Resolution Number

County of Sonoma
Santa Rosa, California

July 23, 2009
PLP08-0011 Dave Hardy

RESOLUTION OF THE BOARD OF ZONING ADJUSTMENTS, COUNTY OF SONOMA, STATE OF CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND GRANTING A USE PERMIT, COASTAL PERMIT AND VARIANCE TO OLMSTED AND ASSOCIATES, FOR SEA RANCH INN, LLC, FOR PROPERTY LOCATED AT 60 SEA WALK DRIVE, SEA RANCH; APN 122-200-009.

WHEREAS, the applicant, Olmsted and Associates, for Sea Ranch Inn, LLC, filed an application with the Sonoma County Permit and Resource Management Department for a Use Permit, Coastal Permit, and a Variance to exceed height limits for several buildings for the proposed expansion at the Sea Ranch Lodge to include 60 lodging units, reuse of original 8,504 square foot Post Office building, with retail and commercial uses and a new 23,882 square foot administration building, restaurant and lounge on a 52 acre parcel located at 60 Sea Walk Drive, Sea Ranch; APN 122-200-009; Zoned CT (Commercial Tourist), CC (Coastal Combining); Supervisorial District No 5; and

WHEREAS, a Mitigated Negative Declaration was prepared and posted for the proposed project in accordance with the appropriate law and guidelines; and

WHEREAS, in accordance with the provisions of law, the Board of Zoning Adjustments held a public hearing on July 23, 2009, at which time all interested persons were given an opportunity to be heard.

NOW, THEREFORE, BE IT RESOLVED that the Board of Zoning Adjustments makes the following findings regarding the Use Permit and Coastal Permit:

The project is consistent with the Sonoma County General Plan for the following reasons:

1. Based upon the information contained in the Initial Study included in the project file, it has been determined that although there may be potentially significant environmental effects resulting from this project, these impacts will be reduced to a level of insignificance because Mitigation Measures have been incorporated into the project as Conditions of Approval. The Mitigated Negative Declaration has been completed in compliance with CEQA State and County guidelines, and the information contained therein has been reviewed and considered.

2. The establishment, maintenance or operation of the use for which application is made will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, comfort and general welfare of persons residing or working in the neighborhood of such use, nor be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the area. The particular circumstances in this case are:

    a. The project is a commercial lodging activity at The Sea Ranch in an area designated for such a use in the General Plan, the Coastal Plan Land Use Map and the CT-Commercial Tourist zoning district, and is consistent with the plans and zoning.

b. The project has been designed to harmonize with the local area by incorporating sod roofs, avoiding significant portions of the meadow, and locating structures on the property so as to minimize impacts on views from Highway 1.

c. As noted in the traffic report for this project, the intersection of Highway 1 and Sea Walk Drive operates at Level of Service A at all times; with the proposed project and future growth at The Sea Ranch, the LOS for peak periods would drop to LOS B on the eastbound approach of Sea Walk Drive to Highway 1. This is within the County and Caltrans standard to maintain LOS C or D.

d. The General Plan Circulation at Figure CT-1a does not identify any improvements for the section of Highway 1 in the vicinity of the project. No new improvements are proposed by the applicant, although the project is conditioned to require lengthened acceleration and deceleration tapers at the intersection of Sea Walk Drive and Highway 1 and widening the shoulder on the east side of Highway 1, as required by Caltrans. Retaining the existing access will avoid disturbance of a wetland that would occur if the driveway were re-located to the north end of the Lodge parking lot. The Traffic Study for the project indicates that even with the project and future conditions, the intersection of Highway 1 and Sea Walk Drive would not fall below LOS B. The Traffic Study for the project also concludes that a left turn lane is not warranted for this project, and Caltrans concurs.

e. The project includes a privately owned package treatment plant that serves only this single project on this single property. The package plant has been reviewed and preliminarily approved by the North Coast Regional Water Quality Control Board, and provisions regarding operation, maintenance, eventual removal, and financing have been established by PRMD and will be applied as Conditions of Approval on the project.

f. As discussed in the Aesthetics Section of the Mitigated Negative Declaration, the impact of the proposed development on the overall site is considered to be "subordinate," although the impact on the scenic views from the Black Point parking lot and trail is considered to be less than significant with mitigation. The mitigation includes extending the public access to the western end of Black Point to compensate for the impairment of the view from the trail by the new structures.

