



County of Sonoma

State of California

Date: August 22, 2023

Item Number: 35

Resolution Number: 23-0429

4/5 Vote Required

**A Resolution Of The Board Of Supervisors Of The County Of Sonoma, State Of California,
Amending The Sonoma County General Plan To Repeal The 2015-2023 Housing Element,
Adopt the 2023-2031 Housing Element, And Amend the General Plan Land Use Map To
Implement the Housing Element**

Whereas, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Board of Supervisors adopt an updated Housing Element for the eight-year period 2023-2031 to accommodate the regional housing need allocation (RHNA) of 3,824 housing units for the unincorporated County of Sonoma, including 584 very-low income units, 1084 low-income units, and 627 moderate-income units;

Whereas, the County prepared the 2023-2031 Housing Element (the Housing Element or Project) in compliance with State Housing Element Law, and identified sites that can accommodate housing units meeting the County's RHNA; and

Whereas, the Housing Element is a mandatory element of the General Plan, and adoption of the Housing Element is a General Plan amendment, as provided in Government Code Section 65350 et. seq.; and

Whereas, in compliance with Government Code sections 65352 – 65352.5, the County mailed a referral notice regarding the Housing Element Update to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed. The County's notice to Tribes under Government Code Sections 65352 and 65352.3 was combined with invitations to consult under the California Environmental Quality Act (CEQA), and was mailed on November 2, 2021; and

Whereas, no California Native American Tribe requested consultation; and

Whereas, the County conducted extensive community outreach since December 2021, including four housing advisory committee meetings, eight focus group meetings with community-based organizations, three online public surveys with a total of 6,470 responses, two public workshops, four public meetings at the Planning Commission, three public meetings with supervisorial districts and one public meeting at the Board of Supervisors; and

Whereas, in accordance with Government Code Section 65585(b), on November 3, 2022, the County posted the public review draft Housing Element for a 30-day review period and requested public comment. On December 30, 2022, after responding to public comments, the County submitted the initial draft Housing Element to the State Department of Housing and Community Development (HCD) for its 90-day review; and

Whereas, after further review and analysis by County consultants and staff of HCD comments on draft Housing Elements in other jurisdictions, the County revised the initial Draft Housing Element to address expected HCD comments, to respond to public input, and to update data. On March 13, 2023 the County posted the revised Draft Housing Element and sent an email link to all interested parties. On March 20, 2023 the County submitted the revised draft Housing Element to HCD; and

Whereas, on March 30, 2023, the County received a letter from HCD providing its findings regarding the Draft Housing Element, as submitted on December 30, 2022 and revised on March 21, 2023; and

Whereas, the County revised the Draft Housing Element in response to HCD's findings, and on June 30, 2023, the County published the Planning Commission Adoption Draft Housing Element on the Permit and Resource Management Department (Permit Sonoma) website and requested public comment on the draft; and

Whereas, on July 13, 2023 and July 20, 2023, the Planning Commission held a duly noticed public hearing to hear and consider public testimony and make recommendations to the Board of Supervisors regarding certification of the Final Environmental Impact Report (Final EIR) prepared for the Housing Element Update and adoption of the Housing Element, amendments to General Plan land use and zoning for identified housing sites, and technical corrections to Sonoma County Code Chapter 26 to reinstate inadvertently deleted housing uses and repeal provisions that conflict with State housing laws; and

Whereas, the Planning Commission adopted a resolution recommending that the Board of Supervisors certify the Final EIR and adopt the Housing Element, amendments to General Plan land use and zoning designations where needed for sites identified for inclusion in the site inventory, and text amendments to Chapter 26, with modifications to certain programs and sites included in the Housing Element site inventory; and

Whereas, the Board of Supervisors' Adoption of the Housing Element reflects the Planning Commission's recommended changes to programs and sites, and errata; and

Whereas, on August 22, 2023, the Board of Supervisors conducted a duly noticed public hearing to take public testimony and consider certification of the Final EIR and adoption of the Housing Element, General Plan land use amendments, rezoning ordinance, and ordinance making technical corrections to Chapter 26. The Board reviewed and considered the Housing Element and all pertinent documents and other materials, including HCD's findings and the County's response to HCD's findings, the staff report and attachments, and oral and written public comments; and

Whereas, the Board of Supervisors has certified the Final EIR as adequate and complete in compliance with the California Environmental Quality Act and the State CEQA Guidelines, and as adequate and complete for consideration in making a decision on the merits of the Housing Element Update Project, which it defines to include the 2023-2031 Housing Element, amendments to the General

Plan Land Use Map to change land use and density for identified housing sites, and rezoning of identified housing sites; and

As provided in Government Code Section 65583(c)(8), the Housing Elements Law contemplates that adoption of a Housing Element may create internal inconsistency within the General Plan and requires that those inconsistencies be resolved during implementation.

