

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE BY SECTION 26-02-110 OF THE SONOMA COUNTY CODE, BY RECLASSIFYING CERTAIN REAL PROPERTY FROM LIA B6 20 Z, F1, RC50/25 RC100/50 SR VOH ZONING DISTRICT(S) TO THE LIA B6 20, F1, RC50/25 RC100/50 SR VOH ZONING DISTRICT FOR 6.22-ACRES LOCATED AT 1524 DRY CREEK RD HEALDSBURG CA, APN 089-040-001.

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 (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 Board of Supervisors finds that adoption of this ordinance is consistent with the General Plan. Removal of the Z Combining District is consistent with the Land Intensive Agriculture land use designation and will not significantly alter any of the potential uses that are currently allowed on this site.

Section III. The Board of Supervisors finds that adoption of this ordinance is consistent with Chapter 26 of the Sonoma County Code (Zoning). Removal of the Z Combining District would allow for an accessory dwelling unit on the parcel. Accessory dwelling units are allowed in the LIA Zoning District (Sec. 26-06-030, Allowed land uses). The parcel meets the Zoning Ordinance requirements for an accessory dwelling unit. Section 26-88-060 of the Zoning Ordinance allows an accessory dwelling unit in zoning districts that allow single-family dwellings. The subject parcel meets this standard. This parcel does not meet any of the conditions provided in Sec. 26-76-005 for retaining the Z combining district, for the following reasons:

- a. The parcel has sufficient water supply to serve a primary dwelling unit and an accessory dwelling unit. The majority of the parcel and the existing

well is located in a Class 1 Groundwater Availability Area, which indicates location in a major natural recharge area.

- b. Adequate wastewater disposal is available. The parcel and the development facilitated by the project would be served by an existing septic system currently supporting a single family dwelling. Septic Permit SEP23-0042 proposing the replacement of a 6 bedroom non-standard mound system for the single family dwelling and ADU is currently pending approval.
- c. The parcel is not located in an area with existing traffic hazards, and the addition of an accessory dwelling unit to this site would not increase the burden on streets, roads, or highways in the area as they are all operating acceptably and are not projected to become impacted in the foreseeable future.
- d. A small portion of the parcel is within the Fire Hazard Severity Zone. The 2022 Fire Hazard Severity Zone (FHSZ) Map designates approximately 0.18-acres of the total 6.22-acre property as High fire risk. The remaining 6.04-acres of the property is located outside the Fire Hazard Severity Zone. The addition of an ADU is not anticipated to substantially increase fire risk on the property as the property is relatively flat and surrounded by vineyards, there is adequate access to a county-maintained public road, and the area is in a Class 1 Groundwater Availability Area. A future ADU building permit will be required to comply with Fire Safe Standards for new development and defensible space. Additionally, the parcel is within a Local Response Area and is served by the Sotoyome Volunteer Fire Company District.

Section IV. The Official Zoning Database (OZD) of the County, adopted by reference by Section 26-02-110 of the Sonoma County Code, is amended by reclassifying the following real property from the LIA (Land Intensive Agriculture) B6 (20-acres per dwelling unit density) Z (Accessory Dwelling Unit Exclusion Combining District), F1(Floodway), RC50/25 RC100/50 (Riparian Corridor) SR (Scenic Resource) VOH (Valley Oak Habitat) Zoning Districts(s) to the LIA (Land Intensive Agriculture) B6 (20-acres per dwelling unit density), F1(Floodway), RC50/25 RC100/50 (Riparian Corridor) SR (Scenic Resource) VOH (Valley Oak Habitat) Zoning Districts(s) for 6.22-Acres located at 1524 Dry Creek Rd Healdsburg CA, APN 089-040-001. File No. ZCE23-0014. The Director of the Permit and Resource Management Department is directed to reflect this amendment to the OZD of the County as shown on Sectional District Map No.

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Section V. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby 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 VI. 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, passed and adopted this ____ day of _____, 2023, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin:	Rabbitt:	Gore:	Hopkins:	Coursey:
Ayes:	Noes:	Absent:	Abstain:	

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

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Christina Rivera,
Clerk of the Board of Supervisors