



COUNTY OF SONOMA

575 ADMINISTRATION
DRIVE, ROOM 102A
SANTA ROSA, CA 95403

SUMMARY REPORT

Agenda Date: 11/12/2024

To: Sonoma County Board of Supervisors

Department or Agency Name(s): Permit Sonoma

Staff Name and Phone Number: Tennis Wick, (707) 565-1925, Azine Spalding, (707) 565-2541

Vote Requirement: 4/5th

Supervisorial District(s): Countywide

Title:

10:30 A.M. PLP24-0013 General Plan Amendment and Zone Change Technical Corrections - Round 10

Recommended Action:

Conduct a public hearing and adopt a resolution and adopt an ordinance finding the project exempt from the California Environmental Quality Act (CEQA Guidelines Sections 15061(b)(3) and 15305) and approving the proposed amendments to the Sonoma County General Plan and the Official Zoning Database. (4/5th Vote Required) (Countywide)

Executive Summary:

Permit Sonoma staff periodically identify zoning and/or land use discrepancies to improve and maintain the accuracy of the Official Zoning Database (OZD). Minor zoning changes and General Plan land use amendments are then brought forward as technical corrections to improve the database. Minor zone changes and General Plan amendments required as conditions of approval for lot line adjustments and subdivision approvals are also included as technical corrections to align the zoning and land use boundaries with the new parcel boundaries. On September 1, 2009, the Board of Supervisors adopted the first set of technical corrections to the OZD, some of which required concurrent General Plan amendments. To date, the Board has adopted nine sets of technical corrections to the OZD and General Plan Land Use Map.

In addition to corrections to rectify historical errors or discrepancies and to implement project conditions of approval, this round of technical corrections includes updates to zoning combining district boundaries to align with parcel boundaries that shift over time and updated data sources, as required by the code provisions of the combining districts. These updates include significant revisions to the Floodway (F1) and Floodplain (F2) Combining Districts to match updated and in-place Federal Emergency Management Agency (FEMA) regulations, which impact many parcels along the lower Russian River and limit development on portions of parcels that are mapped as Special Flood Hazard Areas. Also included are revisions to the Geologic Hazard (G) Combining District, corresponding to the California Geologic Survey's (CGS) updated and in-place Alquist-Priolo Earthquake Fault Zone maps, which requires specific geotechnical studies for development on affected parcels.

On October 17, 2024, the Planning Commission held a public hearing on the proposed technical corrections and accepted public comments from interested members of the public. The comments largely related to the adequacy of public noticing for the changes and the impacts of the FEMA mapping changes on development potential and flood insurance requirements. At the hearing, the Planning Commission approved a resolution recommending that the Board of Supervisors adopt a resolution amending the County General Plan Land Use

Map and an ordinance amending the Official Zoning Database (OZD) to implement the technical corrections. Notices for the Planning Commission public hearing and this Board of Supervisors hearing were sent to property owners of affected parcels and property owners within a 300-foot radius of an affected parcel.

Discussion:

Project Description

The purpose of the proposed changes is to correct technical errors in zoning resulting from inaccurate manual transcription of data and incorrect zoning code language, as well as rectify inconsistencies between zoning and General Plan land use designations. Minor or routine zone changes, such as those required by project conditions of approval, have also been included in the project. This round of corrections includes technical updates to combining district boundaries needed to correspond to parcel boundary shifts and updated data sources. The proposed changes will not result in any substantive change to County land use policy. The categories of corrections are as follows:

- A. Inadvertent Errors and Historical Corrections.** This category involves corrections to zoning and General Plan land use designations to resolve inadvertent errors and/or historical inconsistencies and restore the subject parcels to the correct zoning and/or land use. Attachment 3 (Planning Commission Staff Report, October 17, 2024) provides an overview of each correction. Attachment 1 (Resolution) lists the existing and proposed General Plan land use designations for affected parcels and Attachment 2 (Ordinance) lists existing and proposed zoning designations.

- B. Required as Conditions of Project Approvals.** This category implements minor zone changes or amendments to General Plan land use designations required as conditions of approval for lot line adjustment and subdivision approvals. The County Subdivision Ordinance in Sonoma County Code Section 25-70.3(h) allows a lot line adjustment or subdivision approval between parcels of different general plan land use designations and/or zoning districts provided that a zone change and/or general plan amendment application is submitted to ensure that district boundaries coincide with the resultant property lines. Since the proposed amendments are routine, unopposed, and required as a condition of a prior project approval, they have been included as a part of these technical corrections for efficiency of processing. Attachment 1 (Resolution) lists the existing and proposed General Plan land use designations for affected parcels and Attachment 2 (Ordinance) lists existing and proposed zoning designations.

