

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA TO RECLASSIFY CERTAIN REAL PROPERTY LOCATED AT 5565 BODEGA AVENUE, PETALUMA, APN 113-010-003, FROM LEA (LAND EXTENSIVE AGRICULTURE) B6 60 (60-ACRE DENSITY) Z (ACCESSORY DWELLING UNIT EXCLUSION), RC 50/50 (RIPARIAN CORRIDOR, 50-FOOT SETBACKS) SR (SCENIC RESOURCES) ZONING DISTRICT TO LEA (LAND EXTENSIVE AGRICULTURE) B6 60 (60-ACRE DENSITY), RC 50/50 (RIPARIAN CORRIDOR, 50-FOOT SETBACKS), SR (SCENIC RESOURCES) ZONING DISTRICT.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

Section I. The Board of Supervisors finds that adoption of this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines, because the proposal to remove the Z Combining District is a minor alteration in land use limitations in an area with an average slope of less than 20% that does not result in any changes in land use or density. This ordinance is a minor alteration in land use limitations that does not alter the base zoning or allowable uses or density because under state law, addition of one accessory dwelling unit may not be considered to exceed the allowable density for the lot upon which it is located and shall be deemed to be a residential use that is consistent with the existing general plan and zoning designations for the lot (Government Code § 65852.2(a)(8)). Adoption of the proposed ordinance is also exempt from CEQA pursuant to 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.

Section II. The Official Zoning Database (OZD) of the County, adopted by reference in Section 26-02-110 of the Sonoma County Code, is hereby amended to reclassify the following real property from the LEA (Land Extensive Agriculture), B6 60 (60-acre density), Z (Accessory Dwelling Unit Exclusion), RC 50/50 (Riparian Corridor, 50-foot setbacks), SR (Scenic Resources) zoning district to the LEA (Land Extensive Agriculture), B6 60 (60-acre density), RC 50/50 (Riparian Corridor, 50-foot setbacks), SR (Scenic Resources) zoning district, for 2.93 acres located at 5565 Bodega Avenue, Petaluma; APN 113-010-003. File No. ZCE18-0021. The Director of the Permit and Resource Management Department is directed to reflect this amendment in the OZD of the County as shown on Sectional District Map No. _____.

Section III. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby

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declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

Section IV. This Ordinance shall be and the same is hereby declared to be in full force and effect from and after thirty (30) days after the date of its passage and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in *The Press Democrat*, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, finally passed and adopted this ____ day of ____, 2019, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: ____ Zane: ____ Gore: ____ Hopkins: ____ Rabbitt: ____

Ayes: ____ Noes: ____ Absent: ____ Abstain: ____

WHEREUPON, the Chair declared the above and foregoing Ordinance duly adopted and

SO ORDERED.

David Rabbitt
Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sheryl Bratton,
Clerk of the Board of Supervisors