uses are located outside the 50-foot setback along the creek. The 50-foot setback will remain in open space. Trees and vegetation in the riparian corridor were destroyed by the 2017 wildfire. According to the Arborist Report, all six trees in the Riparian Corridor were severely damaged and are recommended for approval. The applicant has submitted a set of proposed riparian restoration guidelines (Attachment 17). The Biological Resources Section of the IS/MND addresses riparian revegetation needs and notes that a Habitat Mitigation and Monitoring Program may need to be prepared that would incorporate these restoration guidelines.

The riparian corridor setback also applies around the pond. The project proposes decking along the embankment on the west side of the pond, as well as a dock extending into the pond. Section 26.65.030 A.4 of the Zoning Ordinance provides that an exception to the prohibition of structures within the setback area may be granted if the finding is made that the affected area has no substantial value for riparian functions. The Director of PRMD has concluded and recommends to the hearing body that the exception for the decking be granted based on the following findings:

1. The decking is located on top of a man-made berm that was not originally a part of the riparian corridor.
2. When the site was developed as the Buzzard Gulch youth camp, the berm area was used for recreational access to the pond and consists of gravel and grasses.
3. The Biological Report for the Solstice project (original pre-fire report dated July 2016) makes the following statements about the dam:

The dam is occupied by herbaceous vegetation except along its western margin. Giant horsetail is abundant close to the water's edge, along with the non-native

grasses dallis grass (Paspalum dilatatum) and common velvet grass, (Holcus lanatus). Both of these grasses are indicators of somewhat moist conditions. Other common species on the dam include the non-native rye grass, brome fescue, slender wild oat, soft chess, and narrow-leaf bird's-foot trefoil (Lotus tenuis) and the native species American bird's-foot trefoile. The herbaceous vegetation is bordered on the west side of the dam by a mixture of small coast live oaks and arroyo willows and thickets of Himalayan blackberry and French broom. The portion of the dam occupied by herbaceous vegetation is here mapped as part of the developed/ruderal habitat type.

The Biological Report supports the finding that the berm area has been disturbed and has minimal value for riparian functions.

4. Construction of the deck does not involve substantial grading or additional disturbance of the pond or riparian area adjacent to the actual creek.
5. The Coast Live Oaks and Arroyo Willows on the west side of the dam were destroyed by the fire, and the area will be replanted with native trees and grasses.

As noted in the IS/MND, the applicant will likely need to obtain a Streambed Alteration Agreement (LSAA) from the CDFW for improvements in this area.

Valley Oak Habitat. The Valley Oak Habitat (VOH) area contains 14 native trees, including 11 Black Walnut, two Valley Oaks, and one Coast Live Oak. Of these trees, seven are recommended for removal because they were severely burned by the 2017 wildfire. The remaining trees, including all three Valley Oak trees, can be preserved with pruning, according the addendum Arborist Report dated April 21, 2019. The applicant intends to follow the recommendations of the arborist to preserve the seven trees with proper care. In addition, the proposed landscaping plan includes evergreen and native oaks and black walnut trees in order to reestablish this area as a tree habitat and provide robust screening. A condition of approval is included to require that at least 50 percent of the newly planted trees in the VOH area be Valley Oak.

Issue #5: Environmental Consistency

Pursuant to the California Environmental Quality Act, An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and released for a 30-day review on June 5, 2020. The IS/MND identified the following topics as “potentially Significant Impact” or “Less than Significant with Mitigation”, with mitigation proposed to reduce all impacts to less than significant.

Air Quality. The project has the potential to have significant impacts to air quality. The project was analyzed based on the BAAQMD’s Clean Air Plan and was compared to the criteria for health clubs and places of worship, which typically would have special events

similar to the proposed use. The proposed project does not result in emissions that exceed BAAQMD construction or operational screening criteria, with mitigation incorporated. Mitigation requires implementation of the BAAQMD Basic Construction Mitigation Measures.

Biological Resources. The project has the potential to have significant impacts on biological resources. A Biological Resources Assessment was prepared by California Environmental Services LLC. Although the 2017 wildfire destroyed areas of native habitat, mitigation is proposed to mitigate impacts to any remaining habitat for burrowing owl, nesting birds, roosting bats. Mitigation is also proposed to minimize impacts to Foothill yellow-legged frog, California giant salamander and Western Pond Turtle in riparian areas.

