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5 May 2025

Keith Rogal, Rogal and Associates, Eldridge Renewal, LLC
3255 West March Lane, Suite 400
Stockton, CA 95219
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Rob Toste
The Grupe Company
rtoste@grupe.com

RE: Notice of Project Status
File No: PLP24-0005
SB 330 Preliminary Application File No: PRE23-0008
Address: 15000 Arnold Drive, Eldridge, CA 95431
APNs: 054-090-001, 054-150-005, 054-150-010
Parcels Zoning: PF (Public Facility), F2 (Floodplain), HD (Historic District), OAK (Oak Woodland), RC50 (Riparian Corridor with 50 ft setback), SR (Scenic Resources), VOH (Valley Oak Habitat Combining District)

Dear Mr. Rogal and Mr. Toste,

In accordance with Government Code § 65589.5(j)(2), this letter provides the Permit Sonoma's determination that the above referenced planning project for a Major Subdivision, Design Review, and Density Bonus applications for a mixed-use housing development, determined complete on March 6th, 2024, is **inconsistent, not in compliance, or not in conformity** with an applicable objective plan, program, policy, ordinance, standard, requirement, or other similar provision. Please see the letter below for the specific plan, program, policy, ordinance, standard, requirement, or other similar provision with which the applications are not in compliance and corresponding explanations.

The project consists of a Major Subdivision, Design Review, and Density Bonus application for a mixed-use housing development project and commercial space across three existing parcels consisting of the following:

- i. Major Subdivision and Design Review for a mixed-use development across three parcels on the Sonoma Development Center campus (APNs 054- 090- 001, 054- 150- 005, and 054- 150- 010) consisting of the following: 990 residential units with a diverse array of styles of attached and detached residential homes, apartments, cohousing, and independent living residences. The apartments and homes will range from 500 square feet to 3,200 square feet per unit and 200 of

the 990 total units on-site will be affordable to lower income households. The residential buildout includes: 56 courtyard units, 312 detached homes, 26 duets, 57 triplets, 254 townhomes, 200 apartment units, 74 mixed- use units, 6 cohousing units, and 5 independent living; and

- ii. Approximately 130,000 square feet of commercial uses, including office, retail, research and development, micro-manufacturing and other uses that form an active jobs center for the broader Sonoma Valley; and
- iii. A 150- room hotel and associated amenities (approximately 120,000 square feet in total) with a parking structure; and
- iv. Approximately 70 acres of outdoor public parks, active recreational areas, and open space areas including walking trails, sports fields, children' s playgrounds, dog parks; and
- v. A community center and gym, and riparian corridors. Various public infrastructure and utility network improvements; and
- vi. Approximately 3,030 parking spaces for automobiles (on- street and off- street) and commensurate outdoor parking spaces for bicycles distributed throughout the site;
- vii. A new fire station and designated evacuation command center.

CONSISTENCY ANALYSIS

The consistency analysis below is provided in accordance with Government Code Section 65589.5(f), which permits a local agency to require a housing development project's compliance with "objective, quantifiable, written development standards, conditions, and policies appropriate to, and consistent with, meeting the jurisdiction's share of the regional housing need pursuant to Section 65584."

Notwithstanding the consistency determinations below, provided the project continues to qualify as a "builder's remedy" project, the project is not required to comply with General Plan land use or site zoning designations; however, the number of units and square footage of construction may not change by more than 20% from the number of units or square footage proposed in the preliminary application for the project, except as provided by Government Code Section 65589.5(f)(7)(B). See the *Advisory* section of this letter below.

The County further acknowledges that the project application includes a request for a density bonus and associated incentives or concessions, unlimited waivers of development standards, and specified parking ratios and requirements under California State Density Bonus Law (Government Code Section 65915). Notwithstanding the consistency determinations below, provided the project continues to qualify as a Housing Development Project meeting minimum affordability requirements as defined by the State of California, the project may be granted incentives, waivers or reductions of development standards (Government Code Section 65915(e)), and parking ratios (Government Code Section 65915(p) as requested by the applicant consistent with State Density Bonus Law.

Under State Density Bonus Law, developers are entitled to a certain number of incentives and concessions based on the percentage of affordable housing proposed. Incentives and concession include a reduction in site development standards or modification of zoning code or architectural requirements, approval of mixed use zoning, or other regulatory incentives or concessions that result in identifiable and actual cost reductions. The County is required to grant a concession or incentive unless it finds that it would not result in identifiable and actual cost reductions, would cause a public health, safety, or environmental problem, would harm historical property, or would be contrary to law. If a local development standard would

prevent a project from being built at the permitted density and with the granted concessions/incentives, that standard can be waived. Developers are afforded significant flexibility to design projects, including adding amenities and density beyond local standards, even if those additions conflict with local zoning regulation. An agency cannot enforce any rule that effectively blocks the construction of the project as proposed by the developer, regardless of whether it includes extra amenities.

Sonoma County General Plan

The General Plan is the blueprint for land use in unincorporated Sonoma County. It includes maps that show where agricultural, residential, commercial and other land uses will be located, and a series of policies that guide future decisions about growth, development and conservation of resources.

LAND USE ELEMENT

Policy for Public/Quasi-Public Areas

Purpose and Definition.

This category provides sites that serve the community or public need and are owned or operated by government agencies, non-profit entities, or public utilities. However, public uses are also allowed in other land use categories. The Public Facilities and Services Element establishes policies for location of public uses in these other categories.

