



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission
STAFF REPORT

FILE: ORD22-0005
DATE: February 23, 2023
TIME: 1:05 P.M.
STAFF: Eric Gage, Project Planner

**A BOARD OF SUPERVISORS HEARING
ON THE PROJECT WILL BE HELD AT A
LATER DATE AND WILL BE DULY
NOTICED.**

SUMMARY

OWNER: VARIOUS

APPLICANT: COUNTY OF SONOMA

ADDRESS: VARIOUS

All Supervisorial Districts

APNS: Various

DESCRIPTION: CORRECTIONS TO SONOMA COUNTY CODE CHAPTER 26 (ZONING)
AND ZONING DATABASE

CEQA REVIEW: The project has been analyzed under the California Environmental Quality Act (CEQA) and the CEQA Guidelines. Staff has determined that the project is categorically exempt under CEQA Guidelines §15061(b)(3).

GENERAL PLAN: Various

LAND USE: Various

ZONING: Various

ZONING ORD.: Various

RECOMMENDATION

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors adopt the proposed ordinance amending Sonoma County Code Chapter 26 (the Zoning Code) and the Official Zoning Database.



EXECUTIVE SUMMARY: On January 19, 2021, the Board of Supervisors adopted an ordinance comprehensively restructuring and condensing the County Zoning Code (Chapter 26 of the County Code). Although the modernization of the zoning code made significant improvements to the document, in the process of converting the document, some provisions were inadvertently deleted, erroneous internal references were created, and other text errors were introduced. The resulting codification errors were identified by staff over time in daily use of the updated zoning code, and were compiled to be addressed together in a single correction ordinance.

Permit Sonoma staff periodically identifies zoning discrepancies to improve and maintain the accuracy of the Official Zoning Database (OZD). Any identified discrepancies and minor related zoning and land use amendments are then brought forward as corrections to improve the database. Minor zone changes required as conditions of approval for lot line adjustments and subdivision approvals are also included as corrections to align the land use designations with the new parcel boundaries. The project includes 77 mapping refinements to combining districts, one mapping correction, and three minor zone changes to satisfy conditions of approval for lot line adjustments and subdivision approvals.

State law limits the number of General Plan Amendments that can be done in a calendar year to four. Due to the anticipated need for other General Plan Amendments in calendar year 2023, this set of corrections excludes changes that would require a General Plan Amendment. A future General Plan Amendment item scheduled for 2023 will incorporate technical corrections that include a General Plan Amendment. The February 23, 2023 Planning Commission public hearing notice was published in the Press Democrat. Proposed corrections include zoning amendments due to the reasons indicated in Table 1 below.

Table 1: Total Parcels to be Amended

Reason for Correction	Total Parcels to be Amended
Mapping Error	1
Required as Conditions of Project Approvals	3
Combining District Mapping Corrections	77
Total:	82

Project Description:

The primary purpose of the proposed changes is to correct technical errors in zoning resulting from inaccurate manual transcription of data and incorrect zoning code language. The project is also intended to correct inconsistencies between zoning and General Plan land use designations. Minor or routine zone changes, such as those required by project conditions of approval, have also been

included in the project. The proposed changes, as described below, will not result in any substantive change to County land use policy.

- A. Amendments to Zoning – Inadvertent Errors and Historical Corrections.** Correct zoning designations to resolve inadvertent errors and/or historical inconsistencies and restore the subject parcels to the correct zoning and/or land use.
- B. Amendments to Zoning – Required as Conditions of Project Approvals.** Implement minor zone changes required as conditions of approval for lot line adjustment and subdivision approvals.
- C. Amendments to Zoning – Combining District Mapping Corrections.** Correct combining district boundaries as a result of mapping updates. A combining district is a zoning overlay on the base zoning district and includes the following zoning districts: BH (Biotic Habitat), F1 (Floodway), F2 (Floodplain), HD (Historic District), LG (Local Guidelines), MR (Mineral Resources), RC (Riparian Corridor), SR (Scenic Resources), and VOH (Valley Oak Habitat). The parcel numbers and proposed changes for each property are listed in Attachment A, Exhibit C.
- D. Zoning Code Text Corrections.** Correct minor errors in the text of the zoning code.

DISCUSSION

A. Amendments to Zoning - Inadvertent Errors and Historical Corrections

1. 15525 Riverside Drive, Guerneville APN: 070-120-071

Existing Zoning: R2 B6 1 DU, F1 F2 LG/116 LG/RRC RC50/25 SR VOH

Proposed Zoning: R1 B6 1 DU, F1 F2 LG/116 LG/RRC RC50/25 SR VOH

Existing Land Use Designation: UR 1

Proposed Land Use Designation: No Change

This correction pertains to a long-standing discrepancy on one parcel in which the base zoning district density is not consistent with the zoning of the surrounding neighborhood. The discrepancy was brought to the attention of staff through public inquiry. The affected property has a base zoning of R2 (Medium Density Residential), but should be zoned R1 (Low Density Residential).

