



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

July 26, 2021
Meeting No.: 21-07

Roll Call

Commissioner District 1 Cornwall Absent
Commissioner District 3 Ocana
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Cecily Condon, Staff
Chelsea Holup, Secretary
Verne Ball, Chief Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

Commissioner Announcements

Public Comments on matters not on the Agenda: 0h8m
Cindy Eggen

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:10 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Non-Applicable
Cont. from: Non-Applicable
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

- Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan. The Local Coastal Plan currently being updated is one part of the Sonoma County three part Local Coastal Program which also includes the Administrative Manual and Coastal Zoning Code (Implementation Plan). The Local Coastal Plan Update does not become effective until certified by the California Coastal Commission
- Location: Various with the Fifth Supervisorial District
APN: Various with the Fifth Supervisorial District
District: All – Item of Countywide importance
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: Commissioner Koenigshofer Attended Coastal Mac meeting and met with several outside parties to discuss LCP Draft. **0h10m**

Cecily Condon summarized the staff report, which is incorporated herein by reference. **0h11m**

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h21m**

Commissioner Questions:

Commissioner Koenigshofer stated it is his intention to recommend continuation of public comment to another hearing. More time is needed for review of the latest LCP draft for himself and the public. **0h41m**

Commissioner Koenigshofer asked for clarity on what policy is being proposed for the vacation rentals in the Draft LCP compared to Sea Ranch policy. **0h59m**

Staff Gary Helfrich responded limit vacation rentals under and subject to a Coastal Permit. We have a recommendation today before you but it is not influenced by the Sea Ranch HOA proposal. **1h0m**

Counsel Verne Ball responded **1h1m**

Public Hearing Opened: 1:48 PM

**Norma J.
Amy Smith
Antonia Van Becker
Ward Bouwman
Jorge Martinez
Diane Sichuan
Marti Campbell
Eris Weaver
Mark Watson
MJ Mack
Eric Staten
Richard Charter
Crista Lucey
Beth Bruzzone
Jim Nybakken
Scott Farmer
Chris Poehlman**

Margaret Grahame
Lisa Dundee
Eric Fraser
Cea Higgins
Francisco Saiz
Dibby
Charles Metz
Trini Amador
Rue Furch
Donna Martinez
Mitch Zeemont
Steve Birdlebough
Liz O'Neal
Cindy Eggen
Kerstin Fischer
Chad DeWitt

Commission discussion Opened: 3:20 PM

Commissioner Reed asked for clarification from letter from the Coastal Commission dated today would we expect a response from staff? **2h23m**

Staff Cecily Condon responded. **2h23m**

Commissioner Reed Land Use review when would it be implemented? **2h24m**

Staff Cecily Condon responded. **2h24m**

Counsel Verne Ball clarified public comment is still open and will continue to the next hearing in both written and oral submittals. **2h25m**

Commissioner Koenigshofer the Coastal Commission Letter staff states that they will follow up with more comments line by line does it include the Administrative manual or is it limited to the elements only? **2h26m**

Staff Cecily Condon responded. **2h26m**

Commissioner Koenigshofer asked when would we get these comments from the Coastal Commission? **2h27m**

Staff Cecily Condon responded **2h28m**

Commissioner Koenigshofer asked if the LCP could be numbered as a whole instead of by section **2h29m**

Staff Gary Helfrich responded **2h29m**

Staff Scott Orr requested a screen share to show hyperlinks in the LCP. **2h31m**

Staff Gary Helfrich demostated with Table of Contents with links to specific material. **2h32m**

Commissioner Koenigshofer commented about the size of the document unable to post for downloading purposes. I would rather have it released before the next meeting date is set. **2h41m**

Staff Scott Orr commented that staff needs more clarification as to what the Commission wants for either a one whole document or more links? **2h 43m**

Commissioner Ocana can we have a more interactive document online and have a PDF in one full document and print off? **2h45m**

Commissioner Kevin Deas suggested the one full PDF not have links. **2h46m**

Staff Gary Helfrich suggested making one full document with text only no maps. **2h47m**

Commissioner Koenigshofer commented we used to be able to get free hard copies with no payment. **2h50m**

Commissioner Reed timeline would determine when we could return to the next meeting. **2h51m**

Scott Orr responded **2h51m**

Commissioner Reed how does the Commission feel about one PDF with text only to download and maps separate? **2h52m**

Staff Cecily Condon responded **2h53m**

Commissioner Koenigshofer stated I need time to review material and pursue questions and let the public have time to provide detailed questions to me for review. **2h55m**

Commissioner Reed agreed and would like time for the Coastal Commission response and to review. **2h55m**

Staff Gary Helfrich responded **2h56m**

Commissioner Koenigshofer what is the legal lead time needed for the Coastal Commission to receive the report from the Board of Supervisors? **2h57m**

Staff Scott Orr responded with timeline **2h57**

Commissioner Koenigshofer that timeline will not work for me. **2h58m**

Staff Scott Orr Staff will need a timeline from the Commission to continue. **2h59m**

Commissioner Koenigshofer we have a workable draft now. The job now is to analyze project and tweak. We need more time for public engagement. **3h1m**

Staff Scott Orr suggested to take this item back up on 5th of August. If not then it would be late September. **3h2m**

Commissioner Koenigshofer responded August 5th would be too soon. **3h4m**

Scott Orr scheduled the item for October 7, 2021. **3h9m**

PC Commission agreed to new date. **3h9m**

Counsel Verne Ball responded to **Commissioner Koenigshofer** question for absent **Commissioner Cornwall** to be required to listen to today's meeting. **3h11m**

Scott Orr requested clarification for public comments. **3h16m**

Commissioner Reed clarified requesting the public not duplicate what was spoken about today but will be allowed to speak again at the next hearing. **3h11m**

Action: **Commissioner Koenigshofer** motioned to continue the item to October 7, 2021 Seconded by **Commissioner Deas** and passed with a 4-0-1-0 vote. **3h14m**

Appeal Deadline: Non-applicable
Resolution No.: Non-applicable

Vote:

Commissioner District 1 Cornwall	Absent
Commissioner District 3 Ocana	Aye
Commissioner District 4 Deas	Aye
Commissioner District 5 Koenigshofer	Aye
Commissioner District 2, Chair Reed	Aye

Ayes: 4
Noes: 0
Absent: 1
Abstain: 0

Hearing Closed: 4:17 PM



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

October 7, 2021
Meeting No.: 21-10

Roll Call

Commissioner District 1 Cornwall
Commissioner District 3 Ocana
Commissioner District 4 Absent
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Staff Members

Scott Orr
Gary Helfrich
Chelsea Holup, Secretary
Verne Ball, County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

9-14 Verano Hotel was approved.
9-14 ADU Adopted Ordinance
Denied appeal of Lou Fire House
Cannabis Update gave direction to staff.

Commissioner Announcements

None

Public Comments on matters not on the Agenda:

Noah Levy 7m0s
Eris Weaver 9m0s

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich

Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan. The Local Coastal Plan currently being updated is one part of the Sonoma County three part Local Coastal Program which also includes the Administrative Manual and Coastal Zoning Code (Implementation Plan). The Local Coastal Plan Update does not become effective until certified by the California Coastal Commission.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h11m**

Commissioner Questions:

Commissioner Reed asked about public comments. **Staff Gary Helfrich** responded Coastal Commission comments will be incorporated in later drafts per each Element. **0h24m**

Commissioner Koenigshofer asked about joint clustering for review on future hearings. Appendices A-J will need to review too and receive public comment. A lot of substance in the appendices. Table of Contents 1-4.1 many feel is important we need to allow time for discussion on this and public comment. **Staff Gary Helfrich** responded. **0h27m**

Commissioner Cornwall asked does this schedule mean all votes happen at the end or as we go through each Element? **Staff Scott Orr** responded we recommend taking a straw vote at each Hearing. The goal would be not to go all the way up to April but could if needed. Formal vote would occur at the end or final Hearing. **0h30m**

Commissioner Koengishofer suggested any re-writing of Elements would need to come back to hearing without a vote. It should be reviewed line by line and take public comment. Preliminary steps along the way could take straw vote. **0h33m**

Commissioner Reed asked if the intention today is to review and comment on public safety and then come back to hearing? **Staff Cecily Condon** responded. Appendices would be handled within the context of the appropriate Element at each Hearing. **0h36m**

Staff Gary Helfrich, stated that staff will be updating each section and Element and presenting at each Hearing. **0h38m**

Commissioner Koenigshofer asked if it is date specific for each Element? Can we please take better care to separate the time line on each Element? **0h40m**

Staff Gary Helfrich responded. **0h43m**

Staff Scott Orr stated that the staff recommendation is listed out **0h46**.

Commissioner Koengishofer suggested that the Water and Resource and Agriculture could go on Dec 10 2021. The remaining Elements are waiting on State comments. **0h49m**

Staff Gary Helfrich responded this is your priority schedule and then I can prioritize Staff work with the Coastal Commission for review. **0h50m**

Commissioner Koenigshofer motioned for a scheduled review once monthly and a tentative review of Elements. Seconded by **Commissioner Cornwall** and passed with a 4-0-1-0 Vote.

Aye: Reed
Aye: Koenigshofer
Aye: Cornwall
Aye: Ocana
Absent: Deas

Staff Cecily Condon November 10th will be a good starting place. **0h55m**

Staff Gary Helfrich gave presentation on proposed Noise Policy: **0h56m**

Commission Cornwall: Asked does this have quantitative threshold's? **0h59m**

Staff Gary Helfrich responded this is site specific and will be done by the Consultant each time. Numeric thresholds in the actual policy would not work for several reasons. **0h59m**

Commissioner Cornwall: stated that this leaves a lot in the project components hands. **1h0m**

Staff Scott Orr responded we work with Natural Resource staff that are specialist and consult with them on each project. **1h3m**.

Commissioner Ocana: Question about Use Permits for existing businesses. Will the new Noise Policy have an effect on them? Will they have to come back to county for a new Permit? **1h5m**

Staff Gary Helfrich: Fireworks Coastal Commission may decide that they be prohibited in the Coastal Zone. Explained current standards on Noise all would still have to meet this. **1h7m**

Commissioner Koenigshofer: Suggested an explanation be put into the document. Public should be able To understand how it works. **1h8m**

County Counsel Verne Ball cautioned against using the word significant. This should be used not to establish a legal term. **1h11m**

Commissioner Reed asked for clarification on construction noise and biological sensitive habitats. **1h13m**

Staff Gary Helfrich: Typical Conditions prohibit construction during or at sensitive sites. **1h14m**.

Staff Cecily Condon: Appendix will need to be addressed. Biological resource assessment. **1h15 m**.

