

Resolution Number 23-34

County of Sonoma
Santa Rosa, California

June 29, 2023

ZCE21-0002, PERMIT SONOMA

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE PROJECT EXEMPT FROM CEQA, AND RECOMMENDING APPROVAL OF THE ZONE CHANGE TO THE BOARD OF SUPERVISORS AS REQUESTED BY JOSH KOEPPLING, FOR PROPERTY LOCATED AT 3463 MIDDLE TWO ROCK ROAD, PETALUMA; 022-220-021

WHEREAS, the applicant, Josh Kloepping, filed an application with the Sonoma County Permit and Resource Management Department to rezone 76.73 acres to remove the Z Combining District from LEA (Land Extensive Agriculture District), B6 100 (100 acres per dwelling unit density), Z (Accessory Dwelling Unit Exclusion Combining District), RC50/25 (Riparian Corridor Combining District, 50-foot setbacks); and shall be reclassified as the LEA (Land Extensive Agriculture District), B6 100 (100 acres per dwelling unit density), RC50/25 (Riparian Corridor Combining District, 50-foot setbacks); on property located at 3463 Middle Two Rock Road, Petaluma; APN 022-220-021 Supervisorial District No. 2; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on June 29, 2023, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission recommends that the Board of Supervisors find the project exempt from CEQA.

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

1. General Plan Housing Element Policy HE-3c includes a program to remove the Z (Accessory Dwelling Unit Exclusion) Combining District from qualifying parcels less than ten acres in size. The subject parcel is 76.73 acres in size; allowing an accessory dwelling unit is consistent with Housing Element goals and objectives to increase opportunities for the production of affordable housing such as accessory dwelling units.
2. Removal of the Z (Accessory Dwelling Unit Exclusion) Combining District is consistent with the Land Extensive Agriculture (LEA) land use designation and would not significantly alter any of the potential uses that are currently allowed on this site.
3. The removal of the Z (Accessory Dwelling Unit Exclusion Zone) Combining District is consistent with the Zoning Ordinance:
 - a. Removal of the Z combining district would allow for an accessory dwelling unit on the parcel. Accessory dwelling units are allowed in the LEA Zoning District (Sec. 26-06-030, Allowed land uses). The 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.

- b. The parcel has sufficient water supply to two dwelling units. This parcel is partially located in a Class 2 Groundwater Availability Area, which indicates location in a major natural recharge area.
 - c. Adequate wastewater disposal is available. The parcel and the development facilitated by the project would be served by a septic system (permitted in SEP06-0253, finalized).
 - d. 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.
 - e. The parcel is located in a moderate Fire Hazard Severity zone. The establishment of an accessory dwelling unit would not increase the fire risk. Removal of the Z Combining District would not decrease public safety.
4. The project is exempt from CEQA pursuant to:
- a. Public Resources Code section 21080.17 and CEQA Guidelines Section 15282(h), 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 provide for the creation of an accessory dwelling unit in an area zoned to allow residential development; and,
 - b. CEQA Guidelines Section 15301, Existing Facilities, because it provides for negligible or no expansion of the use; and,
 - c. CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations, because the proposed zone change 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 requested rezoning exempt from CEQA, and that it approve the requested Zone Change.

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 Reed, who moved its adoption, seconded by Commissioner Koenigshofer, and adopted on roll call by the following vote:

Commissioner Cornwall	Absent
Commissioner Reed	Aye
Commissioner Wiig	Aye
Commissioner Koenigshofer	Aye
Commissioner McCaffery	Aye
Ayes: 4	Noes: 0
Absent: 1	Abstain: 0

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and
SO ORDERED.