

ORDINANCE NO. ()

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING SONOMA COUNTY CODE CHAPTER 26 (ZONING REGULATIONS) TO REFORMAT, REORGANIZE, CONSOLIDATE AND DELETE REDUNDANCIES AND MAKE LIMITED ADDITIONAL TEXT AMENDMENTS TO CLARIFY EXISTING POLICY AND AS NECESSARY FOR CONFORMITY WITH STATE LAW; AND DETERMINING EXEMPTION FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT

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

Section I. Environmental Determination. Adoption of the Ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to the “common sense exemption” of CEQA Guidelines section 15061(b)(3). 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, the activity is not subject to CEQA. The proposed amendments to Chapter 26 Zoning Regulations are limited to changes in formatting, organization, numbering, and consolidation of redundant and outdated text. The Ordinance would not change the substance of land use and development requirements from what is currently provided under the General Plan, Zoning Regulations, related permits or guidelines, and controlling state law. With respect to the amendments needed for state law conformity, those amendments are narrowly drafted to ensure conformity with state law that is in effect and overrides conflicting local ordinance. Accordingly, because it may be seen with certainty that there is no possibility that the proposed ordinance may have a significant effect on the environment, adoption of the Ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3). Alternatively and for the foregoing reasons, adoption of the Ordinance is not a project subject to CEQA in the first instance, because the action has no potential for causing either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. (CEQA Guidelines section 15378(a).)

Section II. The following provisions of Sonoma County Code Chapter 26 are repealed:

- A. Section 26-02-140;
- B. Articles 04 through 52, inclusive; and
- C. Section 26-88-080.

Section III. Sonoma County Code Chapter 26 is amended to add replacement text as shown in Exhibit A.

Section IV. Appendix A is added to Sonoma County Code Chapter 26 as shown in Exhibit B.

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 V. 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, passed and adopted this 9th day of February, 2021, 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.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Sheryl Bratton,
Clerk of the Board of Supervisors