Commissioner Koenigshofer asked if staff is suggesting to retain a Noise Element and also have a policy? **1h17m**

Staff Gary Helfrich stated that if we have a clone of General Plan Noise Element in the LCP and the GP is changed the Local Coastal Plan would need an Amendment. **1h16m**

Public Hearing Opened: 2:19 PM

Laura Morgan
Cea Higgins
Beth Bruzzone
Rue Furch

Public Hearing Closed, and Commission discussion Opened: 2:28 PM

Commissioner Koenigshofer to Counsel when we say closing public comment today will we still accept public input say on the Noise Element? **1h29m**

County Counsel Verne Balle responded Brown Act requires us to receive public comment at the hearing . We can preserve more flexibility and raise more issues at a later day. **1h31m**

Commissioner Cornwall stated on the issue of public enforcement and noise and lack thereof. Some Vacation rentals have a meters that register noise. **1h33m**

Commissioner Reed recommended the Noise section could be put into Open Space Element. Stated we need more clarification. I suggest we keep it in the Open Space. **1h34m**

Staff Gary Helfrich: Advised the Coastal Commission does not want any references in plan. We would need to incorporate completely and it would be inflexible. Highlighted current noise issues and County's lack of a Noise Ordinance. **1h35m**

Commissioner Koenigshofer: Looking at Policy option sheet recommendation it references the General Plan. **1h36m**

Staff Gary Helfrich responded: General Plan already regulates noise standard and is sufficient. County does use standards. **1h27m**

Commissioner Koenigshofer: Requesting clarification on Use Permits subject to Coastal Zone. Will we lose level of enforcement in the Coastal Zone if we don't include the Noise Table in the Local Coastal Plan. **1h40m**

Scott Orr responded if we include the Noise table from General Plan into the Local Coastal Plan it will be locked in time. If the General Plan changes we would have to go back and update the Local Coastal Plan. **1h42m**

Staff Scott Orr suggest putting it also in Open Space Element. Commissioners should consider this. **1h45m**

Commissioner Caitlin stated she agreed that noise and vibration should be included in the Open Space Element. **1h44**

Staff Cecily Condon stated that it would not be significant to reformat. However, it is not typical to see a Noise Element in a Coastal Plan. **1h47m**

Gary Helfich stated that Scott Orr's suggestion to use the General Plan Noise Table and put in the Land Use Element so that all construction meets the thresholds but does not exceed them. **1h48m**

Commissioner Cornwall stated that she agrees with the inclusion of vibration to the Open Space. **1h49m**

Staff Gary Helfrich stated that he will conduct research for a standard for Best Practices for vibrations and will present at the next Hearing. **1h50m**

Staff stated the next Hearing will come back to the Noise Element to finalize and discuss what research was conducted and public safety and transportation. **1h51m**

Staff Scott Orr inquired about the Commissioner availability for the special Nov 10, 2021 Hearing at 1:00 pm. **Commissioners Cornwall, Reed, Ocana, Koenigshofer** all available. 1h54m

Commissioner Ocana requested: Please send update for Tribal outreach show what we have done so far. 1h56m

Counsel County Verne Ball all Tribal contact is confidential. We cannot discuss this publicly only in general terms. 1h57m

Commissioner Ocana asked for a list of Tribes that have been contacted? 1h58m

Commissioner Koenigshofer suggested to extend an invite to the Tribes at a future Hearing and allow them to present. 1h58m

Staff Scott Orr responded staff has heard the request and we will do everything we can to met this request. 1h58m

Action: **Commissioner Koenigshofer** motioned for a scheduled review once monthly and a tentative review of Elements. Seconded by **Commissioner Cornwall** and passed with a 4-0-1-0 Vote.

Appeal Deadline: N/A
Resolution No.: N/A

Vote:

Commissioner District 1 Cornwall	Aye
Commissioner District 3 Ocana	Aye
Commissioner District 4	Absent
Commissioner District 5 Koenigshofer	Aye
Commissioner District 2, Chair Reed	Aye

Ayes: 4
Noes: 0
Absent: 1
Abstain: 0

Hearing Closed: 3:00 PM



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

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2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

November 10, 2021
Meeting No.: 21-12

Roll Call

Commissioner District 1 Cornwall
Commissioner District 3 Ocana
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Planner III
Chelsea Holup, Secretary
Verne Ball, County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes October 7, 2021

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions None

Commissioner Announcements None

Public Comments on matters not on the Agenda: 7m45s

Eric Frazer

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1

Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

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Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments. The Planning Commission will review the Local Coastal Plan on an element by element basis and anticipates considering the Public Safety, Public Facilities, and Circulation and Transit Elements at this meeting, as well as consider policy options for noise, vibration, and lighting for incorporation into various elements of the Local Coastal Plan.

The Planning Commission will review and recommend elements of the Local Coastal Plan at subsequent meeting of this continued hearing on a monthly basis. As of the date of this agenda, future meetings are anticipated for December 9, 2021, January 13, 2022, February 3, 2022, March 3, 2020, and April 7, 2022. At the conclusion of each meeting, the Planning Commission will announce elements to be considered at the next scheduled meeting.

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Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h12m**

Commissioner Questions:

Commissioner Koenigshofer stated I prefer we not review noise first departing how it was listed on the Agenda. **0h20m**

Staff Scott Orr still setting the stage for today. Gary what is your strategy? **0h21m**

Staff Gary Helfrich responded several requests by Commission to expand policy on noise that is what is being put forth today based on input. I would leave it up to the Commission to decide what order they would like to review. **0h22m**

Commissioner Reed asked if this is being put in the open space element would we be reviewing this again at the end of the series? **0h22m**

Commissioner Koenigshofer suggesting we push it off to the end of today's agenda. **0h23m**

Staff Gary Helfrich move on to public safety element. Would you like to go section by section or certain things you would like to focus on? **0h24m**

Commissioner Koenigshofer I would suggest staff go through each section and comment by the Coastal Commissions comments. **0h25m**

Staff Gary Helfrich stated there are several hundred comments. I had hoped that there were specific comments the Commission wanted background on and other comments we could just accept. **0h25m**

Commissioner Reed would appreciate your input on the comments. Are you basically adopting all comments or need to discuss? What is your recommendation? [0h26m](#)

Staff Gary Helfrich adopt all changes but two changes in 4F that we would like additional time and review with County Counsel. It involves Deeds with other properties. Very strict and I believe it will receive push back from other properties. However, it is consistent with the Coastal Act and is Coastal Commission guidance on sea level rise. [0h27m](#)

Staff Scott Orr the main consideration is whether we want to start going over broader scope first or dive into each comment. I would suggest the broader scope it would add more value to getting into the details. [0h29m](#)

Commissioner Reed I agree with that and would like a highlight of sea-level rise and what the Commission is suggesting. How are we interpreting that and how the County stands on these issues. [0h28m](#)

Staff Gary Helfrich Coastal Commission feels that rather than use a target date for sea level rise it should use a measurement that should be based on the most conservative science we have at this time. Design life of 100 years so they recommend a 10-foot sea level rise. Flood maps will change, areas in circulation element will expand. Basically, all assumptions of sea level rise will become more conservative using the 10-foot measurement. Using that model will inform the rest of the policy. [0h29m](#)

Commissioner Cornwall do we have any say so in this? Do we have an option of picking a less conservative model? [0h33m](#)

Staff Gary Helfrich yes there are other models we can use. [0h33m](#)

Commissioner Koenigshofer asked 4.6 and 6 feet is a substantial difference. What is role of a 20-year cycle analysis. We don't want to jump ahead 100 years. How is that viewed by the Commission? [0h34m](#)

Staff Gary Helfrich responded 100 year horizon is important all policy for bluff retreat and armoring is based on 100 years and it is the standard CalTrans uses. It is realistic and common. [0h35m](#)

Commissioner Koenigshofer asked about staff armoring verses building a new one it has to withstand a 10 foot sea level rise using a 100 year timeline. [0h37m](#)

Staff Gary Helfrich locating any new structures and or infrastructure should be built to last for next 100 years. Armoring then it should be done for what is seen as a permanent amount of time. [0h36m](#)

Commissioner Cornwall could we adjust sea level rise over time. Use $\frac{3}{4}$ of the way but only comfortable with this if we could adjust the sea level rise over time. At some point we could reset the number so were not waiting forever to adjust the numbers. [0h38m](#)

Commission Deas agrees with Commissioner Cornwall likes the sliding scale approach. Residence should get an adjusted number. [0h39m](#)

Commissioner Reed asked if this 10 feet and 100 years is used will this result in a mapping and zoning implications? [0h39m](#)

Staff Gary Helfrich responded if we do better mapping of the Flood Plain we can elevate houses before they are built. The Coastal Commission will want owners to acknowledge they are building in harms way and give up right to rebuild if it fails by the ocean. We will permit new homes in a very conservative way. These are forecasts estimates but we want to make sure we permit a home in a safe location. If we pick a shorter life span the Coastal Commission will insist that homeowners in areas in high immediate risk will have to acknowledge they are building in harm's way and will not hold the country liable. [0h40m](#)

Commissioner Caitlin asked do we have discretion to adjust the numbers in the future? [0h42m](#)

Staff Gary we can update the LCP anytime we want but we do have to be mindful the new LCP is effective people will develop based on the standards and the provisions. We want to avoid another Gleason Beach situation. The Coastal Commission prefers 10 feet. **0h44m**

Commissioner Reed to Staff you suggesting that the 10-foot 100 year would be objected by the public is there a standard regionally by other communities? **0h44**

Staff Gary Helfrich seeing push back in Southern California but locally as well from Norbar and the realistic agencies. **0h44m**

Commissioner Reed asked how long would the commission like to discuss or highlight before we get to public comment? **0h45m**

Commissioner Koen: How broadly circulated is the document that includes the comments from the Coastal Commission? **0h46m**

Staff Gary Helfrich responded it has been made public on the Website. I would hope the public does read the documents posted. **0h46m**

Commissioner Reed should we broaden our look at the public safety element? And will bring back to commission for discussion. **0h46m**

Commissioner Cornwall: Issue Seems like the public access and safety uses that are located where there are public safety problems. The two Elements don't seem to well connected. They should be crossed up public access facilities should avoid public safety hazards. **0h47m**

Staff Gary Helfrich would be good to put in public facilities not safety. Access is public facilities. Program CPS12 will update and reevaluate sea level rise based on best on available science. Would the Commission like to suggest a time period? The science seems to move on fits and bursts **0h48m**

Commissioner Cornwall suggested to review not less than every five years. **0h49m**

Staff Gary Helfrich responded Commission wants the maximum protection with most conservative policy but there is a window that is acceptable. 6 feet on low side 10 feet on high side. **0h50m**

Commissioner Koenigshofer is the mapping we currently have based on 6 feet? How big of an undertaking will it be to redo the maps? **0h51m**

Staff Gary Helfrich responded it would be a request to GIS. **0h51m**

Staff Scott Orr that kind of mapping request at this scale at the end of this LCP process would be a reasonable request. **0h51m**

Commissioner Koenigshofer could we do mapping to look at a comparison? so it is a 4-6 month wait? **0h51m**

Staff Scott Orr I am confident it could be done by the end of this process in 4-6 months. **0h52m**

Commissioner Koenigshofer is there a way to narrow the ask by targeting the lower areas for additional mapping? **0h54m**

Staff Gary Helfrich looked at a local level. Doran RP is going under water no matter with a four-foot sea level rise. On storm events. **0h56m**

Commissioner Koenigshofer How do we get to a better analysis for real term impacts and issues over time? I doubt that 4 feet will not affect the tides. This would help with public understanding and support. **0h59m**

Staff Scott Orr stated the purpose of this document is what is the most important for long term planning. Implementing plan each year is where the figures will be. We all agree we want to continually review and

update as needed. I would encourage the Commission to remain at highest level general assumptions document. We need to make progress on this document it will get more detailed as we roll out programs and zoning code. 1h0m

Commissioner Reed everybody realizes sea level rise is going to be dominate issue in this document. Mapping will help look at all aspects in coastal plan. Will be several conflicts we will all be dealing with in the future. Are there other parts of this element we need to discuss? Are we going through each element and then open for public discussion? 1h2m

Staff Scott Orr responded yes open up to public for each element. One 3-minute limit for each public comment and for each topic. 1h3m

County Counsel Verne Ball it is up to the Chair. The whole LCP is on the table. 1h4m

Commissioner Koenigshofer I would like us to try Element by Element and public input on each. One minute is not enough for the public input. I would like 3 minutes per speaker. 1h4m

Commissioner Ocana I would propose 2 minutes each and on each Element. 1h6m

Commissioner Reed I see 19 attendees I would like to start with 3 minutes each and see how it goes. 1h7m

Staff Gary Helfrich the inline comments reflect both staff and Coastal Commission comments we don't have much more to say. 1h8m

Commissioner Cornwall asked about resource and conservation? 1h8m

Staff Gary Helfrich responded it will be in the resource environmental sections. 1h18m

Commissioner Koenigshofer I have notes on every single page is there a way to meet with Staff and go through individually? Instead of the Hearing? 1h9m

Staff Orr comments should be sent to the department in writing so it can be included as part of the public record. Should be outward facing. 1h10m

Commissioner Koenigshofer converting my notes into a document is more than can I do. In the past it was possible to engage staff. What are the boundaries? 1h10

County Counsel Verne Ball responded this is a legislative matter. Administrative issue to develop the record. Perfectly acceptable to meet with staff. 1h11m

Public Hearing Opened: 2:11 PM

Cea Higgins
Richard Charter
Erin Casey
Margret Grahame
Tom Conlon

Public Hearing Closed, and Commission discussion Opened: 2:28 PM

Commissioner Reed good comments. 1h29m

Commissioner Koenigshofer how to we anticipate the cycle or cycles of getting more granular in the treatment of the material? Some comments made were very specific. Should we discuss the Element now? This should not be the last time we discuss this Element. I assume there will be a wrap of period at the end of the review. What do the other Commissioners think of the process? 1h31m

