

Resolution Number 25-09

County of Sonoma
Santa Rosa, California

September 4, 2025
PLP23-0010

Mark Shurvinton

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING TO THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE ZONE CHANGE AND CERTIFICATE OF MODIFICATION AS REQUESTED BY KOKERA NORTH LLC FOR A PROPERTY LOCATED AT 19651 7th STREET EAST, SONOMA; APN: 127-291-037

WHEREAS, the applicant, Kokera North LLC, filed an application with the Sonoma County Permit and Resource Management Department requesting: to rezone 4.02 acres to remove the Z Combining District from AR (Agriculture and Residential) B6 (3-acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion Combining District) VOH (Valley Oak Habitat Combining District) Zoning District(s); and shall be reclassified as the AR (Agriculture and Residential) B6 (3-acres per dwelling unit density) VOH (Valley Oak Habitat Combining District) Zoning District(s); and to remove Note 15 on Parcel Map "PLP05-0102", recorded in Book 736, Page 33-35, Sonoma County Records; on a property located at 19651 7th Street East, Sonoma; APN 127-291-037; Supervisorial District No. 1.

WHEREAS, the Permit Resource and Management Department (PRMD) determined that the Project was exempt from the California Environmental Quality Act ("CEQA") pursuant to Public Resources Code section 21080.17 and Sections 15282(h) and 15305 of the state CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on September 4, 2025, at which time the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Project. All interested persons were given an opportunity to hear and be heard regarding the Project; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Board regarding the Project.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. Removal of the Z (Accessory Dwelling Unit Exclusion) Combining District is consistent with the Rural Residential (RR) land use designation and would not significantly alter any of the potential uses that are currently allowed on the subject properties.
2. The removal of the Z (Accessory Dwelling Unit Exclusion Zone) Combining District is consistent with Chapter 26 of the Sonoma County Code (Zoning). Removal of the Z Combining District would allow for an accessory dwelling unit on each parcel. Accessory dwelling units are

allowed in the AR Zoning District (Sec. 26-08-030, Allowed land uses). The subject parcel meets the Zoning Ordinance requirements for an accessory dwelling unit. Section 26-88-060 of the Zoning Ordinance allows an accessory dwelling unit in zoning districts that allow single-family dwellings. The subject parcel meets this standard. The parcels do not meet any of the conditions provided in Sec. 26-76-005 for retaining the Z combining district, for the following reasons:

- a. The parcel is located in a Class 1 Groundwater Availability Area, which indicates a major groundwater basin. Additionally, the parcel is located within the Sonoma Valley basin, which is designated as high priority groundwater basin by the California Department of Water Resources. The adopted Sonoma Valley Groundwater Sustainability Plan has documented a groundwater depression and declining groundwater levels in the immediate vicinity of the project site, suggesting the local aquifer is in a condition of overdraft. The applicant provided a report demonstrating to the satisfaction of the staff geologist, that removal of a portion of existing vineyard would be sufficient to accommodate a future accessory dwelling unit while generating no net increase in groundwater use on the subject parcel.
- b. Adequate wastewater disposal will be available. The parcel is served by an existing septic system, and any future development would be subject to county wastewater requirements.
- c. The parcel is not located in an area with existing traffic hazards, and the addition of an accessory dwelling unit to this site would not increase the burden on streets, roads, or highways in the area as they are all operating acceptably and are not projected to become impacted in the foreseeable future.
- d. The parcel is not located in an established Fire Hazard Severity Zone as mapped by CAL FIRE. The establishment of an accessory dwelling unit would not increase the fire risk and would be subject to applicable building and fire construction standards. Removal of the Z Combining District would not decrease public safety with respect to fire.

3. The following findings are made for approval of the Certificate of Modification, as required by Chapter 25 of County Code and Government Code Section 66472.1:

- a. There are changes in circumstances which make any or all of the conditions of such map no longer appropriate or necessary. The prohibition on accessory dwelling units was originally imposed in this subdivision to prevent the property from exceeding the maximum residential density permitted by general plan. At the time it was imposed, an accessory dwelling was considered as distinct residential dwelling unit which would exceed the allowable density on the parcel had it been permitted. Changes in state law since that time however now clarify that an accessory dwelling unit may not be considered additional density and should instead be treated as an accessory use to the primary dwelling.
- b. The proposed modifications do not impose any additional burden on the present fee owner of the property. The proposed modifications are being requested by the current owners of the property to provide relief from current restrictions.

- c. The modifications do not alter any right, title or interest in the real property reflected on the recorded map.
- d. The map as modified, conforms to all the provisions of the Subdivision Map Act and local implementing ordinances (Section 66472.1 of the Subdivision Map Act and Section 25-13.8 of the Sonoma County Subdivision Ordinance).

4. Permitting ADUs on qualifying properties is consistent with the 2023-2031 General Plan Housing Element goals and objectives to increase opportunities for the production of affordable housing. Policy HE-3a seeks to “eliminate unnecessary regulatory constraints to the production of affordable housing, including infill housing” and Policy HE-6e seeks to “provide housing opportunities throughout the county for all household income cohorts while avoiding or mitigating displacement of existing residents”.

5. The project is exempt from CEQA pursuant to:

- a. Public Resources Code section 21080.17 and CEQA Guidelines Section 15282(h), which provide for the adoption of an ordinance by a city or county to implement the provisions of Government Code section 65852.2, regarding permitting of accessory dwelling units. The proposed rezoning would make an accessory dwelling unit an allowed use in an area zoned to allow residential development; and
- b. CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations, because the proposed project would not result in any changes in land use or density and is proposed on a site with an average slope of less than 20 percent.

BE IT FURTHER RESOLVED, that the Planning Commission recommends that the Board of Supervisors find the Project to be exempt from CEQA, and approve the requested Zone Change and Certificate of Modification.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Freeman, who moved its adoption, seconded by Commissioner Koenigshofer, and adopted on roll call by the following vote:

Commissioner Freeman	Aye
Commissioner Reed	Aye
Commissioner Striplen	Aye
Commissioner Koenigshofer	Aye
Commissioner McCaffery	Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chairman declared the above and foregoing Resolution duly adopted; and

SO ORDERED.

Draft Conditions of Approval

Time:	TBD	Date:	December 9, 2025
Staff:	Mark Shurvinton	File No.:	PLP23-0010
Applicant:	Kokera North, LLC	APN:	127-291-037
Owner:	Kokera North, LLC	Address:	19651 7 th Street E, Sonoma

Project Description: Request for 1) a Zone Change to remove the Z (Accessory Dwelling Unit Exclusion) Combining District ; and 2) a Certificate of Modification (CMO) to remove Note 15 on Parcel Map “PLP05-0102” recorded in Book 736, Page 33-35, Sonoma County Records; on a 4.02-acre parcel at 19651 7th Street E, Sonoma 95476.

SURVEYOR:

1. 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.
2. 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 24 months 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.
3. 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. *

“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.”

Signatures need to be acknowledged by a Notary Public.

PLANNING:

4. 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 PRMD demonstrating that the condition(s) 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. PRMD shall consult with affected departments and agencies and may require an application for modification of the approved permit. Changes to conditions that may be authorized by PRMD 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.

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.

5. These conditions must be met and the application validated within 24 months from the date of the Board of Supervisor's final action unless a request for an extension of time is received before the expiration date.