

ORDINANCE NO. 6254

AN UNCODIFIED ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA REGARDING RECONSTRUCTION OF SINGLE-FAMILY DWELLINGS DESTROYED IN THE 2017 SONOMA COMPLEX FIRES AND LOCATED IN THE GEOLOGIC HAZARD AREA COMBINING DISTRICT

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

Section I. Findings. The Board hereby incorporates by reference the findings set forth in Paragraphs 1-3, inclusive, of Resolution No. 18-0535, adopted by the Board of Supervisors immediately prior to this Ordinance on December 11, 2018.

Section II. Reconstruction of Single-Family Dwellings Destroyed in October 2017 Sonoma Complex Fires.

A. Purpose.

1. This Ordinance specifies that, with respect to the 'G' Geologic Hazard Area Combining District, the geologic report and fault setback requirements that apply to new development projects do not apply to the reconstruction of single-family homes that were destroyed in the October 2017 fires in Sonoma County.

B. Definitions.

1. Fire-destroyed dwelling. A single-family dwelling that was located on a lot in the 'G' Geologic Hazard Area Combining District and was destroyed in the October 2017 Sonoma Complex Fires.
2. Geologic Hazard Area. The term Geologic Hazard Area shall mean the 'G' Geologic Hazard Area Combining District, as provided in Sonoma County Code Chapter 26, Article 70, the stated purpose of which is to reduce unnecessary exposure of people and property to risks of damage or injury from earthquakes, landslides and other geologic hazards in state-designated Alquist-Priolo Earthquake Fault Zones.
3. Geologic Report. For purposes of this ordinance, the term "geologic report" shall refer to a fault study prepared or required pursuant to General Plan Policy PS-1f and Sonoma County Code § 26.70.030.
4. Single-family dwelling. For purposes of this ordinance only, the term "single-family dwelling" shall have the same meaning as set forth in state Public Resources Code, section 2621.6, subsections (a)(2)(A)-(B) and (b).

- C. Notwithstanding any contrary provision of the Sonoma County Code, a geologic report shall not be required prior to reconstruction of a single-family dwelling located in the Geologic Hazard Area that was destroyed in the October 2017 Sonoma Complex Fires, provided that all requirements of Section II.D of this ordinance are met.
- D. Notwithstanding any contrary provision of the Sonoma County Code, no setback from active faults or the surface trace thereof shall be required to rebuild a single-family dwelling that was located in the Geologic Hazard Area and destroyed in the October 2017 Sonoma Complex Fires, provided that all requirements of this ordinance are met.

Section III. No Mandatory Duty of Care. This ordinance is not intended to and shall not be construed or given effect in a manner that imposes upon the County or upon any officer or employee thereof a mandatory duty of care toward persons and property, so as to provide a basis of civil liability for damages, except as otherwise imposed by law.

Section IV. Preemption. This ordinance shall not be interpreted in any manner that conflicts with the laws or constitutions of the State of California.

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. Effective Date. 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, adopted this 11th day of December, 2018, on regular roll call of the members of said Board by the following vote:


SUPERVISORS:

Gorin: Aye Rabbitt: Aye Zane: Aye Hopkins: Aye Gore: Aye

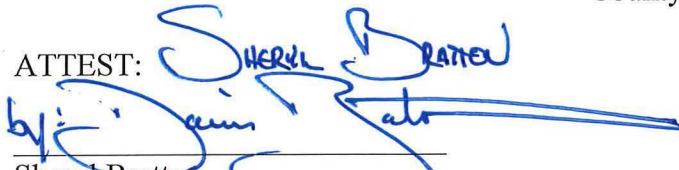
Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

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