Commission Reed to staff asked the Zoning Code will ultimately be very specific in terms of mapping I assume. Is that correct? **1h31m**

Staff Gary Helfrich the mapping will be specific in the plan and the Zoning Code will highlight the specifics and combining districts. Similar to the General Plan set the perimeters but then the Zoning Code sets the specifics. **1h31m**

Commission Reed for discussion today we should weigh in on the Coastal Commission comments whether we agree and want them incorporated? **1h33m**

Staff Scott Orr stated it is a benefit talking with Coastal Commission now as we get to see what the Commission wants up front. I would encourage us all to keep that in mind. If Coastal Commission feels strongly enough they will implement. **1h33m**

County Counsel Verne Ball corrected this is our plan not the Coastal Commissions plan. If it does not comply with the Coastal Act it can be denied. The Coastal Commission does have limited grounds to reject our plan. Statewide policy involved the Coastal Act does involve statewide policy. We can submit the plan as we see fit. Most of the Coastal Commission comments to date are well grounded. **1h35**

Gary Helfrich commend the North Central Coastal Commission Staff have been generous with time and have been reviewing the proposed LCP consistent with the Coastal Act. They are trying to keep it consistent with the Coastal Act. **1h36m**

Commissioner Koenigshofer I appreciated that conversation. Setting aside Coastal Commission comments for the moment. Public comments are outside that realm that perhaps I could ask staff about? Cea Higgins commented that there is inadequate connection made between public facilities and public safety? What does staff recommend to remedy that situation? **1h37**

Staff Gary Helfrich we can add language to the public safety element. We have not done review yet of public access. It is a great suggestion and we have no problem adding that language. **1h38**

Commission Koenigshofer public access plan includes projects at odds with public safety. Would like that drilled down to identify specific comments that are at odds and see the list and evaluate in both public safety plan and then we have focus for the public access plan. Would give staff time to identify. Would like to see that actual list. **1h38m**

Staff Gary Helfrich stated it is complex access to safety. Would need specific areas of concern. Traditional access point like Doran park are easy to identify, verses Bodega Head at what point does it become unsafe? The Pacific Ocean is a dangerous place. Fatalities are common it is the nature of the coast. It is a complex discussion to have. Most access identified will not be come less safe than they already are. **1h41m**

Staff Scott Orr comment by nature the points of public access will be the most important for public safety. Staff has received comment but will have it addressed when we bring back the public access section. **1h43m.**

Commissioner Cornwall: propose that permanent public access facilities, like infrastructure like parking lots, should be subject to same rules of public safety as other public facilities. Nonstructural public access features like dirt trails need not be subject to the same standards. **1h44m**

Commissioner Koenigshofer public access plan developed by RP staff? Do we know if their process was informed by the public safety element? **1h44m**

Staff Gary Helfrich will ask staff at Regional Parks. **1h45m**

Commissioner Koenigshofer ask for consideration access and requirements to satisfy access to mitigate for permit approval. Private property is an issue with relocating trails when needed. **1h26m**

Commissioner Koenigshofer traffic congestion. Emergency vehicle access where and how does this fit in the public safety element? **1h47m**

Staff Gary Helfrich addressed in Circulation and transit. **1h47m**

Commissioner Koenigshofer Would like staff to consider an appropriate place to work this into the public safety element. Issues referencing law enforcement coverage? Can we address it? **1h28m**

Staff Gary Helfrich we can identify locations appropriate for a sub police station but we can require it. We have no authority but can recommend them. **1h49m**

Commissioner Koenigshofer issue of fire hazard and fuel reduction are relevant. Even though the LCP can't order implementation it does lend weight to the identification and weight to public concern. **1h49m**

Staff Gary Helfrich We do have policy for fire fuel management. **1h50m**

Commissioner Koenigshofer what about upland issues? Timber Cove as an example. Is there a place for that in the LCP? Fire that starts outside of coastal zone but then effects the coastal zone? interest of Coastal zone threatened by? **1h51m**

Staff Gary Helfrich it is reflected in the public works plan. Not limited to Coastal Zone. **1h52m**

Commissioner Ocana Policy CPS 4G extensive comments on private property if damaged by coastal erosion or sea level rise. Once this is enacted anybody who is already in the zone of a sea level rise are there grants to assist with the clean up or are we establishing anyone there are responsible finance for clean up? **1h54m**

Staff Gary Helfrich the debris goes is into public lands and creates a hazard. They are trespassing with the debris onto public property. The county should not be responsible for that. This is specific part of the coast. Expectation you would maintain your property. Private improvements are sometimes on public property because of erosion. We have money for Gleason beach clean but we want it made clear we should not do this in the future and that the county is not liable. **1h56m**

Commissioner Ocana all new grant deeds shall be recorded with certain language. But what about going backwards? Any new owner would have to record this deed? **1h57m**

Staff Gary Helfrich comment we have no legal way to require that retroactively. version control a challenge with this document. It will be corrected. **1h58m**

Commissioner Ocana is it possible to add in all future properties would need to record this deed? All new owners for all owners with the waiver language? **1h58**

Commissioner Deas why was it removed? **1h58m**

County Counsel Verne it is regulatory need. Must demonstrate it is required. The action is proportionate to the need. Liability runs with the land. It is an enforcement issue and addressed through regulatory requirements. No grant associated with that. I Would not advise a comprehensive coastal zone requirement. **2h2m**

Commissioner Koenigshofer commented conditioning viability of condition over time institutions ability to remember what was required and to enforce it. I see project conditions becoming fiction 20or 30 years later. PS 18 bluff erosion hazard report geologic set back lines. Visual impacts mitigated by putting up a fence ends up being another issue. Setback analysis feasible to mitigate how do we deal with potential of mitigation impacts that are undesirable? **2h2m**

Staff Gary Helfrich commented great recommendation. Will add that visual analysis, cultural. **2h5m**

Commissioner Reed suggest comments recorded and staff will take to combine in element? **2h5m**

Staff Scott Orr straw vote would be ok but we can visit this again towards the end and review. **2h7m**

Staff Gary Helfrich my intention is to merge Coastal Commission comments and Planning Commission comments and make a clean copy and then post to the LCP file folders on the web and then review again at the next meeting. This can be a double check. **2h8m**

Scott Orr stated staff will post when ready. We don't give ourselves a new goal in addition to the hearing commitments. **2h9m**

Commissioner Cornwall inclined to go with what the Coastal Commission wants. Limit what we do spend time on with items that there might be more flexible. **2h9m**

Staff Gary Helfrich sea level rise seems to be only real question today. **2h10m**

Staff Gary Helfrich the Coastal Commission is ridged on is when it is in conflict with the Coastal Act only. **2h10m**

Scott Orr would it be helpful for the next meeting to have posted document with full comments and then another with accepted most comments? **2h11m**

Commissioner Ocana I liked the numbered sections so we can reference. Perhaps we could discuss sections to define unreasonable risk or when necessary replacements. What are homeowners obligated to take into consideration for new development? Will this be talked about down the road? **2h12m**

Staff Gary Helfrich responded we could provide a side policy report on how they were interpreted. Safe from hazards could have an evolving definition. **2h14m**

Commissioner Koenigshofer question PS18 Policy CPS-2 where existing development What is the standard for no allowance? Acceptance of loss. Relocation not reasonable then only option left is to allow shoreline protection structure. Reads to me relocation is not feasible less enviro damages to be considered but only option left is to allow shoreline protection structure. Can it be overridden by the public interest? **2h16m**

Staff Scott Orr part of consideration you weigh out exactly what you just mentioned. **2h17m**

Staff Gary Helfrich stated we can make it clearer. This policy was written with Gleason Beach in mind. We will add additional language. **2h17m**

Commissioner Koenigshofer shoreline protections all failed at Gleason Beach. When do you not allow the effort? **2h18m**

Staff Gary Helfrich Geotech report has to certify that the shoreline protection has a 100 year life. We will say no if does not. We need to add in peer review with the county geologist. **2h18m**

Commissioner Koenigshofer Goal section minimize acceptable levels very interpretive discretionary and subjective. Do we want to prohibit or disallow? Applies throughout entire draft. **2h20m**

Staff Scott Orr strongly encourages commissioners to exercise minimize verses prohibit way reviewing the LCP has a significant impact on the long term planning. **2h21m**

Staff Gary Helfrich you might want to be more flexible in the policy and put specifics in the zoning code. **2h22m**

Commissioner Koenigshofer stated need to be mindful and intentional on use of various terms. **2h22m**

Break at 3:22pm

Discussion resumed 3:35 pm

Commissioner Ocana suggest we discuss Noise element and finish. **2h37m**

Commissioner Reed trying to gauge do we want to take on the other two elements? 2h37m

Scott Orr recommend checking in after each element. Would recommend take up public facilities next. 2h37m

Staff Gary Helfrich stated in response to direction received from the last meeting. Three part section policy noise, vibration and lighting. The noise policy is abbreviated version on the existing General Plan policy. The standards are the same but added assessment for noise on impacts to biological resources. How noise is measured we added that to the policy. 2h39m

Open to questions to Commissioners: None

Staff Gary Helfrich vibration was tough to do research on almost every jurisdiction all said don't make too much of it. CalTrans staff has a manual. We developed a policy based on that. We allowed a few exceptions. Emergency repairs, boring pilings. CalTrans can meet the current standards. 2h40m

Commissioner Cornwall Are there any standard resources of information for people to make evaluations? 2h41m

Staff Gary Helfrich Evaluation will be species and site specific. Will put all three policies in both open space and land use element. Projects will evaluate for adverse impacts on both people and biological resources. 2h41m

Commissioner Cornwall are there any standard resources for information that should be included for how we want people to make that evaluation? 2h44m

Staff Gary Helfrich stated it is the job of the biologist to evaluate each project. Species and site specific. Can not have an adverse impact. 2h43m

Staff Gary Helfrich Lighting standard High points prohibits light trespass requiring color temperature. No Signs internally illuminated. Flood lights and up lights not permitted except for commercial fishing and Ag activities. Commercial fishing needs a lot of light to remain safe. Staff recommends including in both open space and land use element. 2h44m

Public Comments: None.

Commissioner Koenigshofer regarding lighting does not yet take into account the elevation of the lighting. Is there a way to get to that? Ridgelines see from a long distance. 2h47m

Staff Gary Helfrich responded can't band all lighting. Important thing is part seven total illuminance beyond the property line shall not exceed one lux. It should not be brighter than a light on inside the house. It is not reasonable to require it to be darker than that. 2h49m

Commissioner Koenigshofer: Ag commercial fishing facilities is this only while operating or is 24 hours a day seven days a week? 2h49m

Gary Helfrich permitted for operation when needed. 2h50m

Commissioner Koenigshofer Leave Ag operations for the Glossary only or? We need to be clearer on that. 2h51m

Scott Orr the two step is looking at the LCP. Are there any fishing areas where there is permitted use without discretion? Any permit will be site specific if there is discretion we would apply more strict lighting requirements. 2h52m

Staff Gary Helfrich fishing requires Coastal Permit but county still permits it. 2h52m

Commissioner Koenigshofer Onshore facility to require permit to boats that off load? 2h53m

Staff Gary Helfrich this is out of jurisdiction can't regulate at mean high tide lands. 2h53m

Commissioner Koenigshofer a lot of signage up lighted around county. At very least I would like this to be prohibited in the Coastal Zone. No excuse for it. 2h54m

Gary Helfrich pointed out we have downward facing lighting. 2h55m

Scott Orr sounds like it is in the LCP now. 2h56m

Commissioner Koenigshofer requested residential and commercial security lighting should be restricted that is not motioned activated. Is should be motion activated. 2h55m

Staff Gary Helfrich, number three states this already. 2h56m

Commissioner Koenigshofer asked low level sound that is repetitive and considered disruptive is it treated in this language? 2h57m

Staff Gary Helfrich yes considered half hour or less at 45 decibals. 2h57m

Commissioner Ocana asked about generators for power outages is this an exemption? 2h38m

Staff Gary Helfrich inland there is an exemption. It has been problematic. The language does not list generators. 3h0m

Commissioner Ocana falls under Code Enforcement? Then a complaint could be filed? 3h0m

Staff Scott Orr we see large neighborhoods all using generators when there is a power outage. We weigh with emergency services medical equipment and cell towers. 3h1m

