



County of Sonoma

State of California

Date: April 5, 2022

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Denying An Appeal, And Upholding the Board of Zoning Adjustments Approval and Granting
the Request for a Coastal Permit to Vincent Chang, For Property Located at 153 Harbor View
Way, Bodega Bay; APN 100-100-031**

Whereas, the applicant, Vincent Chang, filed a Coastal Permit application (CPH18-0009) with Permit Sonoma to allow the construction of a new one story 3,754 square foot single family residence and a 600 square foot detached garage with associated driveway and landscaping on a 1.48 acre parcel located at 153 Harbor View Way, Bodega Bay; APN 100-100-031; Zoned Planned Community (PC) CC (Coastal Combining), SR (Scenic Resources): Supervisorial District No 5; and

Whereas, on April 22, 2021 the Board of Zoning Adjustments conducted a public hearing and heard and received all relevant oral and written testimony and evidence presented or filed regarding this project. All interested parties were given an opportunity to be heard. At the conclusion of the public hearing, the Board of Zoning Adjustments closed the public hearing, discussed the project, and on a 5-0 vote found the project to be exempt from CEQA and approved the project; and

Whereas, on April 29, 2021 the appellants filled a timely appeal to the Board of Zoning Adjustments approval of the project; and

Whereas, on April 5, 2022 in accordance with the provisions of the law, the Board of Supervisors held a de novo public hearing, at which time all interested persons were

given an opportunity to be heard; and

Now, Therefore, Be It Resolved, the Board of Supervisors make the following findings:

1. The project as described in the application and as conditioned, conforms with the plans, policies, requirements, and standards of the Sonoma County Local Coastal Program and the zoning designation of PC (Planned Community) CC (Coastal Combining) SR (Scenic Resources Combining).
2. The proposed single-family residence, as conditioned, is consistent with the Local Coastal Plan Design review policies and Coastal Zoning Ordinance Design review requirements because the height, location, scale, size and character of the proposed single-family residence will be compatible with the surrounding neighborhood given that the residence will be 23' 5/8" in height and comprised of earth tone exterior materials.
3. The project is located on the east side of Highway 1, which allows for a maximum of 24 feet for residential development pursuant to Coastal Zoning Code Section 26C - 125 (4). The proposed 23' 5/8" tall single-family residence is in conformance with the height restrictions and will not block public views from Highway 1.
4. The proposed single-family residence and associated development is not located within designated critical habitat or sensitive plant communities as determined by the Biological Resources Assessment prepared by WRA Environmental Consultants, dated January 2018.
5. The proposed single- family residence will be located more than 100 feet from the area identified as seasonal wetlands on the project site. Condition of Approval # 3 does not allow development be placed within 100 feet of the seasonal wetlands identified on Figure 2 of the Biological Resources Assessment, dated January 2018.
6. The project is Categorically Exempt from CEQA pursuant to Section 15303, Class 3(a) because the project involves the construction of a new single-family residence.
7. The Alquist-Priolo Earthquake Fault Zoning Act, and regulations promulgated pursuant to it, do not apply to construction of a single-family wood-framed or steel-framed dwelling not exceeding two stores, when that dwelling is not part of a development of four or more dwellings. The proposed project is a single-family, single story, wood-framed dwelling, and is exempt from Alquist-Priolo Earthquake Fault Zoning Act, and regulations promulgated pursuant to it. The establishment, maintenance or operation of the use 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 area of such use, nor be detrimental or injurious to property and improvements in the area or the general welfare of the area. This is based on the fact that the proposed

project is a residential use on a property zoned for residential and the proposed single- family residence will be similar in mass and architecture to existing residential uses in the area.

Now, Therefore, Be It Further Resolved that based on the forgoing findings and determinations and the record of these proceedings, the Board hereby declares and orders as follows:

1. The forgoing findings and determination are true and correct, are supported by substantial evidence in the record, and are adopted as hereinabove set forth.
2. The Appeal is denied.
3. The Coastal Permit is approved subject to the Conditions of Approval, as shown in Exhibit "A", attached hereto, and incorporated herein by reference.
4. Permit Sonoma is hereby directed to file a Notice of Exemption from CEQA in accordance with CEQA and CEQA Guidelines.

Be it Further Resolved that the Board of Supervisors designated the Clerk of the Board as custodian of the documents and other materials which constitute the record of proceeding upon which the decision herein is based. These documents may be found at the office of the Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403

Supervisors:

Gorin: Rabbitt: Coursey: Hopkins: Gore:

Ayes: Noes: Absent: Abstain:

So Ordered.