



# Sonoma County Local Coastal Plan Update

## **Policy Options**

The attached discussion papers cover a range of policy options requested by the Board of Supervisors as part of their review of the Planning Commission Recommended Local Coastal Plan. The topic areas include:

- Agricultural fencing
- Support for the U.C. Davis Bodega Marine Laboratory
- Expanded opportunities for new campgrounds
- Public access to the Estero Americano
- Fire fuel management
- Preservation of non-commercial forest and woodlands
- On-shore facilities related to off-shore wind energy or seabed mining
- Reintroduction of Sea Otters to the Sonoma Coast
- Site-specific policies for visitor serving development
- Subdivision of agricultural lands to support small family farms

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# Sonoma County Local Coastal Plan Update

## Agricultural Fencing

### **Agricultural Fencing: Policy Summary:**

Comments have been received that the current Local Coastal Plan policies regarding fencing do not provide adequate guidance for how these policies apply to fencing associated with an agricultural enterprise. Different interpretations of these policies could create conflicts between protection of coastal resources and maintaining agricultural operations, especially management of livestock on grazing lands.

### **Planning Commission Action:**

The Planning Commission recommended two policies that regulate fencing:

**Policy C-OSRC-1c:** Development (including buildings, structures, fences, paved areas, signs, and landscaping) shall be prohibited from obstructing views of the coastline from coastal roads, bikeways, Vista Points, recreation areas, and beaches. Allow an exception for transportation or public safety facilities where no feasible alternatives to the project can be identified, project impact is reduced to the maximum extent feasible, and an opportunity is identified to restore or improve an existing view that will fully mitigate the project impact.

**Policy C-OSRC-4d:** Fencing or walls shall be prohibited within riparian habitat and on bluffs, except where necessary for public safety, wildfire risk abatement, habitat protection, or restoration. Fencing or walls that do not permit the free passage of wildlife shall be prohibited. Wildlife-passable fencing should generally be no more than 40 inches tall (up to 6 feet to contain horses) and no lower than 16 inches from the ground (as low as 10 inches where sheep, goats, or predation is a concern). Wooden rail, mesh, or chain link is preferred over wire fence tops, which are less visible to and more likely to result in wildlife collisions and entanglements. Where wire cannot be avoided, the top two wires should be at least 12 inches apart, and the top and bottom wires should not be barbed.

### **Discussion:**

Grazing land makes up nearly half of the land area of the coastal zone, and most agricultural enterprises in the coastal zone are involved in raising sheep, goats, cattle, or dairy cows. Fencing is a necessary component of these agricultural activities, both to contain livestock and manage grazing areas.

Agricultural fencing associated with livestock is generally open wire mesh or strands of wire. This type of fence is likely to have a negligible impact on coastal views and be consistent with policies that protect visual resources. Adding an exclusion for livestock fencing necessary for an existing agricultural enterprise will clarify the distinction between fencing necessary for agriculture and fencing for residential and commercial uses.

Policy C-OSRC-4d addresses fencing within streamside conservation areas and bluffs, but the allowable fencing would not be adequate to contain livestock, especially sheep and goats. Two policy options have been developed to address this conflict: (1) Prohibit all fencing in riparian habitat areas except when necessary for public safety, habitat protection, or as part of a project to restore coastal natural resources, or (2) Allow agricultural fencing within the riparian corridor,



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subject to a coastal development permit process where construction of a fence will not interfere with public access and use of public trust lands, and/or not result in an adverse effect to coastal natural resources.

The Planning Commission Recommended Local Coastal Plan defines “Agricultural Operation” as “a specific agricultural use or business.” A policy option is provided to replace this with the term “Agricultural Enterprise” as found in the Coastal Zoning Code. This provides a comprehensive description of commercial agricultural use and will improve interpretation and implementation of agricultural policies using this term.

### Policy Options:

- A. No change from Planning Commission recommendation
- B. Replace “Agricultural Operation” in the Local Coastal Plan glossary with the following definition:

**Agricultural Enterprise:** Also referred to as an agricultural operation. An operation of a property owner/operator that derives their primary and principal income from the production of agricultural commodities for commercial purposes, including but not limited to the following: growing of crops or horticultural commodities; breeding and raising of livestock, poultry, bees, furbearing animals, horses; agricultural processing; and preparation of commodities for market. An agricultural enterprise excludes boarding of horses, forestry and lumbering operations, and commercial transportation of prepared products to market.

- C. Revise Policy C-OSRC-1c as follows:

**Policy C-OSRC-1c:** Development (including buildings, structures, fences, paved areas, signs, and landscaping) shall be prohibited from obstructing views of the coastline from coastal roads, bikeways, Vista Points, recreation areas, and beaches. Allow an exception for:

1. **Replacement in kind of the same type, material, scope/intensity/size, and location as the existing fence necessary to support an existing agricultural enterprise.**
2. **Installation of new fencing necessary to support an existing agricultural enterprise. New fencing must minimize visual impacts to the maximum extent possible, consistent with providing effective containment of livestock and/or protection from predators.**
3. Transportation or public safety facilities where no feasible alternatives to the project can be identified, and visual impacts are reduced to the maximum extent feasible, and visual impacts that cannot be reduced are fully mitigated.

- D. Revise Policy C-OSRC-4d:

**Policy C-OSRC-4d:** Fencing or walls shall be prohibited within riparian habitat and on



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bluffs, except where necessary for public safety, wildfire risk abatement, habitat protection or restoration, **or when necessary to support an existing agricultural enterprise, subject to a coastal development permit.** Fencing or walls that do not permit the free passage of wildlife shall be prohibited. Wildlife-passable fencing should generally be no more than 40 inches tall (~~up to 6 feet to contain horses~~) and no lower than 16 inches from the ground (~~as low as 10 inches where sheep, goats, or predation is a concern~~). Wooden rail, mesh, or chain link is preferred over wire fence tops, which are less visible to and more likely to result in wildlife collisions and entanglements. Where wire cannot be avoided, the top two wires ~~should~~ **shall** be at least 12 inches apart, and the top and bottom wires ~~should~~ **shall** not be barbed. **An existing agricultural enterprise may be granted an exception to fence height and design standards within riparian habitat or on bluffs subject to coastal development permit supported by findings that construction of a fence within these areas will not interfere with existing public access and use of public trust lands, and/or not result in an adverse effect to coastal natural and/or visual resources.**

### Staff Recommendation

Policy Options B, C, and D.



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# Sonoma County Local Coastal Plan Update

## **Bodega Marine Laboratory**

### **Bodega Marine Laboratory: Policy Summary:**

The Local Coastal Program does not cover the U.C. Davis Bodega Marine Laboratory (Bodega Marine Lab) site, as section 30519 of the Coastal Act excludes the University of California from local coastal plan jurisdiction. Much of the associated research with the Bodega Marine Lab, however, does take place offsite and does not immediately benefit from the provisions impacting the State property. It is the intention of the below policy recommendations to support the Bodega Marine Lab activities and to allow this educational research to continue off-site in order to further understand and preserve our natural coastal resources without putting such resources at risk of damage.

### **Planning Commission Action:**

While access issues were discussed, the Planning Commission did not provide recommendations specific to the University of California Coastal and Marine Sciences Institute Bodega Marine Laboratory (Bodega Marine Lab).

### **Discussion:**

While the Local Coastal Plan by statute does not apply to the Bodega Marine Lab site, it may be appropriate to consider additional policies that support the scientific mission of the lab within the Sonoma coastal zone.