Now, Therefore, Be It Resolved that the Board of Supervisors makes the following findings, based on substantial evidence in the record:

1. The above recitals are true and correct and are incorporated into these findings by reference.
2. General Plan consistency. The General Plan and Area Plan Consistency Analysis attached and incorporated into this resolution as Exhibit D is accurate.
 - a. The Board of Supervisors acknowledges that adoption of the Housing Element and associated General Plan land use amendments will create some internal inconsistency within the General Plan, particularly with objectives and policies in the Land Use Element related to limiting population growth. Adoption of the Housing Element Update will cause the population buildout potential in the unincorporated County to exceed the projections in General Plan 2020, and some Land Use Element objectives and policies are designed to avoid exceeding those projections. However, the County is mandated by State law to plan for and provide adequate sites sufficient to accommodate the County's 3,826-unit RHNA for the 2023-2031 planning period.
 - b. State Housing Element Law recognizes that adoption of a Housing Element may create internal inconsistency within a General Plan, and requires that those inconsistencies be resolved during implementation. Government Code Section 65583(c)(8) contemplates that the County may address inconsistencies after adoption of the Housing Element, as a planned implementation action with a timeline. General Plan amendments to address the inconsistencies created by adoption of the Housing Element are programmed in the Housing Element for adoption by December 2024.
3. Adequacy of sites. The Housing Sites Inventory, as reflected in Appendix D of the Housing Element, include both sites already zoned for housing and sites being rezoned to allow housing at the County's default density of 20 units per acre. Housing Element Program 4 includes additional actions to be undertaken by January 31, 2024 to rezone additional identified sites to address the County's regional housing need (RHNA) with a 30% buffer to address No Net Loss laws. The Inventory utilizes realistic capacity assumptions based on County's previous development patterns and meets the requirements of state housing law. Less than 50% of the County's lower-income RHNA is accommodated on non-vacant sites. All sites accommodating lower- or moderate-income RHNA are located within designated Urban Service Areas and served by or are anticipated to be served by urban sewer and water systems; development anticipated to occur on sites within the Graton USA would be subject to both the County's Well Ordinance and State requirements for public water systems. The Housing Sites Inventory does not exacerbate or create racial or ethnic isolation or segregation and does not overly concentrate sites appropriate for development of lower-income housing in any single area of the County. The Housing Sites Inventory address the County's RHNA; meet statutory requirements; and affirmatively further fair housing by providing development opportunities for housing for lower-income households in areas with high opportunity and good access to jobs, transportation, and a healthy environment.

4. The Housing Element substantially complies with State Housing Element Law (Government Code 65580 et seq.) and includes all provisions required by the Housing Element Law.

5. As required by Government Code Section 65585(e), the Board of Supervisors has considered the findings made by HCD in its March 30, 2023 letter to the County, and has modified the Housing Element in response to HCD's findings as described the County's Responses; HCD's letter and the County's responses included at Exhibit C to this resolution, and incorporated herein by reference.

Be It Further Resolved that the Board of Supervisors hereby amends the Sonoma County General Plan as follows:

1. The 2015-2023 Housing Element is repealed.
2. The 2023-2031 Housing Element, attached as Exhibit A, A-1, A-1a, and A-2, and incorporated herein by reference, is adopted.
3. The General Plan Land Use Map is amended as to each parcel listed and identified in Exhibit B hereto, to modify the land use designations and density set forth in the table at said Exhibit B.
 - i. Exhibit E is attached hereto to depict the split land use condition on APN 084-020-011.

Be It Further Resolved that the Board directs as follows:

1. The Director of Permit Sonoma or designee is directed to file all material with HCD that is necessary for HCD to certify that the 2023-2031 Housing Element substantially complies with State Housing Element Law.
2. The Director of Permit Sonoma or designee, in consultation with County Counsel, is authorized to make non-substantive changes to the Housing Element necessary to achieve internal consistency, and is further authorized to make reasonable non-substantive amendments suggested by HCD as necessary to achieve certification. This authorization is not, and shall not be construed as, delegation of the legislative power of the Board of Supervisors. If the Director determines that any substantive amendment to the Housing Element is required, the Director of Permit Sonoma is authorized and directed to immediately initiate public hearings on the necessary General Plan amendment.
3. The Director of Permit Sonoma or designee is directed to distribute copies of the 2023-2031 Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

Be It Further Resolved that the Board of Supervisors designates the Director of Permit Sonoma or designee as the custodian of the documents and other material which constitute the record of proceedings upon which the decision herein is based. These documents may be found at the County of Sonoma Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, California 95403.

The Foregoing Resolution was introduced by Supervisor Hopkins who moved its adoption, seconded by Supervisor Gorin and adopted on roll call by the following vote:

Supervisors:

Gorin: Rabbitt: Gore: Hopkins: Coursey:

Ayes: Noes: Absent: Abstain:

So Ordered.

EXHIBITS

Exhibit A: 2023-2031 Housing Element

Exhibit A-1: Housing Element Appendices with Errata Tables

Exhibit A-2: Housing Element Technical Background Report

Exhibit B: General Plan Land Use Table

Exhibit C: HCD March 30, 2023 Comment Letter and County's Response Table

Exhibit D: General Plan Consistency Table

Exhibit E: Sectional Land Use Map for APN 084-020-011