Gary Helfrich we can use policy to make sure the public installs the better generators that make less noise. They will need a coastal permit to install a generator. 3h2m

Staff Gary Helfrich requirement we identify waste water for priority coastal uses. We only have two waste water districts. Bodega Bay Public utilities district at capacity unlikely to expand in the future. Separate private and public systems. None are private water systems. But some are privately owned. We will identify the ones privately owned. PF 2A we identify what are the priorities and non-priorities are. 3h7m

Next Element:

Commissioner Reed asked about vacant lots not served? 3h8m

Gary Helfrich smaller mutual systems information is hard to come by. Russian River utility are willing but the others are not sharing the information so far. 3h8m

Commissioner Ocana happy to see the CC pointed out Environmental Justice policy. Equitable geographic distribution. Will we be connecting the two? Does Permit Sonoma have an Environmental Justice policy? 3h7m

Staff Scott Orr it is now a mandated requirement in the General Plan. Housing, Public Safety and Environmental Justice are all being worked on now. We are working with the Office of Equity on this Element. 3h10m

Public Comment opened: 4:11 pm

Laura Morgan

Commissioner Reed can you explain outside service agreements? **3h15m**

Gary Helfrich outside service agreements. We will define that it has to be a preexisting public health problem. Would not be allowed for new development. Bio solid is focused on ranches and manure disposal. **3h16m**

Commissioner Koenigshofer disposal on Ag lands its compost. **3h17m**

Commissioner Cornwall interest overall given climate change and more equitable about recreation. There are reasons to reduce traffic and increase ways to access and stay at the coast that is equitable. Where would these issues be handled? **3h19m**

Staff Gary Helfrich this came up in circulation element with traffic. Challenge is a single destination verses 55 miles of coast line. May be premature now to have as a policy it should be a proposed program. Public transit in Sonoma county is a big challenge even in the urban areas. **3h20m**

Commissioner Cornwall stated mixed up with park facilities camping should be part of meeting equity goals. **3h21m**

Staff Gary Helfrich stated any restriction in parking or charging for parking the Coastal Commission does not support. That limits coastal access. We want to maximize public access. We do not want to limit parking. We need to develop more ways for public access to the coast. The Coastal Commission would push back against. **3h22m**

Commissioner Ocana Free shuttles? **3h22m**

Staff Gary Helfrich we would have demonstrate people would use the shuttles **3h23m**

Commissioner Koenigshofer: Would be enlightening if the LCP include other ways to fund transportation. Effort to explore with serious analysis. Perhaps seasonal shuttles with several trips per day. Related to lodging is there still a preference for publicly owned campsites verses private? **3h24m**

Staff Gary Helfrich camp grounds are encouraged. **3h25m**

Commissioner Koenigshofer encourage camp ground development over hotels we should be including in the LCP. **3h26m**

Staff Gary Helfrich great ideas I think where they should go is in public access policy. **3h27m**

County Counsel Verne Ball biosolids flag to commission. Biosolids typically involve more than just manure. Involves sewage byproducts from plants. SB 1383 reduce methane emissions state wide. In act bans on import of biosolids including sewage treatment plant. Time place and manner be reasonable. It does go beyond Ag waste. This comes from General Plan and is flagged to be revised by to comply with State law. Prompt for discussion and heads up for later discussion. **3h30m**

Commissioner Koenigshofer policy to prohibit to waste treatment plant in the coast. We should research what we can't do before we propose new ideas. **3h32m**

Commissioner Reed close public hearing so we can open for public comment? **3h32m**

Public Comment: 4:33 pm

Steve Birdlebough

Staff Scott Orr Circulation and Transit today we would receive comment. Or consider a special meeting of a full day committed to reviewing the LCP? **3h34m**

Commissioner Koenigshofer how about doing it on a Saturday? 3h35m

Staff Gary Helfrich we need to be respectful of what the Coastal Commission has already committed to review on the timeline. 3h41m

Scott Orr critical for today establish what we will talk about next time. 3h37m

Commission Reed extensive conversation on Transit which should allow more time for discussion. 3h38m

Commissioner Ocana water resources, Ag, cultural adding on transit might be too much. We should have ample time out to the Tribes before we discuss the cultural section. 3h39m

Staff Gary Helfrich we need to be respectful of what the Coastal Commission staff has already committed to review on the timeline. 3h41m

Staff Scott Orr recommends circulation and transit and then Ag and Water then shift back to Cultural. 3h42m

Commissioner Reed concluded with today's review of the Elements? 3h44m

Commissioner Koenigshofer thank you for breaking it up this way for review. 3h44m

Gary Helfrich December 9 2021 next meeting. 3h46m

Scott Orr January would be Land Use and Cultural. 3h46m

County Counsel Verne Ball need to discuss with Tribes how they want this process to go forward. Time.... Tribes do not usually come forward as public or as a citizen. Acknowledge that. Tribal Official may decide to communicate in a different manner than other citizens. 3h47m

Commissioner Reed are suggesting they work independently with staff? 3h47m

Staff Scott Orr nature of Gov to Gov relationship is a different dynamic. Typically, they interact at equivalent levels. PC is below the highest level of government. 3h48

County Counsel Verne Ball they may have concerns they do not want raised in a public forum. 3h49m

Commissioner Koenigshofer seeking input on draft material. Would not be speaking as public but set up in panels of official capacity. 3h49m

County Counsel Verne Ball often Tribes elect not to work in that way. There are special provisions that make consultation with Tribes confidential. 3h51m

Commissioner Ocana understand confidentiality issues. Link office of equity with public access. Important for our Commission to establish that we have covered are bases. 3h52m

Commissioner Koenigshofer is there a process to invite the Office of Equity to review? 3h53m

Staff Scott Orr we have worked on this process for years and the Office of Equity is fairly new but we will continue to engage with them. 3h54m

Commissioner Koenigshofer asked how can the PC through Staff reach out to and engage the new Office of Equity? 3h55m

Commissioner Reed great comments from all the Commissioner 3h55m

Action: N/A: Initial review of Public Safety and Public Facilities and Services Elements, and Noise, Vibration and Lighting policies. Circulation and Transit Element review moved to December 9, 2021 and will be reviewed on date as will the Water Resources and Agricultural Resources Elements.

Appeal Deadline: N/A

Resolution No.: N/A

Vote:

Commissioner District 1 Cornwall

Commissioner District 3 Ocana

Commissioner District 4 Deas

Commissioner District 5 Koenigshofer

Commissioner District 2, Chair Reed

Ayes:

Noes:

Absent:

Abstain:

Hearing Closed: 4:55 PM

Minutes Approved: October 7, 2021



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

December 9, 2021
Meeting No.: 21-14

Roll Call

Commissioner District 1 Cornwall
Commissioner District 3 Ocana
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Staff Members

Brian Oh, Comprehensive Planning Manager
Gary Helfrich, Staff
Chelsea Holup, Secretary
Diana Gomez, Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes None

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

Shaun McCaffery appointed to Fourth District

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments. The Planning Commission will review the Local Coastal Plan on an element by element basis and anticipates considering the **Public Circulation and Transit Elements, Water Resources and Agricultural Resources Elements** at this meeting.

The Planning Commission will review and recommend elements of the Local Coastal Plan at subsequent meeting of this continued hearing on a monthly basis. As of the date of this agenda, future meetings are anticipated for January 13, 2022, February 3, 2022, March 3, 2020, and April 7, 2022. At the conclusion of each meeting, the Planning Commission will announce elements to be considered at the next scheduled meeting.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: None

Staff Gary Helfrich gave update and overview of LCP and previous workshops held to date and summarized the staff report, which is incorporated herein by reference. **0h12m**

Commissioner Koenighsofer asked if staff could generate a list of policies from 2015 that should be considered to be put back in the proposed Draft LCP? **Staff Gary Helfrich** responded. **0h23m**

Staff Gary Helfrich stated identified in the plan already. Staff could pull out to date what the Coastal Commission has suggested and bring back to PC next meeting. **0h25m**

Commissioner Reed, have these line by line edits been published from the Coastal Commission? **0h25m**

Staff Gary Helfrich responded we have been putting these up on the website as soon as we get them. **0h26m**

Commissioner Reed asked we reviewed the Noise Policy but will it be put back in the Land Use Element and reviewed? **Staff Gary Helfrich** responded yes will be part of the Element and part of review. **0h30m**

Commissioner Koenigshofer asked about bus service that doesn't provide every scope to every every little niche or nook and cranny on the coast still has a potential to decrease auto travel between main points of departure and arrival. Having service that doesn't provide for surfboard kayak advice, it would for bicycles easy because all buses provide bicycle racks these days. Are we being told that if you don't include this full scope that you can't do it at all? **0h32m**

Staff Gary Helfrich responded it can be provided in addition to private automobiles. Access by private automobiles to augment that mode of transportation to reduce dependency and private automobiles absolutely That is something that's consistent with the coastal act and it's something that we should do.

If it's done in conjunction with restrictions on private automobiles then you've got a slightly higher bar because you've got to demonstrate that the restrictions of using private automobiles are offset by the public transit that's the difficult policy to develop. [0h33m](#)

Commissioner Koenigshofer asked to what extent, do you know if we can have a policy that says we're going to restrict parking or we could have an LCP that was absent, such a policy? Which would leave the question of future parking development to budget, which would not be a policy against it, it would be a practical limitation on the realization of expanded parking lots that's not a violation. [0h34m](#)

Staff Gary Helfrich responded. It is important not to restrict parking without offering transportation alternatives to the coast that that is in conflict with the coastal act. [0h34m](#)

Commissioner Cornwall asked about using space in current parking spots for transit vehicles only? [0h38m](#)

Staff Gary Helfrich That would be in a Gray area where I think we'd have to have a demonstrate have some basis for an assumption that the buses would eventually become successful I mean it's unreasonable to say look there's nobody on the bus today. But we would have to provide some very good analysis to remove those parking spaces saying yeah we know we are projecting that this is going to you know allow this, because it potentially could let more people visit the coast, because it takes up less space right in the parking lot, but we have to be very, very mindful that whatever we do in the way of restricting private automobiles has to be backed up a solid findings that we are providing a feasible alternative for people to enjoy the coast. [0h36m](#)

Commissioner Cornwall suggested a two-year pilot period to see if it will work, and then we have two years to show that it doesn't then space goes back to private? [0h36m](#)

Staff Gary Helfrich stated this is one of the other initiatives that we could maybe elevate to a program but it's why the staff recommendation is to have something like this in as a program rather than a policy, because there is not enough assurance right now for it to be a Policy. [0h37m](#)

Commissioner Koenigshofer asked do we have a current list of parking on the coast? discussed. [0h37m](#)

Staff Gary Helfrich parking capacity is already limited. Staff's recommendation is to have alternatives to private parking in the program. [0h38m](#)

Commissioner Koenigshofer asked is there a policy to maximize available parking? [0h38m](#)

Staff Gary Helfrich responded certainly a policy that was the goal of that part of the policy was to maximize available parking that is easily supportable while providing more access. [0h38m](#)

Commissioner Cornwall discussed possibility of multiple buses such as at National Parks. Fund with TOT? Would like to discuss. [0h43m](#)

Staff Gary Helfrich responded that would be a question for County Council, whether or not the LCP would have the authority to make. It's a great idea, but the LCP may not be the tool to make that happen. We also know from talking to Sonoma County Transit that the bus route that would go from Santa Rosa out to Doran and then up to Jenner and then back up the river and then return to Santa Rosa transit Center is about a two hour loop. And it will take a lot of equipment and a lot of drivers to do so it's a long loop. [0h44m](#)

Commissioner Koenigshofer question can you run a smaller model? Petaluma to Coast or Santa Rosa to Coast? [0h47m](#)

Staff Gary Helfrich Traffic counts only for HWY 1 from CalTrans. Collection points at Bodega HWY and then at 116 and HWY 1. [0h48m](#)

Commissioner Koenigshofer asked about the in count in Sebastopol? City limits? [0h49m](#)

Staff Gary Helfrich responded DTPW traffic county on Bodega Highway leaves western city limit passing that point. **0h50m**

Commissioner Koenigshofer asked how do they determine it is coastal traffic? **0h50 m**

Staff Gary Helfrich responded **0h51m**.

