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original staff report](#)

W23a

Prepared October 3, 2016 for October 5, 2016 Hearing

To: Commissioners and Interested Persons

From: Nancy Cave, North Central Coast District Manager
Stephanie Rexing, North Central Coast District Supervisor
Sara Pfeifer, North Central Coast District Program Analyst

**Subject: STAFF REPORT ADDENDUM for W23a
Sonoma County LCP Amendment Number LCP-2-SON-16-0007-1 Part B
(Coastal Zoning and Land Use Designations)**

The purpose of this staff report addendum is to respond to a letter received from Bodega Bay Concerned Citizens (BBCC) by fax on September 27, 2016, regarding the above-referenced LCP amendment, claiming that the item was not properly noticed by the County and that it would inappropriately lead to increased residential density and a lack of residential access at the subject properties (see BBCC letter, Exhibit 1). In sum, staff notes that the County adequately noticed the matter locally, the changes proposed will not increase development potential, and have no bearing on access related to the properties.

Regarding BBCC's noticing assertion, the County noticed the matter through public notice advertisements in the Santa Rosa Press Democrat identifying, a Planning Commission hearing on October 15, 2015 and a Board of Supervisors' hearing on January 5, 2016 (noticed on October 1, 2015 and December 16, 2015, respectively). In addition, the County mailed notices to over 200 landowners and interested parties, including those owning property within 100 feet of the affected parcels. Therefore, the County's local notice was adequate and in conformance with the Commission's regulations.

With respect to the assertion that the proposed changes would increase residential development potential at 1760 and 1790 Highway 1, staff notes that the staff report analyzes and concludes that that is not the case. Specifically, the tables in the staff report (on page 9) and the corresponding analysis shows that the allowed residential density will not change by the proposed amendment (i.e., one dwelling unit is currently allowed and one will be allowed per the new zoning). Thus, the proposed changes do not increase residential density and in fact limits it to existing levels.

If the BBCC concern is that the changes would lead to an increased intensity of use (e.g., the rezone would somehow allow for more lot coverage, greater floor area, or the addition of a second dwelling unit), this is also unaffected by the rezone. The rezone of both 1760 and 1790 Highway 1 will change the parcels from split-zoned RR/R1 to entirely R1 zoning, or low density residential. Both RR and R1 allow 1 second dwelling unit per lot, regardless of size. In addition,

the proposed rezone does not change the amount of potential residential remodel or expansion allowed on the properties because the applicable scale standards (i.e., lot coverage, etc.) are the same for both RR and R1 districts..

Further, BBCC claims that Canon Street does not exist at the location shown on the map provided by Sonoma County (see Exhibit 5 of original staff report) and therefore the exhibit is misleading because no private, residential access to Highway 1 would exist for that portion of the subject parcel. While the County concurs that the exhibit may misrepresent the physical extent of Canon Street in that specifically Canon Street is currently just a turn-out and not a completed street, the parcel is not actually landlocked because direct residential driveway access is already provided from Highway 1 to the existing residence, and therefore to any additional land that was added to this parcel via the prior lot line adjustment. Thus, the parcel is not landlocked, no additional driveway access is needed from Highway 1, and the existence of Canon Street has no bearing on the parcel rezoning.

Finally, BBCC asserts that County Ordinance 3386 includes an altered date. However, the date in question relates to the original zoning error that occurred at 1050 Windy Lane that is being corrected in this proposed rezone. This ordinance was attached to the packet of materials sent to the Coastal Commission by the County to demonstrate that the Windy Lane parcel was rezoned in the 1984 rezoning action, and that its PC zoning designation was in error. The concerns raised in the BBCC letter pertain to the legitimacy of Ordinance 3386 and how the proposed rezone will further enable the Harbor View Development. However, this parcel has no association with the Harbor View subdivision, and will not impact development that is occurring there..

EXHIBITS

Exhibit 1: Letter from Bodega Bay Concerned Citizens dated September 27, 2016

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W23a

Prepared September 23, 2016 for October 5, 2016 Hearing

To: Commissioners and Interested Persons
From: Nancy Cave, North Central Coast District Manager
Stephanie Rexing, North Central Coast District Supervisor
Sara Pfeifer, North Central Coast Planner

**Subject: County of Sonoma LCP Amendment Number LCP-2-SON-16-0007-1 Part B
(Coastal Zoning and Land Use Designations)**

SUMMARY OF STAFF RECOMMENDATION

Sonoma County proposes to amend its Local Coastal Program (LCP) Land Use and Implementation Plan designation maps to accurately reflect previously approved lot line adjustments affecting four parcels and to correct a zoning error affecting one parcel, for a total of five mapping designation changes. The County approved lot line adjustments for these parcels from 2009 - 2013. One parcel is located in the Sea Ranch development in the northern part of Jenner. The other four parcels are located in the residential neighborhood of Johnson Gulch, adjacent to Bodega Bay and just east of Highway 1. Four parcels were consolidated to incorporate adjacent parcels, resulting in parcels with split zoning. The proposed LCP amendment would eliminate the split-zoning on some parcels, correct a base zoning error, and ensure consistency with property lines and adjacent parcels, respectively. Four of the proposed changes solely affect the application of zoning district boundaries and do not affect the land use designation. One proposed change affects the land use designation. The proposed amendment would update the LCP's land use and zoning maps to modify designations for a total of five parcels in Sonoma County. The proposed changes would not be expected to increase development potential on any parcel because the changes amount to ensuring that development of public service facilities (for water supplies) occur contiguous to existing Public Facilities development; limiting subdivision potential and development of additional units on two Low Density Residential parcels; restricting a Rural Residential parcel from further subdivision; maintaining consistency with adjacent Low Impact Development parcels; and placing restrictions on development of additional units.

Therefore, staff recommends that the Commission find the proposed LUP amendment consistent with Chapter 3 policies of the Coastal Act, and find the proposed IP amendments consistent with and adequate to carry out the policies of the LUP, and that the Commission **approve** the entire proposed “Part B” LCP amendment as submitted. The required motions and resolutions can be found on page 3 of this report.

Staff Note: LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on August 14, 2016. The proposed amendments include IP and LUP changes for which the 90-day action deadline is November 14, 2016. Thus, unless the Commission extends the action deadline (it may extend the deadline by up to one year), the Commission has until November 14, 2016 to take a final action on this LCP amendment.

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APPENDICIES

Appendix A: Substantive File Documents

EXHIBITS

Exhibit 1: Board of Supervisors Resolution

Exhibit 2: Adopted Ordinance 6141

Exhibit 3: List of parcels with proposed changes

Exhibit 4: Locations map

Exhibit 5: Detailed parcel maps

I. MOTIONS AND RESOLUTIONS

Staff recommends that the Commission, after public hearing, approve the proposed LCP amendment. The Commission needs to take two votes on the proposed amendment in order to act on this recommendation.

A. CERTIFY THE LUP AMENDMENT AS SUBMITTED

Staff recommends a **YES** vote on the motion below. Passage of the motion will result in certification of the LUP amendment and the adoption of the following resolution and findings in this staff report. The motion passes only by an affirmative vote of a majority of the appointed Commissioners.

