

Code Updates for Land Use Public Hearings and Procedures



File No. ORD23-0005

Board of Supervisors

February 25, 2025



Background

- January 2023, Management Review completed for Permit Sonoma
- June 2023, 18-month implementation plan approved by the Board of Supervisors
- Recommendations included the creation of a Zoning Administrator





Proposed Code Changes

- Establish the Zoning Administrator decision-making body
- Shift authority to Planning Commission and dissolve the Board of Zoning Adjustments
- Shift authority to Zoning Administrator and dissolve the Project Review & Advisory Committee
- Eliminate Hearing Waivers
- Clarify appealable actions
- Eliminate entitlement expiration
- Codify a procedure to expire inactive permit applications





Proposed Code Changes

- Chapter 2: Administration
- Chapter 3: Airport
- Chapter 13: Fire Safety Ordinance
- Chapter 23A: Environmental Quality Act of 1970 Implementation
- Chapter 25: Subdivisions
- Chapter 25C: School Facilities Fee/Dedication Ordinance
- Chapter 26: Zoning Regulations
- Chapter 26C: Coastal Zoning Regulations





Zoning Administrator

What is a Zoning Administrator?

- Authorized by state law (Government Code § 65900-65901) to hear and decide applications for use permits, variances and other permits, as provided in local ordinance
- Regional Examples
 - City of Santa Rosa
 - County of Marin
 - County of Contra Costa
- Permit Type
 - Minor Use Permit vs. Conditional Use Permit
- Threshold
 - Average Daily Trips, tree removal, groundwater availability, etc.





Zoning Administrator

As proposed for Sonoma County

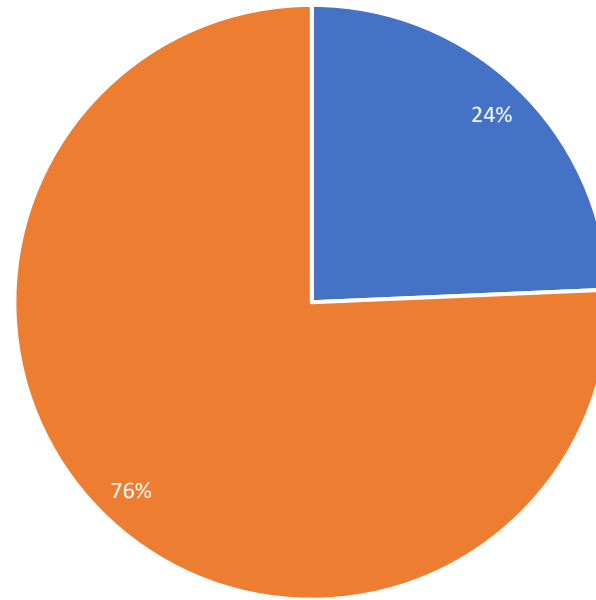
- Subordinate to Planning Commission
- Functions as Board of Zoning Adjustments + Project Review & Advisory Committee
- Hearings will replace the hearing waiver process
- Thresholds for automatic Planning Commission review
 - Conversion of 3 or more acres of timberland
 - Subdivision creating 5 or more lots
 - Four or more periodic special events in any 12-month period
 - Generation of 25 or more average daily trips





Zoning Administrator

PC/BZA Hearing Items in 2023



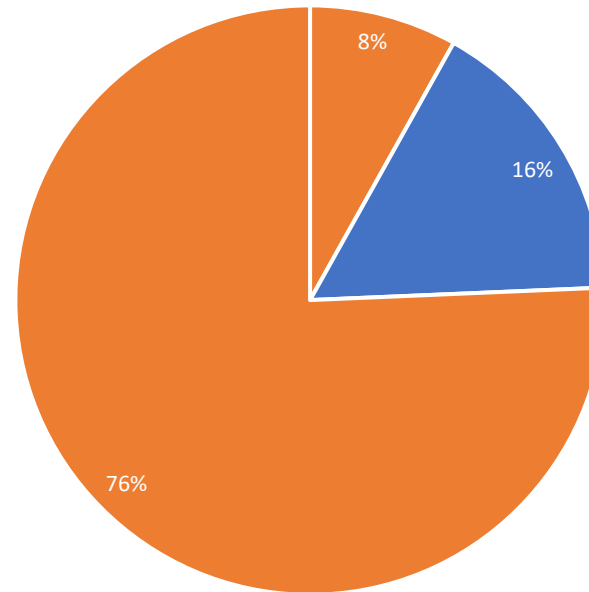
■ PC ■ BZA





Zoning Administrator

Example of PC/BZA Hearing Items in 2023 as proposed



■ PC ■ ZA





Procedural Updates

Article 92. - Administrative and Public Hearing Procedures

- Clarify appealable actions
 - Sec. 26-92-040
 - Discretionary vs. administrative or ministerial decisions
- Entitlement timelines
 - Sec. 26-92-130 Inland remove the 3-year maximum
 - Sec. 26C-293 Coastal extend from 2 years to 4.
- Codify a procedure to expire inactive permit applications
 - Sec. 26-92-135



Planning Commission Recommendation



- Recommended that the Board of Supervisors adopt the proposed amendments to Chapters 26 and 26C
- Advisory comments for other chapters
 - Telecom - Intermediate (40 feet and up) to PC
 - Cannabis over 10,000 sq/ft to PC
 - Cumulative Events, not incremental
 - Peak hour traffic rather than Average Daily Trips

Staff Recommendation



- 1) Adopt a resolution to introduce an ordinance and waive further readings of:
 - Chapter 2 (Administration)
 - Chapter 3 (Airport)
 - Chapter 13 (Fire Safety Ordinance)
 - Chapter 23A (Environmental Quality Act of 1970 Implementation)
 - Chapter 25 (Subdivisions)
 - Chapter 25C (School Facilities Fee/Dedication Ordinance)
- Find the proposed actions exempt from the California Environmental Quality Act (CEQA)

Staff Recommendation



- 2) Adopt an ordinance amending Sonoma County Code Chapter 26 (Zoning Code)
- 3) Adopt an ordinance amending Sonoma County Code Chapter 26C (Coastal Zoning Code)
- 4) Adopt a Resolution authorizing submittal of amendments to the Local Coastal Program Implementation Plan to the California Coastal Commission
- Find the proposed actions exempt from the California Environmental Quality Act (CEQA)

What's Next?



- Coastal Commission certification required for 26C
- Updates to Planning Agency
 - Bylaws
- Creation of Zoning Administrator
 - Bylaws
 - Administrative Procedures
 - Website Updates
 - FY25-26 Budget Item

Questions?