Commissioner Koenigshofer Routine traffic counts on daily bases? Does not provide information I need to see for high use days on the coast. **0h52m**

Commissioner Koenigshofer Seek and obtain traffic counts specific to corridors that feed the coast. That information on peak days and months would be most revealing. How can we go about requesting this? Suggested asking the Economic Development Board and Visitor Tourism Bureau to fund specific traffic studies. **0h56m**

Staff Gary Helfrich responded this is a challenge to get the data obtained by Summer. The studies should not be done during a Pandemic. We could not obtain these requested studies in the next 6 months to inform Policy. It could be a program in the LCP to take counts in the future. **0h54m**

Commissioner Koenigshofer stated true but that doesn't mean we shouldn't mention the LCP that we want to generate that data as a high priority. And it's fine to have a standard menu item that we want to continually update etc, etc i'm fine with that what i'm talking about is we don't have that information available in the immediate cycle we're in and I want to have a say, as soon as we are able to based on quote normal traffic patterns, we need to measure these particular sites, because we need that information now, but we don't have it so as soon as we can get it may trigger an early discussion about updating the circulation element even if it's a month or if it's six months after we adopted the LCP. **0h58m**

Staff Gary Helfrich great suggestion. We will draft a policy and a program. **0h57m**

Gary Helfrich explained the Policy that directs County to carry out Program. **0h58m**

County Counsel Diana Gomez, stated if you are going to want that type of recommendation going forward suggest be careful with the wording and use, "as soon as practical" would probably cover a lot of your issues you have like it wouldn't be practical to do it now, for example, while we are still in the middle of a pandemic. But that would be something that staff can look at and to include in a policy. But we don't want to handcuff them into having to do something that they're not going to be able to do in the in this document. **0h59m**

Commissioner Koenigshofer stated we want actionable language. **1h0m**

Gary Helfrich stated will come back with a draft policy for consideration by the Commission at the at the next hearing. **1h3m**

Gary Helfrich stated one thing that the Coastal Commission staff and actually Permit Sonoma staff feels pretty strongly is that the Commission certified the Caltrans repair and maintenance guidelines and we would like to add that, to the appendix is referenced document that is going to be really helpful for Caltrans to expedite repairs on Highway One without generating unnecessary impacts to coastal resources, the idea and those guidelines have been looked at already, and as long as Caltrans works within those guidelines, we can generally waive the coastal development permit requirement, and this is just basic road maintenance fixing a retaining wall repaving. Major stuff that involves stream bed alteration agreements, for example, would still be subject to a CDP, so this is a much lower level of maintenance. **1h4m**

Staff Gary Helfrich At the recommendation of the Coastal Commission we're adding the entire bike and pedestrian plan to the appendix so that will be the reference document for bicycle and pedestrian facilities within the coast and also the policies in the bike plan that were in the General Plan are already incorporated in the LCP so the requirements for consistency with a plan for incorporating all modes of travel into every transportation project that's already part of the proposed LCP so our complete streets policies are in here. The next comment from the Commission was you can see it in the in line comments if they even put the caveat and

we aren't sure this will work in Sonoma County. The elevated roadways and we're going to discuss this in a little bit may have some applicability and, in some areas, living shorelines are usually more appropriate to areas that are long estuaries Large beaches coastal wetlands, it is not a tool that has particularly good solutions to landslides and buffer ocean, which is mostly what's threatening highway one and our other roads. Roads like Bay Flat road and Doran and perhaps Bodega avenue, in fact, even especially being in salmon creek could all benefit from living shoreline protections which means you're restoring the shore to do what it always did before people came and messed it up, which is really limiting erosion and providing kind of a natural resilient defense to storm with action it doesn't of course do anything for sea level rise that's just going to happen, but It will increase the life. It's another tool as we discussed earlier with buses and it's a good tool and we would like to see it included. 1h4m

Commissioner Koenigshofer asked Russian Gulch and Ocean Cove where is it low? 1h15m

Gary Helfrich responded it's not low it's subject to landslides just north of ocean cove there's a scarf that if you look at it from the areas that are in the Coastal records project that it has potential to do a miniature Gleason beach, not a potential it probably will once the sea level has risen enough to start moving debris from the bottom of that bluff there. 1h15m

Commissioner Reed asked I have a question procedurally maybe this is for Council, but I was thinking that we would review this element get some, Commissioner comments and then open it up to public comment on this Element. But also, knowing that we're going to get comments on any and all parts of the Local Coastal Plan is that can we do that and open it incrementally to the meeting. 1h15m

Diana Gomez, County Counsel stated if you would like to I don't think there's any occlusion for you to say this but I think there should always be a catch all if somebody is tuned in late, and they want to comment on something they should be allowed to comment on whenever they wish. 1h15m

Commissioner Reed: Commissioners are we good with opening it up for public comment now and then bringing it back for some final discussion later? Okay let's do that if you'd like to speak on the circulation and transit element or any part of the Local coastal planet you missed, we will be reviewing agriculture and water element coming up, so please raise your hand if you'd like to speak specifically on circulation and transit. 1h16m

Public Hearing Opened: 2:17 PM

Steve Birdlebough
Rue Furch
Tom Conlon
Eris Weaver

Public Hearing Closed, and Commission discussion Opened: 2:31 PM

Commissioner Reed stated if Commissioners have additional comments in summary of the Public Transit and Circulation Element we can hear those now and then move on to the next Element. 1h31m

Commissioner Cornwall suggested the idea of increased equitably by increasing access to the coast, by creating a what is, admittedly, an expensive and difficult and challenging Transit System, we just have we have a world class Coast and it's increasingly going to be treated that way there's only a limited amount of space, and so I would like to see us try to work very vigorously with the Coastal Commission staff about how we do that, I think it's completely consistent with what the state of California wants is a lower emissions more equitable way for all kinds of people to access beautiful places that are cooler, and so I do think we need to trigger a program statement of equitable creation of a program for access to the Coast. Work with CC staff to do that. Program statement should have an explicit trigger like a date. When some proposed funding and implementation work plan could come back for review by whoever the relevant bodies are, it seems to me like it's much more than a land use job it's also a funding job and, possibly, a policy job. 1h33m

Commissioner Reed asked to Gary or county staff are we able to put a trigger into this document? 1h33m

Staff Gary Helfrich suggested to look at other ways we could implement transit alternatives now. In addition to just driving car out to coast. I think my recommendation would be the trigger rather than being chronological trigger. It would be a condition trigger we would look at certain conditions that may not exceed. The problem of the chronological trigger I think for the next year or so just limited capacity and an enormous workload. **1h33m**

Commissioner Cornwall suggested contract out a workplan through a grant proposal. **1h35m**

Staff Gary Helfrich responded there is an issue for staffing bus drivers. This is a Land Use Plan not a funding plan. We have to look at main tools we have at our disposal. I'm not saying that as a way to sidestep doing something effective I'm just saying that we have to look at the main tools we have at our disposal, within the context of the Land Use Plan to leverage other assets. The point is the LCP alone isn't going to make this happen, but the LCP can be a catalyst and a trigger to make this happen. **1h36m**

Commissioner Koenigshofer stated transit program could benefit workforce housing and small business owners. Transportation alternatives for workforce, since it really isn't likely we're going to find some way to develop a sufficient amount of new residential properties within the coastal zone that are affordable to the workforce it's ever growing there so turn up the heat a little bit in the in the transit discussion to include not just visitors they haven't be visitors from out of the area that could park and ride and who knows on weekends those park and ride lots that Caltrans has associated with freeway commuters is the potential. Stopping point or starting point for a transit system that ran to the coast and back, but that also should look at the issue of workforce housing transit. The comments that were made by Eris Weaver of the bicycle coalition about and I think, maybe another speaker I don't recall but it's about the shoulder and shoulders being parking and so forth, you know if we want to encourage bicycle safety by an expanded shoulder we don't have to give up every safety feature to parking and there can be no parking restrictions along stretches that are particularly problematic in terms of bicycle pedestrian safety, so we can keep that in mind they're not mutually exclusive. **1h39m**

Commissioner Deas commented I really appreciate the points that Eric and Commissioner Cornwall brought up. I love the idea of equitably expanding the access to the coast and really make sure we focus on that I also appreciate that we've been talking about not just like data collecting or making goals that can fall by the wayside, but realizing that this connect really acts as a specific trigger and that's the part we're building right now is the trigger for a lot of these things so I really appreciate the compensation Gary I appreciate the effort that's pretty prestigious and I know it's complicated. **1h41m**

Commissioner Ocana question with the Russian Gulch do we want to encourage land acquisition? Is there any actionable language we can put in the LCP to address that? **1h43m**

Staff Gary Helfrich responded it is important we identify sites in the plan which ensures we can get funding faster. Will still have to acquire ROW and do EIR. An important thing that happens when we include it in the LCP is can expedite the permitting process if this is something identified by the plan as needing to happen. The big problem we had with Gleason beach is that project was inconsistent with the LCP so we had to consolidate the permit with the Coastal Commission, it was a defined bureaucratic issue. There's a side benefit here, which is you'll still have to acquire right of way you'll still have to do, environmental studies, but let's at least make the permitting process streamlined so this these projects are already identified so they're de facto consistent with the LCP. **1h43m**

Commissioner Koenigshofer requested to check with the Marine lab and university of California general services staff to see if they have been and if they started thinking about alternative ingress egress to their facility if the road is no longer accessible, they may be talking to state parks about how to get in there. **1h44m**

Staff Gary Helfrich Fac ops have checked it out. Feed back is that UC system are unaware of it. **1h45m**

Commissioner Reed announced a ten-minute break until 3pm

Staff Gary Helfrich presented the Water Resources Element, which is incorporated herein by reference. **2h0m**

Commissioner Koenigshofer asked about large verse significant impact? Large versus potential significant development with impervious surface and or proximity to coastal waters or tributaries which have potential for adverse impacts water quality, I don't care if it's a large or a small project whatever large and small or medium

to me if it does have a potential impact on impervious surfaces or product. Proximity to water tributaries have a potential for adverse impacts, would be the standard that I would want with you know if it's small but impactful I don't want to see an argument in the future, about whether or not it was intended being included . 2h4m

Staff Gary Helfrich deleted one word large. The point of this policy is to make sure that projects that are going to impact water quality are studied correctly and the impacts are mitigated or avoided so that's the intention of this policy, and this seems clear, so this is a pretty easy easy policy recommendation we can do now. 2h5m

Staff Gary Helfrich explained the reason why unimpaired was chosen instead of pristine. 2h08m

Commissioner Koenigshofer asked is this subject to regulation by the Water Board and its definition? Does that mean that we are subordinating the definition of those two words to whatever the changing definition of the Waterboard might be? 2h08m

Staff Gary Helfrich stated the advantage that using their definition has is they have comprehensive mapping of every stream in in the basin and we're able then use this mapping to determine how a project will be conditioned whether or not it'll be improved if we use our own term we would have developed this mapping from scratch using our own definitions while still being stuck with the definition of impaired, I mean there, there are Regulations surrounding impaired water bodies that we have to adhere to that have nothing to do with the coast. 2h11m

Commissioner Koenigshofer asked does every project in the coastal zone or is every project in the coastal zone, subject to regulation by the jurisdiction of the Regional Waterboard and its definition of impairment unimpaired? 2h11m

Staff Gary Helfrich responded unless it's on a public municipal wastewater treatment system, yes. 2h11m

Commissioner Cornwall stated I'm not really clear with this policy or this objective adds that isn't already there in the goal, I mean in the previous objective if we already have to protect an improved water quality, to comply with Waterboard regs i'm just not really clear what the distinction is that that 1.2 is adding. 2h12m

Staff Gary Helfrich responded important to us to have easy access to mapping that is consistent with the Regional Water Board. 1.2 and 1.1 could be consolidated into a single policy. But for us for staff important thing is having easy access to mapping that is consistent with everything else that the Regional Board regulates it's just nice not having to develop these maps from ground zero. 2h12m

Commissioner Cornwall suggested Maybe just simplify it like protect and enhance water quality in accord with the resources and regulations, the resources matched by and the protective regulations of the state where resource control board or something like that. It would at least show the reader plain English words, that we are referring to in specific the regulations. 2h13m

Staff Gary Helfrich stated t's true we're obligated to do that, regardless of whether or not we put it in the policy. 2h13m