- C. Combining District Mapping Updates.** A combining district is a zoning overlay on the base zoning district. This category of corrections involves updates to combining district boundaries to accurately reflect the location of the combining district on affected parcels to align with shifted parcel boundaries over time and updated data sources. Proposed corrections involve the following combining districts: BH (Biotic Habitat), HD (Historic District), F1 (Floodway), F2 (Floodplain), LG (Local Guidelines), MR (Mineral Resources), OAK (Oak Woodland), RC (Riparian Corridor), SR (Scenic Resources), G (Geologic Hazard), and VOH (Valley Oak Habitat). Attachment 2 (Ordinance) includes the existing and proposed zoning combining district designations for affected parcels.

Corrections to the F1 (Floodway), F2 (Floodplain), and G (Geologic Hazard) Combining Districts are necessary to reflect updated data sources as required by the code provisions of the combining districts.

The F1 and F2 Combining Districts correspond to the Federal Emergency Management Agency's (FEMA) Special Flood Hazard Areas. Combining district corrections to the F1 and F2 Combining District boundaries are necessary to reflect recent updates to FEMA's flood hazard maps, which FEMA finalized and published on July 31, 2024.

Sonoma County participates in the National Flood Insurance Program (NFIP), which is managed by the Federal Emergency Management Agency and provides flood insurance in communities that have adopted floodplain management regulations for Special Flood Hazard Areas (SFHA). The basis of a community's floodplain management regulations is the flood hazard data FEMA provides. In support of the NFIP, FEMA identifies flood hazards nationwide and publishes and periodically updates flood hazard data. These data are provided to communities in the form of a Flood Insurance Rate Map (FIRM) and Flood Insurance Study (FIS) report. If a community does not adopt new floodplain management regulations or amend its existing regulations to meet FEMA's requirements and submit the adopted regulations to FEMA before the effective date of the FIRM and FIS report, the community will be suspended from the NFIP. The following sanctions apply if a community is suspended from the NFIP:

- Property owners will not be able to purchase NFIP flood insurance policies, and existing policies will not be renewed.
- Federal grants or loans for development will not be available in identified flood hazard areas. This applies to funds from programs administered by Federal agencies such as the Department of Housing and Urban Development, the Environmental Protection Agency, and the Small Business Administration.
- Federal disaster assistance will not be provided to permanently repair insurable buildings in identified flood hazard areas for damage caused by a flood.
- Federal mortgage insurance or loan guarantees, such as those written by the Federal Housing Administration and the Department of Veteran Affairs, will not be provided in identified flood hazard areas.
- Federally insured or regulated lending institutions, such as banks and credit unions, are allowed to make conventional loans for insurable buildings in flood hazard areas of non-participating communities. However, the lender must notify applicants that the property is in a flood hazard area and that the property is not eligible for Federal disaster assistance. Some lenders may voluntarily choose not to make these loans.

If a property owner believes that the property has erroneously been included in the Special Flood Hazard Area, they may submit a Letter of Map Change request, which formally determines the location and elevation of the property in relation to the SFHA. Requests to amend or revise the Flood Insurance Rate Map are processed through FEMA, not the County of Sonoma.

FEMA first released updated preliminary Flood Insurance Rate Maps based on a Flood Insurance Study in October 2022. FEMA published two notices in the Press Democrat on June 22, 2023 and June 29, 2023, and a 90-day appeal period commenced between June 29, 2023 and September 27, 2023, during which residents or businesses could appeal flood risk information on the preliminary maps. The final maps were published on July 31, 2024.

The G (Geologic Hazard) Combining District corresponds to the California Geologic Survey (CGS) maps of Alquist-Priolo Earthquake Fault Zones (EFZs). The California Geologic Survey published revised maps of EFZs for the southern Rodgers Creek Fault Zone in Sonoma County in February 2024, and technical corrections to the location of the G Combining District boundaries must be updated to correspond to the updated maps. The California Geological Survey first released preliminary review maps of the revised Earthquake Fault Zones on August 24, 2023. The State provided a 90-day public comment period from August 23, 2023 to November 22, 2023. In October 2023, Permit Sonoma sent mailed notices to all owners of unincorporated property that intersected with the preliminary Earthquake Fault Zones to advise owners of the proposed State mapping changes and public comment period.

Additional background on the State and Federal mapping updates is available in Attachment 3 (Planning Commission Staff Report, October 17, 2024).

Planning Commission

At a public hearing on October 17, 2024, the Planning Commission recommended that the Board of Supervisors adopt a resolution amending the County General Plan Land Use Map and an ordinance amending the Official Zoning Database (OZD) for technical corrections that address historical mapping errors, implement project conditions of approval, and update Combining District mapping.

Noticing

Notices for the October 17, 2024 Planning Commission public hearing were sent to property owners of affected parcels and property owners within a 300-foot radius of an affected parcel.

Notices for the Board of Supervisors November 12, 2024 hearing were sent to property owners of affected parcels and property owners within a 300-foot radius of an affected parcel. The notice was also published in the Press Democrat on November 1, 2024.

