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Sonoma County Planning Commission

STAFF REPORT

FILE: ZCE23-0012

DATE: August 21, 2025

TIME: 1:05pm

STAFF: Levan King Cranston, 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:	Gerardo and Adelia Fragoso
Applicant:	Gerardo and Adelia Fragoso
Address:	4008 Jobe Lane Santa Rosa CA 95407
Supervisory District(s):	District 5
APN:	035-072-026
Description:	Request for a zone change to remove the Z (Accessory Dwelling Unit Exclusion) Combining District from a 0.5-acre parcel.
CEQA Review:	Statutory Exemption Public Resources Code Section 21080.17 and CEQA Guidelines 15282(h) (ordinances implementing Government Code Section 65852.2); Categorical Exemption: CEQA Guidelines Section 15305 (Minor Alterations in Land Use Limitations)
General Plan Land Use:	UR 5 (Urban Residential, 5 dwelling units per acre density)
Specific/Area Plan Land Use:	South Santa Rosa Area Plan
Ordinance Reference: Sec.	Sec. 26-08-010 -040 - Residential Zones Sec. 26-76-005 – Accessory Dwelling Unit Exclusion Combining District Sec.26-88-060 – Accessory Dwelling units
Zoning:	RR (Rural Residential) B6 3 (3 acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion), VOH (Valley Oak Habitat)

Recommendation

Planning staff recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors approve a Zone Change to remove the Z (Accessory Unit Exclusion) Combining District from the subject parcel to allow for the potential development of accessory dwelling units, and find the project exempt from the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080.17 and CEQA Guidelines Section 15282(h); and, CEQA Guidelines Section 15305.

Executive Summary

The landowner requests approval of a zone change to remove the Z (Accessory Dwelling Unit Exclusion) Combining District on a 0.5-acre parcel to allow for the use of future accessory dwelling units on the subject property. The Z Combining district was applied to the subject properties as part of the implementation of the 1989 General Plan, which aimed to protect agricultural lands from potential overdevelopment of residential use and conversion to nonagricultural uses.

In 2019, the Board of Supervisors adopted Ordinance No. 6285 approving removal of the Z (Accessory Dwelling Unit Exclusion) Combining District from approximately 1,924 specified parcels countywide, including parcels over 10 acres within the Land Intensive Agriculture (LIA), Land Extensive Agriculture (LEA), and Diverse Agriculture (DA) Zoning Districts that met specific screening criteria of former Housing (Policy HE-3c). While the subject parcel did not pass the screening criteria in 2019 due to its Rural Residential (RR) Zoning, and 0.5-acre parcel size, removal of the Z Combining District can be assessed on a case-by-case basis. After further review of current zoning regulations, mapping information, and site conditions related to traffic, wildfire risk and groundwater, staff finds the subject parcel meets the criteria for removal of the Z Combining District. Staff recommends removal of the Z combining district from the subject parcel.

Project Site and Context

Background

The Z Combining District was intended, in part, to exclude ADU's in areas where there are inadequate sewer services or where septic systems cannot be properly accommodated. Due to the subject property being located within a Waiver Prohibition Area staff have reviewed the property in detail to confirm additional development on this site is appropriate. The City of Santa Rosa has confirmed this area of Sonoma County is situated in one of the sewer agreement areas (South Wright), where the subject property is currently connected to public sewer. In addition, the City of Santa Rosa has confirmed they support the use of Accessory Dwelling Units at this location.

Since 2005, the County has been accepting and approving requests to remove the Z Combining District 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 countywide 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 screening criteria related to fire hazard zones, biotic habitat, groundwater, and traffic, Land Conservation Contracts.

The subject parcel did not pass the countywide Z Combining District removal screening criteria in 2019 due to characteristics of the property exceeding the scope of the countywide screening criteria. The

subject property has a Base Zoning of Rural Residential (RR), is less than 10-acres in size, and is located within a Waiver Prohibition Area. Parcels are placed into Waiver Prohibition Areas due to the high volume of groundwater present, and concentrations of properties with smaller lot sizes. The addition of Accessory Dwelling Units increases the usage of septic systems and therefore would heighten the risk for groundwater contamination. However, due to differing site-specific environmental constraints, zone change requests for removing the Z Combining District on parcels in Waiver Prohibition Areas can be considered on a case-by-case basis.

An updated Housing Element was adopted by the County Board of Supervisors on August 22, 2023, and certified by the California Department of Housing and Community Development on October 26, 2023. The County prepared the 2023-2031 Housing Element to affirmatively further fair housing and to accommodate the County's 3,824-unit Regional Housing Needs Allocation (RHNA) for the 2023-2031 Housing Element period. In addition to responding to all of the new statutory requirements, the Housing Element demonstrates how its identified local housing needs will be met through new and revised policies and programs.

Removing the Z Combining District on a case-by-case basis continues to promote the production of affordable housing units by creating opportunities for landowners to apply for ADUs. The number of ADUs built in the county has increased since 2016 legislation that reduced barriers for development of these accessory units.