Commissioner Koenigshofer asked staff I am aware that the definition of wetland in the coastal zone is different than the definition of wetland by some other jurisdictions in terms of the elements that make up a wetland and whether all of them are required to be present, or one or more of them do we know that there's that there isn't any difference between coastal zone requirements and more general applied definitions? 2h14m

Gary Helfrich responded the criteria is the same coastal. Defining impaired water bodies and too protect other things. Policy is to protect wetlands. So there's two parts one is defining what an impaired and unimpaired water body is that's got nothing to do with the definition of wetlands. But then, our policy is to protect wetlands, so we could say, this means a wetland in the context of the Coastal Act, which would include all the wetlands, but we're talking about what's being protected. 2h15m

Commissioner Koenigshofer asked road side drainage does is meet definitions of a wetland? 2h20m

Commissioner Cornwall stated I'm still not clear, I mean these objectives especially the 1.2 still doesn't really seem actionable it points to regulations it doesn't define. I just wonder why it wouldn't be simpler to just say that we have an objective to protect and enhance water quality and water features in accordance with this Agency?
2h18m

Staff Gary Helfrich responded an excellent suggestion very good recommendation, and we should just reference the Water Boards TMDL program and reference Water Board program is a good idea. So this would put people on notice that you've got to comply with these other standards along with your coastal permit. 2h21m

Staff Gary Helfrich stated there was a comment by the coastal Commission that we would require Water Districts to consult with the county and the Coastal Commission prior to purchasing land for new facilities. And that would be wonderful if they would but we don't think that we would have any legal basis to make them do it, we certainly would encourage them to do it, which is what the policy says, but we can only regulate them after they purchased the property and proposed a project. We really don't have a way to do it preemptively so. This is one thing, where we disagree with the Coastal Commission, I feel we should leave it as encouraged we've discussed this with kind of counseling I believe they agree as well, that it should just be an encouragement so it's not really an actionable policy. But it is something we can bring up when they come in for their coastal development permit is you didn't check, I mean it's your problem, not ours. So comment 34 is adding in the descriptions, the capacity, the operational history of the Bodega Bay and Sea Ranch wastewater facilities that's missing in the public facilities element, and then we will have a reference to that in the section of the Water Element. 2h21m

Garry Helfrich stated that 38 was another. And steep slopes was replaced 35%, and the reason that replaced 35% is from talking to natural resources they came up with an exhaustive number of examples for 35% was not a strict enough standard. So now we've come around full circles let's replace it with the most conservative standard which is 15%. That seems to capture pretty much any situation where there would be a concentration of stormwater runoff that would impact surface waters. The only push back, as it will affect or a problem, we could see is that policy then will impact some land areas where the soil types and the geology and the hydrology create a situation where there is no impact at 15%. 2h22m

Commissioner Koenigshofer stated that is a very substantial change. 2h23m

Staff Gary Helfrich responded and this is where it gets be a very tough discussion is 35% is too steep 15% is probably too shallow but we won't miss anything with that steep slopes would require a geotechnical analysis to be done on a site specific basis to make that determination. So one idea for modifying this was if the slope is 15% or greater that we're going to require GEO technical study and if the study determines that there's no impact than great go ahead and develop. If it does create an impact, then we're going to require mitigation.
2h24m

955

02:24:12.390 --> 02:24:16.260

Gary Helfrich: If it does create an impact, then we're going to require mitigation.

Gary Helfrich Steep slopes require Geotech report on site. 15% or greater would require study. Impact would require mitigation. 2h26m

Commissioner Cornwall stated I'm confused by this program because it does not seem to be leading to any regulation, it seems like it is duplicative with what like the Resource Conservation Districts do, which is information and technical assistance and supposed to lead to regulation or consideration of regulation, I think it should say so. 2h24m

Staff Gary Helfrich asked looking at a policy recommendation here. Strike the program or strike the slopes?
2h27m

Commissioner Cornwall the Ag Commissioner should cover this education program seems outside of Permit Sonoma. So I would I would vote for striking that if not the whole thing i'm not sure I don't know where it comes from, I don't know what the point is. 2h27m

Brian Oh, suggest Staff take this back and analyze and then consider striking out. 2h27m

Gary Staff we will come back and answer Commissioner Cornwall's question. 2h31m

Staff Gary Helfrich: The last comment, we had was to restore policy see wr 4d. And that says encourage monitoring for all water use and water metering for public water suppliers that require water users to pay for the cost of the amount of water used. This next part encouraged hearing and other pricing mechanisms for public water suppliers provide incentive for water users and employee conservation reuse programs, there are some issues and i'll defer to counsel to discuss why that sentence may be one that we want to delete from. Policy wr 4d then actively encourage public water suppliers and maximize water reuse and conservation prior to increasing net water use for new development. 2h29m

County Counsel Diana Gomez stated I think what we're concerned with the constitutional aspect of that Setting water rates and having us decide what water rates these various water agencies. can and cannot do with have some very complex issues of their independence and the independence of their District, so we advise to steer clear of having anything in there about us deciding what rates and surcharges they need to set. 2h30m

Commissioner Cornwall who ensures the water supplier can meet the demand? 2h30m

Gary Helfrich The Coastal Commission would give us a power to make sure that they've got the water supplies to meet demand, but the conservation efforts are generally, the purview of the State Waterboard. 2h31m

Commissioner Cornwall stated encouraging language seems meaningless. I mean does the plan have the power to , who is it that makes a water supplier justify that they have supplies to increase demand? 2h34m

Commissioner Cornwall asked so if the coastal plan says you don't have enough water you can't have more demand. Wouldn't that be enough to make that supplier go back and look at conservation? 2h31m

Staff Gary Helfrich responded It would. 2h31m

Commissioner Cornwall So that would seem to mean we don't need to have this about encouraging. It seems like saying encourages is a little bit meaningless and if there's already a power to deny additional demand, then we kind of have that power already anyway. 2h31M

Gary Helfrich that's an excellent recommendation, and we will follow it unless there's any other discussion from the Commission. 2h32m

Commissioner Reed: Any other comments. I don't see any that sounds good Gary.

Commissioner Cornwall I see a lot of other paragraphs with "help with, work with" define which can help? And I thought we were going to try to get away from some of those and, in any case, if there's so many of them it just sort of suggests that none of them are going to be able to happen or which ones are going to actually happen wonder if they're if we should do some kind of prioritizing. 2h32m

Staff Gary Helfrich Through the Chair these are other initiatives, rather than actual policies. It means we have identified the need to do but do not have enough information at this time to develop a scope for a program. In the big sense, it means that something that we have identified a need. there's an identified need to tackle a problem. But there is not yet at this point sufficient information to develop a scope for a program. take care of the problems, so it, even though technically there's not really a hierarchy here. But I do always think you know everything has to meet the goal of the element you look at the goals and that that forms the umbrella that everything fits underneath. The objectives are your strategies for carrying that out, and then the policies need to be the actions that you're going to take that implement the strategies, the programs are actions were. There is an identified need there is an identified path, but there is not yet enough known to move it into something actionable. 2h34m

Commissioner Reed All right, we'll look forward to your feedback there Gary let's open this up for public comment see if we have any hands raised on the water resources element. **2h35m**

Public Comment opened 3:36 pm

Rue Furch

Public Comment closed 3:38 pm

Gary Helfrich responded almost no development on the coast outside of current water system. Not much vacant land left. All development should occur within what is already being served with the current water system. **2h38m**

Commissioner Reed asked how does the Local Coastal Plan dovetail in with the state's groundwater sustainability planning? **2h39m**

Staff Gary Helfrich responded it has to maintain consistency with the Ground Water Management Act so that that's going to apply and that is one part of our review we did when we did the update is a lot of things and we maybe took too many things out, but many things were taken out because they're going to be part of the State criteria and so it's similar to why we don't have standards in for how you build a septic system. Because that's regulated by another Agency it's the design is not in the coastal plan what's in the coastal plan is the disturbance that happens when you dig a big hole in the ground, but what goes in the holes is regulated by the Regional Board. **2h39m**

Commissioner Cornwall asked about other kinds of uses? I'm thinking about irrigated agriculture, and I mean are there any development potential for hotels and resorts and whatnot? Is that is that a realistic. **2h42m**

Gary Helfrich responded responded already developed unless we change current Land Use but the areas in the Land Use element identified as being suitable for that are already developed so it might be Timber Cove lodge requesting an expansion but it wouldn't be any new facilities there's no undeveloped parcels that are zoned for visitor serving commercial uses on the coast. **2h42m**

Gary Helfrich ability to regulate residential uses is pretty clear. **2h42m**

Staff Gary Helfrich responded already developed unless we change current Land use. **2h43m**

Commissioner Reed suggested we move onto the Agricultural Element. **2h43m**

Staff Gary Helfrich gave presentation Ag Resources Element which is incorporated herein: **2h43m**

Commissioner Koenigshofer asked about access and particular camping bias which embraces publicly owned camping but does not treat private camping the same. What is the justification? **2h47m**

Staff Gary Helfrich good recommendation to add private camping to the element. Staff can do this. **2h51m**

Commissioner Koenigshofer stated I'm not looking for easy development without a hearing but I don't want it opposed to development. My vision is that a privately owned campsite would still require a Use Permit. **2h50m**

Staff Gary Helfrich asked is this the direction from Commission is to develop a policy that allows camp grounds in the Ag Resources Element, allowing private camping and it should say public and private campgrounds on agricultural lands? **2h51m**

Diana Gomez, County Counsel stated to Gary my only qualification with that is as long as it does not comply with the uniform rules if it is a land under contract. Reminder must have it in the qualification. **2h57**

Gary Helfrich responded that's true we may have to add some I will review the uniform rules with Council because it might be we'll just have to prohibit it under on lands under contract.

Diana Gomez, County Counsel: Right unless it's classified as a use as permitted under the Uniform Rules we need to have that qualification in whatever they draft so it's clear. [2h55m](#)

Staff Gary Helfrich highlighted the standards for add ag employee and farmworker housing. Explained A11 add section describing Williamson Act and Uniform Rules. Explaining what the Act is within the context of the Coastal Act. [2h57m](#)

Staff Gary Helfrich: We've got to write policy that's consistent with regulations, in effect, currently and not speculating on what could be changed in the future. [3h1m](#)

Commissioner Koenigshofer stated I don't want to assume too much about its irrelevance over the period of time that the LCP would be, in effect, and part of that is if there was a change to this policy, would it affect a directive to a pre-existing Williamson Act Contracts and then the curiosity, since their annually renewed would it be a year before it was considered a new contract? [3h2m](#)

Diana Gomez, County Counsel: Every year it's considered a new Contract so if rules change it will update each Contract. [3h3m](#)

Commissioner Koenigshofer asked if there was a change by the Board that applied to Williamson Act rules, then that would automatically apply to pre-existing Contracts, including in the Coastal Zone and I would assume that would be by operation of law, not by required change in the LCP? [3h3m](#)

Staff Gary Helfrich responded yes, but it allows them to apply for a subdivision that subdivision would be summarily denied because it's inconsistent with Land Use Plan. It doesn't meet any other criteria for Diverse Agriculture or Land Extensive Agriculture parcels so you couldn't come up today and say, I want to split let's say you owned enough land by density, you could subdivide your parcel. The land use plans still won't let you create a five acre parcel of agricultural zoning it doesn't meet minimum lots size. [3h4m](#)

Staff Gary Helfrich presented recommendation to delete A13 Policy C-AR-4a. No prime lands and Uniform Rules already require meeting contract criteria. Does not add anything to the LCP. [3h 6m](#)

Commissioner Reed agrees with deletion A13. [3h7m](#)

Staff Gary Helfrich staff recommends that commercial cannabis be considered a non-agricultural use. Includes commercial only does not include personal grows. It does not have anything to do with indoor grows and commercial zones, this is strictly giving cannabis, the same standing in terms of permitting as agriculture. [3h11m](#)

Commissioner Reed stated, I'm confused so staff recommends a commercial cannabis, be considered a non agricultural use? [3h7m](#)

Staff Gary Helfrich responded Correct which is different than saying staff recommends cannabis commercial be prohibited. It will be treated as an ancillary use in the agricultural zone, so that may or may not be allowed because it's not a principally permitted use it's a use by right. [3h8m](#)

Commissioner Reed asked about Hemp and other Cannabis products? [3h8m](#)

