

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, APPROVING A GENERAL PLAN AMENDMENT SUPERSEDING AND REPLACING THE EXISTING SONOMA COUNTY GENERAL PLAN WITH AN UPDATED GENERAL PLAN (GP 2020), CARRYING FORWARD THE EXISTING HOUSING ELEMENT AND THE RESTRICTIONS IN ORDINANCES 5003R AND 5145R PERTAINING TO COMMUNITY SEPARATORS, AND APPROVING A SPECIFIC PLAN AMENDMENT REPEALING THE WINDSOR SPECIFIC PLAN, AN AREA PLAN AMENDMENT REPEALING THE LARKFIELD-WIKIUP AREA PLAN, AND AREA PLAN AMENDMENTS REVISING THE WEST PETALUMA, PETALUMA DAIRY BELT, PENNGROVE, SONOMA MOUNTAIN, SOUTH SANTA ROSA, BENNETT VALLEY, AND FRANZ VALLEY AREA PLANS AS NECESSARY TO CONFORM TO GP 2020

RESOLVED, that the Board of Supervisors ("the Board") of the County of Sonoma ("the County") hereby finds and determines as follows:

1. Procedural History

1.1 Under direction of the Board, the County's Permit and Resource Management Department ("PRMD") initiated an update of the Sonoma County General Plan ("GP 2020") focused on certain issues identified and approved by the Board of Supervisors in the GP 2020 Work Plan approved on March 13, 2001, and revised on January 29, 2002. This Work Plan also identified the following associated entitlements necessary to achieve consistency with GP 2020. Together, GP 2020 and the associated entitlements comprise the "Proposed Project".

- (a) A Specific Plan Amendment repealing the Windsor Specific Plan
- (b) An Area Plan Amendment repealing the Larkfield-Wikiup Area Plan
- (c) Area Plan Amendments revising the West Petaluma, Petaluma Dairy Belt, Penngrove, Sonoma Mountain, South Santa Rosa, Bennett Valley, and Franz Valley Area Plans
- (d) Amendment of Chapter 26 of the Sonoma County Code adding an Affordable Housing (AH) Combining District

(e) Zone changes to certain properties to either add the AH Combining District or to achieve zoning consistency with Land Use Amendments associated with GP 2020.

1.2 The Board approved Work Plan was based upon the results of an extensive community outreach program conducted in 2001 during which the community at large was asked to identify issues that it believed should be addressed in GP 2020. During this process, the community expressed a strong and compelling desire to retain the existing General Plan's major goals, such as community-centered growth and agricultural protection, particularly as implemented by the current Land Use designations and Zoning. As a result, the fundamental Project Objectives of GP 2020 were defined in the Work Plan as a review of selected policy issues and retention of the major goals and existing land use designations.

1.3 The Board of Supervisors appointed a Citizen's Advisory Committee (CAC), consisting of three representatives from each supervisorial district to work with PRMD staff to develop the Proposed Project. The CAC held public hearings and received both oral and written testimony on the issues contained in the approved Work Plan, reviewed and considered the testimony, and recommended the "Public Hearing Draft GP 2020" and associated entitlements identified in paragraph 1.1 above as the Proposed Project for purposes of environmental review under the California Environmental Quality Act ("CEQA").

1.4 The County determined that a program environmental impact report ("EIR") was required for the Proposed Project to comply with CEQA and the State CEQA Guidelines. The County contracted with an environmental study team led by Nichols-Berman and Associates to prepare the EIR for the Proposed Project. A Notice of Preparation ("NOP") was issued to all responsible and trustee agencies and to interested persons on January 10, 2003 and a scoping meeting was held on January 21, 2003.

1.5 A draft EIR ("the Draft EIR") was completed for the Proposed Project and a notice of completion filed with the Office of Planning and Research on January 19, 2006. A 45-day public review and comment period for the Draft EIR began on January 19, 2006, and was subsequently extended to 90 days, ending on April 17, 2006.

1.6 The Public Hearing Draft GP2020 Air Transportation Element (ATE), including the proposal to establish an Airport Safety Combining District to be applied to properties within the approach protection zones of 5 of the 6 public use airports in the County, was submitted to the Sonoma County Airport Land Use Commission (ALUC) for review and comment in accordance with State law. On November 8, 2004, the ALUC conducted this review and found the ATE consistent with the Comprehensive Airport Land Use Plan for Sonoma County (CALUP).

