

CALIFORNIA COASTAL COMMISSION

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Prepared July 25, 2025 for August 13, 2025 Hearing

To: Commissioners and Interested Persons

From: Stephanie Rexing, North Central Coast District Manager
Luke Henningsen, Coastal Planner

**Subject: De Minimis Amendment Determination for Proposed Sonoma County
Local Coastal Program Amendment Number LCP-2-SON-25-0031-1
(Zoning Procedures and Permit Expiration)**

Proposed LCP Amendment

Sonoma County proposes to amend its Local Coastal Program (LCP) Implementation Plan (IP) Chapter 26C to make limited changes to zoning and permitting procedures within the coastal zone. More specifically, the proposed amendment to the IP will: replace the Board of Zoning Adjustments with a Zoning Administrator; replace the Project Review and Advisory Committee with a Zoning Administrator; and allow discretionary land use permits, including coastal development permits, to expire after four years rather than two years. Per the amended chapter, larger and more controversial projects (such as those with greater potential for adverse impacts to coastal resources) will automatically be referred by the Zoning Administrator to the County's Planning Commission. The proposed amendments will have no impact on the appealability of projects within the coastal zone, both at the local level and to the Coastal Commission. In other words, projects reviewed by the newly established Zoning Administrator can still be appealed, and applicable appeal procedures will remain unchanged.

See **Exhibit 1** for the Adopted Board of Supervisors Ordinance (No. 6517) with the Proposed LCP IP Amendment Text.

De Minimis LCP Amendment Determination

Pursuant to Coastal Act Section 30514(d), the Executive Director may determine that a proposed LCP amendment is "de minimis" if the amendment meets the following three criteria:

1. The proposed amendment would have no impact, either individually or cumulatively, on coastal resources, and it is consistent with Coastal Act Chapter 3.

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2. The proposed amendment does not propose any change in use of land or water or allowable use of property.
3. The proposed amendment was properly noticed by the local government at least 21 days prior to submittal¹ to the Commission (i.e., by posting notice on-site and off-site in the affected area, publishing notice in the local newspaper, and/or mailing notice to owners and occupants of affected and contiguous properties).

If the Executive Director determines that an amendment is de minimis, that determination must be reported to the Commission. If three or more Commissioners object to the Executive Director's de minimis LCP amendment determination at that time, then the amendment is set for a future public hearing as a regular LCP amendment. If not, then the amendment is deemed approved and it becomes a certified part of the LCP ten days after the date it is reported to the Commission (in this case, it would be certified on August 23, 2025).

The purpose of this notice is to advise interested parties of the Executive Director's determination that the proposed LCP amendment is de minimis.

De Minimis LCP Amendment Analysis

Each of the three de minimis criteria are briefly discussed below:

1. No impact to coastal resources and consistency with Coastal Act Chapter 3

The proposed amendment would update IP Chapter 26C to make limited, procedural only, changes to zoning and permitting processes within the coastal zone. More specifically, the proposed amendment to the IP will: replace the Board of Zoning Adjustments with a Zoning Administrator; replace the Project Review and Advisory Committee with a Zoning Administrator; and allow discretionary land use permits, including coastal development permits, to expire after four years rather than two years. The changes in zoning procedures are intended to allow the Planning Commission to spend less time on relatively minor projects (which will be handled by the new Zoning Administrator) and more time on more substantial projects, such as those pertaining to climate adaptation, environmental protection, and public access/recreation. All such projects approved by the zoning administrator will still be reviewed and conditioned for LCP and Coastal Act consistency, assuring required protections for coastal resources in place are applied as needed. Further, extending permit expiration dates to four years instead of the current two years will allow the County planning staff to spend less time on permit extension requests and instead focus on more substantive matters.

Thus, the proposed amendments will not adversely affect coastal resources; they are consistent with Coastal Act Chapter 3; and they meet the first de minimis LCP amendment criterion.

¹ An LCP amendment is deemed to have been "submitted" when it has been determined that it includes all of the necessary supporting documentation and information required by the Coastal Act and the Commission's implementing regulations, and is 'filed' by Commission staff as complete.

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2. No change in use of land or allowable use of property

The proposed amendments pertain only to zoning procedures and permit expiration timelines and do not propose any changes to established allowed land uses in the coastal zone. Thus, the proposed amendments do not change any LCP-allowed uses of land or LCP-allowed uses of property, and thus the proposed amendments meet the second de minimis LCP amendment criterion.