Aspects of the project may be analyzed for consistency with compatible Land Use and zoning districts due to the “Builder’s Remedy” status of the proposed project. Due to the invalidation of the Sonoma Developmental Center Specific Plan, and decertification of the supporting Environmental Impact Report, the Land Use designation for the project site has reverted to Public And Quasi Public (PQP) and the zoning designation is Public Facilities (PF). For purposes of analyzing the mixed use and housing component of the proposal, zoning districts where mixed use and multifamily residential development is permitted will be used as provided by Government Code Section 65589.5(f)(6)(A) under the Sonoma County Zoning Ordinance section of this analysis.

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
PERMITTED USES: Uses include schools, places of religious worship, parks, libraries, governmental administration centers, fire stations, cemeteries, airports, hospitals, sewage treatment plants, waste disposal sites, etc. The Land Use Map may show the specific type of public use. In these cases, other public uses shall not be allowed.		X
REUSE OF PUBLIC PROPERTIES: The County should evaluate, as appropriate, any Federal, State, and school properties in the unincorporated area that may become surplus properties and identify those properties that the County may be interested in acquiring. If the County receives the notice of sale of surplus Federal or State property, the Sonoma County Administrator’s Office and appropriate County Departments should be notified in a timely manner.	X	

In addition, the County should work with the U.S. General Services Administration for Federal properties, California Department of General Services (DGS) for State properties, and DGS and School Districts for State school properties for early notice of properties declared as surplus and offered for sale; and for early consultation regarding potential land use implications of future uses		
PERMITTED DEVELOPMENT INTENSITIES AND CRITERIA: Permitted Development Intensities and Designation Criteria. Designation of public/quasi public sites on the Land Use Plan shall be confined to the actual area of public/quasi public use...	X	
POLICY LU-16E: Recognize existing commercial, industrial, and public/quasi public uses outside Urban service boundaries. Limit expansion of these uses to that which does not necessitate extension of water and sewer.		X
POLICY LU-16F: Avoid amendments to include additional commercial or industrial use outside urban service areas.		X
POLICY LU-20FF: Consider future public uses of the Sonoma Developmental Center and Skaggs Island properties as a priority if they are declared surplus and offered for sale to local agencies, particularly park, recreation, and open space uses and affordable housing.	X	

Determination: The General Plan Land Use Element designates the site as Public/Quasi-Public and this land use does not support residential or commercial uses. Though the development application includes public facilities through institutional land uses such as community centers, parks, and a firehouse, the residential and commercial components are not allowed under this land use category and is therefore **inconsistent** with the Public/Quasi-Public Land Use designation. Additionally, much of the campus is outside of the Urban Service Area and expansion of the Urban Service Area has not been accomplished, rendering the project inconsistent with Policies LU-16E and LU-16F.

Policy for Urban Residential Areas

Purpose and Definition. This category includes land planned for a full range of urban services for residential development. It accommodates a variety of housing types, such as stick built and manufactured homes, and all tenure types, depending upon the density allowed in the Land Use Element under State law.

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
Permitted uses: Primary land uses in high density residential areas are attached single family and multi family dwellings, affordable housing projects as provided in the housing element, and mobile home parks.	X	

Permitted Residential Densities And Development Criteria: Permitted residential density ranges from one to twenty units per gross acre and is shown on the land use map, provided, however, that the residential density for an affordable housing project may be increased in accordance with the provisions of the housing element and state law.	X	
Permitted Development Intensities And Criteria: High density residential areas range from 12-20 units per gross acre. Low density residential areas range from 4-6 units per gross acre	X	

Determination: The General Plan Land Use Element designation of Urban Residential allows for high density residential uses, including multi-family and affordable housing projects. The project proposes a multi-family, affordable housing project. The permitted development intensity in the Urban Residential Land Use designation ranges from 4 to 20 units gross per acre, therefore the project is consistent with the Policy for Urban Residential Areas because it proposes approximately 4.7 units per acre.

HOUSING ELEMENT (2014-2022)

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
POLICY HE-1B: Continue the County's existing density bonus programs, including the state density bonus program and the County's programs. Continue to evaluate these programs in view of changing housing needs and policies, and expand or modify as needed to increase opportunities for housing.	X	
POLICY HE-1C: Continue to ensure that design review, development standards, and conditions of approval for affordable housing projects do not result in a reduction of allowable project density, or in the number of affordable units, unless the project as proposed would result in one or more specific adverse impacts on public health or safety, and there is no other feasible method to mitigate the adverse impact(s).	X	
POLICY HE-3J: Continue to encourage affordable "infill" projects on underutilized sites within Urban Service Areas by allowing flexibility in development standards pursuant to state density bonus law (Government Code 65915).		X
POLICY HE-3K: Continue to apply the minimum residential density policy to all Urban Residential parcels.	X	

Determination: Housing Element Policies HE-1b, HE-1c and HE-3j all support the project with the proposed density bonus application. Housing Element HE-3k requires that residential projects comply with the minimum residential density for the site. If the Urban Residential Land Use designation is

applied to the project, the project is **consistent** with Policy HE-3f for minimum density. A General Plan Amendment to include the Urban Service Area to include the project site will be required. Further entitlements annexing the project area into the Sonoma Valley County Sanitation District and permitting through the Sonoma Local Agency Formation Commission (LAFCO) may be required.