### **Policy Options:**

A. Add a new policy to the OSRC element:

Research projects conducted by the University of California Bodega Marine Lab (BML) that involve development, as defined by the Coastal Act, shall only be subject to a streamlined and programmatic coastal development permit that includes the following requirements:

- a. The research activities shall be consistent with the California Coastal Act and other relevant state and federal laws and regulations.
- b. The BML shall submit an annual report to the California Coastal Commission outlining the research activities conducted, including any potential impacts on coastal resources and the steps taken to minimize such impacts.
- c. The BML shall provide the California Coastal Commission with at least 30 days' notice prior to the initiation of any new research activities and shall work with the Commission to ensure that the activities are consistent with the Coastal Act and other relevant laws and regulations.
- d. The BML shall make its research findings and educational materials available to the public, in order to increase understanding and appreciation of the coastal zone and to inform coastal management decisions.



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## Sonoma County Local Coastal Plan Update **Bodega Marine Laboratory**

- e. The BML shall, in case of any coastal damage or negative impact caused by their activities, take immediate steps to mitigate such damage and take all necessary measures to prevent recurrence of the same.

This policy is intended to support the valuable research activities of the Bodega Marine Lab while ensuring the protection of California's coastal resources.

B. No Change

### **Recommendation**

Staff recommends the Board of Supervisor adopt policy option A to allow and streamline future research opportunities.



# Sonoma County Local Coastal Plan Update Campgrounds

## **Campgrounds: Policy Option Summary**

At the November 10, 2021 meeting, the Planning Commission noted that while campgrounds provide the most affordable lodging opportunity for visitors to the Sonoma Coast, most campgrounds are in locations that are vulnerable to sea level rise. The Planning Commission directed staff to develop policy options that provide more opportunities for developing new campgrounds as part of meeting equity goals in the context of coastal access and recreation.

## **Planning Commission Action**

Staff provided recommendations regarding policies to encourage campground development at the February 3, 2021 Planning Commission meeting. These recommendations were discussed and supported by the Commission, but no formal direction was given to staff regarding new policies to encourage campground development and the policies were not included in the Planning Commission Recommended Draft Local Coastal Plan.

## **Discussion**

Campgrounds represent the most affordable lodging option for visitors to the Sonoma Coast and maintaining adequate campground capacity is a critical component of providing equitable access for all visitors. Many existing campgrounds are located at low elevations near the ocean and are vulnerable to sea level rise. To offset the future loss of existing campgrounds and provide equitable access to the coast, existing campgrounds must have sites available for managed retreat and new sites will need to be developed to offset loss of existing campgrounds that cannot be moved inland in response to sea level rise.

In addition to encouraging campground development, it is important that campgrounds are limited to areas where adverse impact to coastal natural resources can be avoided, and new campgrounds are compatible with existing and future development consistent with Local Coastal Plan land use policies.

## **Policy Options:**

- A. No change from Planning Commission Recommendation
- B. Revise Land Use Element Section 5 Visitor-Serving Commercial Facilities as shown below to include policies discussed and supported by the Planning Commission that, due to lack of formal action, were not included in the Planning Commission Recommended Draft Local Coastal Plan. The following recommended narrative and policy recommendations are included with the intention of retaining **Table C-LU-4** as written.

### **"5. Existing Visitor-Serving Commercial Facilities**

Below are the definitions of visitor-serving versus local-serving commercial facilities:

- (1) Visitor-serving commercial facilities or uses include development that provides basic support services for visitors such as motels, **campgrounds**, restaurants, grocery stores, auto service stations, and public restrooms. Most of these facilities on the Sonoma County coast are both visitor-serving and local-serving.



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## Sonoma County Local Coastal Plan Update Campgrounds

- (2) Local-serving commercial facilities or uses include all other private commercial development that provides for the needs of the local population such as professional offices, utilities, banks, and fishing industry support services.

Visitor-serving and local-serving commercial facilities accessible to the Sonoma County coast are concentrated primarily in The Sea Ranch, Bodega Bay, and Gualala in Mendocino County. These areas are the most suitable for expanding visitor-serving commercial facilities due to the availability of public services and due to existing development. Jenner and Duncans Mills on the North Coast and Valley Ford on the South Coast are secondary locations along the coast with isolated services (i.e., spot commercial services such as single grocery stores). Other small service centers are scattered along the Sonoma County coast and just inland.

Three visitor centers serve the North Coast: Redwood Coasts Chamber of Commerce in Gualala; Russian River Chamber of Commerce and Visitor Center in Guerneville; and Jenner Visitors' Center in Jenner. The south coast is served by the Sonoma Coast Visitor Center in Bodega Bay.

As of summer of 2022, an estimated 600 vacation rentals are operating in the Coastal Zone with the majority located in The Sea Ranch and Bodega Harbour subdivision.

**Tables C-LU-1 and C-LU-1** provide summaries of visitor serving overnight accommodations, other than vacation rentals, in the Coastal Zone. **It should be noted that campgrounds provide 1,083 spaces, which represents more than half of all overnight accommodations in the Sonoma Coast.**

**GOAL C-LU-5: Encourage Support public access with visitor-serving uses in the Coastal Zone and establish adequate commercial services for visitors on the Sonoma County coast where such development can be accommodated with minimal impacts on views and natural resources.**

**Objective C-LU-5.1:** Identify and develop new or expanded commercial services for visitors in urban service areas and rural communities **where a need for visitor serving services has been identified.**

**Policy C-LU-5e:** Encourage the provision of modest scale overnight accommodations **that** ~~which~~ have minimal impacts on the coastal environment, including **campgrounds**, bed and breakfast accommodations in existing homes, guest ranches, inns, and motels. Guest ranches in agricultural areas shall be compatible with continued ranch operations and shall be limited to the allowable residential density.

**(New Policy) Policy C-LU-5f: Allow campgrounds, subject to a coastal development permit, in all agricultural, resource, and commercial land use categories where campgrounds will not interfere with the principally permitted use, are compatible with surrounding land uses, and will not have a significant adverse impact on coastal natural resources."**

C. Add the following definitions to the Local Coastal Plan Glossary:





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## Sonoma County Local Coastal Plan Update **Campgrounds**

**"Campground"** An area for temporary overnight occupancy consisting of sites for tents or shelters of natural or synthetic material, unsheltered sleeping bags or bedding material, motor vehicles, motor homes, trailers, or moored vessels. Campgrounds also may include parking areas, restroom facilities, and other support amenities directly related to supporting overnight visitors using the area.

### **Staff Recommendation**

Policy Option B and C: Amend Land Use Element Section 5 Visitor-Serving Commercial Facilities to better encourage development of campgrounds and add "campground" to the glossary.



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# Sonoma County Local Coastal Plan Update

## **Estero Americano Public Access**

### **Estero Americano Public Access: Policy Summary:**

Currently, public access to the Estero Americano is only available at the mouth of the Estero or via an informal accessway at Marsh Road in Marin County. The Marsh Road accessway is on land owned by Marin County, but not identified as an accessway by the Marin County Local Coastal Program. Marin County has requested that the informal accessway adjacent to the county line on Marsh Road not be referenced in the Sonoma County Local Coastal Plan. The mouth of the Estero can be accessed by walking along the shoreline from Shorttail Gulch Trail, use of this route would be limited to low tide and the route would be challenging and hazardous in some conditions. The mouth of the Estero Americano could also be accessed by boat.