3. Provision of public notice

The County provided public notice, via newspaper notice and mail/email notice in advance of both the Planning Commission hearing (held on November 7, 2024) and the Board of Supervisors' hearings (held on February 25, 2025 and April 10, 2025), and the Board of Supervisors finalized approval of the amendment on May 6, 2025. In addition, as part of both hearing processes, the proposed amendment text was made available to the Planning Commission's interested party mailing list and the Board of Supervisors' agenda packet distribution list prior to consideration at all applicable hearings. The proposed amendments were subsequently received by the Commission on June 30, 2025, and filed as complete on July 14, 2025, roughly three months after they were last noticed locally. Therefore, the 21-day noticing requirement has been satisfied, and thus the proposed amendment meets the third and final de minimis LCP amendment criterion.

California Environmental Quality Act (CEQA)

CEQA Section 21080.5(d)(2)(A) prohibits a proposed LCP or LCP amendment from being approved if there are feasible alternatives and/or feasible mitigation measures available that would substantially lessen any significant adverse effect that the LCP or LCP amendment may have on the environment. Although local governments are not required to satisfy CEQA in terms of local preparation and adoption of LCPs and LCP amendments, many local governments use the CEQA process to develop information about proposed LCPs and LCP amendments, including to help facilitate Coastal Act review. In this case, the County exempted the proposed amendment from environmental review by determining that the action is not a project under CEQA pursuant to CEQA Guidelines section 15378(b)(5), because the action involves only "organizational or administrative activities of government... that will not result in direct or indirect physical changes in the environment." The County further reasoned that even if the action were to be considered a project subject to CEQA, it would still be exempt under CEQA Guidelines section 15061(b)(3), the "common sense exemption," which provides that "where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment," a project is exempt from CEQA. For the same reason that the action is not a project under CEQA Section 15378(b)(5), the County finds that there is no possibility that the action may have a significant effect on the environment.

The Coastal Commission is not exempt from satisfying CEQA requirements with respect to LCPs and LCP amendments, but the Commission's LCP/LCP amendment review, approval, and certification process has been certified by the Secretary of the Natural Resources Agency as being the functional equivalent of the environmental review required by CEQA (CCR Section 15251(f)). Accordingly, in fulfilling that review, this

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report has discussed the relevant coastal resource issues with the proposal, and has concluded that approval of the proposed amendment is not expected to result in any significant environmental effects, including as those terms are understood in CEQA. Accordingly, it is unnecessary for the Commission to suggest modifications (including through alternatives and/or mitigation measures) as there are no significant adverse environmental effects that approval of the proposed amendment would necessitate. Thus, the proposed amendment will not result in any significant adverse environmental effects for which feasible mitigation measures have not been employed, consistent with CEQA Section 21080.5(d)(2)(A).

Coastal Commission Concurrence

The Executive Director will report this de minimis LCP amendment determination, and any comments received on it, to the Coastal Commission at its August 13, 2025 hybrid hearing in Calabasas, CA. If you have any questions or need additional information regarding the proposed amendment or the method under which it is being processed, please contact Luke Henningsen at the Coastal Commission's North Central Coast District Office by email at luke.henningsen@coastal.ca.gov. If you wish to comment on the proposed amendment and/or object to the proposed de minimis LCP amendment determination, please do so via regular mail (directed to the North Central Coast District Office) or via email (by emailing northcentralcoast@coastal.ca.gov) prior to 5:00 PM on Friday August 8, 2025.

Procedural Note - LCP Amendment Action Deadline

This proposed LCP amendment was filed as complete on July 14, 2025. The proposed amendment affects the LCP's IP only, and the 60-working-day deadline for the Commission to take action on it is October 7, 2025. Thus, unless the Commission extends the action deadline (it may be extended by up to one year by the Commission per the Coastal Act), the Commission has until October 7, 2025 to take a final action on this LCP amendment.

Therefore, if three or more Commissioners object to the Executive Director's determination that this amendment is de minimis, then staff recommends that the Commission vote to extend the deadline for final Commission action on the proposed amendment by one year. To do so, staff recommends a YES vote on the motion below. Passage of the motion will result in a new deadline for final Commission action on the proposed LCP amendment. The motion passes only by an affirmative vote of a majority of the Commissioners present.

Motion: I move that the Commission extend the time limit to act on Sonoma County Local Coastal Program Amendment Number LCP-2-SON-25-0031-1 to October 7, 2026, and I recommend a yes vote.

Exhibits

Exhibit 1: Adopted Ordinance with Proposed LCP Amendment Text