

SONOMA LOCAL AGENCY FORMATION COMMISSION

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Staff Report

Meeting Date:	March 1, 2023
Agenda No.	Item 3.2
Agenda Item Title:	File 2022-09 Sonoma Valley County Sanitation District Annexation 22-0344 (DeNova Homes)
Applicant(s):	Trent Sanson, Civic Park Hummingbird Cottages, LLC
Proposal:	Request for a change of organization involving the annexation of one parcel, totaling approximately 1.5 acres, to the Sonoma Valley County Sanitation District
Location:	Generally located on the southeastern corner of West McArthur Street and 5 th Street West in the City of Sonoma
General Plan Land Use:	City – Medium Density Residential
General Plan Consistency:	Project was found to be Consistent with the Sonoma County General Plan
Environmental:	Categorical Exemption Section 15303(d) New Construction or Conversion of Small Structures Section 15301(b), Existing Facilities Section 15332 Infill Development Projects
Staff Contact:	Cynthia Olson

Analysis

Background

The owner (“Applicant”) of the parcel located at 19910 5th Street W (APN 128-161-001) has petitioned for the annexation of the parcel to the Sonoma Valley County Sanitation District (“District”). The parcel is generally located on the southeastern corner of West McArthur Street and 5th Street West in the City of Sonoma. The parcel is currently developed with single-family dwelling and an auxiliary structure. The area is bordered by established residential development and some vacant parcels.

The parcel is generally flat and covered with native grasses. There is a small drainage ditch running along the eastern boundary of the parcel.

Reason for Proposal

The parcel is located within the boundary of the City of Sonoma (“City”) but outside of the District’s boundary. It is located within the sphere of influence and the urban service area boundaries for the District. The City does not provide sanitary sewer service and therefore the parcel must be within the District boundary to connect to this service. The City has approved a 15-unit housing development on the parcel conditioned, in part, on the annexation of the parcel to the District. Annexation of the parcel would bring a single non-district parcel, completely surrounded by the District, into the District.

District Actions and Environmental Determination

On August 30, 2022, the Board of Directors of the District supported annexation of the subject parcel by resolution (Attachment 1), stating that the District has capacity to provide sufficient Equivalent Single-family Dwelling billing units (ESDs) of public sewer service to the affected territory for the proposed development. The Board’s resolution indicates that Sonoma County Permit Sonoma had determined that annexation of the parcel is consistent with the Sonoma County General Plan in that the parcel is within the urban service area boundary for the District and is avoiding urban sprawl by locating development within a city boundary.

The District found that the action was categorically exempt from the provisions of CEQA under Section 15301(b), Existing Facilities, as it represents an additional connection to an existing public facility that involves negligible or no expansion of an existing or former use, and Section 15303(d), New Construction or Conversion of Small Structures, as it consists of construction of limited new, small sewage improvement of reasonable length to serve the parcel.

City Actions and Environmental Determinations

At its meeting of June 2, 2022, the City Planning Commission adopted Resolution 06-2022 (Attachment 1) approving a tentative subdivision map, demolition permit, design review and landscape plan for the development of nine single family residences and three duplex buildings and found the project exempt from CEQA pursuant to Section 15332 (In-Fill Project Development).

The City reviewed technical studies assessing the potential effects relating to traffic, biological resources, air and water quality and noise and found that approval of the project would not result in any significant effects. The City further found that the project meets the other conditions set forth in Section 15332.

The City considered whether the project is subject to any of the exceptions to categorical exemptions stated in Section 15300.2(a) through (f) and found that the exceptions do not apply to this project.

Staff concurs with the District and City and finds that the Proposal is exempt from CEQA pursuant to CEQA Guidelines Section 15301(b) Existing Facilities, Section 15303(d), New Construction or Conversion of Small Structures and Section 15332 Infill Development Projects and is not subject to any of the exceptions found in Section 15300.2(a) through (f).

Consent of Owners and Waiver of Protest Proceedings

The territory has been determined to be uninhabited pursuant to California Government Code Section 56079.5. Pursuant to Government Code Section 56662, as no affected local agency has submitted a written demand for notice and hearing and the owner of the parcel has signed the petition, the Commission may waive the protest proceeding.

Individual Factors for Consideration

California Government Code Sections 56668.3 and 56668 describe the factors to be considered in the Commission's review of a proposal. The review may include, but is not limited to, consideration of these factors that are outlined and addressed in Attachment 2.

Recommendation

1. Adopt a resolution approving the annexation, pursuant to the following findings and determinations:
 - a. The affected territory is within the sphere of influence and urban service area boundary of the Sonoma Valley County Sanitation District.
 - b. The purpose of the annexation allow access to the District's sanitary sewer service. The District indicates that it has capacity within its system and can serve the affected territory and proposed development.

- c. The County of Sonoma has determined that the proposal is consistent with its General Plan.
- d. Find that the proposal is categorically exempt from the provisions of CEQA pursuant to Sections 15301(b), Section 15303(d) and Section 15332 of the State CEQA Guidelines.
- e. Protest proceedings are waived pursuant to section 56662 of the California Government Code, in that the affected territory is uninhabited, no affected local agency has submitted a written demand for notice and hearing and the owners of land have consented to the proposal.

Staff has prepared a draft resolution for the Commission's review and consideration (Attachment 3).

Alternative recommendation

None

Attachments

- 1. District and City Actions
- 2. Factors for Consideration
- 3. Draft Resolution
- 4. Preliminary Map and Boundary Description