To expand existing public access, the Planning Commission recommended adding a new proposed accessway at property owned by Sonoma Land Trust and a second proposed accessway on parcel further inland using an existing easement purchased by the Sonoma County Ag + Open Space District.

### **Planning Commission Action:**

The Planning Commission supported Marin County's request to remove references to an accessway at Marsh Road and the staff recommendation to add a new proposed accessways at property owned by Sonoma Land Trust, and another accessway using an existing easement purchased by the Sonoma County Ag + Open Space District across an agricultural parcel adjacent to the Estero Americano.

In addition to these two new proposed accessways, the Planning Commission recommended adding an alternative alignment of the California Coastal Trail along Highway 1, and a water trail for canoes, kayaks, and similar watercraft, accessed from public trust lands at the mouth of the Estero Americano.

In response to some landowners' concerns that existing mapping and policy language encouraged trespassing, the Planning Commission added new text to the public access maps and the public access plans stating:

"Undeveloped (Proposed) access points are not available for public use until developed. Do not use Proposed access points without permission of the landowner."

The Planning Commission also recommended changes to access point labeling on Figure C-PA-1k to clarify that the California Coastal Trail and Estero water trail are general alignments that are not associated with a specific parcel or property owner.

### **Discussion**

The Estero Americano is located within the Valley Ford Subarea on Figure C-PA-1k, with 3 proposed public access ways. One of the three accessways (J-2) is owned by the Sonoma County Land Trust, which supports limited supervised public access to their property. Proposed accessway J-4 is associated with an easement purchased by the Sonoma County Ag + Open Space District.



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## Sonoma County Local Coastal Plan Update Estero Americano Public Access

The final accessway is a water trail associated with canoeing and kayaking in the Estero Americano and adjoining public trust lands.

Some agricultural landowners along the Estero Americano object to providing any new public access that required use of Estero Lane, citing concerns regarding trespassing, interference with agricultural operations, restrictions associated with existing road easements, and environmental impacts. These landowners also felt that identifying proposed accessways on the Local Coastal Plan Public Access maps encourages trespassing.

Members of Bay Area Sea Kayakers, North Bay Kayakers, Marin Canoe Club, Petaluma Paddlers, and Russian Riverkeeper provided comments in support of increasing public access and noted that while use of property above mean high tide requires landowner permission, the public has a right to use tidelands and tidal waters of the state. Marsh Road in Marin, though not formally identified in the Marin LCP, and the beach are the only public access points.

Permit Sonoma staff has been unable to verify that identifying proposed future public access is having or would have any trespassing or other impact. Ongoing informal access to the Estero Americano does not appear to be creating any immediately identifiable impacts.

Increasing public access to the Estero Americano is controversial and any new accessways need to carefully balance providing public access to the Estero Americano with protection of natural resources.

A second objection raised by neighboring landowners to the proposed access point is that the private easement serving the Sonoma Land Trust property is restricted to private ingress and egress. While Estero Lane is a County maintained road from Postmile 10.00 at the intersection with Highway 1 ending at Postmile 11.52, the Sonoma Land Trust property is beyond Postmile 11.52 and access via Estero Lane would require an agreement to modify the easement language.

Staff has met with Coastal Commission staff regarding removing proposed public accessways associated with the Estero Americano. Commission staff noted that while public access is encouraged removal of specific proposed accessways could be found consistent with the Coastal Act, as long as all existing public access was maintained.

### **Policy Options:**

- A. Adopt access plan and associated map as recommended by the Planning Commission with language and symbols clarifying that no access exists at this time, and use of the accessway require landowner permission. Add a new symbol and language clarifying that: "The Estero Americano Water Trail (J-3) refers to the Estero and public trust lands within the intertidal zone and that access at the Valley Ford Estero Americano Road Bridge on the Sonoma County side is privately owned and will require acquiring an easement to allow use of this location to launch canoes and kayaks."
- B. Remove points on the map associated with the Estero Americano and add the following policies to the Public Access Element:

Support development of public accessways in locations where landowners have expressed an interest in providing access or where easements have been acquired that would allow development of public access.



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## Sonoma County Local Coastal Plan Update **Estero Americano Public Access**

Require coastal permit with hearing for vacations of Rights of Way within Sub Area 10 potentially impacting future access to the Estero Americano. The coastal permit shall only be approved if accompanied by findings that the vacation will not reduce existing or future public access opportunities, as a result of sale, or relinquishment of the existing right-of-way that could provide access to the Estero Americano.

### **Staff Recommendation**

Policy decision for the Board of Supervisors.



# Sonoma County Local Coastal Plan Update

## Fire Fuel Management

### **Fire Fuel Management Policy Summary:**

Climate change and a long-term policy of fire suppression in forested lands has led to an accumulation of fuel loads. These high fuel loads, coupled with extended drought, and the spread of invasive species has resulted in larger and more catastrophic wildfires that threaten Sonoma County's coastal resources and put coastal communities at high risk of being destroyed by wildfire. Program C-OSRC-11-P1 is intended to reduce these risks in commercial timberlands, but a significant risk to resources and existing development remains in non-commercial forests and communities within the Wildland Urban Interface. Adding a program to the Public Safety Element to develop a programmatic response to these risks will streamline the permitting process for fire fuel reduction and management of non-commercial forest lands.

### **Planning Commission Action:**

Addition of a fire fuel management program was considered and supported by the Planning Commission at the February 3, 2022 meeting, but the Commission did not provide formal direction regarding the additional program for fire fuel management, and the program was not included in the Planning Commission Recommended Local Coastal Plan.

### **Discussion**

Wildfires in Sonoma County have demonstrated that when fuels are allowed to accumulate around structures, it becomes a hazard not only for an individual property, but for the neighboring properties and the natural environment. Without adequate vegetation management, including fuel breaks such as those proposed as fire prevention projects, catastrophic wildfires are likely to be more frequent and larger, thereby causing damage or destruction to homes, businesses, utility lines, roads (including due to landslides caused by post-fire erosion), and other structures, and degradation of natural resources.

Fire prevention projects are generally implemented as defensible spaces around existing structures, or as fuel breaks along existing roads to provide strategic fire breaks and staging areas for fire fighters. While fire fuel reduction may result in impacts to coastal natural resources, the Coastal Act allows maintenance of existing, legally established structures, roads, and similar development, provided that this maintenance is conducted in a manner protective of coastal resources.

In their November 9, 2022 comment letter, the Sonoma County Coast Municipal Advisory Council supported retaining the existing Program C-OSRC-11-P1 and adding text of new Program C-PS-5-P1. Consistent with this recommendation, staff initially proposed replacing the text of Program C-OSRC-11-P1 with the text of Program C-PS-5-P1 and keeping this program in the Open Space and Resource Conservation Element. After further review, staff now recommends that Program C-OSRC-11-P1 be removed and that a new Program C-PS-5-P1 (below) be added to the Public Safety Element. Staff believes that locating this policy within the Wildland Fire Hazards section of the Public Safety Element will make it easier to locate as fire fuel management is better aligned with the existing policies in this section.



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# Sonoma County Local Coastal Plan Update

## Fire Fuel Management

In addition to relocation of this policy language, staff recommends streamlining approvals through a "Public Works Project" plan, as that term is defined by the Coastal Act, as it encompasses all public projects developed by a public agency and is not limited to projects that are generally associated with public works departments such as roads, utilities, and public infrastructure. Public Works Projects may also include projects developed by a public agency and implemented by the private sector, such as the recommended fire fuel management program. This streamlining strategy is supported by Coastal Commission staff.