Geology and Soils. Impacts to geology and soil would be less than significant upon compliance with Sonoma County standards and mitigation related to paleontological resources.

Hazards and Hazardous Materials. Impacts related to hazardous materials would be less than significant with mitigation regarding spill of hazardous materials.

Transportation and Traffic. The project would not have a significant impact on traffic with mitigation proposed. See Issue #8.

Cultural Resources/Tribal Cultural Resources. A Cultural Resources Evaluation was performed by Archaeological Resource Services (ARS). The project was referred to three tribes for consultation. The Cloverdale Rancheria and Lytton Rancheria responded with a request for standard conditions for monitoring and evaluation. The Stewart's Point Rancheria Kashia Band of Pomo Indians indicated this project is out of their jurisdiction. Compliance with standards for halting work during construction if human remains or archaeological resources are discovered results in a less than significant impact.

Wildfire. The project is located in a Moderate Fire Hazard Severity Zone. Therefore, fire risk is considered less than significant. See Issue #11 for discussion of fire risk.

Issue #6: Design Considerations

The project requires design review by the Design Review Committee (DRC) to ensure that the project meets the design objectives of the RRD zoning district and is compatible with the surrounding environment.

The DRC originally considered the original project proposal and design on June 21, 2017 and reviewed the revised design on November 7, 2018 (see Attachment 14). The DRC found that the project, which is subject to final design review, meets the design objectives of the RRD zoning district and is compatible with the surrounding environment. The DRC and staff note the following key project features that support this conclusion:

- **Overall Site Plan:**
 - The main parking lot minimizes the area devoted to permanent spaces by partially relying on valet parking for purposes which reduces the amount of paved parking area.
 - The paving/driving surface for internal circulation is proposed to be chipseal permeable paving and turfblock or similar permeable, natural surfaces.
 - The loop road is curvilinear and the cabins are set back from the loop road to provide a more rural feel.
 - The cabins are clustered to minimize sprawl on the lot and resource impact.
 - All development is located outside the 50-foot riparian setback from Piner Creek.

- **Architecture:** The proposed stylebook (Attachment 11) for the cabins and other structures includes the following design features:
 - Indoor and outdoor spaces are integrated into the site with an emphasis on large openings, tree and natural site preservation.
 - Cabins are clustered with shared porches.
 - Deep roof overhangs provide sun screening, and articulated facades.
 - Wood siding, metal, and simple building forms integrate the buildings into rural and agricultural landscape.
 - Daylighting and passive solar features are employed to reduce energy use.
 - Facades are highly articulated to reduce massing.
 - Natural materials and native landscaping are used for paved and outdoor areas.

- **Signs:** A monument sign is proposed next to the site entrance. The applicant has submitted a sign exhibit (including a rendering) showing an eight-foot-wide by four-foot-high monument style with orange-yellow metal panels (Attachment 9), with a sloping top edge. Directional signs are permitted in the RRD zone with a use permit, with a maximum size of 32 square feet. With the sloping top edge, the total size is 25 square feet, which is less than the allowed 32 square feet.

- **Fencing:** The four-foot high fence (Type B) along the Old Redwood Highway and six-foot-high fence around the remainder of the site (Type A) are detailed in the submitted fence exhibit (Attachment 10). Wood post open fencing is proposed along Old Redwood Highway to blend into the natural landscape whereas wire fencing is used for the remainder of the site since it is not visible from the main public vantage along the highway. A condition of approval requires the wood post fence along the frontage (Type B) to be constructed with natural wood colors, instead of painted white as proposed by the applicant.

- **Landscaping:** The conceptual landscape plan (Attachment 7) shows screening trees and shrubs along Old Redwood Highway, consisting of native trees such as California Buckeye, California Walnut, Black Oak, Coast Live Oak, Valley Oak, Redbud and Crape

Myrtle. The activity area on the east side of the property will have a variety of native and ornamental trees and shrubs, designed to be low water use compliant with water conservation standards. Because most of vegetation in the riparian area was consumed by the fire, the landscape plans will be updated to include a plan for revegetation of the riparian area.