***Motion:** I move that the Commission **certify** Land Use Plan Amendment LCP-2-SON-16-0007 Part B as submitted by the County of Sonoma.*

***Resolution:** The Commission hereby certifies Land Use Plan Amendment Number LCP-2-SON-16-0007 Part B as submitted by the County of Sonoma and adopts the findings set forth below on the grounds that, as submitted, the Land Use Plan Amendment conforms with the policies of Chapter 3 of the Coastal Act. Certification of the Land Use Plan amendment complies with the requirements of the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the plan on the environment, or 2) there are no feasible alternatives or mitigation measures that would substantially lessen any significant adverse impact which the Land Use Plan Amendment may have on the environment.*

B. CERTIFY THE IMPLEMENTATION PLAN AMENDMENT AS SUBMITTED

Staff recommends a **NO** vote. Failure of this motion will result in certification of the Implementation Plan Amendment as submitted and adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission **reject** the Implementation Plan Amendment LCP-2-SON-16-0007 Part B as submitted by Sonoma County.*

***Resolution:** The Commission hereby certifies Implementation Plan Amendment LCP-2-SON-15-0007 Part B as submitted by Sonoma County and adopts the findings set forth in this staff report that, as submitted, the Implementation Plan Amendment is consistent with and adequate to carry out the certified Land Use Plan. Certification of the Implementation Plan Amendment, as submitted, complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Plan Amendment on the environment, or 2) there are no further feasible alternatives or mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the Implementation Plan Amendment as submitted.*

II. FINDINGS AND DECLARATIONS

A. DESCRIPTION OF PROPOSED LCP AMENDMENT

The amendment proposes Land Use Plan and Implementation Plan designation changes to five parcels in Bodega Bay and Timber Ridge from Rural Residential to Low Density Residential; from Low Density Residential to Rural Residential; from Resources and Rural Development to Public Facilities; and from Planned Community to Low Density Residential designations, respectively, for a total of four changes. Each respective proposed change will heretofore be referred to as an “**element**” for clarity’s sake.

The **first element** of the proposed amendment addresses a change in zoning and to the Land Use designation at **33012 Timber Ridge Road, Sea Ranch**. The parcel is located at the southeastern corner of the Sea Ranch development in northern Sonoma, roughly two-thirds of a mile east of the coast. A previously approved lot line adjustment made by the County resulted in the combination of two small parcels of 1.42 acres and 1.45 acres, for a resultant lot total of 2.87 acres. The previous 1.42 acre portion of the resultant parcel (prior APN 122-200-029), has a current land use designation of Public/Quasi-Public (PQP)/Institutional and is zoned Public Facilities (PF). The previous 1.45 acre undeveloped portion of the resultant parcel (prior APN 122-200-029), has a current land use designation of Resources and Rural Development (RRD) and is zoned Resources and Rural Development (RRD) B6 (where the B6 combining district specifies the maximum permitted density as one unit per 160 acres and the minimum lot size is 640 acres for the purpose of subdivision). The proposed amendment would remove the existing land use and zoning designations from the 1.45 acre portion, so that the entire resultant parcel’s base land use designation and zone would be consistent. The proposed Land Use designation would change from split Public/Quasi Public (PQP)/Institutional and RRD to solely PQP/Institutional and the zoning would change from split RRD and PF to entirely PF. The previously approved lot line adjustment for this first element was approved and recorded on December 20, 2012, to enable implementation of the Sea Ranch Water Storage Tank project to improve service and storage capacity at Sea Ranch. Project impacts, addressed through a Mitigated Negative Declaration, involved the disturbance of native vegetation. Mitigation for disturbance to Coast Lily and Northern Bishop Pine Forest involved revegetation with native shrubs and transplanting in accordance with the Forest Management and Monitoring Plan and Landscape Plan. After review and comment by Commission staff in December of 2012, the project was approved by the County on December 20, 2012, and no Commission or local interested party appeals were filed (see Sonoma County Coastal Permit PLP12-0002). See **Appendix A** for the Sonoma County Final Local Action Notice (PLP12-0002) and for staff comment on the MND. A change to the land use and zoning for this parcel will align land use and zoning boundaries with the modified property lines.

Element two proposes to rezone portions of two parcels, one located at **1760 Highway 1** (APN 100-200-049) and the other at **1790 Highway 1** (APN 100-200-048) in Bodega Bay. The parcels are located in southern Sonoma County, within the Johnson Gulch region of the town of Bodega Bay, roughly 600 yards inland and northeast from the Bay shoreline. The two parcels were combined with adjacent land portions because of their similar circumstances. Homeowners at both 1760 and 1790 Highway 1 purchased undeveloped portions of adjacent properties, thereby slightly increasing the size of their respective lots. Both developed properties, zoned Low

Density Residential (R1) B6 4 DU (where the B6 combining district specifies the maximum permitted density and the 4 DU reflects that 4 development units are permitted per acre), acquired neighboring land with Rural Residential (RR) B8 zoning designations (where the B8 coastal combining district reflects a frozen lot, restricted from further subdivision). 1760 Highway 1 acquired an additional 0.16 acres from an adjacent property for a current acreage total of 0.29 acres, while 1790 Highway 1 acquired an additional 0.06 acres from the adjacent property for a new lot size totaling 0.19 acres. After these portions of the additional adjacent land were acquired by the two property owners, the zoning designations of each property were split-zoned R1 B6 4 DU/ RR B8. At 1760 Highway 1, the split was 0.13 acres/0.16 acres, respectively, and at 1790 Highway 1, 0.13 acres/0.6 acres, respectively. In order to rid the lots of the split-zoning designations and align district boundaries to the new property lines, the County now proposes both properties undergo zone changes to consistently zone the two resultant parcels. Proposed re-zoning will convert the RR B8 designation to R1 CC B6 4 DU for the lots to create consistent designations across their entirety.

Element three is a proposed rezone on a parcel that was created through the addition of a 0.28 acre parcel to an adjacent 4.21 acre parcel at **1730 Highway 1** (APN 100-210-064) in Bodega Bay. The resultant parcel is located in southern Sonoma County, within the Johnson Gulch region of the town of Bodega Bay, roughly 600 yards inland and northeast from the Bay shoreline. This acquisition resulted in a split zoning designation for the created single property, now totaling 4.49 acres. The 0.28 acres of the parcel that were added are currently zoned Low Density Residential (R1) B6 4 DU, while the larger, surrounding property is zoned Rural Residential (RR) B8. Both portions of the resultant parcel will be converted to Rural Residential (RR) B7 (where the B7 combining district signifies that the lot has been frozen to subdivision after approval of a clustered subdivision) in order to create consistent zoning across the entirety of the resultant parcel.

Element four corrects an error in base zoning at **1050 Windy Lane** (APN 100-100-001) in the town of Bodega Bay, Sonoma County. The undeveloped 1.23 acre parcel is located approximately 50 yards east from the Bay shoreline. The rezoning would change the parcel's zoning from Planned Community (PC) to R1 B6 4 DU, to be consistent with adjacent Low Density Residential properties, and amend the inadvertent zoning change.

See **Exhibits 1 and 2** for the County Ordinances and Resolutions approving the amendment and for a list of parcels with proposed changes. **Exhibit 3** provides a list of the parcels with proposed changes. **Exhibits 4 and 5** provide geographic context and include detailed parcel maps depicting the approved lot-line adjustments.

B. LAND USE PLAN AMENDMENT

1. Standard of Review

The standard of review for the proposed LUP amendment is that it must be consistent with the Chapter 3 policies of the Coastal Act.

2. Applicable Coastal Act Policies

As proposed, the amendment impacting **33012 Timber Ridge Road, or element one**, would re-designate a parcel within Sea Ranch from a split land use designation of PQP/Institutional and RRD to entirely PQP/Institutional. The land resources and development policies of the Coastal Act require that Public Facilities not have significant adverse effects on coastal resources. Applicable policies state in relevant part:

Coastal Act Section 30240 (b). Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Coastal Act Section 30250 (a). New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...

3. Consistency Analysis

The proposed LUP amendment of **element one**, impacting **33012 Timber Ridge Road** involves changing land use designations from split PQP/Institutional and RRD to solely PQP/Institutional, as referenced in the table below.