Section 30605 of the Coastal Act states, in part:

*To promote greater efficiency for the planning of any public works ... and as an alternative to project-by-project review, plans for public ... may be submitted to the commission for review in the same manner prescribed for the review of local coastal programs set forth in Chapter 6 (commencing with Section 30500). ... If any such plan for public works is submitted after the certification of local coastal programs, any such plan shall be approved by the commission only if it finds, after full consultation with the affected local governments, that the proposed plan for public works is in conformity with certified local coastal programs in jurisdictions affected by the proposed public works. ... Where a plan for a public works ... has been certified by the commission, any subsequent review by the commission of a specific project contained in the certified plan shall be limited to imposing conditions consistent with Sections 30607 and 30607.1.*

A Forest Health and Fire Resilience Public Works Plan provides consistent standards for fire fuel management within each Public Works Plan area and allows programmatic approval of fire fuel management activities within an area rather than requiring each landowner to apply individually for a coastal development permit to manage fire fuel vegetation. Approval of a Public Works Plan requires certification by the Coastal Commission.

### **Policy Options:**

- A. Retain existing Program C-OSRC-11-P1 and do not include new program C-PS-5-P1, consistent with the Planning Commission Recommended Local Coastal Plan.
- B. Replace text of Program C-OSRC-11-P1 in the Open Space and Resource Conservation element with text of new Program C-PS-5-P1 (below).
- C. Remove Program C-OSRC-11-P1 from the Open Space and Resource Conservation element and create a new Program C-PS-5-P1 (below) in Section 5 of the Public Safety Element.

### **Existing Implementation Program:**

**Program C-OSRC-11-P1:** In cooperation with the Coastal Commission, State Parks, Sonoma County Regional Parks, and Cal Fire Board of Forestry, develop forestry guidelines including best practices to improve habitat health and reduce the risk of wildland fire without restricting public access to the coast. Establish a coastal permit exemption, other exemption process, or master plan for forestry maintenance activities consistent with such guidelines.

### **New Public Safety Element Implementation Program:**

**Program C-PS-5-P1:** Develop Forest Health and Fire Resilience Public Works Plans for



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## Sonoma County Local Coastal Plan Update **Fire Fuel Management**

high fire risk areas in order to improve health of non-commercial forest lands, reduce wildfire hazards, and create vegetation management plans that will adapt to increased climate change-induced wildfire risk. Fire prevention projects in developed areas that cannot be designed to directly improve or restore ecosystems or ecosystem processes shall be limited to projects that are required to protect existing structures and/or infrastructure.

Projects approved under a Forest Health and Fire Resilience Public Works Plans shall be designed to:

1. Restore forest health, improve ecosystem resiliency, and conserve forests by restoring native vegetation types and improving habitat for rare, threatened, and endangered plant and animal species.
2. Protect water supply and quality with restoration projects across coastal watersheds.
3. Minimize the loss of forest-sequestered carbon from large, intense wildfires, through reduction of ladder fuels and brush in order to reduce fire severity.
4. Promote public safety, health, and welfare and protect public and private property through fuel reduction treatments and the creation of defensible space around structures in the wildland urban interface.

Where an immediate need is identified for fire fuel reduction in residentially developed areas prior to approval of the Forest Health and Fire Resilience Public Works Plan, develop an interim fuel reduction program for these areas.

### **Staff Recommendation**

Policy Option C: Remove Program C-OSRC-11-P1 from the Open Space and Resource Conservation element and create a new Program C-PS-5-P1 (below) in Section 5 of the Public Safety Element.



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# Sonoma County Local Coastal Plan Update Forest and Woodlands

## **Forest Land: Policy Option Summary:**

The Local Coastal Plan draft contains extensive references to both “forest” and “woodland,” but “forest” is not defined in the glossary. “Coastal woodland” is defined in the glossary, but this definition refers back to “forests,” which is undefined.

## **Planning Commission Action:**

The Planning Commission discussed the need to better define terms associated with protection and management of forest and woodland areas. The Planning Commission recommended draft includes policies that protect and define old growth forests and their associated habitat but did not provide definitions of “forest” and “woodland” or add forests to the list of ecosystems potentially protected as Environmentally Sensitive Habitat Areas.

The Planning Commission also discussed the need to identify non-commercial forest and woodlands for inclusion in policies intended to protect biotic resources but did not define the terms “forest”, “woodland” and “forest soils”.

During deliberations, the Planning Commission supported the policy options listed below, but did not provide a specific recommendation to include these options in the Planning Commission Recommended Draft. Clarification of “forest” and “woodland” was discussed by the Planning Commission as well as the need to identify non-commercial forest and woodlands for inclusion in policies intended to protect biotic resources.

## **Discussion**

The terms forest, timberland, and woodland are used interchangeably throughout the Local Coastal Plan but the Planning Commission Recommended Local Coastal Plan does not define these terms. Absent clear definitions and objective criteria for protection, implementing policies protecting these resources is difficult.

Definitions from United Nations Food and Agriculture Organization, U.S. Forest Service, Calfire, and the National Park Service were reviewed as well as definitions for commercial forests found in the California Timberland Productivity Act of 1982. Working with Permit Sonoma Natural Resources Section staff, these definitions were integrated to develop clear, concise proposed definitions that will allow accurate interpretation of policies that protect these resources.

These proposed definitions are provided below as policy options.

## **Policy Option:**

- A. No Change from Planning Commission Recommendation.
- B. Revise definition of “Coastal Woodland”, add definition of “Forest” and “Forest Soils”.

### **Coastal Woodland Current Definition:**

Coastal Woodland: Category grouping the redwood, mixed evergreen, closed cone pine, and oak woodland forests.

### **Woodland Revised Definition:**





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## Sonoma County Local Coastal Plan Update Forest and Woodlands

**Woodland:** An undeveloped area generally larger than one acre where vegetation is dominated by trees at least 20 feet tall producing an open canopy that allows sunlight to penetrate between the trees. Woodlands may support an understory of shrubs and herbaceous plants such as grasses.

### Forest Definition:

**Forest:** An undeveloped area generally larger than one acre where vegetation is dominated by trees at least 20 feet tall producing a closed canopy where branches and foliage of trees interlock overhead to provide extensive and nearly continuous shade at ground level creating an understory of shade-tolerant shrubs and a sparse layer of soft-stemmed plants.

### Forest Soil Definition:

**Forest Soil:** Soils that form in areas covered by forests and woodlands that are generally acidic and organic, with limited chemical fertility. These soils are characterized by a relatively thick surface layer containing organic materials from dead plants and animals, that are easily degraded by microorganisms, especially by mycorrhizal fungi that form a mutualistic relationship with the roots of plants. Forest soils are sensitive to damage from compaction, fertilizer, and fungicides.

### C. Change Following Text Throughout Local Coastal Plan:

Local Coastal Plan polices use both "coastal woodland" and "woodland" when referring to woodlands. In the context of these policies, coastal woodland only signifies a woodland within the coastal zone rather than an ecological distinction and this term is not used consistently throughout the Local Coastal Plan. To improve consistency, replace "coastal woodland" with "woodland" in all Local Coastal Plan text.

Many policies refer to "timberland soils" rather than "forest soils". The term "forest soils" applies to both soils found in well-managed commercial timberlands as well as non-commercial forests and woodlands. To clarify the need to protect soils associated with healthy forests and woodlands, including commercial timberlands, replace "timberland soils" with "forest soils" in all Local Coastal Plan text.