CIRCULATION AND TRANSIT ELEMENT

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
POLICY CT-3B: Use the policies of the Bikeways Plan whenever reviewing development projects To insure that projects are consistent with the Bikeways Plan and incorporate necessary bicycle And pedestrian improvements identified in the Bikeways Plan as a condition of project approval.	X	
POLICY CT-3Q: Design, construct, and improve bikeways consistent with the Bikeways Plan Project Priority List. This list shall establish the priority, class, and location of Sonoma County bikeways projects.	X	
POLICY CT-7NN: Require a traffic analysis and consider cumulative weekend traffic impacts in the review of discretionary projects throughout the Sonoma valley planning area.*	X	
POLICY CT-7QQ: Consider intersection improvements such as signalization and left turn lanes at various intersections along Arnold Drive to reduce congestion, provided that the improvements are consistent with the designated road classifications.	X	

Determination: The Circulation and Transit Element, including the Bicycle and Pedestrian Plan, sets transportation policy for Sonoma Valley, including routes for active transportation. Arnold Drive between Country Club Drive and Chauvet Road is designated as a Class II facility (striped bicycle lane) in that plan. The applicant proposes a Class IV facility (fully separated multi-use path) for the affected section of Arnold Drive, exceeding the standard identified in the Bicycle and Pedestrian Plan. Additionally, the application proposes numerous paths, sidewalks, and other pedestrian infrastructure throughout the project. The preceding identifies the project as **consistent** in the above Circulation and Transit Element.

OPEN SPACE AND RESOURCE CONSERVATION ELEMENT

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
<p>POLICY OSRC-3C: Establish a rural scenic corridor setback of 30 percent of the depth of the lot to a maximum of 200 feet from the centerline of the road unless a different setback is provided in the land use policies for the planning areas. prohibit development within the setback with the following exceptions:</p> <p>(1) New barns and similar agricultural support structures added to existing farm complexes 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, provided that such structures proposed within a state scenic highway or where local design review exists by community choice in an adopted specific or area plan are subject to administrative design review.</p> <p>(2) New barns and similar agricultural support structures that do not require a use permit in the development code 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, provided that such structures proposed within a state scenic highway or where local design review exists by community choice in an adopted specific or area plan are subject to administrative design review.</p> <p>(3) Maintenance, restoration, reconstruction, or minor expansion of existing structures.</p> <p>(4) Telecommunication facilities that meet the applicable criteria established in the development code.</p> <p>(5) Other new structures if they are subject to design review and</p> <p>(a) They are associated with existing structures,</p> <p>(b) There is no other reasonable location for the structure,</p> <p>(c) The location within the setback is necessary for the use, or</p> <p>(d) Existing vegetation and topography screen the use.</p> <p>(6) Compliance with the setback would render the parcel unbuildable.</p> <p>(7) Satellite dishes that are not visible from the roadway.</p>		X

<p>POLICY OSRC-8B: Establish streamside conservation areas along both sides of designated Riparian Corridors as follows, measured from the top of the higher bank on each side of the stream as determined by PRMD:</p> <p>(1) Russian River Riparian Corridor: 200'</p> <p>(2) Flatland Riparian Corridors: 100'</p> <p>(3) Other Riparian Corridors: 50'</p>	<p>X</p>	
<p>POLICY OSRC-8D: Allow or consider allowing the following uses within any streamside conservation area:</p> <p>(1) Timber harvest operations conducted in accordance with an approved timber harvest plan.</p> <p>(2) Streamside maintenance and restoration.</p> <p>(3) Fire fuel management where vegetation removal is limited to the minimum required for fire safety purposes and where there are no feasible alternative development locations or designs that do not require vegetation removal.</p> <p>(4) Road crossings, street crossings, utility line crossings.</p> <p>(5) Mining operations conducted in accordance with the county surface mining and reclamation ordinance.</p> <p>(6) Stream dams and stream-related water storage approved by applicable agencies.</p> <p>(7) Grazing and similar agricultural production activities not involving structures or cultivation, except as defined by (8) below, and conducted in accordance with water quality protection guidelines of the agricultural commissioner, resource conservation districts, or regional water quality control boards.</p> <p>(8) Agricultural cultivation and related planting, seeding, fertilizing, weeding, irrigation, and harvesting.</p> <p>(a) Located no closer than 100' from the top of the bank in the "Russian River Riparian Corridor".</p> <p>(b) Located no closer than 50' from the top of the bank in the "flatland riparian corridors" or in upland areas of "other riparian corridors".</p> <p>(c) Located no closer than 25' from the top of the bank in the "other riparian corridors" not in upland areas.</p> <p>the upland areas in (b) and (c) above shall be determined using information on streamside slopes from USGS topographic maps and soil types from the soil conservation service "soil survey of Sonoma County".</p> <p>(9) Equipment turnaround and access roads associated with agricultural cultivation, provided that the affected area is</p>	<p>X</p>	

<p>the minimum necessary for these turnaround and access roads and that a minimum 25' vegetative filter strip is provided and maintained between the affected area and the top of the bank.</p> <p>(10) Vegetation removal as part of an integrated pest management program administered by the agricultural commissioner.</p> <p>(11) Creekside bikeways, trails, and parks within urban residential, commercial, industrial, or public-quasi public land use categories.</p> <p>(12) Development authorized by exception under policy OSRC-8E.</p>		
<p>POLICY OSRC-8I: As part of the environmental review process, refer discretionary permit applications near streams to CDFG and other agencies responsible for natural resource protection.</p>	X	
<p>POLICY OSRC-18E: Consider connectivity to public and open space lands when identifying needs for new bicycle and pedestrian facilities.</p>	X	
<p>POLICY OSRC-19A: Designate the County Landmarks Commission to review projects within designated Historic Districts.</p>	X	
<p>POLICY OSRC-19E: Refer applications that involve the removal, destruction or alteration of a structure or cemetery identified in a historic building survey to the Landmarks Commission for mitigation. Measures may include reuse, relocation, or photo documentation.</p>	X	