- *Lighting*: Site lighting will be discrete and dark sky compliant to limit light pollution and light nuisances on adjacent properties.

Agriculture Commissioner: The Agriculture Commissioner provided comments on the project on September 5, 2017. Three key comments were raised:

- **Vineyard Leaching**: The Commissioner recommended avoidance of leach fields in the vineyard because of potential damage from agricultural ripping. The applicant states that future development of leach fields will take into consideration impacts on the vineyard. Should leach fields be installed in vineyards, signage regarding agricultural ripping danger will be installed. A condition of approval has been added to this effect.
- **Wellhead Setbacks**: The Commissioner also recommended removing smaller blocks of vineyards from the activity area or provide a 50 foot setback from the wellhead and 200 foot setbacks from structures due to agrichemical use. The applicant stated that the smaller blocks of vineyards near the cabins will not be farmed as crops and are decorative landscaping, and no agrichemical activity will occur near the cabins.
- **VESCO Permit**. A Vineyard and Orchard Site Development (VESCO) Level II permit is required because the vineyard footprint exceeds 15 percent. Securing a VESCO permit has been added to the conditions of approval for the project.

Issue #7: Special Events and Noise

The proposed project is subject to General Plan Noise Element policies to protect sensitive land uses from noise impacts resulting from traffic, construction, and on-site outdoor activities. Policies NE-1a – c and Table NE-2 are found in the Mitigated Negative Declaration. For on-site activities, Table NE-2 establishes maximum allowable exterior noise exposures for non-transportation noise sources. Exterior noise at the property line of the sensitive use cannot exceed 50-65 dBA depending on the duration of the noise.

The project proposes the following special events:

- 50 special events including 20 special events of up to 250 guests and 30 special events up to 175 guests. Hours of special events will be limited to 10 a.m. to 10 p.m. Larger events, with over 150 attendees will exclusively rely on catered food. Smaller events under 150 people will have the use of a commercial kitchen located inside the event barn. Events with over 175 guests will be required to employ staff to valet/manage the parking on-site.

- 50 special-dining events for up to 80 people. Hours of special dining events will be limited to 10 a.m. to 10 p.m.
- Only non-amplified acoustic music outdoors, ending at 9 p.m. Amplified music will be indoors only.
- Staff recommends that all events end at 9 p.m. instead of 10 p.m. in order to allow time for the premises to be cleared by 10 p.m.

An Environmental Noise Assessment was prepared by Illingworth and Rodkin, Inc. dated December 7, 2018. The General Plan noise standards require evaluation of new noise impacts on sensitive receptors. The closest noise sensitive receptors to the project site are the recreational uses at the Cloverleaf Equestrian Center to the north, and the Vineyard Commons senior assisted living facility to the south and east. The Assessment evaluated the following activities:

1. Project traffic and parking lot use
2. Recreational use of the lake and swimming pool
3. Cabin guest related activities
4. Indoor and outdoor special events
5. Building mechanical equipment noise
6. Trash Collection

The Assessment concluded that none of these activities would exceed the Maximum Allowable Exterior Noise Exposure of 45 dBA as adjusted using the L₅₀ Noise Standard (noise level exceeded 30 minutes in any hour) during daytime hours. Particular attention was given to noise generated by the special events (weddings and dining events) and recreational use of the lake and swimming pool. The maximum noise exposure for the special events and lake/pool recreational use would be at the Vineyard Commons senior assisted living property line, where the activities could generate a noise level of 45 dBA using the L₅₀ Noise Standard. Since activities will cease by 10 p.m., the nighttime standard is not applicable. Based on the findings of the IS/MND and the noise study, all proposed events would meet the daytime NE-2 noise standards at property lines shared with the Cloverleaf Ranch Equestrian Center or the Vineyard Commons senior living center. A condition of approval requires that events end in time for the site to be cleared by 10 p.m.