### D. Add "forest" to Policies C-OSRC-7a and C-OSRC-7o:

**Policy C-OSRC-7a:** Permit applications for development which could have an impact on biological resources shall be accompanied by a biological resources assessment, as required in Subsection 8. "Environmentally Sensitive Habitat Areas". Biological resources include, but are not limited to, special status plant or animal species and their habitats, coastal dunes, beaches, tidepools, wetlands, estuaries, lagoons, streams and creeks, riparian habitat, **forests**, oak and other native tree woodlands, and native grasslands.

**Policy C-OSRC-7o:** The identification through site assessment, preservation, and protection of native trees and woodlands shall be required. To the maximum extent practicable, the removal of native trees and fragmentation of woodlands **and forests** shall be minimized; any trees removed shall be replaced, preferably on the site at a greater than 1:1 ratio (and at a greater than 3:1 ratio for riparian trees); and permanent protection of other existing woodlands and forests shall be provided where replacement



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## Sonoma County Local Coastal Plan Update **Forest and Woodlands**

planting does not provide adequate mitigation.

### **Staff Recommendation**

Option B, C, and D



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# Sonoma County Local Coastal Plan Update Offshore Energy Production and Mining

## **Onshore Energy Production and Mining: Policy Summary:**

Concerns in the 1980s about Federal leases of Outer Continental Shelf to produce oil and gas led to the 1986 approval of Ordinance 3592R, known as the On-Shore Oil and Gas Facilities ordinance of Sonoma County (Sonoma County Code Chapter 31). The ordinance is the result of a countywide ballot initiative that requires voter approval of any proposed Local Coastal Plan Amendment to allow onshore facilities that would support oil and gas development of the outer continental shelf. The ordinance may not be substantively amended without a vote of the people.

Members of the public requested that the Planning Commission recommend extending the prohibition to include offshore wind energy production and undersea mining.

## **Planning Commission Action:**

The Planning Commission considered the issue of prohibiting on-shore support facilities for off-shore wind energy facilities at the January 13, 2022 meeting and made an initial recommendation to prohibit these support facilities within the Commercial Fishing land use category, which the only land use category where industrial on-shore facilities are permitted.

Prohibiting on-shore support for off-shore energy and mining was discussed again at the March 3, 2022 meeting. At the June 29, 2022 meeting the Planning Commission recommended adding Policy C-LU-3b, which prohibits facilities that support offshore oil, gas, or energy production within the Commercial Fishing land use category.

## **Discussion:**

### Wind Energy Development

Development of wind energy is critical to addressing the climate emergency, and state and federal regulators have sought to encourage offshore wind development in appropriate areas, and as part of their response to this crisis, the U.S. Bureau of Ocean Energy Management has designated a 206 square mile area located 21 miles offshore of Eureka as a wind power development lease area. Leases to develop wind farms in this area were awarded in December of 2022. The wind resource off the Humboldt coast is exceptional due to strong predictable winds and would support an installed capacity of 1.6 gigawatts.

Public comment on the issue of off-shore wind energy development centered around a perception that Bodega Harbor is under consideration as a staging area for support ships and a preferred location for subsea cable landfall, substations, and overland high-voltage transmission lines.

There does not appear to be any compelling reason that companies developing wind energy in the Humboldt lease area would need to use Bodega Bay for construction or operation of the project as Humboldt Bay is the largest deepwater port between San Francisco and Coos Bay, Oregon, can accommodate ships up to 700 feet long, has dock facilities adequate to assemble floating wind turbines for the project, and an existing grid intertie that has been underutilized since PG&E took Humboldt Bay Nuclear Power Plant offline in 1976.



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## Sonoma County Local Coastal Plan Update Offshore Energy Production and Mining

Bodega Bay is a small fishing port served by a 12-foot deep channel that is not adequate for vessels that would construct and service a large wind energy facility. While a high-voltage grid intertie was proposed as part of the Bodega Head nuclear power station, the project was abandoned, and the power line right-of-way acquisition was never completed. Bringing energy from the Humboldt project ashore in Bodega Bay would require approximately 200 miles of high voltage subsea cable. Costs for cable projects similar in scope are approximately \$5 million per mile or \$800 million for a cable to Bodega Bay.

Local control of large energy projects is limited by Section 30515 of the Coastal Act, which allows the Coastal Commission to override Local Coastal Plan if the facility serves a public need beyond the local area. Under this provision, the Coastal Commission can directly amend the Local Coastal Plan and approve the project if the Commission finds the project consistent with the Coastal Act.

### Offshore Mining

California (Pub. Res. Code Section 6900), Oregon, and Washington prohibit extraction or removal of hard minerals from state waters, which extend 3 nautical miles from the shoreline. States do not have authority beyond the 3-mile limit. Areas within the United States Exclusive Economic Zone are regulated by the Bureau of Ocean Energy Management, and international waters beyond that are regulated by the International Seabed Authority, although the United States is not one of the 168 member states of the International Seabed Authority.

Subsea mining requires substantial port facilities as well as direct access to on-shore processing and transportation infrastructure (generally railroads) capable of efficiently transporting large quantities of materials. These facilities do not exist along the Sonoma Coast, and it is difficult to identify an economic advantage to replicating facilities that currently exist along San Francisco Bay in Bodega Bay. The climate emergency is causing speculation and anxiety about increased deep sea mining as a potential response to mineral shortages, but there is little reason to think that Sonoma County would be impacted by any such projects.

Subsea mining causes significant damage to ocean resources and ecosystems. A prohibition of onshore support facilities in the Sonoma Coast would be a symbolic gesture demonstrating the County's commitment to protect the ocean, as infrastructure necessary for on-shore support already exists in San Francisco Bay.

### **Policy Options:**

- A. Adopt the current Planning Commission Recommendation.
- B. New Policy: "Prohibit facilities that support development or operation of off-shore energy production facilities. Amendment of this policy shall not be effective until a majority of the voters in Sonoma County, in a general or special election, approve the proposed amendment."
- C. New Policy: "Prohibit facilities that support exploration, development or operation of off-shore mining. Amendment of this policy shall not be effective until a majority of the voters in Sonoma County, in a general or special election, approve the proposed amendment."

### **Staff Recommendation**



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# Sonoma County Local Coastal Plan Update **Offshore Energy Production and Mining**

For policy determination by the Board



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# Sonoma County Local Coastal Plan Update

## Sea Otter Reintroduction

### **Sea Otter Reintroduction: Policy Option Summary**

Since 2014, more than 90 percent of the kelp beds along the Sonoma Coast have been destroyed by explosive growth in the sea urchin population, which kill kelp by consuming their attachment to the sea floor. The huge increase in sea urchin population is a consequence of the disappearance of the sea urchin's two main predators – sunflower sea stars and sea otters. The sunflower sea star has recently become functionally extinct due to a disease of unknown origin, but the disappearance of the sea otter is the direct result of human activities, specifically hunting sea otters for their fur.

Because disease associated with the disappearance of the sunflower sea star is not yet well understood, reintroduction of sea otters may be one of the most effective measures to control sea urchin population and protect kelp beds.

In June 2022, the U.S. Fish and Wildlife Service published its feasibility assessment of reintroduction of the sea otter to our part of the Pacific coast. This report concluded that reintroduction along the Marin / Sonoma / Mendocino coast is feasible and likely to be successful given adequate resources, but further study will be necessary to identify specific sites.