Determination: The purpose of the Open Space and Resource Conservation Element of the Sonoma County General Plan is to preserve the natural and scenic resources which contribute to the general welfare and quality of life for the residents of the county and to the maintenance of its tourism industry. The property lies along designated Arnold Drive Scenic Corridor and adjacent to Community Separators. Construction in Scenic Corridor setbacks is allowed provided the project is subject to Design Review. The applicant proposes a series of townhomes, apartments, and a firehouse along the Scenic Corridor. The distance from the centerline of the Scenic Corridor to the buildings proposed average approximately 55 feet, which lies within the required setback area, rendering this aspect **inconsistent**. The applicant proposes no work in designated Riparian Corridor areas. The General Plan contains allowances for infrastructure such as road crossing in Riparian Corridors, though impacts of construction of infrastructure adjacent will need be analyzed pursuant to CEQA in the next phase of analysis and mitigated as necessary. The project has been referred to California Department of Fish and wildlife, **consistent** with the General Plan. The applicant proposes connections to existing trailheads to the surrounding open space. Control of the surrounding open space has been transferred to California State Parks and their planning efforts are nascent, separate, and not related to this project. Lastly, the project proposes the removal of many of the buildings on the site, including the historic Sonoma House. The project will be brought before the Landmarks Commission in a public hearing which will be noticed in

accordance with all required deadlines, making this aspect **consistent** with the Sonoma County General Plan.

Sonoma County Subdivision Code

The subdivision code of Sonoma County is adopted for the purpose of regulating the division of land in the unincorporated area of the County pursuant to Article XI, Section 7 of the California Constitution and the State Subdivision Map Act and to eliminate:

- (a) The creation of parcels of inadequate size and poor design;*
- (b) The creation of building sites in areas where topography, flooding or other factors will prevent orderly and beneficial land development;*
- (c) The creation of roads of improper width, alignment, grade and improvements;*
- (d) Hazards to life or property from sewage effluent or inadequate drainage;*
- (e) The lowering of property values and the loss of opportunity for satisfactory overall development of neighborhoods caused by successive, uncontrolled and haphazard land divisions; and*
- (f) Potential environmental damage whenever feasible and appropriate.*

Article II. Parcel Map Procedures, Section 25-17 - Standards for Approval

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
(c) All parcels and the intended use shall conform to the minimum building site area, allowable lot width, yards and access requirements of the county zoning regulations for the zoning district within which the parcels lie.		X
(d) Access to each parcel will be provided by fronting on a county-maintained road or a private road of adequate right-of-way width. When additional right-of-way is necessary it shall be required only from the property of the owner. The required right-of-way width over the lands owned by the applicant shall be fifty feet (50') unless in the opinion of the committee such width will not be in the public interest presently or in the future. Access is deemed adequate only if it will allow reasonable ingress and egress for emergency vehicles.	X	
(e) Right-of-way sufficient for the ultimate public facility shall be dedicated where lots front on a county-maintained road of insufficient width, or, when the existing right-of-way is not deeded. No land may be required to be dedicated to the county from the residual parcel unless the residual parcel is itself of ultimate size, and it does not have a permanent structure in the proposed right-of-way or a residential structure located within the setback line and closer than ten feet (10'), if a front yard, and five feet (5'), if a side yard, to the ultimate road right-of-way.	X	

(h) Necessary applications for the formation of districts or annexations thereto will be made to the Local Agency Formation Commission of the county as required by law.	X	
(x) (1) Utility lines shall be placed underground on projects with a density greater than one (1) unit per three (3) acres; PRAC, after consideration of the visual characteristics of the project site and development plan, may require undergrounding for projects with a density between one (1) unit per three (3) acres to one (1) unit per fifteen (15) acres; projects with a density less than one (1) unit per fifteen (15) acres shall not require undergrounding. Undergrounding shall be in accordance with the rules of the public utility and state public utilities commission. (2) Where new main utility lines are required, these lines and service lines to the building areas shall be undergrounded where densities require undergrounding; where main lines already exist, only service lines to the building areas shall be undergrounded.	X	

Article IV. Design Standards Generally, Sec 25-42 – Lots

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
(a) Minimum lot sizes shall conform to the standards established by the county zoning regulations and any additional requirements which may be adopted by formal resolution of the Board of Supervisors.	X	
(b) In no case shall lot width be less than sixty feet on the building setback line, nor the depth less than that necessary to provide the minimum lot size required nor shall the depth be less than eighty-five feet, nor greater than three times the width, exclusive of rights of way or easements necessary for road purposes		X
(d) The side lines of lots shall run at right angles to the street upon which the lot faces, as far as practicable.		X
(g) All residential lots shall have a minimum twenty foot building setback line. Such setback shall be maintained on all street frontages on corner lots.		X

Determination: The proposed project includes a Major Subdivision and is subject to the standards and policies outlined in Chapter 25 of the Sonoma County Code. The Subdivision Ordinance (Chapter 25) requires that all parcels and the intended use shall conform to the minimum building site area, allowable lot width, yards and access requirements of the County zoning regulations for the zoning district within which the parcels lie; this is further analyzed below. Many of the proposed parcels do not

meet width, depth, or area requirements. Design Standards for the subdivision also require side lines of lots to run at a right angle to the street upon which the lot faces. Several lot lines are of irregular shapes throughout the subdivision with angled connection. Lastly, Design Standards require residential lots to have a minimum of 20-foot building setback lines. Many lots encroach within the 20-foot setback from the proposed lot lines. The project is **inconsistent** with standards in Sonoma County Code Sections 25-17 and 25-42.

