

ORDINANCE NO. 326

AN ORDINANCE OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT
REVISING DISTRICT CODE CHAPTER 6.12

WHEREAS, the Central Contra Costa Sanitary District (Central San) has determined that there is a need to update certain provisions within Chapter 6 of the District Code; and

WHEREAS, a public hearing was noticed pursuant to Government Code Sections 50022.3 and 6066 for May 4, 2023 at 2:30 p.m. at the District Board of Directors Regular Meeting scheduled for that date; and

WHEREAS, a properly noticed public hearing was held on May 4, 2023 where all interested parties were given an opportunity to be heard, and thereupon the public hearing was closed; and

WHEREAS, the District Counsel has reviewed these proposed Code revisions and concluded that adoption of these Code modifications does not constitute a California Environmental Quality Act (CEQA) Project as defined under Title 14 of California Code of Regulations; specifically it does not constitute a Project pursuant to §§ 15378(b)(2), (4) and (5) because:

- i) this action is continuing administrative in nature, and deals with general policy and procedure making; and
- ii) it does not create any governmental funding mechanism or fiscal activity involving a commitment to any specific project; and
- iii) it is an organizational and administrative activity that will not result in any direct or indirect changes to the environment; and

WHEREAS, the Board of Directors duly considered all oral and documented evidence.

NOW, THEREFORE, the Board of Directors of the Central Contra Costa Sanitary District does ordain as follows:

1. Amendment of Section 6.12.030 E

District Code Section 6.12.030.E shall be amended to read as follows:

E. Capacity Fees for Unpermitted Work.

1. Capacity Fees for an Accessory Dwelling Unit for which the District did not issue a permit for an Additional Living Unit or Accessory Dwelling Unit shall be charged as described in the Schedule of Capacity Fees, Rates and Charges.
2. Capacity Fees for all other uses for which the District did not receive a request for a connection permit or building plans for review shall be charged at the rate that is current at the time of discovery.

2. Finding of No “Project”

The District Board’s action in adopting the proposed Code revisions does not constitute a Project as envisioned by CEQA, as this action is consistent with defined circumstances which do not constitute a Project pursuant to the provisions of Title 14 §§ 15378(b)(2), (4) and (5).

3. Effective Date

This Ordinance shall be a general regulation of Central San and shall be published once in the *Contra Costa Times* and *San Ramon Valley Times*, newspapers of general circulation within the District Boundary, and shall be effective on May 19, 2023. This Ordinance shall be kept on file with the Secretary of the District.

PASSED AND ADOPTED by the Board of Directors of the Central Contra Costa Sanitary District on the 4th day of May 2023, by the following vote:

AYES: Members: Lauritzen, McGill, Wedington, Hockett
NOES: Members: Pilecki
ABSENT: Members: None

/s/ Barbara D. Hockett
Barbara D. Hockett
President of the Board of Directors
Central Contra Costa Sanitary District
County of Contra Costa, State of California

COUNTERSIGNED:

/s/ Katie Young
Katie Young
Secretary of the District
Central Contra Costa Sanitary District
County of Contra Costa, State of California

Approved as to form: /s/ Richard Pio Roda for
Kenton L. Alm, Esq.
Counsel for the District