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Zoning Administrator Record of Action

Action Date: March 12, 2026
Appeal Status: Filing period closed; no appeal

AGENDA ITEM Consent Item 2
File No.: CMO25-0007
Staff: Katerina Mahdavi
Applicant: Lawrence Marx, IV and Jenifer Karpan Marx
Owner: Steven Borchardt
Prior Agenda: N/A, no prior hearing
CEQA Status: Exempt under CEQA Section 15305
Proposal: Certificate of Modification to modify an existing 100-foot agricultural building setback line on Lot 1 of Parcel Map 4765, recorded under Book 230, Page 34 of Sonoma County Records. The proposed modification would reduce a portion of the building setback line to 20 feet from the westerly property line to accommodate an existing accessory structure on a 2.09 acre parcel.
Recommend: Find the project exempt from the California Environmental Quality Act (CEQA) and approve the Certificate of Modification subject to conditions of approval.
Location: 1776 Sanders Rd, Sebastopol
APN: 076-091-019
District: Fifth
Zoning: DA B6 20 (Diverse Agriculture with 20-acre per dwelling unit density) with no combining districts.

ZONING ADMINISTRATOR ACTION

Environmental Determination

- ☒ Exempt from the California Environmental Quality Act per § 15305 (Minor Alterations in Land Use Limitations)

Project Decision

- ☒ Approved: subject to attached Findings and Conditions
☐ with modification (see Comments)
☒ Subject to 10-day appeal period, ending March 23, 2026

ZONING ADMINISTRATOR

Derik Michaelson, Planner III
for the Director

March 24, 2026
Date

MODIFICATION

☒ N/A ☐ Findings ☐ Conditions ☐ Revisions to return

COMMENTS

n/a

ZONING ADMINISTRATOR FINDINGS

1. **General Plan Consistency.** The project is consistent with the General Plan land use designation of DA (Diverse Agriculture) and the goals, objectives, policies and programs of the General Plan because:
 - a. The requested Certificate of Modification does not affect the allowable land uses on the site, the allowable development intensity or density, and it does not undermine service provision to the subject lot.
 - b. The project does not propose any new development or changes to the existing, residential land uses.
2. **Zoning Consistency.** The Certificate of Modification will remain consistent with the designated zoning district and assigned density. The existing, residential land uses are consistent with the Diverse Agriculture zoning district. The project does not propose any new development or land uses.
3. **Environmental Determination.** The project is categorically exempt from the California Environmental Quality Act under Section 15305 Minor Alterations in Land Use Limitations of the CEQA Guidelines as the subject parcel is in an area with an average slope of less than 20% and the project would not result in any change in land use or density. No exceptions listed under Section 15300.2 apply.
4. **Map Act and Subdivision Ordinance Consistency.** In accordance with Section 66472.1 of the Subdivision Map Act, the following findings are made:
 - a. Permit Sonoma records indicate the 100-foot building setback line was created by the redivision of the Lands of Melvin A. Schoenfelder, et ux to establish a buffer between agricultural and non-agricultural activities. Since the time the map recorded in 1976, an accessory structure was built within the 100-foot building setback and converted to an accessory dwelling unit. The owner wishes to legalize both the development and conversion of the existing accessory structure. Agricultural compatibility will be maintained as the project proposes to reduce only a portion of the existing 100-foot building setback to 20 feet. To verify continued agricultural compatibility, the project was referred to the Agricultural Commissioner's office on August 5, 2025. The Agricultural Commissioner recommended the westerly property line setback be reduced, see Attachment 5.

Additionally, the property owners have recorded a Right to Farm Declaration against the title of the property, acknowledging that the subject property is located on or adjacent to

agricultural land, as defined in the Sonoma County Right to Farm Ordinance (Sonoma County Code, Chapter 30, Article II) permitting the operation of properly conducted agricultural operations on agricultural land within the unincorporated area of Sonoma County, and has declared it County policy in the Sonoma County Right to Farm Ordinance to conserve, protect, enhance, and encourage such operations. The property owners have acknowledged that if the subject property is located near an agricultural operation on agricultural land, residents or users of the subject property may at times be subject to inconvenience or discomfort arising from that operation, including, without limitation, noise, odors, fumes, dust, smoke, insects, operation of machinery during any time of day or night, storage and disposal of manure, and ground or aerial application of fertilizers, soil amendments, seeds, and pesticides. The property owners further acknowledge that one or more of these inconveniences or discomforts may occur as a result of any properly conducted agricultural operation on agricultural land.

