

Resolution Number 23-01
County of Sonoma
Santa Rosa, California
January 19, 2023
ZCE21-0012 Peter Kaljian

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, FINDING THE PROJECT EXEMPT FROM CEQA AND RECOMMENDING APPROVAL OF A ZONE CHANGE TO THE BOARD OF SUPERVISORS AS REQUESTED BY MUNSELLE CIVIL ENGINEERING FOR PROPERTY LOCATED AT 2150 W. DRY CREEK ROAD, APN 089-190-034.

WHEREAS, the applicant, Munselle Civil Engineering, filed an application with the Sonoma County Permit and Resource Management Department to: 1) rezone 3.41 acres from LIA B6 20 Z, F1 RC50/25 RC100/50 SR to LIA B6 20, F1 RC50/25 RC100/50 SR on property located at 2150 W. Dry Creek Road, APN 089-190-034; Supervisorial District No. 4; and

WHEREAS, this project has been found to be categorically exempt from CEQA Guidelines; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a public hearing on January 19, 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. Removal of the Z (Accessory Dwelling Unit Exclusion) Combining District is consistent with the Land Intensive Agriculture (LIA) land use designation which permits Accessory Dwelling Units.
2. The removal of the Z (Accessory Dwelling Unit Exclusion Zone) Combining District is consistent with the Zoning Ordinance based on the following facts. The particular circumstances in this case are:
 - a. LAND USE ELEMENT.
 - i. Per the General Plan Land Use Element, the LIA land use designation is meant “to enhance and protect lands capable of and generally used for animal husbandry and the production of food, fiber, and plant materials.” The stated objective in land intensive agricultural areas is to “establish densities and parcel sizes that are conducive to continued agricultural production.” The LIA designation criteria require lot sizes of 20 acres or more to promote agricultural production. At 3.41 acres, the existing parcel contains 1.9 acres of vineyard. Vineyard would not be removed to allow the conversion of the existing residence but would be removed within the footprint of the future main residence. However, the existing vineyard would remain in agricultural production.

b. AGRICULTURAL RESOURCES ELEMENT.

i. The General Plan Agricultural Resources Element contains the following objectives:

1. Objective AR-2.4: Reduce economic pressure for conversion of agricultural land to nonagricultural use.
2. Objective AR-3.1: Avoid the conversion of agricultural lands to residential or nonagricultural commercial uses.

c. HOUSING ELEMENT.

i. General Plan Housing Element Policy HE-3c allows consideration of removing the Z combining district on agricultural parcels:

1. Review "Z" (Second Dwelling Unit Exclusion) Combining District restrictions on agricultural parcels of less than 10 acres county-wide and consider removing the restrictions where appropriate.
2. 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. In addition, ADUs can help support small farms and operations by providing supplemental income and agricultural worker housing for farm families when their properties do not qualify for agricultural housing types. The California Department of Housing and Community Development considers ADUs as an innovative, affordable, and effective option for adding housing. Removing the Z combining district on this 2.41-acre site may be found consistent with Policy HE-3c.

d. Removal of the Z combining district would allow for an accessory dwelling unit on the parcel. Accessory dwelling units are allowed in the LIA Zoning District (Sec. 26-06-030, Allowed land uses). The parcel meets the Zoning Ordinance requirements for an accessory dwelling unit including standards contained in County Code Section 26-88-060.

e. Adequate wastewater disposal is available. The parcel and the development facilitated by the project would be served by an existing septic system with sufficient capacity to serve a primary and accessory dwelling.

f. 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.

g. The parcel is not in a Fire Hazard Severity Zone as mapped by CalFIRE. 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.

3. The project is exempt from CEQA pursuant to:
 - a. Public Resources Code section 21080.17, 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 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; and,

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors find the requested rezoning exempt from CEQA, and that it approves 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 Koenigshofer, who moved its adoption, seconded by Commissioner Ocaña, and adopted on roll call by the following vote:

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| Commissioner Cornwall | Aye |
| Commissioner Reed | Aye |
| Commissioner Ocaña | Aye |
| Commissioner Koenigshofer | Aye |
| Commissioner Deas | Aye |

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

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