Issue #8: Traffic

The traffic study concluded that the project traffic would not significantly affect the operation of nearby intersections. The project would generate an average of 6 weekday a.m. peak hour trips, 6 weekday p.m. peak hour trips and 8 weekend peak hour trips. On event day, traffic generation would be increased to 126 weekday p.m. peak hour trips and 128 weekend peak hour trips. These amounts do not trigger intersection improvements at the seven studied intersections. A full analysis of the traffic impacts can be found in the MND.

The main driveway off of Old Redwood Highway will be the primary access to activities on the site. An emergency vehicle access (EVA) will be maintained at the north property line adjacent to Cloverleaf Ranch.

The project would be limited to right turns in and out only. Therefore, the need for a left-turn lane was not evaluated. A splitter island will be constructed to ensure right turn movements. An existing right-turn taper already serves the project driveway and would accommodate project traffic.

Issue #9 Groundwater Availability

The project lies within the Santa Rosa Plain Groundwater Basin which is a groundwater availability Zone 1.

As outlined in the IS/MND, a Hydro-geologic Report and Water Availability Analysis was completed by OEI in 2018. Although studies like this are not typically required within Groundwater Zone 1, the parcel lies within the Santa Rosa Plain Groundwater Basin which is subject to the State's Sustainable Groundwater Management Act (SGMA) and where groundwater studies are now required per recent policy updates. The report concluded the aquifer recharge average was 3.3 inches per year (3.1 inches during a dry water year) or 49.8 ac-ft/yr (21.1 ac-ft/yr during a dry year) summed across the recharge area. The report notes that "...total proposed water demand for the project recharge area is 21.1 ac-ft/yr which represents 42% of long-term average recharge conditions and 45% of dry year conditions." According to the report, the project is projected to use 10.16 ac-ft/yr. The report then concludes that there is substantial surplus groundwater recharge in the aquifer and that project demands are unlikely to result in reduced groundwater. The project includes bioretention areas designed to capture storm water. These areas also increase the amount of water that can be absorbed into the aquifer.

The neighboring well (closest to the project) is estimated, by the Hydro-geologic Report and Water Availability Analysis, to be about 980 feet to the northwest. The report concludes given the "significant horizontal distance" between the project well and the closest neighboring well and the nature of the aquifer materials, the potential for well interference is minimal.

Issue #10 Greenhouse Gas Reductions

Sonoma County participates in a coordinated countywide collaboration to address climate change and to reduce greenhouse gas emissions. On May 8, 2018, the Sonoma County Board of Supervisors passed Resolution 18-0166 adopting local implementation measures to support regional and state-wide efforts. This Resolution asserts the County's commitment to work toward the state and regional target of reduce GHG emissions by 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050. The goals to reduce GHG emissions include such measures as increasing building energy efficiency, increasing renewable energy use,

switching equipment from fossil fuel to electricity, reducing travel demand, reducing water consumption, and increasing recycled water and greater use.

The applicant has provided project “green” features (Attachment 16). These features are designed to contribute to the County’s efforts to maximize reductions to achieve no net emissions. Included are:

1. Solar panels combined with electric water heaters, space heating and appliances.
2. Recycled wood products and sustainable flooring products.
3. Rainwater harvesting for landscaping around cabins.
4. Electric vehicle charging stations.
5. Electric bicycles and charging stations available to guests.
6. Habitat restoration along riparian corridor.

These measures are incorporated into the conditions of approval.

Issue # 11 Wildfire Risk Assessment

The project site is currently designated a Moderate Fire Hazard Severity Zone under the State Responsibility Areas; however, these designations are currently under review. Empirically, Permit Sonoma recognizes that the property is subject to elevated wildfire risk because of the 2017 Tubbs Fire experience. While the Tubbs Fire was an extreme event, prevailing wind patterns and atmospheric conditions contributed to the loss of all structures and most vegetation at the site. As a result, Permit Sonoma staff engaged proactively with the applicant to increase wildfire resiliency on the property and within the project scope to better prepare for future disasters and limit the potential for loss of life and livelihood for the community. Tailored fire risk reduction conditions have been prepared in consultation with the applicant team and staff to better comply with the following hazard and life/safety policies within the General Plan and the Sonoma County Zoning Code:

Public Safety Element:

Goal PS-3: Prevent unnecessary exposure of people and property to risks of damage or injury from wildland and structural fires.

