

# ORDINANCE NO. ()

**AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE OF THE COUNTY OF SONOMA, ADOPTED BY REFERENCE IN SECTION 26-02-110 OF THE SONOMA COUNTY CODE, TO RECLASSIFY CERTAIN REAL PROPERTY FROM THE LIA B6 100, LG/MTN MR RC50/25 SR ZONING DISTRICTS TO THE LIA B6 100 LG/MTN RC50/25 SR ZONING DISTRICTS FOR 25.16 ACRES LOCATED AT LOCATED AT 585 TRINITY ROAD; APN 053-110-076.**

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

Section I. The Board of Supervisors by Resolution No. #####, incorporated and made part of this ordinance, certified that a Mitigated Negative Declaration prepared for the cannabis cultivation project at 585 Trinity Road (File No. PLP17-0040) (a) reflects the Board of Supervisors' independent judgment and analysis, (b) was presented to and reviewed and considered by the Board of Supervisors, and (c) was completed in compliance with the California Environmental Quality Act.

Section II. The Board of Supervisors finds that adoption of this ordinance is consistent with the General Plan. Removal of the MR Combining District will not alter the existing Land Intensive Agriculture land use designation and will not significantly alter any of the potential uses that are allowed by the Land Intensive Agriculture land use designation or the base zoning of the 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 MR Combining District would preclude future mineral extraction on the parcel. The MR Combining District is intended to align with the County Aggregate Resources Management (ARM) Plan and allows for surface mining with an approved Use Permit and Reclamation Plan, while restricting residential development. The removal of the MR Combining District is appropriate given that:

- a. The former surface mining operation projected a depletion of high-quality mineral resources by 2018 and subsequently amended a Reclamation Plan to reflect ceasing all further mineral extraction to align with this time.
- b. The approved Reclamation Plan for the former operation, which includes the removal of mining equipment, stabilizing of slopes, and revegetation, is active and currently in year four (4) of the five (5) year timeline.
- c. Removal of the MR Combining District would revert the parcel to the allowed uses and densities of the base zone, Land Intensive Agriculture, but would not modify the maximum permitted residential density of the parcel or result in the allowance of uses that do not align with County

Code Section 26-06-030 (Agricultural and Resource Zones, Allowed land uses).

Section IV. The Official Zoning Database (OZD) of the County, adopted by reference in Section 26-02-110 of the Sonoma County Code, is hereby amended to reclassify the 25.16 acre real property located at 585 Trinity Road; APN 053-110-076. File No. PLP17-0040 from LIA B6 100 LG/MTG MR RC50/25 SR zoning districts to LIA B6 100 LG/MTG RC50/25 SR zoning districts. The Director of the Permit and Resource Management Department is directed to reflect this amendment in the OZD of the County.

Section V. 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 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, introduced on the 21st day of March, 2023, on regular roll call of the members of said Board by the following vote:

**SUPERVISORS:**

Gorin:                      Rabbitt:                      Coursey:                      Gore:                      Hopkins:

Ayes:                      Noes:                      Absent:                      Abstain:

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

**SO ORDERED.**

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Chair, Board of Supervisors  
County of Sonoma

ATTEST:

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Clerk of the Board of Supervisors