33012 Timber Ridge Road, Sea Ranch; APN 100-200-034

	General Plan Designation	Parcel Size
Current	PQP/Institutional	1.42 acres
	RRD 160/640	1.45 acres
Proposed	PQP/Institutional	2.87 acres

The at-issue split designation parcel is located in the Sea Ranch community development and currently accommodates public water utility infrastructure, providing residents with increased water storage for fire protection. Prior to its absorption, the 1.45 portion of the parcel was designated Residential, however, it was not collocated with other residential parcels. The proposed change in land use designation of this parcel is consistent with Coastal Act policies assuring the close proximity of public utilities land to service areas. This new land use designation minimizes adverse effects on coastal resources by protecting the parcel’s potential for clustered public service-oriented development As per Section 30240 (b) of the Coastal Act, which requires development in areas adjacent to sensitive habitats be designed to minimize impacts to the habitat, the Sea Ranch Water Storage Tank project was sited and designed to minimize impacts on sensitive coastal resources.. Project impacts involving the disturbance of native vegetation, were addressed in Commission’s comments on the Mitigated Negative Declaration for the project, and were mitigated for in Sonoma County’s Coastal Development Permit approval. Mitigation for disturbance to wetlands, Coast Lily, and Northern Bishop Pine Forest ESHAs involved revegetation with native shrubs and transplanting in accordance with the Forest Management and Monitoring Plan and Landscape Plan. For these reasons, the proposed

re-designation of land use is consistent with the public service accommodating and sensitive habitat protection policies of the Coastal Act, and can be approved as submitted.

C. IMPLEMENTATION PLAN AMENDMENT

1. Standard of Review

The standard of review for IP amendments is that they must be consistent with and adequate to carry out the policies of the certified LUP.

2. Applicable Implementation Plan Policies

The LUP cites Coastal Act Section 30250(a) in the Land Use section as requiring new developments and subdivisions to protect coastal resources and to cluster similar development to minimize impacts. Other LUP policies require that residential uses minimize impacts to coastal resources, especially on land in close proximity to the coast, as is the case with all subject parcels included in this amendment request. Applicable LUP policies include:

Coastal Act Section 30250 (a) (LUP page 182). New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources...

LUP Page 48, Incidental Uses: [allowed]

Lot line adjustments not resulting in an increase in the number of lots or in allowable residential densities.

LUP Page 182, Description of Land Use:

The Land Use section of the Coastal Plan formulates development policies that, together with the Land Use Plan maps, indicate the type, location, and intensity of land uses permitted in the Coastal Zone.

LUP Page 183, Land Use Categories:

The Land Use Plan contains fourteen land use categories which are used on the Policy maps. Rural Residential entails very low density residential development from one to twenty acres per dwelling unit. Low Density Residential with densities ranging from one to four units per acre. Where the mapped parcel density unit is 4 units per acre...

3. Consistency Analysis

The proposed IP amendment impacting **33012 Timber Ridge Road in element one** would change the base zoning for the resultant parcel from split Public Facilities and Rural Residential Development to solely Public Facilities, as illustrated in the table below.

33012 Timber Ridge Road, Sea Ranch; APN 100-200-034

	Zoning Designation	Parcel Size
Current	PF	1.42 acres

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	RRD B6 160/640	1.45 acres
Proposed	PF	2.87 acres

Coastal Act policy 30250(a) applies to this change by requiring that new development be contiguous with existing developed areas, as cited in the Sonoma County’s Local Coastal Plan’s Description of Land Use section. The proposed zone change for this parcel is consistent with the relevant Coastal Act and Local Coastal Plan policies by assuring that public serving utilities remain concentrated and contiguous with the community served by the utilities.

The proposed zoning change for **1760 and 1790 Highway 1 in element two** recommends to re-zone both parcels from split Rural Residential B8 and Low Density Residential B6 4 DU to consistently Low Density Residential B6 4 DU. Although the lot line increases the parcel sizes for both 1760 and 1790, the cumulative size remains less than one acre each. Therefore, the addition of land to the parcels does not affect the development potential on the resultant lots. In fact, the combination of the original lots with the adjacent land lessens the development potential as the previous lots would have allowed 1 dwelling unit each, but now each combined resultant lot will also only allow 1 dwelling unit, as demonstrated in the tables below.

1760 Highway 1, Bodega Bay; APN 100-200-049

Zoning: R1 B6 4 DU (4 dwelling units per acre = **10,890 square feet per unit**)

	Zoning Designation	Parcel Size	Development Potential
Current	R1 CC B6 4 DU	0.13 acres (5,662 sq.ft.)	1 dwelling unit
	RR CC B8	0.16 acres (7,0001 sq.ft.)	1 dwelling unit
Proposed	R1 B6 4 DU	0.29 acres (12,632 sq.ft.)	1 dwelling unit

1790 Highway 1, Bodega Bay; APN 100-200-048

Zoning: R1 B6 4 DU (4 dwelling units per acre = **10,890 square feet per unit**)

	Zoning Designation	Parcel Size	Development Potential
Current	R1 CC B6 4 DU	0.13 acres (5,662 sq.ft.)	1 dwelling unit
	RR CC B8	0.06 acres (2,614 sq.ft.)	1 dwelling unit
Proposed	R1 B6 4 DU	0.19 acres (8,276 sq.ft.)	1 dwelling unit

Similarly, given that the total footprint of each parcel remains less than an acre in size, the change from Rural to Low Density Residential zoning closes any opportunity for any added intensity of land use through development of additional units. Each of the parcels effectively continues to be frozen from further subdivision, consistent with the B6 coastal combining district. As such, effectuating the proposed rezoning for the respective designations is consistent with and adequate to carry out the referenced LUP policies regarding land use.

Similar to the previous parcels, the IP amendment at **1730 Highway 1, or element 3**, also proposes a rezone of a split-zoned parcel to guarantee a consistent zoning designation across the entirety of the resultant 4.49 acre parcel. With regard to this parcel, the change proposed is from Low Density Residential and Rural Residential to solely Rural Residential zoning, as reflected in the table below.

1730 Highway 1, Bodega Bay; APN 100-210-064

Zoning: RR B7 (B7 combining district signifies that the lot has been frozen in order to restrict further subdivision of large remaining parcels)

	Zoning Designation	Parcel Size
Current	RR B8	4.21 acres
	R1 B6 4 DU	0.28 acres
Proposed	RR B7	4.49 acres

The Low Density Residential B6 4 DU zoning allows for an increase in developable units while proposed rezone to the RR B7 combining district effectively freezes the lot to subdivision or creation of any additional units. The proposed change clarifies the intensity of land use permissible on this parcel. Thus, in accordance with LCP Incidental Land Use, Description of Land Use, and Land Use Categories policies aimed at reducing density and subdivision of residential parcels, the new zoning designation will minimize density and can therefore be found consistent with the referenced LUP policies regarding land use.

The proposed IP amendment affecting **1050 Windy Lane, or element 4**, corrects a zoning error that designated the parcel as Planned Community despite its contiguousness with surrounding Low Density Residential parcels. The current zoning is inconsistent with surrounding development and increases development potential on the parcel. The LCP Incidental Land Use policy requires that lot line adjustments do not result in an increase in allowable residential density. Development potential will not increase under R1 zoning as, according to the current zoning designation, the current lot may accommodate a variety of residential and mixed uses while the proposed zoning allows for development of only one dwelling unit, as highlighted in the table below.

1050 Windy Lane, Bodega Bay; APN100-100-001

	Zoning Designation	Parcel Size	Development Potential
Current	PC	1.23 acres	variety
Proposed	R1 B6 4 DU	1.23 acres	1 dwelling unit

Further, the proposed rezone will not impact the nearby PC zoned land, the Harbor View subdivision. As with the previous parcel, this proposed change clarifies the intensity of land use permissible on this parcel, and is therefore adequate to carry out the LUP land use policies.

4. Conclusion

The current zoning designations do not reflect approved lot line adjustments for a number of parcels within the Sonoma Coastal zone. Approval of the proposed zoning change zoning designations will both remove split-zoning and bring the aforementioned parcels into conformance with the LUP policies directed at minimizing subdivision of parcels and reducing density on residential lots. Therefore, the proposed zoning changes are consistent with and adequate to carry out the amended LUP.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

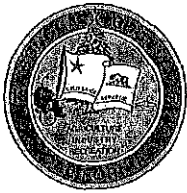
The Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Specifically, Section 21080.9 of the California Public Resources Code – within CEQA – exempts local government from the requirement of preparing an environmental impact report (EIR) in connection with its activities and approvals necessary for the preparation and adoption of a local coastal program. Therefore, local governments are not required to prepare an EIR in support of their proposed LCP amendments, although the Commission can and does use any environmental information that the local government submits in support of its proposed LCP amendments. The Coastal Commission and the Commission's LCP review and approval program has been found by the Resources Agency to be the functional equivalent of the environmental review required by CEQA, pursuant to CEQA Section 21080.5. Therefore the Commission is relieved of the responsibility to prepare an EIR for each LCP or LCP amendment.