Staff Gary Helfrich responded It specifically does not say anything about hemp because hemp does meet the criteria of the production of food or fiber. [3h8m](#)

Commissioner Deas asked what is the background on this decision? [3h8m](#)

Staff Gary Helfrich responded That the concern is that it would reduce the level of review for any cannabis production in the coastal zone, if it was just a use by right. [3h9m](#)

Diana Gomez County Counsel added that it is consistent with how it is classified now. [3h9m](#)

Commissioner Koenigshofer stated support for staffs is recommendation. [3h10m](#)

Commissioner Ocana asked what are other counties doing to classify? , what are some of our surrounding counties doing as far as classification in their coastal zones, for example, Marine or down towards the central coast? **3h10m**

Staff Gary Helfrich responded Humboldt County allowing subject to Coastal permit but seems to encourage inland development. **3h11m**

Commissioner Eric Koenigshofer stated Marin county does not allow Cannabids grows at all inland or coastal. **3h12m**

Staff Gary Helfrich that is a policy option we could just prohibit commercial cannabis in the coastal zone. **3h12m**

Commissioner Koenigshofer we've provided a sufficient amount of land area for a robust cannabis sector. And, given the resource protection concerns that are substantially important part of the package of policies in the coastal zone I don't know that we need to be overly ambitious and promoting it in the coastal zone. We should not be ambitious to offer it in the Coastal Zone. **3h13m**

Commissioner Deas supports staff's recommendation. **3h14m**

Commissioner Cornwall would like to see water analysis availability done. **3h14m**

Gary Helfrich responded that is the intention of the Coastal development permit process. We requires studies. The Coastal permit review process is a high bar. Ag uses are exempt from Design review on coast. By declaring it non-agricultural we also make it subject to design review. **3h15m**

Diana Gomez County Counsel stated it is already under our guidelines adopted for commercial cannabis inland it is non-agricultural also the State does not recognize it as such. **3h16m**

Commissioner Reed asked would this be consistent with inland Ordinance? **3h17m**

Staff Gary Helfrich responded correct. Would be considered a coastal development and would be reviewed as such so it would not be ministerial. **3h17m**

Staff Gary Helfrich A 17 add definition of Ag Support Serviced from the Zoning Code. A 19 delete Permit Type table. It is confusing. Use by right is the only ministerial permit allowed on the Coast. This would make it cleared if the last colume was delete.

Commissioner Koenigshofer would need to think more about this proposal. **3h21m**

Staff Gary Helfrich the context is to carry out the original intent from decades ago of allowing them to provide the necessary services that local agriculture needs to operate their business. I know it's got an expanded beyond that but i'm just saying that is the intention here. **3h21m**

Public Comment Opened: 4:25 PM

Kimberly Burr
Cea Higgins
Megan Kaun
Beth Bruzzone

Public Hearing Closed, and Commission discussion Opened: 4:36 PM

Commissioner Reed Right to Farm language a little too broad? Gary how do you feel about that and narrowing it? **3h37m**

Staff Gary Helfrich responded applied inland for the last 35 years. Why is different on the Coast than it is inland? I will look at again and review. **3h38m**

Commissioner Koenigshofer perhaps look at again and have specific language of the provision itself. Look at it rather than make countywide look at specifically if there is any incompatibility or potential that is incompatible with the Coastal Act. **3h39m**

Commissioner Reed public comment on vineyards and aquaculture should be a clear distinction between Agriculture and Aquaculture. **3h39m**

Staff Gary Helfrich we have seen no vineyard development on coast. Still subject to Coastal Permit. LCP tasting rooms not allowed on Ag lands verses inland it is allowed with a Use permit. **3h41m**

Staff Gary Helfrich commented on aquaculture most of it is done in water which we can't regulate. Coastal Commission Permits the in-tide lands. We would only permit inland facilities. We regulate the processing of the food product only. There is a potential for Aquaculture to have a bad impact. We have to look at what tools we have to regulate. I will look into this further and come back to the Commission with the land base options. **3h43m**

Commissioner Koenigshofer stated that is a good idea so we can have a better understanding of onshore facilities as they support offshore development. **3h45mm**

Staff Gary Helfrich stated that the pesticide ban comment is part of Open Space and Conservation Element and will be presented there. Not part of Ag Element. **3h45m**

Staff Gary Helfrich stated camp grounds would still be under discretionary review. It is subject to a Use permit and environmental review. **3h46m**

Commissioner Cornwall stated interested in water supply availability we need tools to evaluate future use for evaluating water intensive uses. **3h48m**

Gary Helfrich suggested collecting data and collecting often so we know what were doing when we have to regulate. **3h49m**

Commissioner Koenigshofer asked about knowledge of water in coastal zone? Level of detail throughout the coastal zone? **3h49m**

Staff Gary Helfrich unusually complex water on our coast. We need a lot of data and should start monitoring now. Would the Commission like to see a policy written it for data collection? **3h52m**

Commissioner Koenigshofer yes. **3h55m**

Commissioner Cornwall supports well monitoring on coast. **3h55m**

Staff Gary Helfrich need to check with Counsel on legal limits. **3h55m**

Commissioner Reed thank you to staff for today's presentation. **3h56m**

Staff Gary Helfrich suggested cultural resources and land use for the next meeting. **3h57m**

All commissioners agreed. **3h58m**

Action: Informational only.
Appeal Deadline: N/A
Resolution No.: N/A

Vote:

Commissioner District 1 Cornwall
Commissioner District 3 Ocana
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Ayes:
Noes:
Absent:
Abstain:

Hearing Closed: 4:58 PM



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

January 13, 2022
Meeting No.: 22-01

Roll Call

Commissioner District 1	Cornwall
Commissioner District 3	Ocana
Commissioner District 4	Deas
Commissioner District 5	Koenigshofer
Commissioner District 2	Chair Reed

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Chelsea Holup, Secretary
Verne Ball, Deputy County Counsel IV

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes November 10, 2021 and December 9, 2021

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.:	1
Time:	1:05 PM
File:	Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant:	County of Sonoma
Owner:	Not Applicable
Cont. from:	July 26, 2021
Staff:	Gary Helfrich
Env. Doc:	The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments. The Planning Commission will review the Local Coastal Plan on an element by element basis and anticipates considering the **Cultural Resources and Land Use Elements** in this meeting. The Commission may also review revised sea level rise maps based on a 7-foot and 10-foot forecasts as directed by the Commission.

The Planning Commission will review and recommend elements of the Local Coastal Plan at subsequent meeting of this continued hearing on a monthly basis. As of the date of this agenda, future meetings are anticipated for February 3, 2022, March 3, 2022, and April 7, 2022. At the conclusion of each meeting, the Planning Commission will announce elements to be considered at the next scheduled meeting.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h12m**

Commissioner Questions:

Commissioner Deas asked about compromise on sea level rise asked about a sliding scale for residential structures verses public facilities. **Staff Gary Helfrich** responded. **0h22m**

Commissioner Cornwall stated she agreed with Commissioner Deas approach. Discussed the idea of how long a structure lasts verses what it is built to last. Asked about the cleanup if a structure fails. **Staff Helfrich** responded. **0h24m**

Commissioner Ocana asked who is responsible for the environmental cleanup of a building fails? Staff Gary current owner always bears responsibility for clean up on property. **0h25m**

Commissioner Koenigshofer expected life of various structure and the life expectancy are we looking at just a specific structure on a specific site? Are we considering access to the site as well? What is the practical implication after we adopt the plan? What if it does not work in 20 years? **0h26m**

Staff Gary responded. We need to pick a number now in order for future development and for the Policies. Require preemptive flood. **0h28m**

Commissioner Koenigshofer how do we correlate the number we pick with the roads leading to the sites?

Staff Gary Helfrich responded. Very different impacts from the seven-foot verses the ten-foot. Whatever sea level rise number we pick for infrastructure protection and we'll have to make a decision, if we identify roads that have no prospects for managed retreat and are not going to be usable for access. But to get there, we need to know which number we're working with to map and identify those areas because it'll there's very different impacts. The seven-foot rise doesn't really affect that many residential properties, the ten-foot rise effects, quite a few I mean is a dramatic increase in how many roads and access points we're going to lose at 10 feet based on a certain sea level rise that may be a reason to restrict future development in certain areas. **0h30m**

Commissioner Koengishofer asked the achievement of the seven-foot total or the ten-foot total is projected to be what date? **0h30m**

Staff Gary Helfrich responded the Coastal Commission did not want a date chosen. Based on a 100-year projection. We know it will rise we don't how much it will rise. **0h33m**

Commissioner Cornwall stated it's useful one of the major uncertainties is the speed at which humanity as a whole, reduces emissions, so, in some ways, choosing one of these numbers is in some ways affected by our sense of optimism or pessimism about you know, will the emissions trajectory really change or will it probably just keep going up. **0h32m**

Commissioner Koenigshofer asked about the model of the difference between the two sea level rise predictions in the next 20 years? **Staff Gary Helfrich** responded very little will change in the next 5 or 10 years. We do have the models and could get that information from NOAA (National Weather Service). **0h32m**

Commissioner Koenigshofer asked how does the question of which of these two models seven or 10 or 20 year estimate how does it translate into regulatory basically law and restrictions? How do we deal with that, how do we deal with something that's in the immediate horizon, what are we going to tell them? **0h34m**

Staff Gary Helfrich part of that is a policy decision for this commission to make. The Zoning Code could take a more nuanced approach. But we need a starting point to develop future policies. **0h34m**

Commissioner Reed asked is there any reason we could not pick both? **0h36m**

Staff Gary Helfrich responded technically no. Staff can prepare both but it will be a lot of work. **0h36m**

Commissioner Koenigshofer stated it will be the driving force for implementing the Zoning Code. I agree with Reed we should be informed by both options. **0h37m**

Commissioner Cornwall stated we should be conservative with infrastructure and should use the higher levels. Residential houses stand for much longer than what they are built to stand. I would rather go with the higher number. I don't think were precluding any existing structures. **0h39m**

Commissioner Koenigshofer stated looking at map of 10-foot projection as a practical matter for State Park asked about future access by road? **0h43m**

Staff Gary Helfrich by adopting this map that also allows us to create policy that would identify this road alignments being critical for coastal access getting it in the plan and therefore not having to basically, fight ourselves on our policy for protection of Russia River is that we make the findings that public access to this area overrides the small impact to coastal resources and we build into the plan, the alternative road alignment so when the time comes to build the road that's in there as its own policy and the road can just be built. That's the whole point of going through this is to identify those needs, and the opportunities and make the findings now for the necessity of building that road. **0h44m**

Commissioner Koenigshofer asked if we adopt the 10 foot then it would fold in other sites along the coast?

Staff Gary Helfrich responded yes it would allow us to work with the Coastal Commission on other sites but still need to weigh in the public access. We would identify a policy that would allow an exception to build a road along that line. **0h46m**

Commissioner Koenigshofer asked about other sites on coasts and facilities. Should we plan the retreat now?
0h47m

Staff Gary Helfrich responded yes that is the point of what we are asking now. 0h47m

Commissioner Eric Koenigshofer asked where does it show up we adopt a map, I want to know what language comes back and says Doran park is going to be abandoned Spud Point is going to be underwater the sewage treatment plant is no longer reliably operational and what are the options does that show up in the LCP somewhere or do we just wait for that to appear somewhere else it's not really pertinent stuff? 0h47m

Counsel Verne Ball stated, I can suggest that you're talking about two different maps, with seven and ten foot. And it may be beneficial to come back with an index of the policies that are implicated by the different maps and or options to use one or both in order to better understand the textual implications. In addition, that there's a huge amount of uncertainty and some of this, I mean if you were you were talking about scenarios that are likely, in which you know entire cities on this planet are going underwater so we're dealing with sort of concrete issues here but, the future may involve legal changes that we can anticipate right now and crises that we were foreseeing but and need to plan for, but what I'm hearing from the Commission might benefit from a kind of a legalistic index of here is everything where this is discussed, and this is what these triggers mean, because i'm hearing that you would like potentially to have information about both of these you know maps to be in seven and ten that's it on their own they're just informational and a disclosure matter, but the legal triggers are independent of the maps themselves. 0h49m

Commissioner Ocana I think it is best to error on side of caution and use the more conservative map. I am in favor of the 10-foot map. Can we take a straw vote? 0h50m

Staff Gary Helfrich responded staff is asking for direction from the Commission. It would be beneficial for staff if we could bring back policy recommendations based on the sea level rise chosen. 0h52m

Commissioner Ocana stated a 10-foot is my preference. 0h53m

Commissioner Koenigshofer I do not have a preference. 0h54 m

Commissioner Deas stated agrees with the 10-foot map but still leery of lumping all structures and public facilities together. 0h57m

Commissioner Reed 10-foot is more conservative I agree with that proposal. 0h57m

Staff Gary responded thank you. 0h58m

Cultural and Historic Resources Element

Staff Gary Helfrich gave update and overview 1h0m

Commissioner Ocana disclosure I had a conversation about the cultural and resources element with Alegria de La Cruz who's the director of our new Sonoma County Office of Equity. To briefly describe what the Local Coastal Plan was and where we're moving towards incorporation with the Tribes and emphasizing the importance of sovereignty and inclusion in development going forward. I had a couple of questions related to the plan, but the first item that I wanted to kind of bring to Mr Balls' attention and see if perhaps he could assist me with is my understanding is that in order for the Office of Equity to really participate in a plan with the planning Commission that they need to be requested or asked, and so what I would like to do is request that the Office have a chance or be directed to review the section of cultural and historic resources and perhaps provide some input before the Local Coastal Plan has been finalized, and I hope that i'm saying that appropriately. 1h19m

County Counsel Verne Ball responded that's more of an administrative question than a legal question I would direct Brian Oh to respond to that it is the only issue there is that they would be subject to the same confidentiality restrictions as the rest of the of the county and that would be part of it.