Sonoma County Zoning Ordinance

The Zoning Regulations, codified in Sonoma County Code Chapter 26 (Zoning Code), implement the Sonoma County General Plan and other adopted Area Plans or Specific Plans through land-use regulations and standards.

Sec. 26-14-020(B) Public Facilities (PF) Zoning District: The PF zone provide sites to serve the community or public need and to protect these sites from encroachment of incompatible uses.

Determination: The Zoning Code designates the project site as Public Facilities (PF) Zoning District. Sonoma County Zoning Code is a permissive code, meaning if a use is not listed as an allowed use then it is not allowed. Residential uses in PF are limited to housing that is supportive of the primary public facility use on the property. Therefore, the project is **inconsistent** with Zoning Code Sec 26-12-020.

Due to the “Builder’s Remedy” status of the proposed project, the invalidation of the Sonoma Developmental Center Specific Plan, and decertification of the supporting Environmental Impact Report for purposes of this portion of this analysis the project is analyzed as if it was proposed on a site where multifamily residential development is permitted.

Sec. 26-08-050 Multifamily development standards.

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
<p>B. UNDERGROUND UTILITIES.</p> <p>1. All utility distribution facilities (including but not limited to electric, communication and cable television lines) installed in and for the purpose of supplying service to any residential development shall be placed underground, except for equipment appurtenant to underground facilities, (e.g., surface-mounted transformers, pedestal-mounted terminal boxes and meter cabinets, and concealed ducts).</p> <p>2. The developer is responsible for complying with the requirements of this section, and shall make the necessary arrangements with the utility companies involved for the installation of the facilities.</p>	X	
<p>C. LANDSCAPING. Landscaping shall be provided and perpetually maintained in all required yards for the life of the project.</p>	X	
<p>D. DRAINAGE. Adequate drainage and stormwater management using low-impact development guidelines is required</p>	X	
<p>E. REFUSE COLLECTION AREAS.</p> <p>1. All refuse collection areas shall be enclosed on at least three (3) sides by a five-foot high wall, such wall to be constructed of masonry or other material as specifically approved by design and site plan review.</p> <p>2. Alternate methods of refuse and recycling storage and screening thereof may be approved by the director.</p>	X	
<p>F. PARKING.</p> <p>1. To the extent possible, all off-street parking areas shall be screened from view of surrounding residents by a fence not less than four feet (4') in height, or by landscape materials having a normal growth of not less than four feet (4') in height.</p> <p>2. All points of vehicular access and vehicular circulation to and from off-street parking areas and driveways and onto public rights of way shall be approved by the director of transportation and public works.</p> <p>3. Unless an alternative permeable treatment is approved by the director of transportation and public works and</p>	X	

design review, all off-street parking areas shall be paved with asphalt or its equivalent, and shall conform to the off-street parking design standards of Article 86. Use of alternative permeable surfaces is strongly encouraged wherever feasible in order to maintain or enhance groundwater absorption and recharge.		
G. PUBLIC UTILITIES. Public utilities and necessary easements shall be provided as required by applicable public utilities and agencies.	X	
H. PRIVACY. 1. Main buildings shall be placed such that privacy issues are minimized. 2. Building-to-building window placement shall be staggered, or otherwise designed to provide adequate privacy between the units, as determined by design and site plan review.	X	
I. OPEN/RECREATIONAL SPACE REQUIREMENT. 1. In developments of four (4) or more rental units on a single lot, a landscaped, usable open recreational and leisure area, totaling at least two hundred (200) square feet for each dwelling unit, shall be provided except that for projects limited to seniors, at least one hundred fifty (150) square feet of landscaped, usable open area shall be provided for each dwelling unit. 2. Landscaped areas shall be conveniently located and readily accessible to each dwelling unit, as determined by the review authority. 3. Private open space areas (i.e., patios and balconies) may be considered for up to 50 percent of the required open recreational and leisure area. 4. The following areas shall not be considered as contributing to the required recreational and leisure areas: a. Any required front or side yard. b. Any paved (non-permeable) area used for parking or vehicular circulation c. Any area with a dimension of less than six feet (6').	X	
J. EXTERIOR LIGHTING. 1. Exterior lighting shall be low mounted, downward casting and fully shielded to prevent glare. 2. Lighting shall not wash out structures or any portions of the site.	X	