On further analysis, it was determined that a mapping error occurred when digitizing paper-based zoning map books and the R2 zoning had been applied in error. This zoning amendment is being brought forward to amend the Official Zoning Database to apply the R1 base zoning district to the 0.9-acre parcel and correct the mapping error.

B. Amendments to Zoning Required as Conditions of Project Approvals

The County Subdivision Code, at Section 25-70.3(h), allows a lot line adjustment or subdivision approval between parcels of different General Plan land use designations and/or zoning districts provided that a zone change and/or General Plan amendment application is submitted to ensure that district boundaries coincide with the resultant property lines. Since the proposed amendments are routine and required as a condition of a prior project approval, they have been included as a part of this corrections ordinance for efficiency of processing.

1. 451 Duer Road, Sebastopol, LLA19-0049;

**a. Parcel 1: 087-110-090, 451 Duer Road
(formerly portions of 060-020-002 and -060-030-016)**

Current Zoning: DA B6 10 SR VOH

Proposed Zoning: DA B7 SR VOH

Existing Land Use Designation: DA 10

Proposed Land Use Designation: No Change

**b. Parcel 2: 087-110-091, 5259 Sebastopol Road
(formerly portion of 060-030-016)**

Current Zoning: DA B6 10 SR VOH

Proposed Zoning: DA B7 SR VOH

Existing Land Use Designation: DA 10

Proposed Land Use Designation: No Change

Lot Line Adjustment LLA19-0049 involved a change in boundaries between two parcels. The boundary change added 15.54 acres of land to a 9.46 acre parcel and relocated a 4.50 acre parcel. This increase in parcel size created the potential for a subdivision of land that had not existed prior to the lot line adjustment. According to the County Subdivision Code, a lot line adjustment must not be approved if it increases overall subdivision potential, unless such approval is conditioned to require a rezoning to a B7 (Frozen Lot Size) or other restrictive zoning. Parcel 1 is an approximately 23-acre parcel zoned DA B6 10 SR VOH. Parcel 2 is an approximately 4.5 acres DA B6 10 SR VOH. The zoning of both parcels would be changed to change the B6 10 combining district to B7 designation.

The requirement for a Zone Change to add the B7 combining district was included as a Condition of Approval for the Lot Line Adjustment. Application ZCE21-0005 was submitted by the property owner as required by the conditions of approval. Since the proposed amendments are routine and required as a condition of a prior project approval, they have been included as a part of this corrections ordinance for efficiency of processing.

2. 3003, 3200 Castle Road, Sonoma, LLA20-0028;

a. Parcel 1: 127-790-005, 3200 Castle Road (formerly 127-790-001)

Current Zoning: RRD B7, RRD B6 40, LG/MTN RC100/50 SR

Proposed Zoning: RRD B7, LG/MTN RC100/50 SR

Existing Land Use Designation: RRD 40

Proposed Land Use Designation: No Change

b. Parcel 2: 127-790-004, 3003 Castle Road (formerly 127-051-092)

Current Zoning: RRD B6 40, RRD B7, LG/MTN RC100/50 SR

Proposed Zoning: RRD B6 40, LG/MTN RC100/50 SR

Existing Land Use Designation: RRD 40

Proposed Land Use Designation: No Change

Lot Line Adjustment LLA20-0028 involved two parcels with different Zoning designations, and as a result, the two lots now have split Zoning designations. Parcel 1 is an approximately 80.7 acre parcel with 60.82 acres zoned RRD B7, LG/MTN RC100/50 SR, and 19.9 acres zoned RRD B6 40, LG/MTN RC100/50 SR. Parcel 2 is an approximately 49.9 acres with 5.0 acres RRD B6 40, LG/MTN RC100/50 SR and 44.9 acres zoned RRD B7, LG/MTN RC100/50 SR (44.93 acres).

The requirement for a Zone Change was included as a Condition of Approval for the Lot Line Adjustment. Application ZCE20-0020 was submitted by the property owner as required by the conditions of approval. Since the proposed amendments are routine and required as a condition of a prior project approval, they have been included as a part of this corrections ordinance for efficiency of processing.

