

Resolution Number 23-35

County of Sonoma
Santa Rosa, California

July 20, 2023
PLP20-0018 Eric Gage

RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF SONOMA, STATE OF CALIFORNIA, RECOMMENDING THAT THE BOARD OF SUPERVISORS CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT; APPROVE A GENERAL PLAN AMENDMENT REPEALING THE 2015-2023 HOUSING ELEMENT AND ADOPTING THE 2023-2031 HOUSING ELEMENT; APPROVE AMENDMENTS TO GENERAL PLAN LAND USE AND ZONING OF RECOMMENDED HOUSING SITES; AND AMEND SONOMA COUNTY CODE SECTIONS 26-08-040; 26-14-030, AND 26-08-030 TO MAKE TECHNICAL CORRECTIONS

WHEREAS, the California Legislature has found that “California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state’s environmental and climate objectives” (Government Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that “In 2018, California ranked 49th out of the 50 states in housing units per capita. California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years; and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Board of Supervisors adopt a Housing Element for the eight-year period 2023-2031 to accommodate the County’s adjusted regional housing need allocation (RHNA) of 3,824 housing units, comprised of 1,036 very-low income units, 596 low-income units, 627 moderate-income units, and 1,622 above moderate-income units, and which reflects a RHNA transfer agreement with the City of Cloverdale that was approved by the Association of Bay Area Governments in 2022; and

WHEREAS, to comply with State Housing Element Law, County staff prepared the 2023-2031 Housing Element (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the County’s RHNA. Making these sites available for housing to accommodate the County’s RHNA requires amendments to the General Plan Land Use and zoning designations of the identified sites; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element is a General Plan Amendment; and

WHEREAS, as provided in Government Code Sections 65352 – 65352.5 the County mailed a public notice to all California Native American tribes provided by the Native American Heritage Commission and to other entities listed; and

WHEREAS, the County's notice to California Native American tribes under Government Code Sections 65352 and 65352.3, which was combined with invitations to consult under the California Environmental Quality Act (CEQA), was mailed on November 2, 2021. No Tribe requested consultation; and

WHEREAS, the County previously engaged in consultation with the Federated Indians of Graton Rancheria for the 59-site Rezoning Sites for Housing project between May and October 2020, and that consultation informed the development of the Housing Element and the Environmental Impact Report prepared for the Housing Element; and

WHEREAS, the preparation, adoption, and implementation of the Housing Element requires a diligent effort to include all economic segments of the community; 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 draft Housing Element and requested public comment for a 30-day review period, and on December 30, 2022, after responding to public comments, the County submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on March 14, 2023, the County posted a revised draft Housing Element and submitted the revised draft to HCD for its review; and

WHEREAS, on March 30, 2023, the County received a letter from HCD providing its findings regarding the draft Housing Element; and

WHEREAS, on June 30, 2023, the County published a final draft Housing Element responding to HCD's findings and reflecting staff's recommendation for a revised Housing Sites Inventory, including a reduced list of sites recommended for rezoning for housing and addition of programs for future action to make additional sites for housing available; and

WHEREAS, the County previously determined that the Housing Element Update would require the preparation of an environmental impact report (EIR) under the California Environmental Quality Act (CEQA), and, pursuant to CEQA Guidelines section 15082, issued a Notice of Preparation (NOP) for the EIR to solicit input on the

environmental analysis of the Housing Element Update Project and submitted the NOP to the State CEQA Clearinghouse and interested agencies and persons on June 15, 2022, for a 30-day review period; and

WHEREAS, the County prepared a Draft Environmental Impact Report (DEIR) (SCH No. 2022060323) for the Housing Element Update Project, including the potential environmental impacts of rezoning up to 59 identified sites for housing as well as the buildout of twenty (20) additional sites proposed to be included in the Housing Element Inventory without change to current zoning. The County circulated the DEIR for public comment for 46 days from December 28, 2022, to February 14, 2023, and copies of the DEIR were made available on the County's website and in hard copy for review by the public and responsible and trustee agencies, and all were invited to submit comments on the DEIR to the County Permit and Resource Management Department (Permit Sonoma); and

WHEREAS, on February 2, 2023, the Planning Commission held a public hearing as provided in Sonoma County Code Section 23A-23 to receive additional verbal and written comments on the DEIR; and

WHEREAS, following the completion of the public review period, the County reviewed all comments received on the DEIR through February 23, 2023 and prepared a draft Final Environmental Impact Report (FEIR) which incorporates the DEIR by reference, includes all comments received during the public review period and responses to those comments, describes changes to the DEIR that resulted from the comments received, and includes a Mitigation Monitoring and Reporting Program (MMRP); and