Objective PS-3.2: Regulate new development to reduce the risks of damage and injury from known fire hazards to acceptable levels.

Land Use Element:

Goal LU-7: Prevent unnecessary exposure of people and property to environmental risks and hazards. Limit development on lands that area especially vulnerable or sensitive to environmental damage.

Objective LU-7.1: Restrict development in areas that are constrained by the natural limitations of the land, including but not limited to, flood, fire, geologic hazards, groundwater availability, and septic availability

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(5) Protect against intensive development of lands constrained by geologic hazards, steep slopes, poor soils or water, fire and flood prone areas, biotic and scenic areas, and other constraints

(7) Protection of county residents from proliferation of growth in areas where there are inadequate public services and infrastructure, including water supply and safe wastewater disposal.

Zoning Code:

Sonoma County Code Section 26-92-080(a)

In order to grant any use permit, the findings of the board of zoning adjustments shall be that the establishment, maintenance or operation of the use or building applied for will not under the circumstances of the particular case, be detrimental to the health, safety, peace, comfort or general welfare of persons residing or working in the neighborhood or to the general welfare of the area.

Before discussing conditions to increase wildfire resilience it is worth noting that the site accommodated up to 120 campers pre-fire at the peak operation of the youth camp, plus an unknown number guests at larger events. The Buzzard Gulch youth camp had declining levels of activity for several years prior to the 2017 Tubbs Fire, and was largely abandoned at the time of the fire. Although it is difficult to compare the population intensities between the prior use and the proposed project, the proposed use, if fully occupied, will be an intensification of on-site activity compared to the activity immediately prior to the fire. Staff finds the project can be approved nonetheless provided improvements are incorporated in the project to reduce fire risk.

The following project site, design, and conditions of approval ensure an adequate level of wildfire resiliency given the heightened risk for this property:

1. The site is located adjacent to the City of Santa Rosa and near existing commercial uses to the south and west, an area with fire services readily available. Sonoma County Fire Station #2 is located 1.7 miles to the north, and Santa Rosa Fire Stations #3 and #11 are both approximately two miles away. Response time is less than eight minutes.
2. Compliance with County and State Fire Safe Standards relating to emergency access, minimum emergency water supply, fuel modification and defensible space, sprinklers,

and road naming and addressing is required. These standards require the control of fuels and ignition sources. No flammable materials will be stored on-site.

3. New trees will be fire-resistant species.
4. Project conditions require adherence to the following:
 - a. **Fire Suppression:** Installation of two water storage tanks totaling 10,000 gallons is proposed, and the one-acre pond, with at least 1.6 million gallons assuming a five-foot depth, can be used for emergency water for fire suppression. The project has an adequate water supply in that it is located within Groundwater Zone 1 with adequate surplus groundwater recharge.
 - b. **Access:** The project will include access to accomplish the following:
 - i. The access driveway will be 20 feet in width and paved.
 - ii. Driveway slopes shall have a slope of less than 15 percent.
 - iii. The activity area shall be located no more than 0.5 miles (proposed at 1,000 feet or 0.19 miles) from a public road.
 - iv. A second emergency access shall allow egress to the north through the Cloverleaf Ranch, a horse ranch and riding academy.
 - c. **Population Limits:** The project operations shall be limited to the following:
 - 1-3 employees residing on the premises as caretakers.
 - 12 employees and up to 80 guests for no more than 50 typical events.
 - 20 employees and 150-250 guests for no more than 50 large events each year.
 - d. **Operations:** The project will have a Fire Evacuation Plan.

Issue #12 Public Comment

Attachment 18 provides the 86 public comments received as of July 1, 2020. This report addresses most of the comments; however, specific responses to comments will be provided to the BZA via a separate memorandum prior to the hearing.

STAFF RECOMMENDATION

Adopt the Mitigated Negative Declaration and approve UPE16-0086, allowing the construction of a lodging and event facility on a 22-acre parcel, with conditions in Attachment 1 to the attached Resolution.

