



## Legislation Text

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**File #:** 2021-1335, **Version:** 1

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**To:** Board of Supervisors

**Department or Agency Name(s):** Permit Sonoma

**Staff Name and Phone Number:** Scott Hunsperger 707-565-1908

**Vote Requirement:** Majority

**Supervisory District(s):** First

**Title:**

File No. ZPE21-0078 Steven D. Skolnik Revocable Trust Grant Deed of Agricultural Easement and Covenant for Farm Family Dwelling 14005 Highway 12, Glen Ellen

**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 14005 Highway 12, Glen Ellen, APN 054-160-005; Permit Sonoma File No. ZPE21-0078. (First 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 of the zoning requirements for a farm family dwelling have been met.

**Discussion:**

Steven D. Skolnik Revocable Trust, the landowner, seeks approval of a Zoning Permit to designate an existing 840 square foot residence as a Farm Family Dwelling Unit on a 12.5-acre parcel. The landowner plans to build a new primary residence after the existing dwelling is designated as a Farm Family Dwelling Unit.

**Site Characteristics:**

The 12.5-acre parcel is located at 14005 Highway 12, Glen Ellen, APN 054-160-005 (Site or Property) in Sonoma Valley, approximately 3 miles northwest of the City of Sonoma. The Site is developed with an existing 840 square foot primary residence with residential storage area, agricultural barn, and 6.31 acres of vineyards and orchards. Zoning for the site is LIA (Land Intensive Agriculture) B6-60 (60 acres per dwelling unit) with the SR combining zone (Scenic Resources).

**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 existing 840 square foot residence proposed for the farm family dwelling is incidental to the proposed new 3,324 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 parcel is subject to a Williamson Act contract for prime agricultural land (contract recorded under Book 2606, Page 695) 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.

In addition, this project is aligned with the Sonoma County Five-year Strategic Plan by helping to create a healthier and safer community by increasing the amount of affordable housing in the Sonoma Valley area.

**Staff Recommendation:**

Staff recommends the Board approve the request because all of the 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:**

This item directly supports the County's Five-year Strategic Plan and is aligned with the following pillar, goal, and objective.

**Pillar:** Healthy and Safe Communities

**Goal:** Goal 3: In collaboration with cities, increase affordable housing development near public transportation and easy access to services.

**Objective:** Objective 3: Create incentives for developers to promote affordable housing development in the County.

**Prior Board Actions:**

N/A

**FISCAL SUMMARY**

**Narrative Explanation of Fiscal Impacts:**

N/A

**Narrative Explanation of Staffing Impacts (If Required):**

N/A

**Attachments:**

ATT 1: Proposal Statement

ATT 2: Site Plan

**Related Items “On File” with the Clerk of the Board:**

Original Grant Deed of Agricultural Easement and Covenant.