In an October 17, 2022 letter to the U.S. Fish and Wildlife Service, the Sonoma County Board of Supervisors supported reintroduction of sea otters to the Sonoma Coast and stated that “reintroducing sea otters to areas where they historically lived but are currently absent could help restore functioning coastal ecosystems by enhancing ecosystem resilience, biodiversity, carbon sequestration, and resilience to the effects of climate change.”

### **Planning Commission Action**

The Planning Commission discussed several policies to protect marine mammals and preserve kelp beds along the Sonoma Coast but did not specifically make a recommendation regarding the reintroduction of sea otters. Policy C-OSRC-6g specifically addresses preservation of kelp beds:

**Policy C-OSRC-6g:** Encourage the pertinent state and federal agencies to carry-out the following activities to preserve kelp beds:

- (1) Monitor the size and viability of the kelp beds for all ecological functions including fish habitat;
- (2) Regulate and monitor activities such as sewage disposal, dredging, and renewable energy development, and other projects which could degrade nearshore marine water quality and hence have an adverse impact on kelp habitat;
- (3) Prohibit petroleum and other forms of energy development which may have a significant impact on kelp beds as a result of normal operations or accidents (e.g., oil spills and well blow-outs); and
- (4) Require applicants for commercial or industrial kelp harvesting to conduct studies, in consultation with the California Department of Fish and Wildlife, of the specific sites or areas proposed for kelp harvesting. The studies shall identify measures that could be implemented following harvest to restore these sites to their pre-harvest condition, including identification of reference sites and performance standards for determining



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# Sonoma County Local Coastal Plan Update

## Sea Otter Reintroduction

restoration success. Require any authorized harvesting to be conducted consistent with the recommendation of the studies, including site restoration measures.

### **Discussion**

There are two distinct sea otter subspecies in the U.S., the northern sea otter and the southern (or California) sea otter. Northern sea otters live in the nearshore waters of Alaska, British Columbia, and Washington State, and southern sea otters live along coastal California with Oregon serving as a transition zone between the two subspecies.

Sea otters maintain kelp beds by preying on sea urchins that feed on the kelp stems where they attach to the sea floor, eventually destroying the kelp beds in the absence of predators. Reintroducing sea otters to areas where they historically lived but are currently absent will help restore functioning coastal ecosystems by enhancing ecosystem resilience, biodiversity, carbon sequestration, and resilience to the effects of climate change. A reintroduction could also increase gene flow between existing sea otter populations, contribute to the recovery of the threatened southern sea otter, and mitigate climate change.

Both kelp and seagrass capture carbon dioxide (CO<sub>2</sub>) from the atmosphere and transform it into elemental carbon. Some of this carbon is stored in the plants themselves but most of this carbon becomes sequestered in ocean sediments where it becomes isolated from the carbon cycle. Kelp and seagrass also protect shorelines from erosion and reduce ocean acidification, which results from the ocean's absorption of excess atmospheric CO<sub>2</sub>.

While Policy C-OSRC-6g could be interpreted to support sea otter reintroduction as a mechanism to protect and enhance kelp beds, the policy does not specifically identify this as an important tool for preserving kelp beds, nor does it acknowledge the role kelp beds play in reducing carbon emissions. Expanding this policy to specifically support sea otter reintroduction will clarify that sea otters are an important component of the kelp forest ecosystem.

Given the fragile condition of kelp beds, harvesting of kelp should be limited to scientific research only and commercial or industrial kelp harvesting should be prohibited until kelp beds have recovered to their historic range and vitality.

### **Policy Options**

- A. Planning Commission recommendation.
- B. Replace Policy C-OSRC-6G (4) with the following text:

(4) Kelp may only be harvested for the purpose of scientific research. Onshore facilities that support commercial kelp harvesting, including the transfer of kelp to land-based transportation, are prohibited until the Board determines that kelp beds have recovered to their historic range and vitality on the Sonoma coast.
- C. Add new subsection to Policy C-OSRC-6G:

(5) Identify locations and opportunities to collaborate with local, state, and Federal agencies, Tribal government, and key stakeholders to reintroduce sea otters to the Sonoma Coast and collaborate on the development of a comprehensive program for reintroduction.
- D. New Program C-OSRC-6-P2:



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# Sonoma County Local Coastal Plan Update

## Sea Otter Reintroduction

Working with local, state, and Federal agencies, Tribal government, and key stakeholders, evaluate the biological and socioeconomic feasibility of reintroducing sea otters to the Sonoma Coast. This evaluation shall

1. Develop criteria for site-level evaluation of biological success.
2. Identify sites for piloting reintroduction.
3. Conduct socioeconomic study on the benefits of species reintroduction that includes, but is not limited to, tourism, ecosystem services, finfish fisheries, and shellfish fisheries.
4. Identify funding sources for costs associated with reintroduction of sea otters and to offset impacts to the fishing community that may result from reintroduction.
5. Identify educational opportunities associated with reintroduction.

### **Staff Recommendation**

Policy Options B, C, and D





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# Sonoma County Local Coastal Plan Update

## Site-Specific Uses

### **Site Specific Policies: Policy Option Summary:**

The Planning Commission Recommended Draft Local Coastal Plan contains a series of policies carried over from the current 2001 Local Coastal Plan that were intended to identify and memorialize specific uses on parcels in addition to what is allowed by the base district.

### **Planning Commission Action:**

Staff recommended the Planning Commission remove parcel specific policies. The Planning Commission discussed the issue and did not recommend removing parcel specific policies in the Planning Commission Recommended Local Coastal Plan.

### **Discussion:**

Since the Planning Commission hearings and first Board of Supervisor hearing on October 4, 2022 additional comments, including those provided by the Coastal MAC, have resulted in Staff reexamining the issue of parcel specific policies and potential opportunities and constraints to individual property owners. Some discussion on individual site-specific policies is below. Site specific use policies are used to either allow existing uses or limit future expansions based on environmental constraints. The existing uses are generally consistent with the underlying land use or allowed to continue withing the non-conforming provisions in County code, regardless of specific policy. Those policies limiting expansion of specific uses identify site constraints, which exist and limit development regardless of the specific policy restriction. There is limited evidence that parcel specific policies listed below restrict or permit uses beyond that which would occur under the existing Local Coastal Plan or the Planning Commission Recommended Local Coastal Plan policies.

### **Policy Examples with discussion:**

**Policy C-LU-5f:** Allow expansion of overnight accommodations and other visitor-serving commercial uses; and local-serving commercial uses on Annapolis Road.

Comment: This policy applies to a small commercial area located at the southern end of The Sea Ranch airstrip. This area is served by Verdant View, which is a road extending south off Annapolis Road. Only parcels on the west side of Verdant View are within the Coastal Zone. Land Use is Commercial Services which would already allow commercial uses consistent with this policy. All existing uses of these sites within the Coastal Zone are consistent with existing Local Coastal Plan and Coastal Zoning Ordinance policies, and no permit records can be found that provide an example of the provisions of Policy C-LU-5f being cited as a reason to approve or deny coastal development permits associated with new or expanded development in this area. Expansion of existing uses is not limited by site-specific conditions, and Policy C-LU-5f is redundant with existing and proposed Local Coastal Plan policy.

**Policy C-LU-5g:** Allow development of limited visitor- and local-serving commercial uses at Stewarts Point designed to complement the historic character of the community.

Comment: No permit records can be found that provide an example of the provisions of



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## Sonoma County Local Coastal Plan Update Site-Specific Uses

Policy C-LU-5g being cited as a reason to approve or deny coastal development permits associated with new or expanded development in this area. Policy description of the area affected by this policy is unclear, as the community of Stewarts Point boundary is not described or mapped by the LCP.