<p>3. Light fixtures shall not be located at the periphery of the property and shall not spill over onto adjacent properties or into the night sky.</p> <p>4. Flood lights are not permitted.</p> <p>5. All parking lot and street lights shall be full cut-off fixtures. Lighting shall shut off automatically after closing and security lighting shall be motion sensor activated.</p>		
<p>K. WATER CONSERVATION.</p> <p>1. A water conservation plan including the best available conservation technologies or measures to reduce water demand to the maximum extent feasible including installation of recycled water plumbing, ultra low-flow fixtures, rainwater collection systems and graywater reuse.</p> <p>2. Landscaping plans must comply with the county code Chapter 7D3 (Water Efficient Landscape).</p> <p>3. Prior to building permit issuance, a landscape permit application shall be submitted for all new and rehabilitated landscapes, as required by county code Chapter 7D3. Verification from a qualified irrigation specialist that landscaping plan complies with Chapter 7D3 shall be provided prior to building permit issuance. The measures in the plan shall be implemented by the applicant and verified by department staff prior to certificate of occupancy or operation of the use.</p>	X	
<p>L. VACATION RENTALS. No vacation rental, timeshares, or transient occupancies are allowed.</p>	X	
<p>M. DESIGN REVIEW. Prior to issuance of a building permit, design review approval is required for all dwelling groups, apartments, and similar residential developments with four (4) or more dwelling units.</p>	X	

Determination: The residential component of the proposed project is best defined as a multifamily development project under Sonoma County Code. Sec 26-08-050 of the Zoning Code outlines the development standards for multifamily structures involving four or more dwelling units. The project is **consistent** with objective standards in Zoning Code Sec. 26-08-050.

Sec. 26-88-123 – Mixed Use Developments.

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
<p>(1) A mixed use development may combine compatible residential units with commercial or other non-residential land uses allowed in the applicable zoning district, provided that not more than eighty percent (80%) of the total gross project floor space is in residential floor area.</p> <p>(i) In cases where at least twenty percent (20%) of the residential floor area is provided as housing affordable to lower-income households pursuant to article 89 (affordable housing program requirements and incentives), a fifteen percent (15%) increase in maximum lot coverage and a fifteen-foot increase in maximum building height shall be granted over that otherwise allowed in the underlying zone district.</p>		<p>X</p>
<p>(e) Maintenance of Common Facilities. Where there is more than one (1) property owner with shared interest in maintaining common facilities related to lighting, fencing, signs, landscaping, shared parking, etc., a joint owner's association shall be formed, a landscape assessment district shall be established, or a maintenance agreement recorded. If a joint owner's association or a landscape assessment district is established, the association or district shall be obligated and responsible for maintaining common facilities in accordance with the standards and requirements of this chapter and the conditions of any applicable use permit. If a maintenance agreement is recorded, the agreement shall clearly identify those individuals or entities obligated and responsible for maintaining the common facilities in accordance with the standards and requirements of this chapter and the conditions of any applicable use permit. Each agreement, resolution or other document establishing a joint owner's association, a landscape assessment district or a maintenance agreement shall include the county as a third party beneficiary with the right, but not the obligation, to enforce said agreement, resolution or other document. The agreement, resolution or other document shall be subject to review and approval by the county.</p>		<p>X</p>

<p>(F) Design Review Approval Required. All new mixed use projects, additions to existing projects, or new nonresidential uses in existing projects, shall be subject to design review approval in accordance with the standards of Article 82 (Design Review). The design of mixed use projects shall demonstrate compatibility between the different uses and shall take into consideration compatibility with adjacent properties and land uses, and shall include specific design features and screening to properly mitigate any potential impacts, including light impacts, or other compatibility issues. Design review of site plan and layout shall include consideration of proximity and access to transit facilities. Project design shall ensure that privacy between residential units and other uses on the site is maximized.</p>	<p>X</p>	
<p>(G)Criteria For Approval. A mixed use development shall meet the criteria set forth below:</p> <p>(1) The site shall be located within an existing urban service area and adequate sewer and water to serve the intended use;</p> <p>(2) The development must comply with the standards and development criteria set forth in this section. Article 82 (Design Review), and the underlying base zone;</p> <p>(3) Residential and commercial uses shall be integrated in such a manner as to address noise, hazardous materials, and other land use compatibility issues on site as well as off-site;</p> <p>(4) The mixed use development shall be compatible with surrounding land uses and will not serve to inhibit commercial development on adjacent or nearby commercial parcels.</p>		<p>X</p>

Determination: Sec.26-88-123 provides standards for mixed use developments and implements the General Plan provisions related to mixed use. The Zoning Ordinance requires that no more than 80% of a mixed use development is residential. For purposes of analysis, the project is reviewed in its entirety, not individual proposed lots. The residential portion, approximately 1,836,000 square feet, of the proposed project is 87% of the total square footage with approximately 250,000 square feet of commercial uses. This calculation renders the proposal **inconsistent** with the Zoning Ordinance. Joint Ownership agreements have not yet been provided by the applicant, **inconsistent** with this section of the Zoning Ordinance. These would need to be demonstrated prior to any final project approvals. The project proposal will be presented at a hearing before the Design Review Committee at a date to be determined, **consistent** with the Zoning Ordinance. The site is not entirely within an Urban Service Area and an application to amend the Urban Service Area has not yet been submitted, currently inconsistent with the Zoning Ordinance. The applicant has obtained a conditional will serve letter from Valley of the

Moon Water District (VOMWD) to provide water service to the project and, as noted by Sonoma Water, VOMWD service is subject to a future negotiated agreement, LAFCO approval, and other conditions to the development and operation of this public water system. As part of the project's environmental review, the potential impacts of service from VOMWD, or an alternative water purveyor, should both be evaluated. A General Plan Amendment to include the Urban Service Area to include the project site will be required. Further entitlements annexing the project area into the Sonoma Valley County Sanitation District and permitting through the Sonoma Local Agency Formation Commission (LAFCO) may be required.