1.7 The Sonoma County Planning Commission ("the Planning Commission") conducted a duly noticed public hearing on the Draft EIR on February 28, and March 15, 2006. At the hearing, the Planning Commission heard and received all relevant oral and written testimony and evidence presented or filed regarding the Draft EIR. All interested persons were given the opportunity to hear and be heard. At the conclusion of the review period, the Planning Commission gave its comments on the Draft EIR.

1.8 The Planning Commission conducted a duly-noticed public hearing on the Proposed Project beginning on February 16, 2006 and closing on January 16, 2007. The hearing was organized so that the Commission heard and received all relevant oral and written testimony presented or filed regarding each aspect of the Proposed Project over the course of the hearing process. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony for each aspect of the Proposed Project, the Planning Commission considered and discussed the testimony and other evidence submitted and the Proposed Project. Based upon these deliberations, the Commission revised some of the policy recommendations contained in the Proposed Project, resulting in the "Planning Commission Recommended Draft GP 2020."

1.9 A final EIR consisting of the Draft EIR and a Response to Comments Document dated June 12, 2007 (collectively "the Final EIR") was completed for the Proposed Project, as revised by the Planning Commission, and made available for public review on June 12, 2007. A copy of the Final EIR was sent to all commenting agencies on August 20, 2008.

1.10 PRMD prepared a staff report dated February 28, 2006 for the Planning Commission analyzing the Proposed Project. In the report, PRMD determined that the Proposed Project, as revised by the Planning Commission, was within the scope of the analysis in the Draft EIR and the revisions to the Proposed Project did not constitute "significant new information" within the meaning of CEQA so as to require recirculation of the Final EIR. As such, PRMD recommended that the Planning Commission recommend to the Board, certification of the Final EIR, adoption of a statement of overriding consideration, and approval of the proposed project.

1.11 On July 17, 2007, the Planning Commission discussed the Final EIR and the Proposed Project. On a 4-1 vote, on July 17, 2007, the Planning Commission adopted Resolutions No. 07-20, 07-21, 07-22, 07-23, and 07-24 recommending to the Board certification of the Final EIR, adoption of a statement of overriding considerations, and approval of the Proposed Project, including superceding and replacing the existing General Plan with the "Planning Commission Recommended Draft GP 2020" and the associated entitlements identified in Paragraph 1.1.

1.12 PRMD staff prepared a memorandum to the Board dated August 20, 2007 summarizing the action of the Planning Commission and the issues discussed at the Planning Commission hearing. PRMD staff included the Planning Commission staff report and other relevant documents as attachments to the memorandum.

1.13 The Board conducted a duly noticed public hearing on the Final EIR and the Proposed Project as revised by the Planning Commission beginning on August 20, 2007, and continuing until September 20, 2007. At the hearing, the Board heard and received all relevant oral and written testimony and evidence presented or filed regarding the Final EIR and the Proposed Project. All interested persons were given the opportunity to hear and be heard. At the conclusion of public testimony, the Board closed the hearing and allowed additional written testimony until September 28, 2007. Beginning on October 9, 2007, and continuing until May 22, 2008, the Board reviewed and considered all of the testimony and other evidence submitted regarding the Proposed Project and directed revisions to the Proposed Project by straw vote. The Board directed staff to prepare a revised GP 2020 and associated entitlements above and all associated resolutions and ordinances reflecting its direction and return on August 12, 2008, for the final decision on the Proposed Project. In addition, the Board directed that staff review the proposed Final EIR in order to assure that the Proposed Project, as revised by the Board, remained within the scope of the Final EIR. The matter was continued from August 12, 2008, to September 9, 2008. The Proposed Project, as directed and revised by the Board, became the "Board Draft GP 2020" and associated entitlements.

1.14 In accordance with the Board's direction, staff prepared the "Board Draft GP 2020" and associated entitlements and resolutions and ordinances and analyzed the "Board Draft GP 2020" and reviewed the Final EIR to determine if it remained within the scope of the Final EIR.

1.15 PRMD submitted a staff report to the Board dated September 9, 2008, recommending that the Board find the "Board Draft GP 2020" within the scope of the Final EIR, and recommending certain additional revisions described in the report and prepared a Mitigation Monitoring Program for the Proposed Project.

