



## Legislation Text

---

**File #:** 2022-0755, **Version:** 1

---

**To:** Board of Supervisors

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

**Staff Name and Phone Number:** Claudette Diaz, Project Planner, (707) 565-7387

**Vote Requirement:** Majority

**Supervisorial District(s):** Fifth

**Title:**

1:45 PM - ZCE21-0006 Zone Change to remove the Z (ADU Exclusion) Combining District; 10531 Bodega Hwy

**Recommended Action:**

The Permit Resource and Management Department (Permit Sonoma) recommends that the Board of Supervisors find the project exempt from the California Environmental Quality Act and approve a zone change to remove the Z Accessory Dwelling Unit Exclusion Combining District from the parcel located at 10531 Bodega Hwy. (Fifth District)

**Executive Summary:**

The project proposes the approval of a Zone Change to remove the Z (Accessory Dwelling Unit Exclusion) combining district on a 19.86-acre parcel zoned Diverse Agriculture (DA), located at 10531 Bodega Highway, approximately 6 miles west of the City of Sebastopol. The subject parcel is developed with a single-family residence and accessory structures.

The Planning Commission adopted Resolution 22-03 on June 16, 2022 to revoke an existing Use Permit (UP6452) for an agriculture employee dwelling unit that was previously demolished as required by UP 6452 Conditions of Approval; and, a recommendation to your Board to approve the Zone Change to remove the Z Combining District for the subject parcel.

**Discussion:**

The Z combining district was applied to the subject property during implementation of the 1989 General Plan, when many lands formerly designated Agriculture Exclusive were re-designated Diverse Agriculture (DA) and zoned DA Z.

In 2019 the Z was removed from approximately 1,924 parcels, including parcels over 10 acres, located in the Land Intensive Agriculture (LIA) Land Extensive Agriculture (LEA), and Diverse Agriculture (DA) zoning districts that passed the screening criteria for rezoning with the approval of Ordinance No. 6285 for the Countywide Z Removal.

The subject parcel did not meet the initial screening criteria for the Countywide Z Removal due to portions of the parcel being located within the Class 4 - Low/High Variable Water Yield Area and within a High Fire Hazard Severity Zone. The majority of the parcel is located in a Class 2 Major Natural Recharge Area and a within a Moderate Fire Hazard Severity Zone.

Parcels that did not meet the initial screen criteria for the 2019 Countywide Z removal are assessed on a case-by-case basis and must not meet criteria for inclusion for the Article 76 of the Sonoma County Code. The subject parcel does not meet the criteria for inclusion found in Article 76.

The parcel was previously developed with an agricultural employee dwelling unit approved by use permit UP 6452 which was demolished in May 2022. Conditions of approval of UP 6452 required revocation of the use permit at the time that the need to house agricultural employees had ceased. The parcel does not currently have an agricultural use and does not meet the thresholds for qualifying agriculture to allow for the development of a new agricultural employee dwelling unit.

The project proposes a Zone Change to remove the Z Combining District to allow for an Accessory Dwelling Unit (ADU) to be developed on the subject parcel in the future.

Additional details on this proposal are available in the attached Planning Commission Staff Report dated June 16, 2022 (Attachment 2).

Planning Commission voted 4-0 on June 16, 2022, adopting a resolution finding the project exempt from CEQA, approving the revocation of the UP 6452 for the agricultural employee dwelling, and recommending approval to the Board of Supervisors for the requested zone change to remove the Z Combining District.

**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 ZCE21-0006 Ordinance
- Att 2 ZCE21-0006 Planning Commission Staff Report
- Att 3 ZCE21-0006 Planning Commission Actions and Resolution
- Att 4 ZCE21-0006 Site Plan
- Att 5 ZCE21-0006 Fire Prevention Site Evaluation
- Att 6 ZCE21-0006 Staff PowerPoint

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

Not Applicable