g. The project conforms with the Visual Resource and Design Policies of the Local Coastal Plan for The Sea Ranch. The project has been reviewed by The Sea Ranch Design Committee, which has indicated its preliminary approval of the design in a letter dated July 11, 2009 (Exhibit L of the Staff Report). The project incorporates The Sea Ranch architectural vernacular of shed roofs oriented toward each other, wood siding and shingle roofs with no eaves, clustering of structures, and preservation of meadow space, and is therefore consistent with these policies that are directed toward new houses, not commercial development.

h. The project is designed to avoid fully obstructing views by keeping rooftops low enough that travelers along Highway 1 can see over them to the ocean and the horizon. The redesign of the project to open up a view corridor from the Black Point parking lot reduces the impact on that view to less than significant.

i. The lodge property is in an Urban Service Area, and therefore not considered "rural". The project contains fewer units than allowed by the Local Coastal Plan, thereby

minimizing the number of structures, which are grouped into clusters. The bulk and height of the structures in the meadow are in keeping with the height of other residential units in The Sea Ranch, and the lodge/restaurant and Fireside Building are consistent with the height of neighboring structures and the original lodge itself, which is now non-conforming as to height.

j. The project incorporates native plants, retains and enhances the hedgerows, and does not include landscaping that would block coastal views except to reinforce existing hedgerows that screen the main lodge area.

k. A Biotic Study was prepared for the project and includes recommendations to avoid habitat and mitigate impacts by relocating plants. The project is designed to qualify for LEED platinum or gold designation.

l. The project was referred to the Northwest Information Center and the Kashia Pomo tribe, and a Cultural Resources Study was prepared indicating that some impacts may occur. A project mitigation includes monitoring of earth-disturbing activities by an archaeologist and representatives of the Kashia Pomo tribe.

m. A preliminary Geotechnical Report was included with the application and identifies measures to reduce potential impacts from earthquakes and landslides. Those measures are included as Conditions of Approval for the project. The project is not located in an existing or proposed Alquist-Priolo earthquake safety zone.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments makes the following findings regarding the Variance:

1. The Variance to allow construction of the new lodge building, the Fireside Room building, and the South Cluster at heights exceeding the 24-foot commercial height limit conforms to the requirements of state law in that there are special circumstances that apply to the subject property, including the following:

   a. Significant wetlands which have been avoided and preserved on the northern portion of the Property, the bluff area, and the northwest corner of the property.

   b. Bluff-top setbacks due to geological conditions.

   c. View easements established by state law (the "Bane Bill", section 30610.6 of the Public Resources Code).

   d. A Pacific Gas and Electric Company easement that bisects the site.

   e. The public parking lot and trail to the beach on dedicated easements intended to provide beach access consistent with the provisions of the Bane Bill.

2. Construction will not confer special privileges on the subject property because there are other properties with identical CT, CC zoning and with structures that exceed the 24-foot height limit cited by the applicant, including:

   a. The existing Sea Ranch Lodge, which has a height of 32'-6".

   b. The Timber Cove Inn, which has a wing with a height of 42'-6" in a bluff top setting.

c. The Stewarts Point General Store, which has a height of 32'.

d. The Bodega Coast Inn, which has an existing building height of 28', and an approved expansion of with a height of 32'.

3. Exceeding the height limit will not have an effect on coastal views because of the existing hedgerows surrounding the buildings and because the South Cluster is also screened from Highway 1 by the Post Office building and because there are overriding considerations as set forth above in the section about special circumstances. Additional considerations include the fact that height of the Lodge building was increased to accommodate three units that otherwise would have been located in the meadow, thereby reducing the scope of land disturbance.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby adopts the Mitigated Negative Declaration and Mitigation Monitoring Program set forth in the Conditions of Approval. The Board of Zoning Adjustments certifies that the Mitigated Negative Declaration has been completed, reviewed, and considered, together with comments received during the public review process, in compliance with CEQA and State and County Guidelines, and finds that the Mitigated Negative Declaration reflects the independent judgment of the Board.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments hereby grants the requested Use Permit, Coastal Permit, and Variance, as described in the Project Description attached hereto as Exhibit "A", and subject to the Conditions of Approval attached hereto as Exhibit "B".

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments designates the Secretary as the custodian of the documents and other material which constitute the record of proceedings upon which the Board's decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

BE IT FURTHER RESOLVED that the Board of Zoning Adjustments' action shall be final on the 11th day after the date of the Resolution unless an appeal is taken.

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

Commissioner
Commissioner
Commissioner
Commissioner
Commissioner

Ayes: Noes: Absent: Abstain:

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

SO ORDERED.