Sonoma County, acting as lead CEQA agency, determined that the proposed LCP amendment was categorically exempt from the requirements of Section 15061(b)(3) of the CEQA Guidelines [no significant effect on the environment]. This staff report has discussed the relevant coastal resource issues with the proposal, and concludes that the proposed LCP amendment is not expected to result in any significant adverse impact on the environment. No public comments have been received to date that raised significant environmental points. All above findings are incorporated herein in their entirety by reference.

As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects which approval of the amendment would have on the environment within the meaning of CEQA. Thus, the proposed amendment will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).

Appendix A
Substantive File Documents

1. Sonoma County Final Local Action Notice (PLP12-0002)
2. Coastal Commission staff comment on Sonoma County's Mitigated Negative Declaration for PLP12-0002, dated December 19, 2012.



County of Sonoma
State of California

THE WITHIN INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

ATTEST: JAN 14 2016

VERONICA A. FERGUSON, Clerk/Secretary
BY *Ch. [Signature]*
DEPUTY CLERK/ASST SECRETARY

Date: January 5, 2016

Item Number: 36

Resolution Number: 16-0018

4/5 Vote Required

Resolution of the Board of Supervisors of the County of Sonoma, State of California, finding the project exempt from the California Environmental Quality Act (CEQA), approving amendments to the Coastal Plan and Coastal Zoning Database, and directing the submission of the amendments to the California Coastal Commission for approval.

Whereas, on June 12, 2007, the Board, with a 4-0-1 vote, adopted an amendment to Chapter 26C of the Sonoma County Code (Coastal Zoning Regulations) to establish the Official Zoning Database for the Coastal Zone ("Coastal Zoning Database") to convert the Official Zoning Maps of the County of Sonoma to a Geographic Information System (GIS) digital database to improve accuracy, readability and accessibility (Resolution 07-0526, Ordinance 5740); and

Whereas, the Permit and Resource Management Department periodically conducts an analysis of the Coastal Zoning Database to identify discrepancies and improve the accuracy of that database; and

Whereas, the most recent analysis of the Coastal Zoning Database found that 13 parcels, located wholly or partially within the coastal zone boundaries, are not zoned to include the Coastal Combining District; and

Whereas, on November 25, 2014, the Coastal Commission notified the Permit and Resource Management Department that 24 parcels currently zoned CC (Coastal Combining District) are not located within the coastal zone boundary and should be removed from the Coastal Zoning Database and rezoned to eliminate the CC (Coastal Combining zone designation; and

Whereas, the Permit and Resource Management Department researched a property located at 1050 Windy Lane, Bodega Bay (APN 100-100-001) at the request of the property owner and found that the parcel was inadvertently rezoned from R1 (Low Density Residential) to PC (Planned Community) during the manual transmission of zoning data; and

Whereas, a Condition of Approval for a major Lot Line Adjustment (File PLP09-0032) between the properties located at 1760 and 1790 Highway 101 (APN 100-200-049 and 100-200-048) required a zone change for the portion of land transferred to

LCP-2 SON 16-0018-1 Part B

Exhibit 1

ensure that zoning district boundaries coincide with the new property lines; and

Whereas, a second Condition of Approval for major Lot Line Adjustment (File PLP09-0032), involving the property located at 1730 Highway 1, in Bodega Bay (APN 100-210-064), required a zone change to B7 (Frozen Lot Size) in order to preclude an increase in overall subdivision potential as a result of the parcel reconfiguration; and

Whereas, a Condition of Approval for a minor Lot Line Adjustment (File PLP13-0009) between the properties located at 33012 and 33095 Timber Ridge Road, The Sea Ranch (APNs 122-200-029 and 122-200-030) required an amendment to the General Plan and a zone change for the portion of land transferred and an amendment to the Coastal Plan is necessary to ensure that land use and zoning district boundaries coincide with the new property lines; and

Whereas, the Permit and Resource Management Department periodically submits technical errors and discrepancies in zoning and the General Plan land use designations to the Board of Supervisors for correction; and

Whereas, since June 8, 2010, the Board of Supervisors has adopted four sets of technical corrections to the Zoning Code, the Official Zoning Database, the General Plan, Local Coastal Plan, and Coastal Zoning Database; and

Whereas, the Permit and Resource Management Department is also proposing to consolidate routine zone changes required as conditions of previously approved projects and process them with the technical corrections for increased efficiency; and

Whereas, in accordance with the provisions of law, for each of the above projects a notice of public hearing was published in a newspaper of general circulation and mailed to all owners of property that would be affected by the project; and

Whereas, the California Coastal Act requires a resolution adopted by the legislative body formally submitting an ordinance for certification by the Coastal Commission; and

Whereas, in accordance with the provisions of law, the Planning Commission held a public hearing on October 15, 2015, at which time all interested persons were given an opportunity to be heard; and

Whereas, by a 5-0 vote, the Planning Commission adopted Resolution number 15-007 recommending that the Board of Supervisors find the project to be exempt from CEQA and approve the fifth set of technical corrections including amendments to the Coastal Zoning Database.

Now, Therefore, be it Resolved that the Board of Supervisors, having considered all materials, file information, all public comments, and all reports from staff, and the proposed Ordinance does make the following findings:

1. The proposed amendments are necessary to correct inaccuracies, resolve inconsistencies, and make other minor corrections to the Coastal Zoning Database to ensure the accuracy and reliability of the planning information on which the public relies.

2. The proposed amendments are consistent and compatible with the

Sonoma County General Plan and Local Coastal Plan in that the changes include technical corrections and minor, inconsequential changes being undertaken to ensure consistency with the Local Coastal Plan and land use maps and are consistent with the purpose and intent of the Coastal Act.

3. The proposed amendments are non-substantive in nature and will not change the development potential that would otherwise be allowed by the Local Coastal Plan.
4. The project includes minor changes to zoning needed to implement the conditions of a previously approved lot line adjustment required to ensure consistency with the County Subdivision Ordinance (Sonoma County Code, Chapter 25).
5. The project is exempt from the California Environmental Quality Act under the General Rule, Section 15061(b)(3), as it can be seen with certainty that the project will not have a significant effect on the environment because the proposed changes to the Coastal Zoning Database are proposed to correct inaccuracies, resolve inconsistencies, and make other minor corrections needed to ensure the accuracy and reliability of the County's zoning information. Zone changes proposed to satisfy conditions of previously approved projects will not result in any physical change to land or increase development potential and have been imposed to ensure compliance with the Sonoma County Subdivision Ordinance (Sonoma County Code, Chapter 25); and

Be It Further Resolved that based on the foregoing findings and determinations and the record of these proceedings, the Board declares and orders as follows:

1. Amendments to the General Plan are approved as part of the first amendments of the General Plan Land Use Element for 2016.
2. The Proposed project is approved as follows:
 - a. Amendment to General Plan Land Use of a portion of the property located at 33012 Timber Ridge Road (APN 122-200-034) from Resource and Rural Development to Public Quasi Public; a Coastal Plan Land Use Amendment from Timber to Public/Quasi-Public; a Zone Change from Resource and Rural Development to Public Facilities as required by the conditions of approval for lot line adjustment (PLP12-0002).
 - b. Changes to the Coastal Zoning Database as shown in Coastal Ordinance, Exhibit A; and

Be It Further Resolved that the Board authorizes staff to submit amendments to the Coastal Zoning Database forthwith to the California Coastal Commission for certification.