- b. The current property owner of the subject lot has requested the Certificate of Modification. As such, the present property owner is aware of the modification and no additional burden will be imposed.
 - c. The interest in the property of owners of the other Lots as shown on the recorded map is not affected since the proposed modification only affects the subject parcel. Modifying the 100-foot building setback line on the subject property does not impact any rights or title interest shown on the recorded map.
 - d. In accordance with the provisions of the Subdivision Map Act, an amended Parcel Map or Certificate of Modification will be recorded depicting the requested modification as depicted on Certificate of Modification prepared by the applicant dated April 29, 2025. The amended Parcel Map or Certificate of Modification will conform to all the provisions of the Subdivision Map Act and local ordinances, as originally approved. Thereby, staff believes that all the findings required by the California Subdivision Map Act can be made.
5. **Public Welfare.** The establishment, maintenance or operation of the uses for which this 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 the case are:
- a. The project does not propose any new development or changes to the existing, residential land uses in harmony with the surrounding neighborhood.
 - b. The proposed certificate of modification is consistent with the California Subdivision Map Act and the Sonoma County Subdivision Ordinance, Sonoma County Code, Chapter 25.

ATTACHMENTS

1. Final Conditions of Approval

SONOMA COUNTY ZONING ADMINISTRATOR

Conditions of Approval

Staff:	Katerina Mahdavi	Date:	March 12, 2026
Applicant:	Steven Borchardt	File No.:	CMO25-0007
Owner:	Lawrence Marx, IV and Jenifer Karpan Marx	APN:	076-091-019
Address:	1776 Sanders Road, Sebastopol		

Project Description: Certificate of Modification to modify an existing 100-foot building setback line on Lot 1 as depicted on Parcel Map 4765, recorded under Book 230, Page 34 of Sonoma County Records. The proposed modification would reduce a portion of the building setback to 20 feet from the westerly property line to accommodate an existing accessory structure.

GENERAL:

1. The Zoning Administrator decisions shall be final on the tenth (10th) day after final Zoning Administrator action unless an appeal is taken.
2. These conditions must be met and the application validated within 24 months from the date of the Zoning Administrator final action on March 12, 2026, unless a request for an extension of time is received before the expiration date.

DEPARTMENT OF AGRICULTURE/WEIGHTS & MEASURES:

3. **NOTE ON THE MAP:** "The property owner shall retain the existing trees and shrubs where the agricultural setback has been reduced. If the trees or shrubs are proposed to be removed, the property owner shall replace with landscaping that shall act as a buffer between the adjacent agricultural parcel and the subject parcel."

PERMIT SONOMA SURVEYOR:

"The conditions below have been satisfied" BY _____ DATE _____

4. In accordance with Section 66472.1 of the Subdivision Map Act, the following findings are made:
 - a) That there are changes in circumstances which make any and all of the conditions of such map no longer appropriate or necessary, and
 - b) That the modifications do not impose any additional burden on the present fee owner of the property, and
 - c) That the modifications do not alter any right, title or interest in the real property reflected on the recorded map, and
 - d) That the map as modified conforms to all the provisions of the Subdivision Map Act and local implementing ordinances.
5. An Amended Map or Certificate of Modification prepared by a Licensed Land Surveyor or someone authorized to practice land surveying, shall be submitted to the County Surveyor within two (2) years after date of approval. It shall be accompanied by a **CURRENT** Title Report showing proof of ownership and documentation listing those with a record title interest in the property. Upon recording the Amended Map or Certificate of Modification the original map will be

deemed to have been modified.

6. A plat showing the modification shall be submitted along with the Certificate of Modification.
7. **NOTICE:** Anyone with a record title interest in the property shall sign a statement on the map or certificate consenting to the preparation and recording of said map or certificate.
 - a) I (We) have an interest in the property reflected on this certificate of correction (modification) and hereby consent to the preparation and recordation of this document.
 - b) Signatures need to be acknowledged by a Notary Public.

PERMIT SONOMA PLANNING:

"The conditions below have been satisfied" BY _____ DATE _____

8. The Director of Permit Sonoma is hereby authorized to modify these conditions for minor adjustments to respond to unforeseen field constraints provided that the goals of these conditions can be safely achieved in some other manner. The applicant must submit a written request to Permit Sonoma demonstrating that the condition is infeasible due to specific constraints (e.g. lack of property rights) and shall include a proposed alternative measure or option to meet the goal or purpose of the condition. Permit Sonoma shall consult with affected departments and agencies and may require an application for modification of the approved Parcel Map. Changes to conditions that may be authorized by Permit Sonoma are limited to those items that are not adopted standards or were not adopted as mitigation measures or that were not at issue during the public hearing process. Any modification of the permit conditions shall be documented with an approval letter from Permit Sonoma and shall not affect the original permit approval date or the term for expiration of the permit.
9. The owner/operator and all successors in interest, shall comply with all applicable provisions of the Sonoma County Code and all other applicable local, state and federal regulations.