Site Characteristics

The 0.5-acre project site is accessed from Jobe Lane, approximately 300 feet west of the boundary of the City of Santa Rosa. The parcel has an existing single-family dwelling on site. The majority of the property is gravel parking, which was converted from grassland sometime between 2019 and 2022, with the exception of a small (approximately 1,000-square foot) garden in the southwest corner of the property.

Area Context and Surrounding Land Uses

The parcel is surrounded by residential related land uses. The Wright Charter School is located approximately 800-feet west of the subject property. All adjacent parcels along Jobe Lane are build out with single family dwelling, and are zoned RR (Rural Residential) B6 3 (3 acres per dwelling unit density) with the Z (Accessory Dwelling Unit Exclusion) and VOH (Valley Oak Habitat) Combining Districts. Several parcels of similar size along Chico Ave to the north, and Miles Ave to the south are zoned RR B6 3,VOH and do not have the Z Combining District applied.

Direction	Land Uses
North	Low Density Residential
South	Low Density Residential
East	Low Density Residential
West	Low Density Residential

Significant Applications Nearby

No significant applications nearby.

Access

The subject property is accessed via Jobe Lane, a county-maintained public road.

Wildfire Risk

No portion of the property is located within the Fire Hazard Severity Zone.

Water/Wastewater/Utilities

The parcel is located in a Class 1 Groundwater Availability Area (Major groundwater Basin), future development of an Accessory Dwelling Unit is not expected to negatively impact water availability on site or in the general area. The subject property is within a Waiver Prohibition Area; however, the subject property is currently connected to public sewer and is not reliant on septic systems.

Agricultural Conditions/Land Encumbrances/Contracts

The parcel is not subject to any land encumbrances or land conservation contracts (Williamson Act).

Other Environmental Conditions

The subject parcel is within a mapped California Tiger Salamander (CTS), (*Ambystoma californiense*) designated critical habitat (USFWS, 2005) and less than 2,200 feet from known breeding and adult CTS occurrences (CNDDDB, 2023). CTS is both federally and state listed in Sonoma County. The subject parcel is depicted as “May adversely affect listed plants and would likely adversely affect CTS” (CDFW 2008). Upon preliminary review of 2018 aerial images (Google Earth), the area appeared to potentially provide habitat consistent with the CDFW and USFWS mapping of the site as “May adversely affect listed plants and would likely affect CTS.” However, upon further review of more recent Google Earth aerial imagery (2019 to 2023), the subject parcel has been converted from grasslands (potential habitat) to gravel parking area, which is not a suitable habitat, sometime between 2019 and 2022, with the exception of a small (approximately 1,000 square feet) garden or vineyard in the southwest corner of the property.

Project Description

A Zone Change request to remove the Z (Accessory Unit Exclusion) Combining District from the 0.5-acre parcel to allow for the potential development of accessory dwelling units and find the project exempt from the California Environmental Quality Act (CEQA).

Ordinance and Project History

Table 1 – Ordinance History

Date	Ordinance History/Project Milestone
July 10, 1990 – January 26, 1993	The parcel was rezoned to Rural Residential with an ADU exclusion when the Board of Supervisors adopted Ordinance No. 4225 to rezone parcels to match General Plan land use designations and implement the 1989 General Plan.
Jan. 24, 2017	The Board of Supervisors adopted Ordinance No. 6191 amending second dwelling unit regulations, adding junior accessory dwelling unit regulations, and reducing local regulatory barriers for constructing new accessory dwelling units in accordance with amendments to Gov. Code § 65852.2

Sep. 17, 2019	The Board of Supervisors adopted Ordinance No. 6285 for removal of the “Z” Accessory Dwelling Unit Exclusion Combining District from approximately 1,924 specified parcels located in the LIA, LEA, and DA zoning districts countywide.
Sep. 14, 2021	The Board of Supervisors adopted Ordinance No. 6352, updates to the Accessory Dwelling Unit and Junior Accessory Dwelling Unit Ordinance, in compliance with Government Code Sections 65852.2 and 65852.22.
Dec. 5, 2023	The Board of Supervisors adopted Ordinance No. 6458, amending the Accessory Dwelling Unit and Junior Accessory Dwelling Unit Ordinance to implement the 2023-2031 Housing Element and ensure consistency with state law.

Table 2 – Project History/Milestones

Date	Project Event/Milestone
September 6, 2023	Zone Change application submittal to Permit Sonoma
September 20, 2023	Referral sent to pertinent agencies
October 6, 2023	Project deemed complete for processing
August 1, 2025	Public Notice for Planning Commission

ANALYSIS

General Plan Consistency

Permitting Accessory Dwelling Units (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”. 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, and 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 2019 the County adopted Ordinance No. 6285, which promoted the production of affordable housing units by removing 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. The subject property is located in a Waiver Prohibition Area, specifically the S Wright Septic Ban Area, and was therefore not included in the scope of that county-led effort but are still eligible for case-by-case consideration.

