

## SUMMARY OF PROPOSED ORDINANCE

### **SUMMARY OF A PROPOSED ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, ENACTING SECTION 14-3-070 OF THE SONOMA COUNTY CODE TO CONDITIONALLY AUTHORIZE MICROENTERPRISE HOME KITCHEN OPERATIONS**

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Pursuant to Government Code § 25124(b), on \_\_\_\_\_, the Sonoma County Board of Supervisors will consider the following ordinance for adoption during its regular meeting in the Board of Supervisors Chambers at 575 Administration Dr., Santa Rosa, California 95403: “An Ordinance Of The Board Of Supervisors Of The County Of Sonoma, State Of California, Amending Chapter 14 Of The Sonoma County Code To Conditionally Authorize Microenterprise Home Kitchen Operations.”

The proposed ordinance adds Section 14-3-070 to the Sonoma County Code, which is summarized below:

#### **Section 14-3-070**

Subdivision (a) makes certain findings.

Subdivision (b), pursuant to California Health and Safety Code section 114367, authorizes the permitting of Microenterprise Home Kitchen Operations, subject to limitations. It further provides “This authorization applies to the unincorporated area of the county, and to all cities and towns for which the county health officer serves as the city health officer. If any subsection, sentence, clause or phrase of this section is, for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, or rendered invalid by any existing or subsequent State law, or stayed by any court order, this entire section shall automatically sunset unless and until further legislative action is taken by the Board of Supervisors.”

Subdivision (c) defines the terms that are used in the ordinance.

Subdivision (d) requires a permit and application for a Microenterprise Home Kitchen Operation.

Subdivision (e) provides operating requirements for Microenterprise Home Kitchen Operations.

Subdivision (f) provides for inspections.

Subdivision (g) provides for civil enforcement.

Subdivision (h) provides for administrative civil penalties.

Subdivision (i) declares that violation of the ordinance to be a nuisance.

Subdivision (j) authorizes enforcement through a civil action.

Subdivision (k) makes first offenses an infraction, and subsequent offenses a misdemeanor, and makes each day of violation a separate offense.

**Environmental Determination.** Adoption of this Ordinance is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense) because it can be seen with certainty that there is no possibility that adoption of this ordinance may have a significant effect on the environment. In addition, the Ordinance is exempt pursuant to CEQA Guidelines Section 15305 (minor alterations in land use limitations) in that no

changes to density or land use will be permitted, and all kitchen operations will be in already developed, level residences with no outdoor construction or grading issues.

If adopted, the proposed ordinance would become effective on January 1, 2025. A certified copy of the full text of the proposed ordinance is posted and available for review in the office of the Clerk of the Board of Supervisors, 575 Administration Drive, Room 100A, Santa Rosa, California, during regular business hours, and is also available at the Board of Supervisors' website with the materials for the \_\_\_\_\_ meeting agenda at <https://sonoma-county.legistar.com/Calendar.aspx>.

M. Christina Rivera, Clerk of the Board of Supervisors,  
County of Sonoma

By: \_\_\_\_\_  
Deputy Clerk