



## Sonoma County Planning Commission STAFF REPORT

**FILE:** ZCE22-0001  
**DATE:** January 19  
**TIME:** At or after 1:05 PM  
**STAFF:** Doug Bush, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **SUMMARY**

**Property Owner / Applicant:** Rick Unvarsky  
**Address:** 1850 Alexander Valley Road  
**Supervisory District(s):** 4  
**APN:** 091-030-044  
**Description:** Request for a zone change to remove the Z Accessory Dwelling Unit Exclusion Combining District  
**CEQA Review:** CEQA statutory exemption (Pub. Resources Code section 21080.17, ordinances implementing Government Code section 65852.2 - Accessory Dwelling Units); CEQA categorical exemption (CEQA Guidelines Section 15305, Minor Alterations in Land Use Limitations)  
**General Plan Land Use:** Resources and Rural Development (RRD), 100 acres per dwelling unit density  
**Zoning:** RRD (Resources and Rural Development), B6 100 (100 acres per dwelling unit), Z (Accessory Dwelling Unit Exclusions Combining District), VOH (Valley Oak Habitat Combining Zone)

### **RECOMMENDATION**

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors find the project exempt from the California Environmental Quality Act (CEQA) under Public Resources Code § 21080.17/CEQA Guidelines § 15282(h) (ordinances implementing Gov. Code § 65852.2) and CEQA Guidelines § 15305 (minor alterations in land use limitations), and approve a zone change to remove the Z Accessory Dwelling Unit Exclusion Combining District from the subject parcel to allow for the potential for the development of an Accessory Dwelling Unit.

### **EXECUTIVE SUMMARY**

The applicant may propose to construct an Accessory Dwelling Unit (ADU) in the future which is permitted by the RRD zoning but prohibited by the Z combining district. To remove the ADU prohibition, the applicant is



requesting to rezone the parcel to remove the Z combining district. The Sonoma County General Plan supports the removal of unnecessary constraints to the provision of affordable housing, including the removal of the Z district on parcels where the underlying zoning permits the development of ADUs and where there are no conditions which would make an ADU infeasible. The applicant has demonstrated how the parcel can support an ADU, and has addressed the water, sewage and other considerations for which the Z district is typically applied.

## **PROJECT SITE AND CONTEXT**

### ***Site Characteristics***

The project site is 2.38 acres and is located on the west side of Alexander Valley, approximately 2 miles north of the City of Healdsburg. The site is developed with a single-family residence with a mix of ornamental landscaping and native trees.

### ***Area Context and Surrounding Land Uses***

Parcels along the north side of Alexander Valley Rd are primarily zoned LIA (Land Intensive Agriculture) while adjacent parcels, and most to the south of the subject parcel are zoned RRD (Resources and Rural Development). Most parcels in the vicinity are also within the Z Combining Zone.

### ***Water/Wastewater/Utilities***

The parcel is served by an existing well and septic system which both have demonstrated capacity to serve an ADU.

### ***Other Environmental Conditions.***

The site is zoned as Valley Oak Habitat and county mapping data indicates the presence of valley oaks. Several potential locations for a future ADU would not require tree removal. Any future application for an ADU or other construction, would be subject to the VOH ordinance and further review at the time of application.

## **PROJECT DESCRIPTION**

The applicant requests rezoning the parcel to remove the Z Combining District. If rezoned, the base zoning (RRD) would allow one ADU and does not require planning or zoning permits. A future application for an ADU would be subject to building and related construction permits.

## **ANALYSIS**

### ***General Plan Consistency***

Permitting accessory dwelling units on qualifying properties is consistent with General Plan Housing Element goals and objectives to increase opportunities for the production of affordable housing. Objective HE-3.1 seeks to “eliminate unneeded regulatory constraints to the production of affordable housing” and Objective HE-3.3 seeks to increase opportunities for the production of affordable housing. ADU surveys conducted by the County in 2006, 2013, and 2019, found that a majority of ADUs are offered at below-market rates that are affordable to



moderate income households. The California Department of Housing and Community Development consider ADUs as an innovative, affordable, effective options for adding housing.

Since 2005 the County has been accepting and approving requests to remove the Z overlay on a case-by-case basis. In 2009, the Board of Supervisors adopted General Plan Policy HE-3c to “review Z Combining District restrictions on agricultural parcels of less than 10 acres county-wide and consider removing the restrictions where appropriate.” In 2019 the County adopted Ordinance No. 6285, which removed the “Z” Accessory Dwelling Unit Exclusion Combining District from approximately 1,924 specified parcels located in the LIA, LEA, and DA zoning districts countywide that met certain screening criteria.