The County of Sonoma has historically used the Z Combining District 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 do not apply and that all current ADU regulations can be met. As discussed below with respect to zoning consistency, the applicant has demonstrated an ADU could be supported on site. Granting the requested zone change to remove the Z Combining District would be consistent with the General Plan and would increase housing opportunities by removing regulatory barriers that unnecessarily constrain the production of affordable housing which could be used to house long-term tenants and is precluded by county code for use as a short-term or hosted rental.

Zoning Consistency

Applications to remove the Z Combining District must be consistent with Article 76 of the Sonoma County Zoning Code, Accessory Dwelling Unit Exclusion Combining District. Section 26-76-005 states the following reasons for applying the Z Combining District: The purpose of this district is to provide for the exclusion of accessory dwelling units in the following areas:

- a) Areas where there is an inadequate supply of water for drinking or firefighting purposes,
- b) Areas where there are inadequate sewer services or danger of groundwater contamination,
- 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, and
- d) Areas where, because of topography, access, or vegetation, there is a significant fire hazard.

The Z Combining District criteria listed above do not apply to the subject parcel as discussed further below.

Water Supply. The Z Combining District was not originally applied to the subject parcel for reasons related to water supply because the parcel is located in a Class 1 Groundwater Availability Area. The addition of Accessory Dwelling Units on this parcel are not anticipated to cause any adverse impacts to groundwater availability.

Wastewater Disposal. The Z Combining District was likely applied to the subject property for being located within a Waiver Prohibition Area, specifically the S Wright Septic Ban Area. The subject property however is now connected to public sewer, and therefore the increase of wastewater generated by an ADU at this location will not further intensify the risk of groundwater contamination.

Traffic Hazards. The Z combining district was not applied to the subject parcel for reasons related to traffic hazards. The project site is located on Jobe Lane, with adequate ingress and egress to the site. The addition of an accessory dwelling unit would not adversely contribute to traffic hazards or increase the burden on heavily impacted streets, roads, or highways in the area.

Fire Hazards. The Z Combining District was not applied to the subject parcel for reasons related to Fire Hazards. The project site is not located within the Fire Hazard Severity Zone.

Rural Residential Zoning District

Accessory dwelling units are allowed by the base zoning district, Rural Residential (RR). With the proposed removal of the Z Combining District, accessory dwelling units would be a permitted use subject to compliance with Zoning Code Sec. 26-88-060, RR zoning development standards, building well, septic requirements. 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.

Maximum Lot Coverage

RR-zoned parcels are limited to 35% lot coverage, as required Section 26-08-040 of the Sonoma County Zoning Code. The maximum lot coverage for the subject parcel is 7,623 square feet. The subject parcel contains an existing single-family dwelling approximately 3,000 square feet in size. The maximum allowable size for an ADU is 1,200 square feet, therefore, the addition of an ADU to the property would not exceed the maximum lot coverage allowed for the site.

Spot Zoning

The County of Sonoma has implemented a comprehensive land use plan through its Zoning Ordinance. Spot zoning is generally considered undesirable but refers to the primary base zone, rather than to Combining Zones. The subject property was compared to adjoining properties to determine the overall pattern of zoning designations. Surrounding parcels with the Z Combining District would have the same opportunity to apply for removal of the Z Combining District. Therefore, the subject property would not be granted zoning that is either more restrictive or less restrictive than zoning which is available to the surrounding properties, and spot zoning would not occur.

Area and Specific Plan Consistency

The City of Santa Rosa has confirmed the subject property is situated in the South Wright sewer agreement area, where the subject property is currently connected to public sewer and water. The City of Santa Rosa has confirmed they support the use of Accessory Dwelling Units at this location.

The property is subject to the guidelines of the South Santa Rosa Area Plan. For this area of the county, it is recommended that zoning should support development for low residential densities. However, it is explained that upon connection to public services, rezoning will be appropriate as project proposals are presented for necessary actions.

Therefore, because the subject property is connected to public services, this request to remove the Z combining district allowing the use of Accessory Dwelling Units is consistent with guidelines provided in the South Santa Rosa Area Plan.

Environmental Analysis

The project is exempt from CEQA pursuant to:

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

Public Resources Code section 21080.17 and CEQA Guidelines Section 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.

Neighborhood/Public Comments

As of August 11, 2025, no public comments have been received for this application.

Recommendation

Staff recommends that the Planning Commission adopt the attached resolution recommending that the Board of Supervisors adopt an ordinance finding the project exempt from CEQA and approving the requested zone change to remove the Z Combining District.

Attachments

Attachment 1 ZCE23-0012 Planning Commission Resolution
Attachment 2 ZCE23-0012 Draft Board of Supervisors Ordinance
Attachment 3 ZCE23-0012 Project Proposal Statement
Attachment 4 ZCE23-0012 Vicinity Map
Attachment 5 ZCE23-0012 Accessor Parcel Map
Attachment 6 ZCE23-0012 Site Plan