Be It Further Resolved that the County of Sonoma will carry out the above Sonoma County Local Coastal Program Amendments in a manner fully consistent with the California Coastal Act (Coastal Act Section 30510) and that these amendments will take place automatically upon Coastal Commission certification.

LCP-2-SON-16-0007-1 Part B

Exhibit 1

3 of 4

Resolution # 16-0018
Date: January 5, 2016
Page 4

Be It Further Resolved that the Board of Supervisors designates the Clerk of the Board 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 Clerk of the Board, 575 Administration Drive, Room 100-A, Santa Rosa, California 95403.

Supervisors:

Gorin: Aye	Rabbitt: Aye	Zane: Aye	Gore: Aye	Carrillo: Aye
Ayes: 5	Noes: 0	Absent: 0	Abstain: 0	

So Ordered.

ORDINANCE NO. 6141

AN ORDINANCE OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA, STATE OF CALIFORNIA, AMENDING THE OFFICIAL ZONING DATABASE FOR THE COASTAL ZONE ("COASTAL ZONING DATABASE") TO CORRECT TECHNICAL ERRORS AND TO IMPLEMENT MINOR ZONE CHANGES REQUIRED AS CONDITIONS OF PRIOR PROJECT APPROVALS.

The Board of Supervisors of the County of Sonoma, State of California, ordains as follows:

SECTION I: The Official Zoning Database for the Coastal Zone ("Coastal Zoning Database") of the County, adopted by the Board of Supervisors on June 12, 2007, is amended by reclassifying certain real property from the existing zoning designations to the zoning designations set forth in Exhibit "A" attached hereto and incorporated herein by this reference. The Board hereby finds these changes to be consistent with the Sonoma County General Plan and Local Coastal Plan. The Director of the Permit and Resource Management Department is directed to reflect these amendments to the Coastal Zoning Database as shown in attached Exhibit "A" (ZCE13-0016).

SECTION II: This project is exempt from the California Environmental Quality Act under the General Rule, Section 15061(b)(3), as it can be seen with certainty that the project will not have a significant effect on the environment because the proposed changes to the Coastal Zoning Database are proposed to correct errors and inaccuracies, resolve inconsistencies, and make other minor corrections needed to ensure the accuracy and reliability of the County's zoning information. Zone changes proposed to satisfy conditions of previously approved projects will not result in any physical change to land or increase development potential and have been imposed to ensure compliance with the Sonoma County Subdivision Ordinance (Sonoma County Code, Chapter 25).

SECTION III: If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors hereby declares that it would have passed this Ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION IV. This Ordinance shall be and the same is hereby declared to be in full force and effect automatically on the date following California Coastal Commission certification, and shall be carried out in a manner fully consistent with the California Coastal Act. This item involves an amendment to the Local Coastal Program and is not effective until and unless approved by the California Coastal Commission.

SECTION V. This ordinance shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in The Press Democrat, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma, passed and adopted this 5th day of January 2016, on regular roll call of the members of said Board by the following vote:


SUPERVISORS:

Gorin: Aye Rabbitt: Aye Zane: Aye Gore: Aye Carrillo: Aye

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

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED


Chair, Board of Supervisors
County of Sonoma

ATTEST: *Veronica A. Ferguson*

by Roxanne Epstein

Veronica A. Ferguson
Clerk of the Board of Supervisors

Exhibit 3

List of parcels with proposed changes

33012 Timber Ridge Road, Sea Ranch		
APN 100-200-034		
	General Plan Designation	Parcel Size
Current	PQP	1.42 acres
	RRD 160/640	1.45 acres
Proposed	PQP	2.87 acres

AND

	Zoning Designation	Parcel Size
Current	PF CC	1.42 acres
	RRD B6 160/640	1.45 acres
Proposed	PF CC	2.87 acres

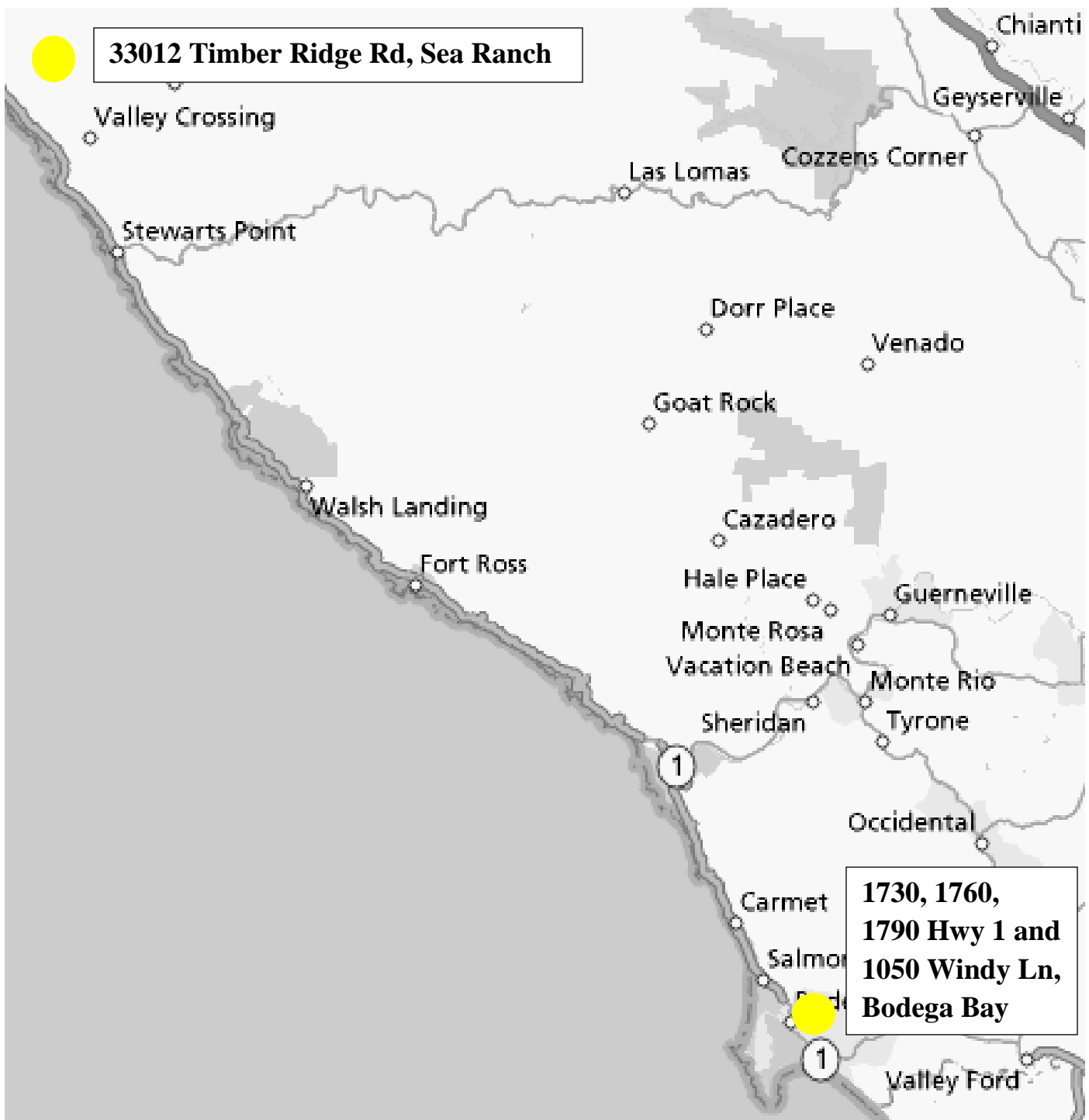
1760 Highway 1, Bodega Bay		
APN 100-200-049		
	Zoning Designation	Parcel Size
Current	R1 CC B6 4 DU	0.13 acres
	RR CC B8	0.16 acres
Proposed	R1 B6 4 DU	0.29 acres

1790 Highway 1, Bodega Bay		
APN 100-200-048		
	Zoning Designation	Parcel Size
Current	R1 CC B6 4 DU	0.13 acres
	RR CC B8	0.06 acres
Proposed	R1 B6 4 DU	0.19 acres

