

Resolution Number

County of Sonoma  
Santa Rosa, California

September 17, 2020  
ORD17-002 Doug Bush

A RESOLUTION OF THE PLANNING COMMISSION, COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS ADOPT AN ORDINANCE AMENDING CHAPTER 26 OF THE SONOMA COUNTY MUNICIPAL CODE TO REORGANIZE AND REFORMAT CHAPTER 26 CONSISTENT WITH EXHIBIT A, ELIMINATE MUNICIPAL CODE SECTION 26-88-080 AND FIND THE ACTION EXEMPT FROM CEQA.

WHEREAS, the mission of the Permit and Resource Management Department is to serve the people of Sonoma County by providing a customer-focused process for the orderly development of real property, balanced with resource stewardship under the general policy direction of the Board of Supervisors and to develop and maintain standards that protect the health and safety of the public; and

WHEREAS, the Zoning Code of the County Sonoma, codified as Chapter 26 of the Sonoma County Municipal Code, is one of the primary tools for implementing the General Plan through detailed land use and development regulations; and

WHEREAS, it is essential for the Zoning Code to be clear, navigable and accessible for all users; and

WHEREAS, the existing Zoning Code is cumbersome, poorly organized, lacks visual aids, and is outdated in terms of organization and terminology; and

WHEREAS, due to a lack of a significant formatting update, the County's zoning code has become difficult to use, leading to confusion and frustration for the public, challenges for application and interpretation of the code by staff, and excessive demands on staff resources; and

WHEREAS, reorganizing and reformatting land use articles, creating use tables and development standard tables is an essential first step toward modernizing the zoning code and will provide greater clarity for code users, reduce redundant language, facilitate simpler navigation of the code, facilitate understanding of the zoning code, encourage consistent application and interpretation of the code, and prepare for future policy changes which will be implemented by the Zoning Code and which will benefit from a simplified and clarified format; and

WHEREAS, large family day cares shall now be treated as a permitted residential use and may not be subject to additional standards beyond those applied to a single family residence and Zoning Code Section 26-88-080 is now rendered null and void with the September 5, 2019 passage of Senate Bill 234; and

WHEREAS, Zoning Code Modernization has been identified as a priority project in the Comprehensive Planning Work Plan for fiscal year 2019/2020 and 2020/2021, as approved by the Board of Supervisors on June 4, 2019; and

WHEREAS, in accordance with the provisions of law, the Planning Commission held a duly noticed public hearing on September 17, 2020 at which time all interested persons were given an opportunity to be heard,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission makes the following findings:

1. CEQA. The proposed zoning ordinance amendments are strictly limited to formatting changes which have no effect on land use. Therefore, it has been determined that there will be no environmental effect resulting from this project. This project is exempt from the California

Environmental Quality Act. The action is not a "project" subject to CEQA (CEQA Guidelines, Section 15378(a) because the action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. The activity is also covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment (CEQA Guidelines, Section 15061(b)(3). 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.

2. General Plan Consistency. The proposed changes to the Zoning Code would improve the usability of the document for all users and would remove barriers to effective interpretation and implementation of the code. Because the Zoning Code implements the General Plan, and because this project would improve the utility of the Zoning Code without making any changes to regulations, the proposed action is consistent with the General Plan.
3. Zoning Consistency. The proposed ordinance amendments would format the zoning ordinance without making any changes to existing regulations beyond that which is necessary to comply with state and federal law. The proposed draft articles are consistent with all existing regulations of the existing zoning code.
4. Additional Findings
  - a. A notice of the public hearing was duly published for public review and comment at least 10 days prior to the public hearing.
  - b. The Planning Commission has reviewed and considered the staff report and presentation, and all comments, materials and other evidence presented by member of the public prior to and during the public hearing held by the Commission on September 17, 2020.

BE IT FURTHER RESOLVED that, based upon the entire record of proceedings herein and the findings above, the Planning Commission hereby determines that the proposed zoning text amendments will not have a significant effect upon the environment.

BE IT FURTHER RESOLVED that, the Planning Commission recommends that the Board of Supervisors approve the proposed zoning amendments.

BE IT FURTHER RESOLVED that, the Planning Commission designates the Secretary of the Planning Commission as the custodian of the documents and other material, which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner \_\_\_\_\_, who moved its adoption, seconded by Commissioner \_\_\_\_\_, and adopted on roll call by the following vote:

Commissioner	Aye

Ayes:                      Noes:                      Absent:                      Abstain:

WHEREUPON, the Chair declared the above and foregoing Resolution duly adopted; and

SO ORDERED.