3. 11500 Chalk Hill Road, Healdsburg, LLA21-0040;

a. Parcel 1: 132-120-062 (formerly 132-120-055, -054)

Current Zoning: LIA B7, RC100/50, LIA B6 40 RC100/25

Proposed Zoning: LIA B7, RC100/50

Existing Land Use Designation: LIA 40

Proposed Land Use Designation: No Change

b. Parcel 2: 132-120-063 (formerly 132-120-055, -054)

Current Zoning: LIA B7, RC100/50, LIA B6 40 RC100/25

Proposed Zoning: LIA B6 40 RC100/25
Existing Land Use Designation: LIA 40
Proposed Land Use Designation: No Change

Lot Line Adjustment LLA21-0040 involved an exchange of 1.79 acres and 1.79 acres between parcels with different zoning designations and a reconfiguration of parcel lines. Parcel 1 is composed of portions of two former assessor parcels, totaling approximately 99.0 acres, with a split zoning of LIA B7 RC100/50, LIA B6 40 RC100/25. A 1.79-acre portion of the parcel is zoned LIA B6 40 RC100/25, proposed to be rezoned to LIA B7 RC100/50.

Parcel 2 is composed of portions of two former assessor parcels, totaling approximately 20 acres zoned with a split zoning of LIA B7 RC100/50, LIA B6 40 RC100/25. A 1.79-acre portion of the parcel is zoned LIA B7 RC100/50 proposed to be rezoned to LIA B6 40 RC100/25.

The requirement for a Zone Change was included as a Condition of Approval for the Lot Line Adjustment. Application ZCE21-0013 was submitted by the property owner as required by the conditions of approval. Since the proposed amendments are routine and required as a condition of a prior project approval, they have been included as a part of this corrections ordinance for efficiency of processing.

C. Combining District Mapping Corrections

The primary purpose of the proposed combining district changes is to correct combining district boundaries as a result of mapping updates. Permit Sonoma geographic information system staff conduct a periodic analysis of the Official Zoning Database (OZD) to identify discrepancies and improve the accuracy of the digital data. As the automated process is improved with updated technology and mapping methods, inconsistencies between the parcel boundaries and the combining district boundaries are identified. Any discrepancies are then brought forward as technical corrections to maintain and improve the database. This set of technical corrections includes changes to the RC combining district conservation area measurements due to incomplete initial implementation methodology.

D. Zoning Code Text Corrections

The Board of Supervisors approved a comprehensive reformat of the Zoning Code in February of 2021. Prior to the reformat, the Code had not been comprehensively updated since the 1960s and was cumbersome and difficult to use. The update removed hundreds of pages of repetitive text, replacing it with tabular permitting information and subsections for each allowable use. The update simplified the Code, but introduced inadvertent errors and obsolete cross references that were identified through subsequent use of the Code by staff and the public. The corrections include restoring code references, definitions, and other

substantive text that were inadvertently excluded from the updated code. The proposed corrections are detailed in Attachment A, Exhibit C.

DISCUSSION OF ISSUES

Issue: General Plan Consistency

The primary purpose for the proposed changes to the Zoning Code is to ensure consistency between the general plan and other planning documents and ordinances and ensure that the Zoning Code reflects legislative intent. The draft amendments to the Zoning Code are all correcting errors and reinstating the text or intent of unintentionally deleted provisions.

Implementation of the zone changes required as conditions of previously approved projects also ensures consistency with the County's Subdivision Code. Further, correcting land use and zoning to accurately reflect all applicable combining districts ensures the integrity and reliability of the information on which both the public and staff rely.

STAFF RECOMMENDATION

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission adopt a resolution recommending that the Board of Supervisors adopt the proposed ordinance amending Sonoma County Code Chapter 26 (the Zoning Code) and the Official Zoning Database.

FINDINGS FOR RECOMMENDED ACTION

1. The proposed amendments are necessary to correct inaccuracies, eliminate outdated references, resolve inconsistencies, and make other minor corrections and clarifications to Chapter 26 (Zoning Code) regulations and Official Zoning Database, to ensure the accuracy and reliability of the planning information on which the public relies.
2. The proposed amendments are consistent and compatible with the Sonoma County General Plan in that the changes include error corrections and minor zone changes being undertaken to ensure consistency with the General Plan and to implement conditions of approval of previously approved projects.
3. The proposed amendments are exempt from the California Environmental Quality Act ("CEQA") under Section 15061(b)(3), as it can be seen with certainty that the project will have no significant effect on the environment since the project consists of technical corrections, minor

changes, and clarifications that are editorial rather than substantive in nature and changes needed to satisfy conditions of prior project approvals.

LIST OF ATTACHMENTS

ATTACHMENT A:	Draft Planning Commission Resolution with Exhibits
EXHIBIT A:	Draft Zone Changes
EXHIBIT B:	Draft Combining District Mapping Corrections
EXHIBITS C - KK:	Draft Zoning Code Text Amendments