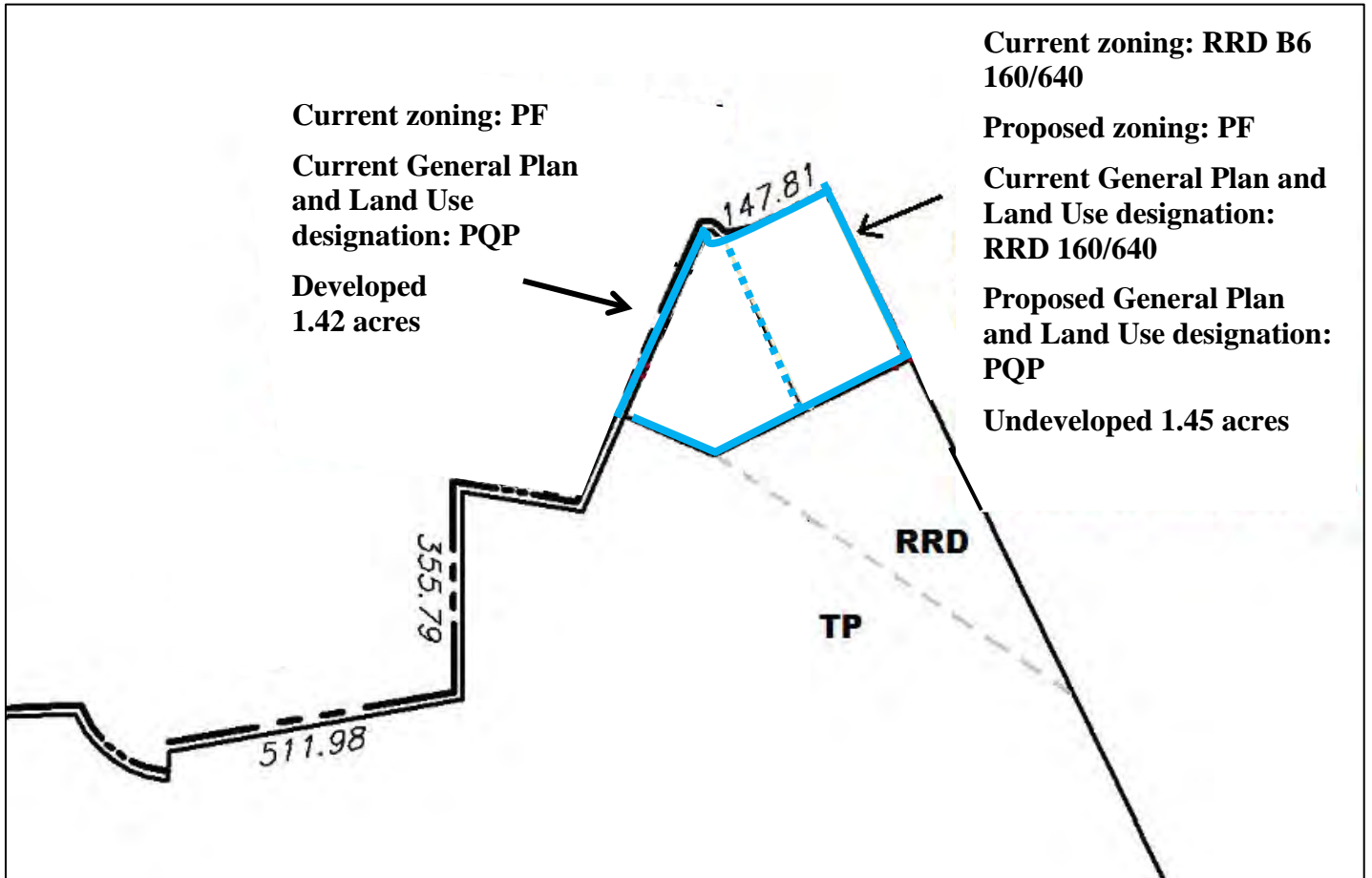
1730 Highway 1, Bodega Bay		
APN 100-210-064		
	Zoning Designation	Parcel Size
Current	RR CC B8	4.21 acres
	R1 CC B6 4 DU	0.28 acres
Proposed	RR CC B7	4.49 acres

1050 Windy Lane, Bodega Bay		
APN100-100-001		
	Zoning Designation	Parcel Size
Current	PC	1.23 acres
Proposed	R1 CC B6 4 DU	1.23 acres