Notices of public hearing are sent to the mailing addresses of owners of record and not to the property address.

Public Comment

Staff received many inquiries and written public comment related to the Technical Corrections project. Property owners who attended the October 17, 2024, Planning Commission hearing also had the opportunity to provide public comment in person.

Most of the comments and inquiries were related to the Floodway (F1) and Floodplain (F2) Combining District changes that implement FEMA's revised flood hazard area maps, and the Geologic Hazard (G) Combining District changes that implement the California Geologic Survey (CGS) maps of Alquist-Priolo Earthquake Fault Zones (EFZs). Commenters expressed concerns about flood insurance rates increasing due to expansion of the F1 and F2 Combining Districts boundaries.

As discussed above, property owners have been informed that the County of Sonoma is required to adopt FEMA floodplain management regulations for Special Hazard Flood Areas (SFHA) because the County participates in the National Flood Insurance Program (NFIP), managed by FEMA.

California Environmental Quality Act

The amendments to the General Plan land use designations and zoning designations to correct errors are exempt from the California Environmental Quality Act (CEQA) as follows. The amendments to General Plan land use designations and zoning to correct historical errors and inconsistencies are exempt under CEQA Guidelines Section 15061(b)(3) as it can be seen with certainty that there is no possibility that these changes may have a significant effect on the environment because the proposed amendments to the General Plan and zoning will only make minor, inconsequential changes for consistency and accuracy. No change in the physical environment would result because no development is proposed as part of the adjustments to land use and zoning designations, and because the amendments only implement the existing regulations. These updates are needed to ensure the accuracy and reliability of the General Plan Land Use Map and Official Zoning Database.

Amendments to the General Plan land use designations and zoning designations to implement previously approved project conditions of approval were analyzed in compliance with CEQA as part of their originating project and at the time of project approval. These amendments are exempt from CEQA pursuant to CEQA Guidelines Section 15305 (Class 5), Minor Alterations in Land Use Limitations, because the amendments merely realign the General Plan land use boundaries and zoning boundaries to be coterminous with adjusted property lines.

Other amendments to the Official Zoning Database are to update the F1 (Floodway) and F2 (Floodplain) Combining Districts to reflect the most recently revised flood mapping from the Federal Emergency Management Agency (FEMA) and to update the G (Geologic Hazard) Combining District to reflect the most recently updated Alquist-Priolo Earthquake Fault Zones from the California Geologic Survey (CGS). These updates are directed by County Code and are thus ministerial and statutorily exempt from CEQA pursuant to CEQA Guidelines § 15268.

General Plan Consistency

The proposed amendments are consistent and compatible with the Sonoma County General Plan in that the changes include technical corrections and minor, inconsequential zone changes being undertaken to ensure consistency in the General Plan and Official Zoning Database, implement conditions of approval of previously approved projects, and reflect previously approved changes in combining district boundaries.

Strategic Plan:

Not Applicable

Racial Equity:

Not Applicable

Was this item identified as an opportunity to apply the Racial Equity Toolkit?

No

Prior Board Actions:

The Board of Supervisors has approved nine sets of technical corrections since 2009.

Title	Ordinance/Resolution #	Adoption Dates
Technical Corrections Round 1	ORD# 5850	Sept. 1, 2009

Agenda Date: 11/12/2024

Technical Corrections Round 2	RES# 10-0472	June 8, 2010
	RES# 11-0250	May 10, 2011
Technical Corrections Round 3	RES# 12-0512	Oct. 23, 2012
Technical Corrections Round 4	RES# 13-0448	Nov. 5, 2013
Technical Corrections Round 5	RES# 16-0017	Jan. 5, 2016
Technical Corrections Round 6	RES# 18-0479	Dec. 4, 2018
Technical Corrections Round 7	RES# 19-0545	Dec. 10, 2019
Technical Corrections Round 8	ORD# 6403	March 7, 2023
Technical Corrections Round 9	ORD# 6455 RES# 23-0578	December 5, 2023

FISCAL SUMMARY

Not Applicable

Narrative Explanation of Fiscal Impacts:

Not Applicable

Narrative Explanation of Staffing Impacts (If Required):

Not Applicable

Attachments:

- Attachment 1: PLP24-0013 Resolution with Exhibit A - Table of Proposed General Plan Amendments
- Attachment 2: PLP24-0013 Rezoning Ordinance with Exhibit A - Table of Proposed Zone Changes
- Attachment 3: PLP24-0013 Planning Commission Staff Report, October 17, 2024
- Attachment 4: PLP24-0013 Planning Commission Resolution No. 24-13, October 17, 2024
- Attachment 5: PLP24-0013 PowerPoint Presentation

Related Items "On File" with the Clerk of the Board:

Not Applicable