



Legislation Details (With Text)

File #: 2022-1399
Type: Consent Calendar Item **Status:** Passed
File created: 11/30/2022 **In control:** Permit and Resource Management
On agenda: 1/10/2023 **Final action:** 1/10/2023
Title: File No. ZPE22-0099 Strickland Grant Deed of Agricultural Easement and Covenant to allow one detached farm family dwelling unit on property located at 9512 W. Dry Creek, Healdsburg.
Sponsors: Permit and Resource Management
Indexes:
Attachments: 1. Summary Report.pdf, 2. Att 1 ZPE22-0099 Proposal Statement.pdf, 3. Att 2 ZPE22-0099 Site Plan.pdf, 4. Original Grant Deed

Date	Ver.	Action By	Action	Result
1/10/2023	1	Board of Supervisors	Approved as recommended	Pass

To: Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Joshua Miranda, Planner II (707) 565-1948

Vote Requirement: Majority

Supervisory District(s): Fourth

Title:

File No. ZPE22-0099 Strickland Grant Deed of Agricultural Easement and Covenant to allow one detached farm family dwelling unit on property located at 9512 W. Dry Creek, Healdsburg.

Recommended Action:

Authorize the Chair of the Board of Supervisors to execute a Grant Deed of Agricultural Easement and Covenant to allow one detached farm family dwelling unit on the property located at 9512 W. Dry Creek, Healdsburg, APN 139-140-035; Permit Sonoma File No. ZPE22-0099 and find the action exempt from the California Environmental Quality Act. (Fourth District)

Executive Summary:

The Land Intensive Agriculture zoning district allows for one (1) detached farm family dwelling unit per lot, provided that a Williamson Act contract is in effect. A farm family dwelling unit is defined as an additional single-family dwelling incidental to the main dwelling in terms of size, location and architecture which is not leased, subleased, rented or sub-rented separately from the main dwelling nor divided by sale, and which is inhabited by a member of the farm operator's family. A farm family dwelling is considered a compatible use as described in the County's Uniform Rules for Agricultural Preserves and Farmland Security Zones for Williamson Act contracted lands. Staff recommends Board approval of the request for the Farm Family Dwelling because all zoning requirements for the proposed Farm family dwelling have been met. The requested action is exempt from the California Environmental Quality Act (CEQA) under Title 14 California Code of Regulations CEQA Guidelines Sections 15061(b)(3), 15301, 15307, and 15308.

Discussion:

Thomas L Strickland and Kathy F Shirley, the landowners, seek approval of a Zoning Permit to designate an

existing 1365 square foot single family residence as a Farm Family Dwelling Unit on a 19.3-acre vineyard property located at 9512 W. Dry Creek, Healdsburg; APN 139-140-035. The farm family dwelling will be occupied by a member of the farm operator's family.

Site Characteristics:

The 19.3-acre property is accessed from W. Dry Creek Road in the Dry Creek Valley area, approximately 7 miles northwest of the City of Healdsburg. The Farm Family Dwelling is proposed to be established adjacent to the new 3,510 square foot primary residence. Other structures on site include an existing barn and water tower located on the northern portion of the property. Approximately 12 acres of the 19.3-acre property is planted with vineyard. Zoning for the site is LIA (Land Intensive Agriculture) B6-20 (20 acres per dwelling unit) and combining zones for Z (Accessory Unit Exclusion), RC100/50 (Riparian Corridor with 100-foot and 50-foot setbacks), SR (Scenic Resources), and VOH (Valley Oak Habitat). The property is currently in compliance with a Williamson Act contract.

Farm Family Dwelling:

The Sonoma County Zoning Code allows Farm Family Dwelling units on properties zoned LIA (Land Intensive Agriculture), provided that the standards under Section 26-24-160 (B) are met.

Sec. 26-24-160 (B) Standards:

1. A maximum of one (1) Farm Family Dwelling unit is allowed per lot.
2. LIA zone: Allowed only on a property with a Williamson Act contract.
3. LIA and LEA zones:
 - a. An agricultural easement having a term equal to the useful life of the structure, but in no event less than twenty (20) years, shall be offered to the county at the time of application.
 - b. A covenant shall be recorded, in a form satisfactory to county counsel, which acknowledges that, in the event that the agricultural use is terminated on the property, the Farm Family Dwelling becomes a nonconforming residential use.

Staff finds the proposed request is consistent with the Zoning Code definition (Sec. 26-24-160 (A)) and standards for a farm family dwelling as the 1,365 square foot residence proposed for the farm family dwelling is incidental to the proposed 3,510 square foot primary residence and the farm family dwelling will be occupied by a member of the farm operator's family. Additionally, the request meets the Land Intensive Agriculture Zoning District requirements for a farm family dwelling as the property is subject to a Williamson Act contract for prime agricultural land (contract recorded under Book 2841, Page 567) and a Grant Deed of Agricultural Easement and Covenant (Farm Family Housing) has been prepared for the request. The easement will protect and preserve the resource value, agricultural viability, and productiveness of the property, and ensure that the property continues in agricultural use throughout the term of the easement and will cover the whole property.

CEQA Exemption

The requested action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15301, 15307 and 15308, because the farm family dwelling is an existing structure to be restricted to under the easement and covenant assure the protection of the environment. The requested action is also covered by the commonsense exemption under Title 14 California Code of Regulations CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. No exceptions to these categorical exemptions are present.

Staff Recommendation:

Staff recommends the Board approve the request to authorize the Chair of the Board of Supervisors to execute a Grant Deed of Agricultural Easement and Covenant because all zoning requirements for the farm family dwelling are met and a Grant Deed of Agricultural Easement and Covenant (Farm Family Housing) has been prepared.

Strategic Plan:

Not Applicable

Prior Board Actions:

Not Applicable

FISCAL SUMMARY

Not Applicable

Narrative Explanation of Fiscal Impacts:

Not Applicable

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

Att 1 ZPE21-0099 Proposal Statement

Att 2 ZPE22-0099 Site Plan

Related Items "On File" with the Clerk of the Board:

Original Grant Deed of Agricultural Easement and Covenant