1.16 PRMD's September 9, 2008 report to the Board also recommended that the Board find that the "Board Draft GP2020 does not include changes to the unincorporated area Land Use Map designations that would trigger the voter approval requirements of Ordinances 5003R or 5145R, adopted by ballot measures in 1996 and 1998, respectively. Therefore, the General Plan amendment is consistent with the provisions of County Ordinances 5003R and 5145R, approved by voters in 1996 and 1998 respectively, and does not require voter approval under said ordinances.

1.17 The Board has had an opportunity to review the "Board Draft GP 2020" and associated documents and all associated resolutions and ordinances, as well as the September 9, 2008 staff report, and hereby finds that they accurately set forth the intentions of the Board regarding the Final EIR and the Proposed Project.

2. CEQA Compliance

2.1 The Board finds that the revisions to the Proposed Project made by the Board, including those revisions recommended by the Planning Commission and by staff in the September 9, 2008 staff report that were carried forward by the Board, are within the scope of the analysis in the Final EIR and that no further analysis is required to comply with CEQA. As more fully set forth in Exhibits "A" and "B" to this resolution, the Board finds that the revisions of the Proposed Project made by the Board would not result in any new significant impacts or substantially increase the severity of any impacts previously identified. In addition, the Board finds that all feasible mitigation measures that could clearly lessen the impacts of the Proposed Project as revised by the Board, have been incorporated into GP 2020.

2.2 The Final EIR discloses a number of environmental impacts which are less than significant and need no mitigation beyond the measures included in the Proposed Project. These are identified in Exhibit "A", attached hereto and incorporated herein by this reference.

2.3 The Final EIR discloses the Proposed Project poses certain significant or potentially significant adverse environmental impacts which can be mitigated to less than significant levels. These impacts are also summarized in Exhibit "A." The Board finds that changes or alterations have been required in, or incorporated into, the Proposed Project which will, in fact, mitigate these impacts to less than significant levels as set forth in Exhibit "A." The Board therefore determines that these significant adverse environmental impacts of the Proposed Project summarized in Exhibit "A" have been eliminated or reduced to a point where they would a less than significant impact on the environment.

2.4 The Board finds that the Final EIR adequately considered and addressed the Proposed Project's potential contribution to climate change from greenhouse gas ("GHG") emissions, as set forth in Master Response N of the Final EIR. The Board notes that GP 2020 includes a broad range of policies and programs to reduce GHG emissions from land uses and development consistent with GP 2020 and to ensure compliance with new standards as they are developed. The Board further notes that GP 2020 Policy OSRC-14g calls for development of a Greenhouse Gas Emission Reduction Program that would, among other things, establish a methodology for measuring baseline and future GHG emissions, adopt emission reduction policies and standards for new development, and monitor the County's progress in meeting emission reduction goals. The Board concurs in the revisions to Policy OSRC-14g recommended in the September 9, 2008 staff report, to make development of the Greenhouse Gas Emissions Reduction Program a high priority and to set reduction targets for both existing and future development.

Although the Board concurs in the Final EIR's conclusion that it cannot be determined with certainty whether implementation of GP 2020 would result in a cumulatively considerable contribution to global climate change, the Board finds that the policies and programs will substantially mitigate the environmental effects from GHG emissions and that compliance with these policies and programs would substantially lessen the cumulative impact of future projects within the County.

2.5 The Final EIR discloses that the Proposed Project poses certain significant or potentially significant adverse environmental impacts which, even after the inclusion of mitigation measures, may not, or cannot, be avoided if the Proposed Project is approved. Those impacts, which relate to Land Use, Housing and Population, Transportation, Air Quality, Noise, Hydrology and Water Resources, Biological Resources, Geology and Soils, Public Services, Cultural Resources, Visual Resources, and Energy Resources, are fully and accurately summarized in Exhibit "B," attached hereto and incorporated herein by this reference.

2.6 As to the significant environmental effects of the Proposed Project identified in the Final EIR and this Resolution that are not avoided or substantially lessened to a point less than significant, the Board finds that specific economic, social, technological, or other considerations make additional mitigation of those impacts infeasible, in that all feasible mitigation measures have been incorporated into the Proposed Project, and that the project alternatives are infeasible. The Board reaffirms the conclusions of Volume 2 (Responses to Comments) of the Final EIR with respect to proposed mitigation measures suggested by comment. The Board further finds that it has

balanced the benefits of the Proposed Project against its unavoidable environmental risks and determines that the benefits of the Proposed Project outweigh the unavoidable adverse environmental effects. The Board further determines that the unavoidable adverse environmental effects of the Proposed Project are acceptable, that there are overriding considerations which support the Board's approval of the Proposed Project, and that those considerations, which are identified in Exhibit "C," attached hereto and incorporated herein by this reference ("the Statement of Overriding Considerations").