FINDINGS FOR RECOMMENDED ACTION

1. The Board of Zoning Adjustments has considered the Mitigated Negative Declaration prepared to address environmental impacts of the project, together with all comments received at or before the hearing. Based upon the whole record (including the Initial Study and all comments received), there is no substantial evidence that the Project as approved will have a significant environmental effect. Changes or alterations have been

- required of or incorporated into the Project through the Conditions of Approval that mitigate or avoid the potentially significant environmental effects of the Project as proposed. These changes or alterations have been agreed to by the applicant and are subject to the Mitigation Monitoring Program contained in the Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines and reflects the independent judgment and analysis of the County of Sonoma.
2. The Project is consistent with the RRD designation of the Sonoma County General Plan in that it proposed construction and operation of a lodging and event center consistent with the permitted uses in the General Plan and as allowed by the Land Use Element policies LU-3e, LU-5a-d, LU16n, and Open Space and Resource Conservation Element policies OSRC-1a- k. The project is consistent with community separator policies in that the proposed use can be considered a low intensity of development in that it is designed to be minimally visible from public and does not interfere or detract from the purposes of RRD designation. Views from Old Redwood Highway and Highway 101 will be that of a natural environment with native plantings and vineyards (agricultural use) on the hillside. Proposed buildings are not visible from the Highway. A deed restriction will be placed on the property to ensure the preservation of open natural areas in perpetuity. The proposed events will not be perceptible to the general public, and the traffic study did not conclude any significant impacts. The project does not trigger voter approval pursuant to Measure K because a General Plan Amendment is not required.
 3. The Project is consistent with the RRD Zoning designations in that it proposes a use allowed with a Use Permit in the RRD district. The Project is consistent with applicable development criteria for the RRD, Scenic Resource (SR), Valley Oak Habitat (VOH) zoning designations. Compliance with the Scenic Resources (SR) designation is articulated in the findings for General Plan compliance for community separators. The project will comply with the Valley Oak Habitat (VOH) area in that oak trees will be preserved to the extent possible given that several were destroyed, and additional oak trees will be planted.
 4. The Project is consistent with the Riparian Corridor (RC) zoning designation in that the 50-foot setback in the Riparian Corridor (RC) area adjacent to Piner Creek will be preserved and revegetated with native plants suitable for riparian habitat. The construction of decking within the 50-foot setback adjacent to the pond qualifies for an exception to the setback requirement based on the criteria for exceptions in Section 26.65.030 A.4 of the Zoning Ordinance in that the affected area has no substantial value for riparian functions. The decking is located on top of a man-made berm that was not originally part of the riparian corridor and has been used for recreational access to the pond. The Biological Report for the project provided evidence that this portion of the dam is considered developed and primarily consists of non-native vegetation and gravel.
 5. As conditioned, the Project 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. Design of the lodging and event center is consistent with the rural setting of the Project.
- b. Traffic generated by the Project will not have a significant impact on local public roads or intersections, as determined by the project traffic studies. Mitigation measures call for construction of a new left turn lane into the project.
- c. The site has capacity to provide adequate water, septic disposal and access for the project and will not affect area wells.
- d. The project would not have an adverse effect on groundwater availability.
- e. Noise generated by the project would comply with County noise standards.
- f. Significant wildfire risks can be reduced to an acceptable level through tailored fire risk reduction measures such as adequate access, proximity to public roads, and proximity to fire stations, abundant water supply, and compliance with all fire safety requirements.

LIST OF ATTACHMENTS

- ATT 1: Draft Conditions of Approval
- ATT 2: Applicant Project Proposal
- ATT 3: Vicinity Map
- ATT 4: General Plan Map
- ATT 5: Zoning Map
- ATT 6: Aerial Map
- ATT 7: Site Plan, Grading Plan, Elevations, Landscape Plan
- ATT 8: Visual Analysis
- ATT 9: Sign plans
- ATT 10: Fence exhibit
- ATT 11: Design Stylebook
- ATT 12: Post-fire Site Photos
- ATT 13: Draft Resolution
- ATT 14: DRC Record of Decision November 7, 2018
- ATT 15: Area Covered by Deed Restriction
- ATT 16: Green Features
- ATT 17: Riparian Area Renovation Guidelines
- ATT 18: Public Comments