

JURISDICTIONAL LAND USE TOOLS

INTRODUCTION

Land use patterns in Sonoma County have been and will continue to be influenced by the policies, programs, activities, and infrastructure investments of government organizations at all levels including federal, State, and local jurisdictions. Historically, the most influential government institutions with regard to Sonoma County's land use patterns have been the local governments: the County government and the individual cities. These local governments have been delegated "police power" by the State of California to protect the public health, safety, and welfare, which includes the powers to regulate land use, development, and building activity.

Concurrent with the Post-War building boom that occurred in California, the State of California continuously strengthened and expanded the land use authority and responsibilities of local governments through legislative mandates and voter-approved initiatives. In response, Sonoma County's local jurisdictions have developed an elaborate system of regulations including general plans, zoning ordinances, resource management ordinances, subdivision controls, and building controls. It has been the adoption and exercise of this regulatory framework by the County and cities, along with market forces and geography, that have led to the land use patterns we see today in Sonoma County.

The role of the State government, aside from creating the legislative mandates for land use control implemented by local governments, has been less direct. The State has authority over State Highways and has contributed to financing other major infrastructure over the years. The State has also influenced land use through its fiscal policy. The "fiscal wars" of local governments over retail and commercial uses are the result of how taxes are returned to local governments by the State.

The federal government has historically had little influence over land use patterns in Sonoma County. Unlike many of California's counties there is very little federal land ownership (e.g. national forests, national parks, BLM holdings) in Sonoma County. Also there is no interstate highway in the County. During the past three decades the federal government has had a mandate to assure clean air (Clean Air Act) and clean water (Clean Water Act) and protect endangered species (Endangered Species Act). Enforcement of these federal mandates has increased in Sonoma County during the past decade, influencing a wide range of local government activities including water supply, sewage disposal, and development patterns and costs. Recently the regulation of endangered species and their habitat has intensified considerably in Sonoma County as elsewhere. It is likely that these federal mandates will increasingly influence local land use policy and related land use patterns.

The “Jurisdictional Land Use Tools” section of the Sonoma County Land Use Audit focuses upon the exercise of land use regulations by the County and cities, with an emphasis upon the County. This section includes a description of the individual jurisdictions and the land use regulations and/or activities that they have adopted and are implementing. Reference will be made to key historical events and examples of how the regulations have been physically expressed (e.g. community separators). The Institutional Landscape, as a part of the Land Use Audit, will provide an understanding the existing local land use regulating jurisdictions and their regulations. This information can serve as a pretext for subsequent evaluation and recommended changes or additions to the current regulatory framework needed to achieve goals that will be identified by the Steering Committee.

DESCRIPTION OF COUNTY/CITY LAND USE REGULATIONS

This section will provide a general description of the basic components of land use regulations imposed by the County and cities, including their statutory basis, history, function, and local application.

GENERAL PLAN

AREA PLANS AND SPECIFIC PLANS

ZONING ORDINANCE

GROWTH MANAGEMENT ORDINANCES

SUBDIVISION ORDINANCE

RESOURCE PROTECTION ORDINANCES

BUILDING CODES

CEQA ORDINANCE

OTHER LOCAL/REGIONAL JURISDICTIONS REGULATIONS

These jurisdictions have independent mandates that regulate and/or affect land use in Sonoma County. Each of these jurisdictions will be described including its statutory basis, history, function, and local application.

LOCAL AGENCY FORMATION COMMISSION

OPEN SPACE DISTRICT

CALIFORNIA COASTAL COMMISSION

KEY FEATURES OF LOCAL LAND USE REGULATIONS

This section will address how the land use regulations described above actually function in Sonoma County and how they have addressed broad land use goals or objectives. It is important to note that these broad goals and objectives are potentially competing – it is “planning”, as an expression of local values and political will that must resolve such potential conflicts.

RESOURCE MANAGEMENT

OPEN SPACE PRESERVATION

ADEQUACY AND CURRENCY OF PUBLIC INFRASTRUCTURE AND SERVICES

GROWTH MANAGEMENT & URBAN EXPANSION

HOUSING

COMMUNITY AND ECONOMIC DEVELOPMENT