

ORDINANCE NO. ()

AN ORDINANCE AMENDING SONOMA COUNTY CODE CHAPTER 26C (COASTAL ZONING), THE LOCAL COASTAL PROGRAM IMPLEMENTATION PLAN, TO IMPLEMENT ZONING ADMINISTRATOR HEARINGS AND PROCESSES; ALLOCATE HEARING DUTIES BETWEEN THE PLANNING COMMISSION AND ZONING ADMINISTRATOR; ELIMINATE REDUNDANT HEARING BODIES; MODIFY PROVISIONS GOVERNING EXPIRATION OF APPROVED USE PERMITS; AND CLARIFY AND MODIFY OTHER LAND USE PROCESSES AND PROCEDURES; AND FINDING THE LOCAL COASTAL PROGRAM AMENDMENT IS EXEMPT FROM CEQA PER CEQA GUIDELINES § 15265, THAT THE ENTIRE ACTION IS NOT A CEQA PROJECT PER GUIDELINES § 15378(B)(5) AND IN THE ALTERNATIVE IS CEQA EXEMPT PER GUIDELINES § 15061(B)(3)

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I. Purpose and Authority.

- A.** The Board of Supervisors adopted a five-year Strategic Plan in March 2021. The Strategic Plan consists of five pillars, including Organizational Excellence. The Organizational Excellence pillar commits the County to providing superior public service to Sonoma County residents. In January 2023, County consultant BerryDunn completed a formal management review of Permit Sonoma, consistent with Goal 1 of the Organizational Excellence pillar (strengthen operational effectiveness, fiscal reliability, and accountability). Initiative 1 of the Berry Dunn report recommended that Permit Sonoma review conditional use permit processes and establish a Zoning Administrator.
- B.** This Ordinance amending Sonoma County Code Chapter 26C (Coastal Zoning Resource Districts) was brought forward for concurrent consideration with two related ordinances: an ordinance amending Sonoma County Code Chapters 2 (Administration), 3 (Airports), 13 (Sonoma County Fire Safety Ordinance), 23A (Environmental Quality Act of 1970 Implementation), 25 (Subdivisions) and 25C (School Facilities Fee/Dedication Ordinance); and a separate ordinance amending Sonoma County Code Chapter 26 (Zoning Regulations). Collectively the ordinances create and enable implementation of Zoning Administrator hearings and functions, and make other changes to processes and procedures. These actions will improve Permit Sonoma's efficiency and effectiveness, consistent with the Board of Supervisors' Five-Year Strategic Plan, Permit Sonoma's organizational goals, and the BerryDunn report recommendations.

- C. Chapter 26C is part of the Implementation Plan of the Sonoma County Local Coastal Program (LCP). The Board's primary purpose in adopting this Ordinance is to make minimal changes as needed to maintain countywide uniformity of land use hearing bodies and basic related provisions, deferring substantive updates and changes to the pending comprehensive update of Chapter 26C.

SECTION II. Findings.

- A. On November 7, 2024, the Planning Commission held a duly noticed public hearing to consider and make a recommendation to the Board of Supervisors regarding this Ordinance amending Chapter 26C and the companion ordinance amending Chapter 26. The Commission's hearing was conducted consistent with applicable provisions of Chapter 26C (sections 26C-361 and 26C-362) and of Chapter 26, which require the Planning Commission to hold a public hearing and make a recommendation to the Board regarding any proposal to amend Chapter 26C and Chapter 26, respectively. While the third related ordinance is not formally within the Commission's purview, a draft of the amendments to Chapters 2, 3, 13, 23A, 25, and 25C was included in the agenda materials for the Commission's November 7 hearing to inform its consideration of this Ordinance amending Chapter 26C and the companion ordinance amending Chapter 26. After the public hearing was closed, the Commission adopted a resolution recommending that the Board of Supervisors adopt the proposed amendments to Chapters 26C and 26. Board of Supervisors has reviewed and considered the Commission's recommendations in its deliberations.
- B. On February 4, 2025 the Board of Supervisors adopted a new Sonoma County Local Coastal Plan, which became effective upon adoption based on the terms of the California Coastal Commission's conditional certification, and directed Permit Sonoma to begin work on updates to Chapter 26C and the Coastal Administrative Manual to implement the adopted Local Coastal Plan.
- C. On February 25, 2025, the Board of Supervisors held a public hearing on this Ordinance and the companion ordinances amending Chapter 26 and Chapters 2, 3, 13, 23A, 25, and 25C and continued the hearing to May 6, 2025. The Board received and considered public comments on all three ordinances, including this Ordinance amending Chapter 26C.
- D. This Ordinance amending Chapter 26C constitutes an amendment to the Sonoma County Local Coastal Program (LCP) because Chapter 26C is part of the LCP Implementation Plan. Accordingly, California Coastal Commission certification is required before the amendments to Chapter 26C are effective. Consistent with California Code of Regulations, title 14, section 13515, the amendments to Chapter 26C were circulated for public review at least six weeks prior to the Board of Supervisors' February 25, 2025 public hearing on adoption of this Ordinance.
- E. This Ordinance does not change zoning, density, intensity, development standards or permitted uses of any parcel.

SECTION II. Amendments. Sonoma County Code Chapter 26C (Coastal Zoning Resource Districts) is amended as provided in Exhibit A, attached and incorporated in this ordinance by reference.

SECTION III. Environmental determination. Pursuant to California Code of Regulations, title 14, section 15265, CEQA does not apply to activities and approvals pursuant to the California Coastal Act by a local government necessary for the preparation and adoption of a local coastal program, including an amendment to a local coastal program. Accordingly, the Board finds and determines that CEQA does not apply to adoption of this Ordinance amending Sonoma County Code Chapter 26C, as an amendment to the Implementation Plan of the Sonoma County Local Coastal Program. With respect to the entire action, the Board finds that adoption of the three related ordinances, considered individually and collectively, will not result in direct or indirect physical changes in the environment because the ordinances do not change zoning, permitted uses, density, intensity, or other development standards of any parcel. Accordingly, the Board finds and determines that the action is not a project under CEQA pursuant to CEQA Guidelines section 15378(b)(5), because the action involves only “organizational or administrative activities of government...that will not result in direct or indirect physical changes in the environment.” (Cal. Code Regs., tit. 14, § 15378(b)(5).) The Board further finds, in addition and in the alternative, that if the action is a project subject to CEQA, it is exempt under CEQA Guidelines section 15061(b)(3), the “common sense exemption.” (Cal. Code Regs., tit. 14, § 15061(b)(5).) The common sense exemption provides that “where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment,” a project is exempt from CEQA. (Id.) For the same reasons that the action is not a project under CEQA Guidelines Section 15378(b)(5), it can be seen with certainty that there is no possibility that the action may have a significant effect on the environment.

SECTION IV. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional or 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 V. This Ordinance shall be effective on the thirty-first day after the date of its adoption and shall be operative upon certification by the California Coastal Commission or on [same date as companion ordinances, TBD], whichever occurs last. The Ordinance shall be published once before the expiration of fifteen (15) days after its adoption, 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, introduced on the 25th day of February, 2025, and finally passed and adopted this 6th day of May, 2025, on regular roll call of the members of said Board by the following vote:

SUPERVISORS:

Gorin: Coursey: Gore: Hopkins: Rabbitt:

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:

M. Christina Rivera,
Clerk of the Board of Supervisors