**Policy C-LU-5h:** Allow limited expansion of existing commercial uses east of State Highway 1 associated with the Ocean Cove Store including overnight accommodations and a public horse stable.

Comment: No permit records can be found that provide an example of the provisions of Policy C-LU-5h being cited as a reason to approve or deny coastal development permits associated with new or expanded development in this area. This area is within the Limited Commercial land use and Commercial Tourist zoning district. Both the overnight accommodations and ancillary equestrian facility are allowed uses in this zoning district. The term "limited expansion" is unclear and difficult for staff to implement in consideration of project proposals.

**Policy C-LU-5i:** Limit development west of State Highway 1 at the Ocean Cove Resort to a day use area and campground. Any development proposals should include provisions for pedestrian safety on State Highway 1 as well as erosion control measures and restoration of the degraded bluffs at the cove that take into account projected sea level rise. If needed to improve coastal access, additional parking may be provided parking consistent with Policy LU-5h.

Comment: No permit records can be found that provide an example of the provisions of Policy C-LU-5i being cited as a reason to approve or deny coastal development permits associated with new or expanded development in this area. Standards for safety, parking, and sea level rise resiliency apply to any new development regardless of Policy C-LU-5i.

**Policy C-LU-5j:** Encourage adaptive reuse of the historic barn west of State Highway 1 at the Ocean Cove Resort.

Comment: This policy does not identify what structure is the "historic barn west of State Highway 1", nor is "adaptive reuse" defined in the context of this site, although it is likely this refers to a structure near the driveway serving the Ocean Cove Campground. No structures on this site are listed in the Sonoma County historic inventory and parcels associated with the Ocean Cove Resort are not within the Historic (HD) combining zoning district. The term "adaptive reuse" is unclear and difficult for staff to implement in consideration of project proposals.

**Policy C-LU-5k:** Allow limited expansion of existing inn facilities and development of a public horse stable at the Stillwater Cove Ranch.

Comment: Stillwater Cove Ranch is permanently closed and is now a private family compound. Any new use would be subject to LCP policies for RRD, which allow guest ranches and country inns not exceeding 30 units, as well as establishment of commercial stables, riding academies, and equestrian riding clubs. The term "limited expansion" is unclear and difficult for staff to implement in consideration of project proposals.

**Policy C-LU-5l:** Limit expansion at the Timber Cove Inn to improved parking and public access



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## Sonoma County Local Coastal Plan Update Site-Specific Uses

facilities.

Comment: Expanding lodging at the Timber Cove Inn would require overcoming numerous challenges regarding impacts to coastal resources and other site limitations. Because of its location west of Highway 1, any coastal development permit issued for expansion would be appealable to the Coastal Commission. There are no unique circumstances at this location requiring a standard of review beyond that provided by existing and proposed Local Coastal Plan policies.

**Policy C-LU-5m:** Encourage provision of screening and other design improvements at the Timber Cove Boat Landing.

Comment: These improvements would be part of any Coastal Development Permit associated with development at the Timber Cove Boat Landing. There are no unique visual issues associated with this site that would not be addressed by visual resource policies that apply to all development in the Coastal Zone.

**Policy C-LU-5n:** Allow limited new or expansion of existing visitor- and local-serving commercial uses, in the vicinity of the Fort Ross Store, subject to design controls review to preserve the area's scenic character.

Comment: Zoning on this site is Commercial Tourist, so the related uses listed in this policy would already be allowed. There are no unique visual issues associated with this site that would not be addressed by visual resource policies that apply to all development in the Coastal Zone. Policy C-LU-5n does not provide guidance regarding design controls, and there are no unique circumstances at this location requiring a standard of review beyond that provided by existing and proposed Local Coastal Plan policies.

**Policy C-LU-5o:** Allow a modest infill of visitor- and local-serving commercial development in Jenner if water supply and wastewater treatment and disposal requirements can be met.

Comment: Demonstrating that adequate services can be provided for new development are standard requirements for any permit, even outside do the Coastal Zone. There are no unique circumstances at this location requiring a standard of review beyond that provided by existing and proposed Local Coastal Plan policies.

**Policy C-LU-5p:** Allow provision of overnight accommodations of modest scale and cost and expansion of other visitor- and local-serving commercial services uses at Duncans Mills if water supply and wastewater treatment and disposal requirements can be met.

Comment: Demonstrating that adequate services can be provided for new development are standard requirements for any permit, even outside do the Coastal Zone. Zoning for the commercial area of Duncans Mills is Commercial Tourist, which allows restaurants, retail shops, lodging, and bars. There are no unique circumstances at this location requiring a standard of review beyond that provided by existing and Planning Commission Recommended Local Coastal Plan policies.

**Policy C-LU-5q:** Allow expansion of public access to the Bridgehaven Resort by adding boat rentals and launching and day use facilities subject to design review. Require public access as a condition of for approval of any Coastal Development Permit for expansion of uses at the resort.

Comment: This policy is redundant with existing standards. Bridgehaven Resort is within a



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## Sonoma County Local Coastal Plan Update Site-Specific Uses

scenic corridor, which already requires design review for any activity that requires a Coastal Development Permit.

Additionally, compelling a private landowner to provide a new accessway because they decline to continue a commercial enterprise that provides access could be a taking, absent facts that there were prescriptive rights. Counsel also pointed out that the Martin's Beach case in San Mateo County clarifies that a Coastal Development Permit can be required as it would be in the case of expansion under the current and Planning Commission Recommended Local Coastal Plan.

**Policy C-LU-5r:** Allow for new and for the expansion of existing commercial uses in Bodega Bay.

Comment: The parameters of this policy are unclear. Existing land uses already allow and encourage commercial uses on many properties in Bodega Bay.

**Policy C-LU-5s:** Allow for new and for the expansion of existing visitor-serving uses at Chanslor Ranch consistent with continued agricultural use if water supply and wastewater treatment and disposal requirements can be met.

Comment: Demonstrating that adequate services can be provided for new development are standard requirements for any permit, even outside do the Coastal Zone. The land use designation and existing zoning for Chanslor Ranch is Land Extensive Agriculture, which allows campgrounds, guest ranches, and country inns provided these uses meet a local need and do not interfere with the principally permitted use of agriculture.

**Policy C-LU-5t:** Allow modest expansion of commercial uses in Valley Ford if water supply and wastewater treatment and disposal requirements can be met.

Comment: "Modest expansion" is a vague term that is likely to have inconsistent application due to variation in interpretations. Demonstrating that adequate services can be provided for new development are standard requirements for any permit, even outside do the Coastal Zone.

### **Policy Options:**

- A. Remove Parcel Specific Policies. The Board may vote to remove all or a selection of parcel specific policies in the Local Coastal Plan.
- B. Retain Parcel Specific Policies.
- C. Select some Parcel Specific Policies for removal, with the remainder to be retained.

### **Staff Recommendation**

Staff recommends Policy Option A to remove all parcel specific policies related to visitor serving uses.



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# Sonoma County Local Coastal Plan Update

## Small Family Farms

### **Small Family Farm: Policy Option Summary:**

The Sonoma County chapter of the Community Alliance with Family Farmers (CAFF) requested that the Board of Supervisors reconsider the Planning Commission recommendation of a 640-acre minimum parcel size for Land Extensive Agriculture and a 160-acre minimum for Diverse Agriculture. CAFF recommended that smaller parcels in both categories can provide most of the benefits that large parcels provide plus have many valuable attributes of their own. They can take advantage of the diverse terrain in this region to fit production into smaller areas more suitable for livestock or crops and they are far more accessible to new farmers and ranchers.