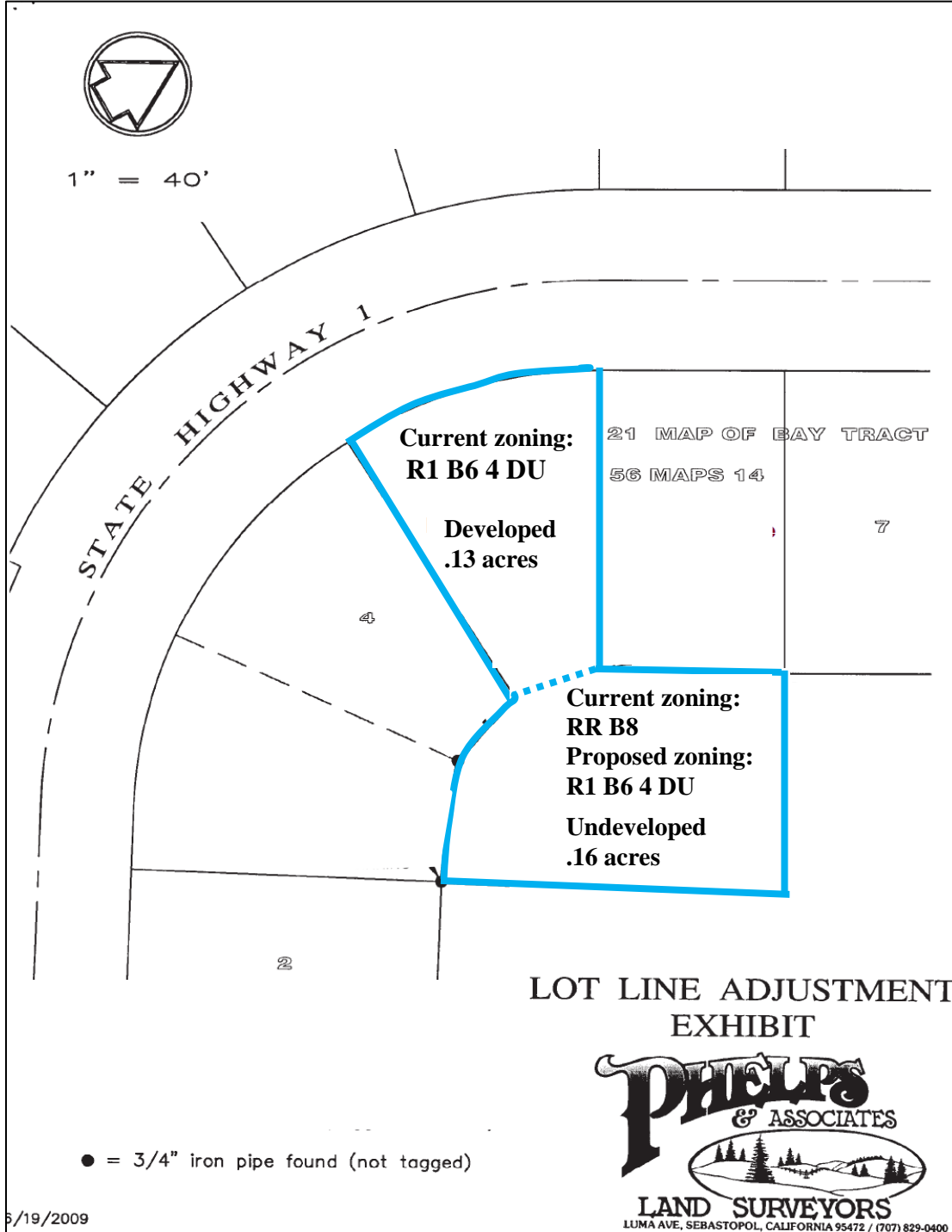
EXHIBIT 4
Sonoma County coast



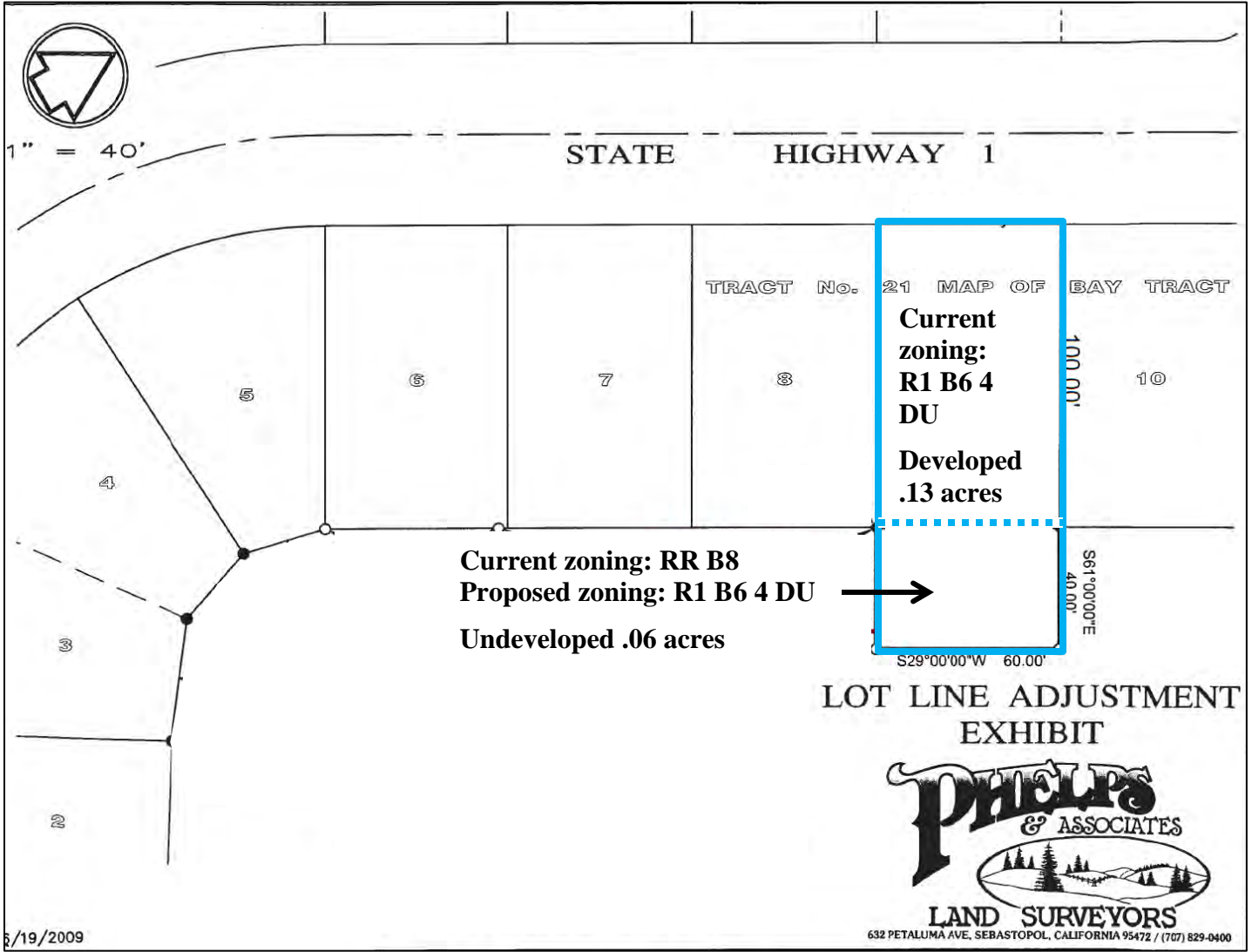
**EXHIBIT 5:
33012 Timber Ridge Rd, Sea Ranch
Element 1**



