

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
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**April 19, 2024**

County of Sonoma
Planning Division
Attn: Claudette Diaz, Planner III
2550 Ventura Avenue
Santa Rosa, CA 95403

Subject: ***LCP-2-SON-23-0058-2 – Comprehensive Land Use Plan (LUP) LCP
Amendment***

Dear Ms. Diaz,

Thank you for the materials submitted regarding the above-referenced LCPA for the County's comprehensive update to its local coastal Land Use Plan (LUP). We received the hardcopy of your response to our first filing letter at the Coastal Commission's North Central Coast District Office on April 5, 2024. Commission staff have reviewed the materials submitted to date and have determined that we need additional information to adequately analyze the proposed project for Coastal Act conformance. To this end, we are unable to file this application as complete until the following has been submitted:

1. **Relationship to Existing Implementation Plan (IP) Memo.** Thank you for providing this memo. We previously asked for clarification about the relationship between the proposed LUP and the existing IP for the interim period after LUP certification but before the IP is updated, to explain how the County will resolve situations in which there may be a policy inconsistency between the proposed LUP and the existing IP, as well as a discussion of the proposed LUP amendment's relationship to and effect on the current IP. The resubmitted materials indicate that the following policy will account for situations of inconsistency between the LUP and IP:

Policy C-LU-1a: *The Coastal Zoning Code and the Coastal Administrative Manual shall be consistent with the Goals, Objectives, Policies, Programs, and Incentives of the Local Coastal Plan.*

However, this policy only speaks to future intentions to update the Zoning Code and Administrative Manual, and does not speak to the interim situations should a consistency issue between the three documents arise before they can be updated. In such situations, other local governments have often included LUP policies that describe how to evaluate any issues should there be interpretation questions and/or outright inconsistencies between the updated LUP and the non-updated IP. It does not appear that the proposed Update includes provisions specific to this particular concern. Please provide a written explanation of how

the County would resolve any such conflicts, and whether it is the County's intent to resolve any such inconsistency issues in favor of the updated LUP policies. Also, please note that this is likely to be a suggested modification to the proposed update language.

2. **Coastal Hazards and Coastal Hazards Response.** Thank you for your response regarding policy number C-PS-1h in the CCC Comments Response Matrix regarding the responsibility of property owners for researching and determining the vulnerabilities to their property from hazards events, indicating that property owners are solely responsible for understanding these risks, and that these requirements are not intended to be a requirement for CDP applications. With the understanding that this is not the County's current intention, please indicate whether the County would be open to tying this requirement to a CDP application. Without such a requirement, this policy would have no real hook or incentive, and thus would not be actionable. Generally, LCP policies should provide clear, actionable requirements. If instead this policy is tied to a CDP application requirement, it would assure relevant and pertinent hazards conditions could be added as required when issuing a CDP, which is aligned with Commission guidance on anticipating and preparing for sea level rise and its associated impacts. Please clarify the County's position on this question.
3. **Floodway Combining District (IP) Policies.** We previously asked about multiple policies regarding floodways and floodplain setbacks, including specific to Policies C-PS-3g and C-PS-3h (see proposed LUP Update, pages PS-27 and PS-28), and your responses indicated that specific standards would be developed as part of a future IP update, and that the current IP standards are found in Article XX (F1 – Floodway Combining District) and Article XXI (F2 – Floodplain Combining District). Please clarify whether these policies are intended to apply to redevelopment projects in flood hazard areas along the shoreline, in both ocean and riverine areas.
4. **Suggested Modifications.** Thank you for your answers regarding our earlier feedback on the policies in the response matrix. Please note that as we move forward in this process, and are able to review these more closely, further coordination on these may be needed and we are happy to schedule staff to staff coordination to discuss the specifics of any suggested modifications we may consider.

We will hold your application for six months from today's date (i.e., until October 19, 2024) pending receipt of these materials. After all of the above-listed materials have been received, your application will again be reviewed and will be filed if all is in order (Government Code Section 65943(a)). Please submit all the requested materials at the same time. Please note that there may be additional materials necessary for filing purposes depending upon the nature of the information provided pursuant to the above-

listed materials. If all the above-listed materials are not received within six months, LCP Amendment number LCP-2-SON-23-0058-2 will be considered withdrawn.

If you have any questions regarding your application, please feel free to contact me at Luke.henningsen@coastal.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Henningsen".

Luke Henningsen
Coastal Planner, North Central Coast District
California Coastal Commission