Resolution Number 25-11

County of Sonoma
Santa Rosa, California

October 2, 2025
ORD25-0004 Isabella Wotring

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING THE SONOMA COUNTY CODE CHAPTER 26 (ZONING CODE) PERTAINING TO ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS FOR COMPLIANCE WITH STATE LAW.

WHEREAS, the State of California is falling far short of meeting current and future housing demand with serious consequences for the economy, the ability to build green infill consistent with greenhouse gas reduction goals, and the well-being of residents, particularly lower and middle-income earners. Rising costs of land and housing pose significant challenges to the ongoing viability of communities; and

WHEREAS, the County's Regional Housing Needs Allocation (RHNA) for the 2023-2031 Housing Element planning cycle increased more than 600 percent over the previous cycle; and

WHEREAS, Sonoma County recognizes the importance of accessory dwelling units (ADUs), including junior accessory dwelling units (JADUs), as a valuable form of housing due to their contribution to housing stock for a variety of households in diverse neighborhoods, relatively low cost and environmental burden, and economic value to property owners; and

WHEREAS, on August 22, 2023, the Board of Supervisors adopted the 2023 - 2031 Housing Element including numerous implementation programs in the Housing Action Plan as well as goals and policies to promote housing production; and

WHEREAS, Policy HE-5g of the Housing Element directs the County to continue to encourage the retention and further construction of small rental units such as accessory dwelling units; and

WHEREAS, Policy HE-6e of the Housing Element aims to provide housing opportunities throughout the unincorporated county for all household income cohorts while avoiding or mitigating displacement of existing residents; and

WHEREAS, Subprogram 15b of the adopted Housing Action Plan directed staff to ensure compliance with State laws related to accessory dwelling units through amendments to Sonoma County Code Chapter 26 (Zoning Code); and

WHEREAS, on December 5, 2023, the Board of Supervisors adopted Ordinance No. 6458, amending Zoning Code provisions to complete Program 15b implementation; and

WHEREAS, on January 1, 2025, substantial changes to State law pertaining to ADUs and JADUs went into effect following the passage of Senate Bill 1211 and Assembly Bill 2533, most notably making the following changes:

i. Requiring jurisdictions to allow a minimum quantity of ADUs and JADUs on lots with existing or proposed primary dwellings, subject only to standards specified in Government Code Section 66323 or more permissive thereof; and
ii. Increasing the minimum quantity of detached ADUs a jurisdiction must allow on a lot with an existing multifamily dwelling from two (2) to up to eight (8); and
iii. Enhancing amnesty provisions and requiring jurisdictions to provide a permitting pathway for unpermitted ADUs and JADUs that were created prior to January 1, 2020, and that are not in substandard condition as defined in Health and Safety Code Section 17920.3; and

WHEREAS, on January 9, 2025, the County received a letter from the California Department of Housing and Community Development (HCD) which reviewed the County's existing ADU Ordinance and directed the County to update Sonoma County Code Chapter 26 (Zoning Code) for compliance with State ADU Law (Government Code Sections 66310 et seq.); and

WHEREAS, revisions to Chapter 26 code sections pertaining to ADUs and JADUs are necessary for compliance with State ADU Law (Government Code Sections 66310 – 66342), to continue implementation of Program 15b of the Housing Action Plan and support General Plan Housing Element Policies HE-5g and HE-6e; and

WHEREAS, notice of the Planning Commission's October 2, 2025 public hearing on the proposed County Code amendments was published in *The Press Democrat* on September 12, 2025, in compliance with California Government Code and the County Code; and

WHEREAS, on October 2, 2025, the Planning Commission held a duly noticed public hearing on the proposed County Code amendments, and considered all written and oral comments on the County Code amendments; and

NOW, THEREFORE, the Planning Commission finds and resolves as follows:

A. The Planning Commission has had an opportunity to review this Resolution and its Exhibit, and finds that it accurately sets forth the intentions of the Commission regarding the Project.