**EXHIBIT 5:
1760 Highway 1, Bodega Bay
Element 2**



**EXHIBIT 5:
1790 Highway 1, Bodega Bay
Element 2**



**EXHIBIT 5:
1730 Highway 1, Bodega Bay
Element 3**

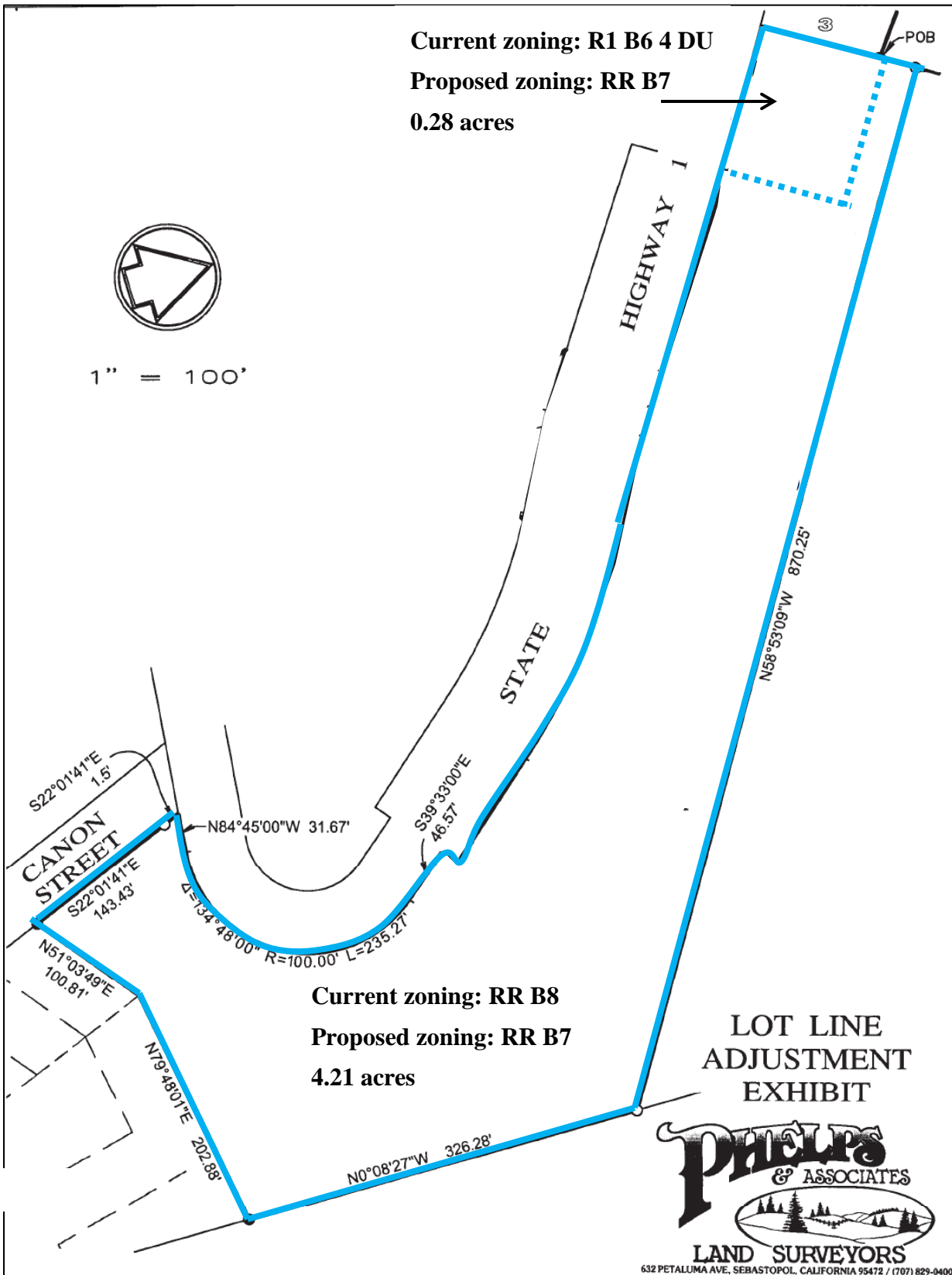
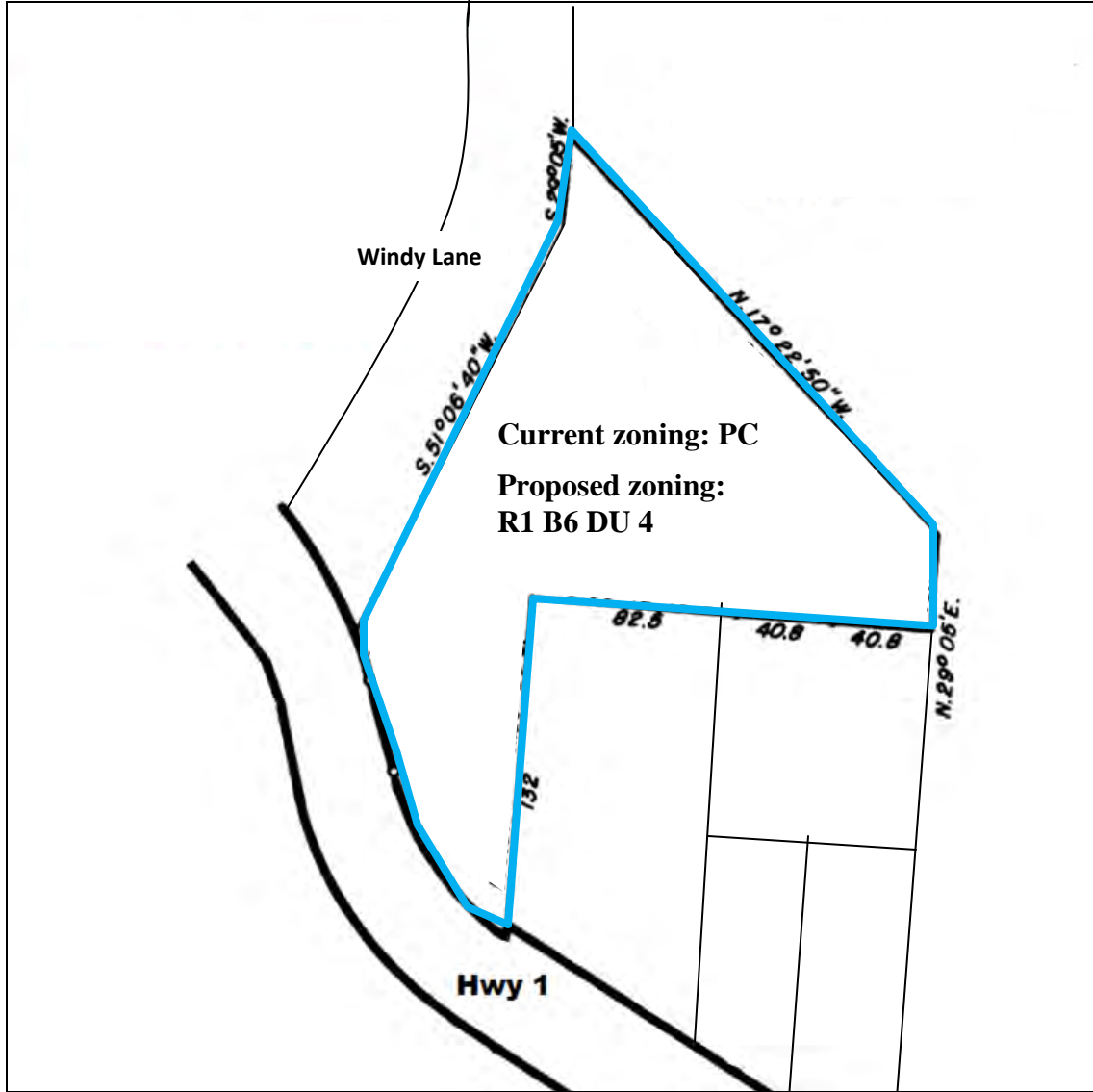


EXHIBIT 5:
1050 Windy Lane, Bodega Bay
Element 4



CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT OFFICE
 45 FREMONT STREET, SUITE 2000
 SAN FRANCISCO, CA 94105
 PHONE: (415) 904-5260
 FAX: (415) 904-5400
 WEB: WWW.COASTAL.CA.GOV

**Memorandum****October 4, 2016**

To: Commissioners and Interested Parties

FROM: Dan Carl, North Central Coast District Deputy Director
 North Central Coast District

Re: *Additional Information for Commission Meeting*
Wednesday, October 5, 2016

<u>Agenda Item</u>	<u>Applicant</u>	<u>Description</u>	<u>Page</u>
W23a	Sonoma County LCP Amendment No. LCP 2-SON-16-0007-1 Part B (Coastal Zoning and Land Use Plan Changes)	Staff Report Addendum	
W23a	Sonoma County LCP Amendment No. LCP 2-SON-16-0007-1 Part B (Coastal Zoning and Land Use Plan Changes)	Correspondence, Bodega Bay Concerned Citizens	1-2

W23a

Via/Facsimile

DATE: September 27, 2016

TO: 1-415-904-5400

ATTENTION: Stephanie Rexing
North Central District Supervisor
California Coastal CommissionRE: October Agenda Item 23
Sonoma County LCP Amendment LCP-2-SON-16-0007-1
PRMD FILE; ZCE13-0016

This memorandum is being sent as public response to the above agenda item.

Notification as to the public hearing was not given to the public by the County of Sonoma and was not discovered until the Commission's draft agenda was published. Thus, the public has once again been denied the right for timely comment.

Our request to the County of Sonoma for information has been received by Bodega Bay Concerned Citizens and we have found errors in some of the issues pertaining to the Bodega Bay area in particular.

1. Items APN 100-200-049, 1760 Highway 1 and APN 100-200-048, 1790 Highway 1 are results of lot line adjustments on developed lots that already contain residences and should not be allowed additional density. The information given is not clear as to the real effects this change will make.
2. As to 1730 Highway 1, APN 100-210-064, should not be rezoned to RR CC B8. This parcel is a land-locked parcel with no access to Highway 1 other than through the Bone property. Exhibit C erroneously shows Canon Street as a possible access. **Canon Street does not exist at this location.** A new access onto Highway 1 would have to be installed on one of the most dangerous curves on Highway 1 in Bodega Bay.
3. In reference to Ordinance No. 3386, Exhibit I. The date on this document has been obviously been altered and changed by the County of Sonoma. The "Boundary of Area Rezoned" as shown in Exhibit I was not present in December of 1984 as a Planned Community, Coastal Combining area. At that time the property was owned by the Lewis Land family who purchased it in 1970 along with much of the surrounding land.

Page 2 – Re Agenda Item 23 dated September 27, 2016

The area has since become the infamous Harbor View Development which is now being allowed to be developed for 30 rental units (not affordable) even though the original map dated 1994 and all pertaining permits (including Coastal) expired in 2005.

This exhibit is an attempt to validate what is now happening on this parcel. The "Note[s]" at the bottom of the page (1 thru 4) are no longer relevant to the use of this property and the project is now once again being challenged. In 2000, a vital wetland adjacent to Highway 1 was completely destroyed and this area no longer functions as a wetland. Restoration has never taken place despite the conditions placed on the project by the Coastal Commission. The developer is now attempting to allow construction within the entire limits of the parcel.

We hereby ask that this item be denied or at the very least continued to the November meeting in Half Moon Bay to allow for further investigation and comment. Thank you for your consideration.

Sincerely,

BODEGA BAY CONCERNED CITIZENS, et al
P. O. Box 815
Bodega Bay, CA 94923

We can be reached at 707-875-2297 or at
briarepach@aol.com