Staff Analysis:

The County of Sonoma has historically used the Z Combining Zone to preclude ADUs where, due to the unique circumstances of a lot, an ADU may be unsafe or infeasible due to lack of water, high fire risk or other factors. Permit Sonoma supports applications for rezoning to remove the Z Combining Zone, where an applicant has demonstrated that these circumstances no longer apply and that all current ADU regulations can be met. As discussed below with respect to zoning consistency, the applicant has demonstrated how an ADU could be supported on the site. Granting the requested rezone would be consistent with the general plan and would increase housing opportunity by removing regulatory barriers that unnecessarily constrain the production of housing which could be used to house long term tenants and is prohibited by county code for use as a short term or hosted rental.

As noted above, when the county engaged in a county-wide rezoning of certain parcels to remove the Z district, only agriculturally zoned parcels were considered. Parcels zoned RRD were not considered agriculturally zoned, and were not included in the countywide Z removal project, however the subject parcel is eligible for case-by-case consideration.

**Zoning Consistency**

Resources and Rural Development Zoning District

ADUs are ministerially permitted in the RRD zone that applies to this lot. They are subject to the requirements of County Code Sec. 26-88-060, and all other requirements of the applicable zoning district in which an ADU is permitted. An ADU is evaluated ministerially for compliance with all applicable development standards when a building permit application is submitted and does not require a separate planning permit. ADUs and Junior ADUs do not count towards the site’s density limits. Rezoning to remove the Z overlay allows the property owner to apply to construct an ADU in a zone where an ADU is otherwise permitted.

Z Accessory Dwelling Unit Exclusion Combining District,

The purpose of Z Combining District is to prohibit ADUs in areas that meet certain criteria found in Article 76 of the Sonoma County Code. Applications to remove the Z Combining District must demonstrate how these criteria no longer apply. These criteria are shown below followed by a response regarding this application.

- a) *Areas where there is an inadequate supply of water for drinking or firefighting purposes.*

The parcel is located primarily within a Class 1 major groundwater basin, with a small portion of the parcel in a Class 3 marginal groundwater area. The existing well is located within the Class 1 portion of the parcel. The



applicant provided a dry-weather well yield test confirming there is sufficient groundwater to serve site, including the existing residence and future ADU.

*b) Areas where there are inadequate sewer services or danger of groundwater contamination.*

A new septic system was permitted and installed in 2019 which has capacity to serve four bedrooms. The existing dwelling has three bedrooms, leaving sufficient capacity for a one-bedroom ADU. There are no known groundwater contamination issues on this site or within the immediate vicinity.

*c) Areas where the addition of second units would contribute to existing traffic hazards or increase the burden on heavily impacted streets, roads, or highways.*

The project site is in a low-density area where the addition of an ADU would not create traffic hazards or increase the burden on surrounding roadways.

*d) Areas where, because of topography, access, or vegetation, there is a significant fire hazard.*

The parcel is in a moderate fire hazard severity zone as established by the General Plan Safety Element (Figure PS-1g) and is approximately ¼ mile from the closest high fire hazard severity zone. Any future construction would be subject to applicable building code requirements and fire safe standards.

Valley Oak Habitat Combining Zone

A portion of the parcel is in the Valley Oak Habitat Combining Zone (VOH) where impacts to valley oak trees require review and may require mitigation. Any future application for development will be reviewed for consistency with VOH at that time.

**Environmental Analysis**

The project is exempt from the California Environmental Quality Act, pursuant to:

1. Public Resources Code section 21080.17 and CEQA Guidelines § 15282(h), which provide a statutory exemption for 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,
2. 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.



## **NEIGHBORHOOD/PUBLIC COMMENTS**

Early neighborhood notification was sent to properties within 300 feet of the subject parcel. Additional public notice was sent in advance of this hearing. No public comment was received.

## **RECOMMENDATIONS**

### ***Staff Recommendation***

Staff recommends that the Planning Commission adopt the attached resolution finding the project exempt from CEQA and recommending that the Board of Supervisors approve the requested zone change removing the Z combining district.

## **ATTACHMENTS**

- Att 1 Draft Planning Commission Resolution
- Att 2 Draft Ordinance
- Att 3 Project Proposal Statement
- Att 4 Project Plans
- Att 5 Reference Maps