B. The proposed modifications to Chapter 26, Article 04 (Glossary), Article 06 (Agricultural and Resource Zones), Article 08 (Residential Zones), Article 10 (Commercial Zones), Article 12 (Industrial Zones), Article 14 (Special Purpose Zones), Article 24 (Residential Use Standards), Article 88 (General Exceptions

and Special Use Standards), and Article 90 (Local Area Development Guidelines) pertaining to ADUs and JADUs (listed as proposed amendments in the attached Exhibit A and incorporated herein by reference) are necessary and appropriate for the following reasons:

1. Sonoma County continues to experience a housing crisis, exacerbated by recent wildfires. County residents continue to need diverse, low-cost housing options assisted through clear permitting requirements and flexible development standards; and
2. The State of California continues to create legislation reducing or eliminating the purview of local jurisdictions over the allowance and application of development standards to ADUs and JADUs; and
3. Proposed amendments seek to implement the programs and policies of the Housing Element and ensure that the County maintains consistency with State ADU Law.
4. The proposed amendments to County Code are consistent and compatible with the overall goals and intent of the General Plan. Proposed amendments continue implementation of Housing Element Policy Subprogram 15b's purpose of maintaining compliance with State ADU Law and support Subprogram 25d's purpose of reducing penalties for existing unpermitted dwellings and encouraging programs to bring them up to code. Additionally, proposed amendments clarify and simplify standards and permitting processes for ADUs while providing flexibility in the configurations of ADUs allowed, consistent with Housing Element policies that encourage the retention and further construction of ADUs and aim to provide housing opportunities throughout the county for all household income cohorts while avoiding the displacement of existing residents. Proposed amendments are also consistent with Water Resources Element policies that encourage programs to reduce impervious surfaces and increase groundwater recharge as they include simplified height standards that better allow for multistory ADUs subject to the same floor area limitations, allowing for less impervious surface per unit of living space. Further, proposed amendments are consistent with Open Space and Resource Conservation Element policies that encourage the protection of streamside conservation areas as amendments preserve applicability of Riparian Corridor standards.

C. The Commission is not the decision-making body for this project under the California Environmental Quality Act (CEQA), however, the proposed revisions to the County Code are statutorily exempt under CEQA Guidelines Section 21080.17 which provides for the adoption of an Ordinance to implement Article 2 (commencing with Section 66314) or Article 3 (commencing with Section 66333) of Chapter 13 of Division 1 of Title 7 of, the Government Code.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors adopt the ordinance amending Chapter 26, Article 04 (Glossary), Article 06 (Agricultural and Resource Zones), Article 08 (Residential Zones), Article 10 (Commercial Zones), Article 12 (Industrial Zones), Article 14 (Special Purpose Zones), Article 24 (Residential Use Standards), Article 88 (General Exceptions and Special Use Standards), Article 90 (Local Area Development Guidelines), and references thereto as shown in Exhibit A, incorporated herein by reference.

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 Permit Sonoma, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by **Commissioner Koenigshofer** motioned to adopt a resolution recommending that the Board of Supervisors adopt an ordinance amending Sonoma County Code Chapter 26 (Zoning Code) pertaining to accessory dwelling units (ADUs) and junior accessory dwelling units (JADUs) for compliance with State law as recommended by staff including recommended modifications for front yard setback provisions. The Planning Commission also recommended the Board consider the following with adoption of the Ordinance and provide direction to staff on future code amendments:

1. Application of building envelopes to ADUs; and
2. Direction to staff to propose code amendments to limit the use of a primary residential unit as a vacation rental when located on a lot with ADU(s); and
3. Opportunities to confirm water service provider capacity in ADU permit processing; and
4. Opportunities to assess the existence of permitted and unpermitted dwellings on site at the time of new ADU permitting.

Seconded by **Commissioner Freeman**, and adopted on roll call by the Sonoma County Planning Commission on October 2, 2025, by the following vote:

Commissioner Freeman	Aye
Commissioner Reed	Aye
Commissioner Bahning	Aye
Commissioner Koenigshofer	Aye
Commissioner McCaffery	Aye

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

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

SO ORDERED.