



# County of Sonoma

## State of California

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Date: March 11, 2025

Item Number: \_\_\_\_\_  
Resolution Number: \_\_\_\_\_

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4/5 Vote Required

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### **Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Eliminating Transportation and Parks Development Impact Fees for Eligible Affordable Housing Development Within Unincorporated Sonoma County**

**Whereas**, On October 7, 1986, the Board of Supervisors adopted Ordinance No. 3627 establishing a flat per unit impact fee for parks as an alternative to dedication of land or payment of an in-lieu fee for the appraised value of land, which is now found in Article X, Chapter 20 of the Sonoma County Code; and

**Whereas**, On August 2, 1994, the Board of Supervisors adopted Ordinance No. 4816 establishing development impact fees for roadway improvements throughout unincorporated Sonoma County except for the development impact fee areas for Sonoma Valley, Airport, and Larkfield, which is now found in Article 98, Chapter 26 of the Sonoma County Code; and

**Whereas**, on February 2, 2010, the Board of Supervisors adopted Ordinance No. 5877 establishing the separate facilities funds with the County Treasurer and County Auditor-Controller for the Sonoma Valley Roadway Improvement Fund and the Countywide Roadway Improvement Fund, creating the County's current development impact fee framework for roads and transportation; and

**Whereas**, On April 21, 2015, the Board of Supervisors adopted Ordinance No. 6108 increasing development impact fees for parks throughout unincorporated Sonoma County and authorizing annual increases based on the estimated costs of developing regional and community park facilities to service the County; and

**Whereas**, in 2020 the County prepared its current Nexus Study for transportation and parks development impact fees and established the maximum allowable fee for residential development for both parks and traffic impact fees; and

**Whereas**, Sonoma County is experiencing a crisis regarding the availability of affordable housing and the Board of Supervisors desires to incentivize the development and completion of affordable housing projects through the elimination of development impact fees; and

**Whereas,** On November 5, 2024, the Board of Supervisors directed staff to initiate the process to prepare a new nexus study based on proportional square footage to align the County's impact fee nexus analysis with AB 602; and

**Whereas,** on January 14, 2025, the Sonoma County Board of Supervisors considered options for reducing development impact fees for certain eligible affordable housing projects and directed staff to eliminate all parks and traffic impact fees for deed-restricted affordable housing units available for rent or sale to very-low, low-, and moderate-income groups through the end of calendar year 2026, or until the County adopts an updated Nexus Study and fee schedule for traffic and park impact fees, whichever comes first;

**Now, Therefore, Be It Resolved:**

- 1) The Board of Supervisors hereby establishes the Development Impact Fee Elimination Program for Affordable Housing, which will apply to all "affordable housing development" within the unincorporated County. For the purposes of this Resolution, "affordable housing development" shall mean dwelling unit(s) reserved for rent or sale to persons and families of low or moderate income (as defined in California Health & Safety Code section 50093) pursuant to the provisions of the general plan housing element and requiring that the continued affordability of said units be secured by a recorded affordability restriction. The recorded affordability restriction required for eligibility under this Resolution shall be consistent with the requirements of California Government Code section 65589.5(h)(3)(C) for extremely low-, very low-, and low-income households or Government Code section 65589.5(h)(3)(D) for moderate-income households.
- 2) Pursuant to this Resolution, all development impact fees for traffic, roads, and/or transportation imposed pursuant to Article 98, Chapter 26 of the Sonoma County Code shall be eliminated for all eligible affordable housing development in the unincorporated area of the County, including the Sonoma Valley development impact fee area.
- 3) Pursuant to this Resolution, all development impact fees for parks imposed pursuant to Article 10, Chapter 20 of the Sonoma County Code shall be eliminated for all eligible affordable housing development in the unincorporated County.
- 4) Notwithstanding Sonoma County Code sections 26-98-080 and 26-98-660, development impact fees, and any elimination of fees for eligible affordable housing development pursuant to this Resolution, shall be assessed at the time of building permit issuance but not collected until the date of final inspection or issuance of the certificate of

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occupancy, whichever occurs first, in accordance with California Government Code section 66007.

- 5) The Director of the Permit Sonoma is hereby authorized to make eligibility determinations pursuant to this Resolution and is directed to execute any documents on behalf of the County of Sonoma which may be required to implement the provisions of this Resolution, provided the forms of such documents have been approved by the County Counsel. The County Counsel is authorized and directed to prepare or review and approve as to legal form, all necessary legal documents, including but not limited to affordability restrictions which may be necessary to implement the provisions of this Resolution.
- 6) Affordable housing development projects that received building permits on or after February 1, 2025 shall be eligible for consideration of elimination of impact fees pursuant to this Resolution.
- 7) This resolution shall expire on December 31, 2026, or on the date the County adopts an updated Nexus Study and fee schedule for traffic and park impact fees, whichever date comes first, unless prior to expiration the Board of Supervisors takes subsequent action extending or modifying its term.

**Supervisors:**

Hermosillo:

Rabbitt:

Coursey:

Hopkins:

Gore:

Ayes:

Noes:

Absent:

Abstain:

**So Ordered.**