

Resolution Number 23-36

County of Sonoma
Santa Rosa, California

August 3, 2023
ZCE22-0014 Levan King Cranston

RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THE BOARD OF SUPERVISORS FIND THE PROJECT TO BE EXEMPT FROM CEQA AND APPROVE THE ZONE CHANGE AS REQUESTED BY PETER VALTIN FOR PROPERTY LOCATED AT 1524 DRY CREEK ROAD HEALDSBURG CA 95448; APN: 089-040-001.

WHEREAS, the applicant, Peter Valtin, filed an application with the Sonoma County Permit and Resource Management Department to rezone 6.22-acres to remove the Z Combining District from LIA (Land Intensive Agriculture) B6 (20-acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion Combining District), F1(Floodway), RC50/25 RC100/50 (Riparian Corridor) SR (Scenic Resource) VOH (Valley Oak Habitat) Zoning Districts(s); and shall be reclassified as the LIA (Land Intensive Agriculture) B6 (20-acres per dwelling unit density), F1(Floodway), RC50/25 RC100/50 (Riparian Corridor) SR (Scenic Resource) VOH (Valley Oak Habitat) Zoning Districts(s); on property located at 1524 Dry Creek Road, Healdsburg; APN: 089-040-001; Supervisorial District No.4; and

WHEREAS, the Permit Resource and Management Department (PRMD) determined that the Project was exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the state CEQA Guidelines; and

WHEREAS, in accordance with applicable provisions of law, the Planning Commission held a public hearing on August 3, 2023, 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. 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 6.22-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 Intensive Agriculture (LIA) 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 LIA 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. This parcel is located in a Class 1 Groundwater Availability Area, which indicates a major natural recharge area.
 - c. Adequate wastewater disposal will be available. The parcel and the development facilitated by the project would be served by a proposed septic system filed under Permit Sonoma File No. SEP23-0042.
 - 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. A small portion of the parcel is within the Fire Hazard Severity Zone. The 2022 Fire Hazard Severity Zone (FHSZ) Map designates approximately 0.18-acres of the total 6.22-acre property as High fire risk. The remaining 6.04-acres of the property is located outside the Fire Hazard Severity Zone. The addition of an ADU is not anticipated to substantially increase fire risk on the property as the property is relatively flat and surrounded by vineyards, there is adequate access to a county-maintained public road, and the area is in a Class 1 Groundwater Availability Area. A future ADU building permit will be required to comply with Fire Safe Standards for new development and defensible space. Additionally, the parcel is within a Local Response Area and is served by the Sotoyome Volunteer Fire Company District.
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 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 Project to be exempt from CEQA and approve the requested General Plan Amendment, and 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 Carr who moved its adoption, seconded by Commissioner Reed, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Reed	Aye
Commissioner Ocana	Aye
Commissioner Koenigshofer	Aye
Commissioner McCaffery	Aye

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

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

SO ORDERED.