



County of Sonoma

State of California

Date: February 25, 2025

Item Number: _____

Resolution Number: _____

4/5 Vote Required

**A Resolution of the Board of Supervisors of the County of Sonoma, State of California,
Authorizing Submittal of Amendments to Sonoma County Code Chapter 26C, the Local
Coastal Program Implementation Plan, to the California Coastal Commission and Finding That
the Action is Exempt From CEQA Per CEQA Guidelines Section 15265**

Whereas, pursuant to Public Resources Code section 30500, the Sonoma County Local Coastal Program consists of a Land Use Plan and an Implementation Plan. The Local Coastal Plan (LCP) is the Land Use Plan and Sonoma County Code Chapter 26C (Coastal Zoning Resource Districts) and the Coastal Administrative Manual comprise the Implementation Plan;

Whereas, The proposed ordinance amending Chapter 26C implement a Zoning Administrator hearing process in the Coastal Zone, consistent with ; and implements allocation of public hearing authority and duties between the Zoning Administrator (minor items) and the Planning Commission (major items), consistent with the amendments in the proposed ordinance amending Sonoma County Code Chapter 2; extends the standard period to meet project conditions of in the Coastal Zone; and makes similar minor changes to update procedures. The proposed ordinance does not change zoning or the permitted uses, density, intensity, or development standards for any parcel.

Whereas, on November 7, 2024 the Sonoma County Planning Commission held a duly noticed public hearing on proposed amendments to Chapter 26C that would implement a Zoning Administrator and Zoning Administrator hearing process in the Coastal Zone; eliminate the Board of Zoning Adjustments and Project Review and Advisory Committee and

allocate public hearing authority and duties between the Zoning Administrator for minor items and the Planning Commission for major items; and make limited additional changes to procedures. In the same item, the Planning Commission also considered related amendments to other chapters of the Sonoma County Code, intended to create and implement a County Zoning Administrator, restructure public hearing bodies and procedures, and clarify other land use related processes and procedures. After closing the public hearing, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt the amendments to Chapter 26C as proposed; and

Whereas, on February 4, 2025 the Board of Supervisors adopted a comprehensive update to the LCP, which became effective upon adoption based on the terms of the Coastal Commission's conditional certification of the LCP, and directed Permit Sonoma to begin work on amendments to Chapter 26C and the Coastal Administrative Manual to implement the adopted LCP; and

Whereas, on February 25, 2025 the Board of Supervisors held a duly noticed public hearing to take public comments and testimony and consider adoption of amendments to Chapter 26C of the Sonoma County Code and Local Coastal Program Implementation Plan. After the public hearing was closed, the Board adopted the amendments to Chapter 26C, implementing a Zoning Administrator hearing process in the Coastal Zone, eliminating the BZA and PRAC, reallocating hearing duties between the Zoning Administrator and Planning Commission; and making other minor changes to procedures to maintain uniformity of certain basic processes and procedures countywide; and

Whereas, adequate and timely public notice for this amendment has been provided, consistent with Sections 13552 and 13515 of title 14 of California Code of Regulations; Government Code section 65854; and the Sonoma County Code. Notice of the Board of Supervisors' February 25, 2025 public hearing was published in *The Press Democrat* at least ten working days before the hearing, and the proposed amendments to Chapter 26C were posted and circulated for public review for more than six weeks in advance of the February 25, 2025 hearing before the Board of Supervisors; and

Whereas, the amendment to the Implementation Plan does not change permitted uses, zoning, density, intensity, or development standards applicable to any parcel, and is necessary to maintain uniform land use hearing processes and related procedures in both the coastal zone and inland areas of the County; and

Whereas, pursuant to Public Resources Code sections 21080.5 and 21080.9 and California Code of Regulations, title 14, sections 15250, 15251(f) and 15265, this Implementation Plan amendment is exempt from California Environmental Quality Act (CEQA) requirements for preparation of an environmental impact report, negative declaration, or initial study, because the California Coastal Commission's review and approval process has been certified by the Secretary of Resources as a CEQA functional equivalent process; and

Whereas, in its consideration of the ordinance amending Chapter 26C, together with the related ordinances amending Sonoma County Code Chapter 26 and Chapters 2, 3, 13, 23A, 25, and 25C, the Board of Supervisors determined that the action is not a project subject to CEQA, pursuant to section 15378(b)(5) of the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15378(b)(5)), which excludes "organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment" from the definition of "project." The Board further determined that, if adoption of the ordinances is considered as a project, the action is exempt from CEQA under the "common sense exemption" in CEQA Guidelines section 15061(b)(3) (Cal. Code of Regs., tit. 14, § 15061, subd. (b)(3)), because "it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment," for the same reasons that the action is not a project under CEQA Guidelines section 15378(b)(5); and

Whereas, this amendment to the Implementation Plan conforms to the Local Coastal Program, in that it does not negatively impact public coastal access, water or marine resources, sensitive habitat, visual resources, visitor-serving uses, or public facilities; and

Whereas, pursuant to Public Resources Code section 30514, subdivision (a), the Local Coastal Program amendment does not take effect until it is certified by the California Coastal

Commission;

Now, Therefore, Be It Resolved that the Board of Supervisors:

1. Amends the Implementation Plan of the Local Coastal Program as provided in Exhibit A to this resolution, attached and incorporated by reference;
2. Certifies that this Amendment is intended to be carried out in conformance with the California Coastal Act;
3. Finds and determines that adoption and submission of this Amendment to the California Coastal Commission is exempt from CEQA pursuant to Public Resources Code section 21080.9 and California Code of Regulations, title 14, section 15265; and further finds that adoption of the amendments to Chapter 26C is not a project subject to CEQA pursuant to CEQA Guidelines section 15378(a), and in the alternative that adoption of the amendments to Chapter 26C is exempt from CEQA under CEQA Guidelines section 15061(b)(3); and
4. Authorizes and directs Permit Sonoma to submit the Local Coastal Program Amendment attached as Exhibit A, together with all necessary documentation, to the California Coastal Commission for the Commission's review and certification in accordance with Public Resources Code section 30514.

Supervisors:

Hermosillo:

Rabbitt:

Coursey:

Gore:

Hopkins:

Ayes:

Noes:

Absent:

Abstain:

So Ordered.