Sec. 26-86-010. - Required parking. All uses permitted in [Chapter 26](#) of the Sonoma County Code shall provide on-site parking according to the following formulas, except when in conflict with state law.

Use	Parking Spaces
Affordable housing projects provided pursuant to Section 26.89.050 (Density bonus programs)	1 space for each studio or 1-bedroom unit; 2 spaces for each 2- or more bedroom unit
Hotels	1 space for each room + 1 space for employees
General retail, except as otherwise specified	1 space/200 sq. ft. floor area

Determination: In addition to these development requirements, Sec 26-86-010 Required Parking is applicable to this project. Per Parking Standards for affordable housing projects provided pursuant to Section 26-89-050, the residential portion of the proposed project is required to provide:

UNIT TYPE	AVERAGE NUMBER OF BEDROOMS	NUMBER OF UNITS	PARKING REQUIRED
COURTYARD HOME	3	56	112
HILLSIDE HOME	3	15	45
DETACHED HOME-LARGE	4	124	248
DETACHED HOME-SMALL	3	173	346
DUPLEX	3	26	114
TOWNHOME	3	254	508
1 BEDROOM APARTMENT	1	100	100
2 BEDROOM APARTMENT	2	100	200

3 BEDROOM APARTMENT	3	30	60
MIXED USE APARTMENT	2	74	148
COHOUSING	2	6	12
INDEPENDENT LIVING	5	5	10
		SUBTOTAL	1903
COMMERCIAL TYPE			PARKING REQUIRED
HOTEL			151
GENERAL RETAIL			650
		SUBTOTAL	801
		<u>TOTAL REQUIRED PARKING</u>	<u>2704</u>

The project also proposes a General Retail space of 130,000 sq ft and this would require an additional 650 parking spaces. Lastly, the proposed 150 room hotel would require 151 spaces. The project proposes 3,030 parking spaces for automobiles (on-street and off-street) and commensurate outdoor parking spaces for bicycles distributed throughout the site. All detached and attached home types will have individual garages, for a total of approximately 1,364 parking spaces. One bicycle space must be provided for every five spaces of required automobile parking spaces, totaling 161 bicycle parking spaces which must be provided around the site. Approximately 930 spaces will be provided in surface parking lots. Lots ranging from approximately 7 to 175 spaces each, will be provided adjacent to mixed-use, apartment buildings and commercial buildings. Each parking lot will have one to six ADA parking spaces, or one ADA parking space per 25 spaces. A total of approximately 739 spaces will be available on streets throughout the Core Campus. The parking proposed is **consistent** with Article 86 requirements.

Sec. 26-89-040 – Affordable Housing Requirements for Residential Development, Subsection C. Minimum Requirements for Construction of Affordable Units On-Site

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
To satisfy the requirements of this article through the construction of affordable units on-site, the following minimum standards must be met:		
3. Number of units: rental projects. To meet the requirements of this article through construction of affordable units on-site within a rental housing project at least 15 percent of all new rental units shall be affordable to low- and very low-income households; or, at least 10 percent of all new rental units shall be affordable to very low- and extremely low-income households, as follows:		
A. Allocation of units—15 percent option. If the person constructing or developing a rental housing	X	

project proposes to satisfy the requirements of this article by providing 15% of the units as affordable rental units, at least one-half of the total number of required affordable units shall be provided as affordable to very low-income households. The remaining affordable units may be provided as affordable to low- or very low-income households. If the number of required affordable units is an odd number, the number of units affordable to low-income households may be one greater than the number affordable to very low-income households.		
B. Allocation of units—10 percent option. If the person constructing or developing a rental housing project proposes to satisfy the requirements of this article by providing 10% of the units as affordable rental units, at least one-half of the total number of affordable units shall be provided as affordable to extremely low-income households. The remaining affordable units may be provided as affordable to very low-income or extremely low-income households. If the number of required affordable units is an odd number, the number of units affordable to very low-income households may be one greater than the number affordable to extremely low-income households.	X	

Sec. 26-89-040 – Affordable Housing Requirements for Residential Development, Subsection E.
Alternative equivalent actions

The Director may, at his or her sole discretion, approve an alternative equivalent action to the provision of the affordable units on-site or payment of the affordable housing fee, as follows.

1. Scope of alternative proposals. Proposals for an alternative equivalent action may include:

- a. The dedication of vacant land (see Subsection 26-89-040.E, Standards for land dedications);
- b. The construction of affordable rental or ownership units on another site within the unincorporated area of the County; or
- c. The acquisition and enforcement of rental or sales price restrictions on existing market rate dwelling units in compliance with this Article.

2. Content of proposal. A proposal for an equivalent alternative action shall show how the requested alternative action will further affordable housing opportunities in the County to an equal or greater extent than the provision of the affordable housing units on-site in compliance with Subsection C. (Number of affordable units required), or payment of the affordable housing fee in compliance with Subsection 26-89-040.D (Affordable housing fee).

3. Review and approval. Only the Director can approve an alternative equivalent action under this Section. A proposal for an alternative equivalent action may be approved by the Director only if the Director finds that the alternative action will further affordable housing opportunities in the County to

an equal or greater extent than the construction of the required affordable units as part of the project or payment of the affordable housing fee, as applicable.