### **Planning Commission Action:**

The Agricultural Resources Element was initially reviewed by the Planning Commission at their December 9 2021 meeting. Unfortunately, comments from CAFF were not provided in time for inclusion in the Planning Commission packet for that hearing, but CAFF comments were included as part of the final Local Coastal Plan review and recommendation on June 29, 2022. The Planning Commission supported the need to make more land available for small family farms but noted that soil and groundwater availability in the coastal zone require large parcel sizes to make farming economically viable and did not recommend reducing the minimum parcel size.

The Planning Commission recommendation does not change the current minimum lot size for Land Intensive Agriculture and Diverse Agriculture land use categories as found in the Coastal Zoning Ordinance. The 2001 Local Coastal Plan does allow reducing the minimum parcel size to 160 acres in the case of dairies and similar intensive operations, but that is still likely too large to accommodate the small scale farms envisioned by CAFF.

### **Discussion**

The Planning Commission was concerned that reducing minimum parcel size would reduce protection of agricultural land due to smaller parcels being attractive for residential development and other non-agricultural uses. The increased market demand for smaller parcels for residential development will likely increase the price per acre, making it more difficult for small family farms to earn a living by farming. The Planning Commission recommendation maintains the same residential density and minimum parcel size as found in the Coastal Zoning Ordinance and the 2001 Local Coastal Plan.

Within the Coastal Zone, there are already a significant number of small agricultural parcels: Out of the 162 privately owned agricultural parcels in the coastal zone, 46 are less than 10 acres and 64, or more than 1/3, are less than 40 acres. Tax assessor records show only 12 of these parcels being used for agriculture, with the majority being used as a single-family residence.

One option that was not part of the CAFF recommendation was agricultural land leasing. An agricultural land lease of a portion of a larger agricultural parcel is allowed by the Subdivision Map Act and protects agricultural land by not creating smaller parcels that can be developed with non-agricultural use.



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## Sonoma County Local Coastal Plan Update **Small Family Farms**

The most important reason to maintain large minimum parcels sizes is lack of natural resources. Soils are poor and groundwater availability is very limited. The limited areas with better soils and groundwater availability tend to be in Environmentally Sensitive Habitat Areas, and the larger parcel size allows the farmer to avoid these resources while still maintaining sufficient land area for a viable agricultural enterprise.

### **Policy Options:**

- A. Maintain existing minimum parcel size for Land Extensive Agriculture and Diverse Agriculture land uses.
- B. Reduce minimum parcel size to 160 acres in the Land Extensive Agriculture land use.

### **Staff Recommendation**

- A. Maintain recommended density for Land Extensive Agriculture and Diverse Agriculture land uses.



# Sonoma County Local Coastal Plan Update

## Technical Corrections

### Technical Corrections: Policy Summary:

The recommended changes below represent technical errors that have been identified during the Local Coastal Plan development and public hearing process. These errors do not represent a substantive change in the policy intent of the Planning Commission Recommended Draft.

### General Corrections

Once adopted by the Board of Supervisors, review the adopted Local Coastal Plan for policy numbering errors, incorrect internal references, spelling, grammar, and consistency with local, state, and Federal regulations and adopted plans.

### Land Use Element:

#### **Map Correction: Area 8 Pacific View/Willow Creek Land Use:**

As part of the initial development of the Local Coastal Plan between February and August of 2015, staff evaluated agricultural and resource land used to reduce split land use of parcels and improve consistency with criteria for Diverse Agriculture, Land Extensive Agriculture, Resources and Rural Development and Timber Production. In Area 8, the parcel in Willow Creek Valley were changed from Resources and Rural Development, consistent with existing resources and historic use of this land as commercial timberland.

A later version of this map, produced as part of the 2019 Public Review Draft, incorrectly showed Timber Production land use on parcels 097-210-004, 097-210-005, 101-090-001, and 101-090-009, which are outside of the Willow Creek watershed, do not meet the criteria for Timber Production land use designation, and historically have been used for grazing of cattle. Additionally, parcel 101-090-009 is under a Williamson Act contract, obligating the owner to maintain an agricultural enterprise on this parcel.

#### Correction Comment:

Revise Land Use Map Figure C-LU-1h to designate land use for APN 101-090-001 and 101-090-009 as Resources and Rural Development, consistent with current zoning and land use designation in the 2001 Local Coastal Plan.

### Circulation and Transit Element:

A number of trails in the coastal zone provide both recreation and routes for bicycle and pedestrian transportation. This is reflected in the following changes to Objectives C-CT-5.1 and C-CT-5.2:

**Objective C-CT-5.1:** Equitably allocate the costs of circulation, **trail**, and transit system improvements among the responsible public and private entities responsible for creating the need for system improvements.

Objective C-CT-5.2: Work with the SCTA and Federal and State governments to obtain the



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# Sonoma County Local Coastal Plan Update Technical Corrections

necessary funding for the planned circulation, **trail**, and transit system.

## **Program C-CT-1-P4:**

“Classify, designate, and design roadways and trails ~~according to~~ **meet or exceed** the current version of guidelines for road, bicycle and pedestrian facilities, including the Caltrans Highway Design Manual, the State Parks Trails Handbook, publications of the National Association of City Transportation Officials, ~~and~~ the American Association of State Highway Transportation Officials **and National Access Board’s ADA standards**. Use flexibility provisions in these standards to reduce adverse impacts on coastal resources and provide maximum safety and convenience for bicyclists and pedestrians.”

Correction Comment: Change recommended by Regional Parks to clarify that exceeding design guidelines is acceptable and identify standard for ADA compliance.

## **Resource Conservation and Open Space Element:**

### **Bodega Harbour Settlement Agreement:**

On June 1, 1977, Sonoma County Superior Court ruled on a dispute between Transcentury Properties (developer of the Bodega Harbour Subdivision) and the California Coastal Conservation Commission (predecessor to the Coastal Commission) regarding development rights within the Bodega Harbour Subdivision. As part of resolving this dispute, a settlement agreement was recorded, establishing design and development guidelines for the Bodega Harbour Subdivision. This settlement agreement, referred to as the “1977 Settlement Agreement”, preempts the Coastal Design Guidelines and is necessary to evaluate development proposals within Bodega Harbour. To clarify the requirement to refer to the 1977 Settlement Agreement for development, Policy C-OSRC-3f is corrected as follows:

Policy C-OSRC-3f: Development shall follow applicable community-specific design guidelines for The Sea Ranch, Timber Cove, ~~Bodega Harbour~~, and Sereno del Mar in addition to the Coastal Design Guidelines (Appendix A). In the case of conflict, community specific design guidelines shall supersede the Coastal Design Guidelines. **Development in Bodega Harbour shall be consistent with the 1977 Settlement Agreement between Transcentury Properties and the California Conservation Commission (Appendix A-1)**

Correction Comment: Correct Policy C-OSRC-3f to clarify that the 1977 Settlement Agreement applies to Bodega Harbour and add the “1977 Settlement Agreement” to the Local Coastal Plan as Appendix A-1.

## **Public Access Element:**

Policy C-PA-4e: Provide and maintain free **or low cost parking** for users of public access facilities and public access points, subject to restrictions necessary to protect coastal resources, such limiting number of parking spaces to avoid impacts

Correction Comment: Adding low cost parking maintains consistency with Objective C-PA-4.1.