2.7 The Final EIR describes a range of reasonable alternatives. Those alternatives are fully and accurately summarized in Exhibit "D," attached hereto and incorporated herein by this reference. Those alternatives, however, are infeasible for reasons set forth in Exhibit "D."

2.8 To ensure that the project revisions and mitigation measures identified in the Final EIR are implemented, the Board is required by CEQA and the State CEQA Guidelines to adopt a mitigation monitoring program for GP 2020 and the measures the Board has imposed to mitigate or avoid significant environmental effects. The mitigation monitoring program for the Proposed Project ("the GP 2020 Mitigation Monitoring Program") is attached hereto as Exhibit "E". The GP 2020 Mitigation Monitoring Program will be implemented in accordance with all applicable requirements of CEQA and State CEQA Guidelines, and local ordinances.

5. Evidence of the Board

5.1 In making the findings and determinations set forth above and in Exhibits "A" through "E," the Board, on occasion, references specific evidence in the record. No such specific reference is intended to be exclusive or exhaustive. Rather, the Board has relied on the totality of the evidence in the record of these proceedings in reaching its decisions herein.

NOW, THEREFORE, BE IT RESOLVED THAT based on the foregoing findings and determinations and the record of these proceedings, the Board hereby declares and orders as follows:

1. The foregoing findings and determinations, and the findings and determinations set forth in Exhibits A and B to this Resolution, are true and correct, and are supported by substantial evidence in the record, and are adopted as set forth herein.
2. The Final EIR is certified in Resolution No. 08-0807. PRMD is directed to file a notice of determination in accordance with CEQA and State CEQA Guidelines.

3. The Statement of Overriding Considerations is adopted as made in Section 2.6 and Exhibit "C."
4. The Proposed Project is approved as follows:
 - (a) A General Plan Amendment, superseding and replacing the existing Sonoma County General Plan with the Sonoma County General Plan 2020 ("GP 2020"), as contained in Exhibit "F" attached hereto and incorporated herein by this reference, but carrying forward the existing Housing Element and the restrictions in Ordinances 5003R and 5145R pertaining to community separators
 - (b) A Specific Plan Amendment repealing the Windsor Specific Plan
 - (c) An Area Plan Amendment repealing the Larkfield-Wikiup Area Plan
 - (d) Area Plan Amendments revising the West Petaluma, Petaluma Dairy Belt, Penngrove, Sonoma Mountain, South Santa Rosa, Bennett Valley, and Franz Valley Area Plans as contained in Exhibits "G" through "M" attached hereto and incorporated herein by reference
 - (e) Amendment of Chapter 26 of the Sonoma County Code adding an Affordable Housing (AH) Combining District
 - (f) Zone changes to certain properties to either add the AH Combining District or to achieve zoning consistency with Land Use Map Amendments associated with GP 2020 by Ordinance No. 5800 and Ordinance No. 5801.
5. The GP 2020 Mitigation Monitoring Program set forth in Exhibit "E" is adopted.
6. PRMD is directed to retitle the "Board Draft GP 2020" to the "Sonoma County General Plan 2020" dated September 23, 2008 and to publish and distribute the approved Plan as appropriate.
7. Discretionary permit applications submitted to and accepted by PRMD as complete for processing prior to the end of business on September 28, 2007, or ministerial permit applications submitted to and accepted by PRMD as complete for processing prior to the end of business on the date of approval of this Resolution and projects grandfathered by Ordinance 5651 shall continue to be reviewed and decided upon under the General Plan in effect on the day prior to adoption of this Resolution,

unless the applicant requests consideration under all provisions of GP 2020. In the event of the expiration, withdrawal, or other invalidation of such permits, any new or subsequent permit application will be subject to GP 2020.

8. The Clerk of the Board of Supervisors is designated as the custodian of the documents and other materials that constitute the record of the proceedings upon which the Board's decisions herein are based. These documents may be found at the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, CA 95403.

SUPERVISORS:

KERNS: Aye BROWN: Aye · SMITH: Aye KELLEY: Aye
REILLY: Aye

AYES: 5 NOES: 0 ABSENT: 0 ABSTAIN: 0

SO ORDERED.