Determination:

Inclusionary housing standards in Zoning Code Sec. 26-89-040(C) require either 10 or 15 percent of total project units to be reserved for low- and very-low income households. The proposal offers approximately 20% of the total 990 residential units for rent to lower income households developed on site. Pursuant to Section 65589.8 of the California Government Code, the project proposes affordable rental housing in the following categories: a) 124 rental units, reserved for households with incomes earning at or below 50% Area Median Income (AMI), with monthly rent limited to no more than 30% of the 50% Sonoma County's AMI (adjusted annually and adjusted by household size), and b) 76 rental units, reserved for households with incomes earning at-or below 60% AMI for Sonoma County, with monthly rent restricted to no more than 30% of the 60% Sonoma County's AMI (and adjusted annually and adjusted by household size).). The project is **consistent** with the Affordable Housing Program Requirements in Zoning Code Sec. 26-89-040.

Sec. 26-89-045 Workforce Housing Program Requirements, Subsection C

POLICY/STANDARDS	CONSISTENT	INCONSISTENT
C. On-site construction of units. To satisfy the requirements of this section through the construction of affordable units on-site, the following minimum standards must be met:		
1. Number of Affordable Units Required. To satisfy the requirements of this section through on-site construction, affordable housing units must be constructed on-site in compliance with the table 1 (number of affordable units required per 1000 square feet of floor area), below:	X	
Commercial, Office, Medical, And Hotels	.05	
Light Industry, Warehousing, Manufacturing, Research And Development, Food And Agricultural Processing	.06	
Retail, Restaurants And Commercial Services	.09	
2. Level of affordability required. At least one-half of the total number of required affordable units shall be provided as affordable to very low-income households. The remaining affordable units may be provided as affordable to households with low incomes. If the number of required affordable units is an odd number, the number of units affordable to low-income households may be one greater than the number affordable to very low-income households, so long as at least one very low-income unit is provided.	X	

Determination: The number of required affordable units for the 250,000 square feet of non-residential, commercial space (including a hotel) would be one unit for low-income households, measured at a ratio

of 0.09 units per 1000 square feet of floor area and rounded up, in accordance with **Zoning Code Sec 26-89-045, Table 1**. Furthermore, **Sec. 26-89-040(C)(2)** requires that affordable units shall be for low- and very low-income households. The proposal requires 12 affordable units for commercial uses (130,000 square feet) and 11 for the hotel use (120,000 square feet). Pursuant to Section 65589.8 of the California Government Code, the applicant proposes to satisfy that requirement through the construction of affordable rental housing in the following categories: a) 124 rental units, reserved for households with incomes earning at- or-below 50% Area Median Income (AMI), with monthly rent limited to no more than 30% of the 50% Sonoma County's AMI (adjusted annually and adjusted by household size), and b) 76 rental units, reserved for households with incomes earning at-or below 60% AMI for Sonoma County, with monthly rent restricted to no more than 30% of the 60% Sonoma County's AMI (and adjusted annually and adjusted by household size). The project will make 124 units affordable to very low income households, which equates to 20% of the project's "total units." Under the State Density Bonus Law, "total units" is defined as a "calculation of the number of units" that "excludes a unit added by a density bonus awarded" and "includes a unit designated to satisfy an inclusionary zoning requirement of [the] county." (Gov. Code §65915(o)(8)(A))

Therefore, the project is consistent with Workforce Housing Program Requirements in Code Section 26-89-045.

ADVISORY ITEMS

APPLICABILITY OF THE "BUILDER'S REMEDY"

The project is a "housing development project" as defined under the Housing Accountability Act (HAA). (Gov. Code § 65589.5.) A preliminary application for the project was submitted on August 22, 2023, which vested the project's right to only be subject to the ordinances, policies, and standards adopted and in effect when the preliminary application was submitted (Government Code Section 65589.5(o)). The preliminary application was submitted when the County did not have an adopted, substantially compliant Housing Element and was subject to the "Builder's Remedy" provision of the HAA (Government Code Section 65589.5(d)(5)), and therefore the preliminary application submittal also vested the project's status as a Builder's Remedy project. Accordingly, provided that the project remains eligible for the builder's remedy, the County will process and consider the application as a builder's remedy project and in compliance with Government Code Section 65589.5.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

In accordance with CEQA Guidelines Section 15060, Permit Sonoma will begin environmental review of the project now that the application is complete for processing.

Permit Sonoma has determined that the scope and intensity of development proposed under PLP24-0005 has the potential to result in significant environmental impacts that cannot be fully mitigated, and therefore an Environmental Impact Report (EIR) will be prepared. As the lead agency, Permit Sonoma will manage the environmental review process and prepare the required environmental document. Any technical studies prepared on behalf of the applicant and submitted to Permit Sonoma will be reviewed and used by the County provided that the final environmental document reflects the lead agency's independent judgement in accordance with Public Resources Code § 21082.1(b) and (c).

A Notice of Preparation (NOP) and public scoping meeting will follow the award of the contract. An additional deposit covering the full cost of these services will be required once the scope of work for the EIR is defined and the contract for consultant services to prepare the EIR is awarded.

CONCLUSION

Permit Sonoma looks forward to providing continued assistance with the processing of this application. If you feel any item in this letter requires further discussion, please do not hesitate to contact me. I can be reached via telephone at (707) 565-7388 or email at wil.lyons@sonoma-county.org.

Sincerely,

Wil Lyons
Planner III

ec: File No. PLP24-0005
 Katrina Braehmer, Supervising Planner
 Cecily Condon, Project Review Manager
 Ross Markey, Comprehensive Planning Manager
 Scott Orr, Assistant Director
 Tennis Wick, Director