WHEREAS, all persons who commented on the DEIR were notified of the availability of the FEIR on June 30, 2023; and

WHEREAS, in accordance with applicable provisions of law, on July 13 and July 20, 2023, the Planning Commission held a duly noticed public hearing on the Housing Element Update Project and the FEIR, to review and forward a recommendation to the Board of Supervisors regarding the Housing Element Update Project and the FEIR. In the hearing the Planning Commission heard and received all relevant testimony and evidence presented orally or in writing regarding the Housing Element Update Project and the FEIR; and

WHEREAS, the Planning Commission has had an opportunity to review this Resolution and finds that it accurately sets forth the intentions of the Commission regarding the Project;

NOW, THEREFORE, the Planning Commission resolves as follows:

- A. As required by Government Code Section 65585(e), the Planning Commission has considered the findings made by HCD that were included in HCD's letter to the County of Sonoma dated March 30, 2023.
- B. Adoption of the Housing Element Update is generally consistent with the goals and objectives of the General Plan but will require amendments to some General

Plan policies to maintain internal consistency. 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. The necessary General Plan amendments are programmed and will be brought forward for adoption by December 31, 2024.

- C. The Housing Element substantially complies with State Housing Elements Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law.
- D. The Planning Commission's recommendation to the Board of Supervisors regarding the FEIR, which FEIR is incorporated herein by reference, is based on the entire record and the following:
 - 1. The FEIR has been completed in compliance with CEQA, the CEQA Guidelines (Cal. Code of Regulations, Title 14, Sections 15000 et seq.), and applicable provisions of the Sonoma County Code.
 - 2. The FEIR has been reviewed and considered by the Planning Commission prior to making any recommendation to the Board of Supervisors and prior to Board of Supervisors decision on the approval of the Project.
 - 3. The FEIR reflects the County's independent judgment and is adequate to support the Board's approval of the Project.
 - 4. Pursuant to CEQA Guidelines Section 15091, any subsequent actions or approvals to implement the Project shall be based upon and subject to the findings, conclusions, mitigation measures and statements set forth in the FEIR, including the MMRP, and the Board's resolution certifying the FEIR.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors certify the FEIR.

BE IT FURTHER RESOLVED that the Planning Commission recommends that the Board of Supervisors approve the Housing Element Update Project as contemplated herein, including the following:

- 1. Adoption of General Plan amendments to repeal the 2015-2023 Housing Element and adopt the 2023-2031 Housing Element with modifications to certain programs at Commission direction, as considered and discussed by the Commission today, attached as Exhibit 1;
- 2. Adoption of amendments to the General Plan Land Use designations for the sites identified in, and as shown in, Exhibit 1a;
- 3. Adoption of an ordinance to rezone sites identified in, and as shown in, Exhibit 1a;
- 4. Adoption of an ordinance making the limited technical amendments to Sonoma County Code Sections 26-08-040; 26-14-030, Table 14-1, and 26-08-030, Table 8-1, shown in Exhibit 3b.

BE IT FURTHER RESOLVED that the Planning Commission recommends the following changes to the staff recommendation on the site inventory:

- 1. Remove of the following sites from the site inventory: 056-531-005 (AGU-1), 130-146-003 (GRA-4), 047-174-009 (PEN-1), 047-166-025 (PEN-9), 134-111-068

(SAN-2), 134-192-016 (SAN-10).

2. Revise the proposed base zoning of 130-090-009 (GRA-2) from Heavy Industrial Zoning District with Workforce Housing Combining District (M2 WH) to High Density Residential (R3), and corresponding changes to the proposed General Plan Land Use designation to Urban Residential with a residential density of 20 dwelling units per acre, and add to Housing Action Plan program 4.

BE IT FURTHER RESOLVED that the Planning Commission recommends the following changes to the staff recommendation on Housing Element programs:

1. Revise Program 28 language to clarify Code Enforcement purview and priorities.
2. Revise Program 31 language to include specific potential programs for further study.

BE IT FURTHER RESOLVED that the Planning Commission designates the Secretary of the Planning Commission 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 office of the Sonoma County Permit and Resource Management Department, 2550 Ventura Avenue, Santa Rosa, CA 95403.

THE FOREGOING RESOLUTION was introduced by Commissioner Carr, who moved its adoption, seconded by Commissioner Wiig, and adopted on roll call by the following vote:

Commissioner Carr	Aye
Commissioner Reed	Aye
Commissioner Wiig	Aye
Commissioner Koenigshofer	Aye
Commissioner Deas	Aye

Ayes: 5 Noes: 0 Absent: 0 Abstain: 0

WHEREUPON, the Chairman declared the above and foregoing Resolution duly adopted; and

SO ORDERED.