Staff Brian Oh responded anything that we can do to ensure a robust presentation of the final draft within our county confines absolutely will look into that and see how we can make that happen. **1h04m**

Commissioner Ocana stated that the Coastal Commission made a reference to Sonoma State North West Informational Center questioning if they have the knowledge or ability to contribute to the Draft? Is there a direct pathway for them to work with county? **1h3m**

Staff Gary Helfrich responded and explained NW Information Center's role in research and land development. They are informational research facility. Staff recommends putting in the description so it is clear who they are. **1h4m**

Commissioner Ocana asked how is staff going to elaborate on the Tribal input based on the Coastal Commission comments? **1h6m**

Staff Gary Helfrich responded we have not received any comments from the Tribes on the recent LCP Draft. **1h6m**

County Counsel Verne Ball stated it is confidential. It is an ongoing discussion we can't reveal the communication between Tribes and the County. We can generalize outcomes. The outcome has not been reached yet. **1h09m**

Commissioner Ocana asked can we site this to the Coastal Commission? And if I could just comment on that I guess where I was going with that comment is more, how are we going, how can we satisfy the Coastal Commission's thoughts about elaborating on the Tribal input, can we put a line in there that says they are deeply involved or there is a lot of communication going on, I don't think we need to reference that it's confidential just that that we are in constant communication with them. **1h8m**

County Counsel Verne Ball responded I didn't see anything in their request in the record that required us to reveal confidential information, and we would, if it did, we would have to say no, but going to your comment, yes, I think we can include I mean they wanted some information on the background of the different Tribes and in the information of a general nature, about the relationship between the County Government and the Tribal Governments would not be inappropriate to include. **1h8m**

Commissioner Koenigshofer we all expressed interest and desire for the Tribes to be involved we just want to ensure this has been done and we are not making a decision without their input. Can we be assured outreach was done and received? If there were areas of issue could we at least be told of that aspect? We want to make sure the Tribe has been consulted. **1h11m**

Commissioner Ocana could we ask the office of equity to meet with the Tribes as a third party? **1h11m**

Commissioner Ocana I wonder if that wouldn't be the perfect opportunity to bring in the Office of Equity, because they are a third party, even though they are part of some county government, but they would be a third group that could be party to perhaps the confidentiality of those communications and then be able to somewhat report back to the Commission, just to let us know that they've been satisfied? **1h11m**

Verne Ball in general terms process cannot conclude until the process with the Tribe concludes. The outcome would be conveyed to the Commission we cannot move forward without it. **1h14m**

Commissioner Koenigshofer asked if any Tribes in Marin County have been consulted? **1h15m**

County Counsel Verne Ball stated we can't reveal any individual consultation information. Gary Helfrich did provide us with a list of the Tribes that was consulted. **1h15m**

Staff Gary Helfrich responded we use the list from the NAHC (Native American Heritage Commission) **1h17m**

Commissioner Cornwall stated my conclusion is that they don't feel like we are a group that they need to talk

with that's their prerogative. 1h15m

Commissioner Questions:

Commissioner Koenigshofer can we split the discussion into Cultural and Historic? 1h16m

Staff Gary Helfrich responded we could. 1h16m

Commissioner Koenigshofer stated we have Historic Districts, we have all kinds of specific references to historic features that are distinct and not conjoined with cultural resources, so I don't really know where the difficulty is and distinguishing between the two. Gave example of Valley Ford structures historical but not cultural. 1h17m

Commissioner Ocana So that's my understanding is that's a very different terminology that they're not indigenous structures and they're not cultural structures, because culturally, yes, they have enormous significance to the people that came out here when they created those kind of homesteads, and so I agree that perhaps there could be a separation, but I think we have to be cautious about saying If you want to separate indigenous from other historical things and that's one thing, but I don't think that we could use the word cultural does that really encompasses all different cultures from all different time periods. 1h18m

Commission Reed stated there is a historic inventory of structures. 1h19m

Commissioner Reed I'd like to note that included in Appendix J is the historic resources inventory, which seemed to catalog all the historic structures which seems to coincide with the historic resources versus cultural, so I don't know if that's enough separation that there's a clear distinction, I wonder how up to date, this list is, and if it gets updated and certainly is your policy suggestions, just so it could be some sea level rise issues with a lot of these historic structures. 1h19m

Commissioner Koenigshofer there is an array of historic interest sites that don't call for consultation with Tribes. 1h20m

Commissioner Ocana I think that's a very interesting point and I if we were to perhaps make a subsection that would be historical resources that do require consultation with Tribes with the overall, general cultural and within the overall, general cultural and historic resources and perhaps staff could provide some understanding to us, of whether or not, that would be feasible or if it would be better to have two separate elements. 1h20m

Staff Gary responded what is the advantage to having the separation? The purpose of document is to carry out the provisions of the Coastal Act. 1h23m

Commissioner Koenigshofer Cultural and Historical Resources I was expected to read two different sections. Suggested a Non-Tribal section like historic preservation, expanded tools. I would like to see more treatment for that. 1h25m

Staff Gary Helfrich: The county historic resources policy applies everywhere it doesn't apply just inland so those structures are protected, regardless of whether or not there is something, both in the General Plan and in Coastal Plan regardless whether it's duplicated into documents that still exists, and the comment, I just wanted to make is we have a lot of elements that have the connective phrase at the top and when we get to Open Space and Resource Conservation it's going to be pretty tough to separate those two from each other. 1h26m

Commissioner Reed I'm hearing Commissioner Koenigshofer concern, and I agree that you know the appendix is the only thing that we have that refers to the historic resources inventory but if you go through that it's very detailed and it does include barn structures and things that are on private and public property, but what's not clear in the Policy is how you know, maybe some overview of those resources and how the county thinks about them and what the responsibility is for the county versus what you know homeowners have in terms of managing those things might be just a nice overview, I think we could include it in the same policy. 1h26m

Commissioner Ocana add a section for cultural resources that are not Tribal resources. I agree, I think, an additional objective right under one point to highlight all of the historical and cultural resources that are not native I could really add more depth to the to the element, and I think that might cover what Commissioner Koenigshofer is getting at which I agree there is an enormous amount of cultural resources that are not necessarily highlighted. **1h27m**

Staff Gary Helfrich so bifurcating objective 1.2 and then elaborating on the Historic resources and specifying giving some background and specifying the attachment would satisfy this, or is there more that needs to be done? **1h30m**

Commissioner Koenigshofer responded this would satisfy my request. **1h31m**

Gary responded we could have a program to consider new areas for consideration of historic designation. It would need to go to the Landmarks Commission. **1h32m**

Commissioner Cornwall stated concerned about time need to leave by 4:00 pm **1h33m**

Public Hearing Opened: 2:33 PM

Kimberly Burr
Beth Bruzzone
Eric Fraser
Carol Sklenicka
Laura Morgan
Lisa Dundee

Public Hearing Closed, and Commission discussion Opened: 2:47 PM

County Counsel Verne Ball NW Information Center does have some reports that they do not disclose. No land owner is precluded from doing their own research. Could contact NW Information Center and or hire an Archeologist or work with Tribes. Some cultural resources are not archeological in nature. **1h46m**

Break 2:47 pm

Land Use Element:

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **1h55m**

Gary Helfrich requested input for the new general provision section that was provided in the Memo. Also the inline edits from the CC to include. **2h01m**

Gary Helfrich: We also establish specific requirements for coastal development permit to make it clear that every activity. That is not on the excluded activities that sounds kind of funny, but there is an attachment to the land use element that is the exclusion orders that the county has received from the coastal Commission over the years, this is not new we're not adding anything to it, these have always been excluded activities but make it clear that everything else does require a coastal development permit. One recommendation from the Commission is to that we don't have this right now allow an exclusion in very limited circumstances from acquiring coastal permit for small scale activities that can be found with certainty, not to have an adverse impact on resources. Because right now quite literally we've had coastal permits for somebody swapping out their propane tank because it met the definition of development, however it's important to note that even when we issue a waiver that waiver has to go to the coastal Commission and be reviewed so everything is reviewed, but all our actions are reviewed by the coastal Commission, but it does give us a way to help the property owner under streamline routine maintenance activities around their property. So, before I go to the next one, I just like to get the commission's input on the new general provisions section it's the entire text is outlined in in the staff memo. **2h2m**

Commissioner Koenigshofer asked about legal non-conforming uses? **2h1m**

Gary Helfrich standard is one year without use whereas the Coastal Commission allows four years. **2h2m**

Commissioner Koenigshofer seems unlikely we can make it through the entire Land Use Element today. I would like to split it up. **2h4m**

Commission Ocana can we divide the Land Use Element into two? **2h4m**

Staff Gary Helfrich suggested reviewing general provisions and then housing policies and then return for the other policies? Finish up with this new section and then go onto two topics that has a lot of public interest. **2h6m**

Commissioner Ocana agreed. **2h4m**

Staff Gary Helfrich stated vacation rentals go over policy but no new restrictions are being presented. Clarification on vacation Rentals because they're essentially isn't really any restrictions being proposed of vacation Rentals, but I wanted to go over the policies that are being proposed and allow the folks who want to comment about vacation Rentals give them an opportunity to comment on that and we've also, I think, have a good solution to the comments we've received on offshore wind support facilities as it impacts commercial fishing and Richard Charter actually has a very good policy recommendation that both the Coastal Commission staff and Permit Sonoma staff would like to recommend. **2h5m**

Commissioner Koenigshofer stated new development policy change of use. Primary use and change of use are major concerns of mine. We will need a lot of clarity so we have a good definition. Issue Waiver for small scale Agriculture needs to be quantified and qualified. **2h10m**

Staff Gary Helfrich responded generally the Coastal Commission wants it defined major versus minor. Staff will do that. **2h12m**

Commissioner Koenigshofer: Day time noise is listed as 7am to 10 pm. I don't think many people think 10pm as daytime and I'm wondering why that is so late, is that the state's commission's definition of what daytime is? **2h11m**

Staff Gary Helfrich responded that is based on what the Commission requested. It is the same standard for the inland noise. We could change this time frame. **2h12m**

Commissioner Koenigshofer inquired about meeting individually with staff to discuss. I have 6-8 notes on every page I would like to go over this with staff before the public meeting. **2h12m**

Commissioner Ocana I have spoken with Gary Helfrich on several occasions and he has been helpful. **2h13m**

Gary Helfrich responded we can discuss off line as soon as this meeting is over. **2h14m**

Offshore Wind Support Facilities:

Staff Gary Helfrich gave presentation **2h14m**

Commissioner Cornwall asked the folks who suggested this policy are they supportive of restricting them or prohibition to just the commercial fishing area? **2h18m**

Gary Helfrich responded the letter is in the packet you received. This is based on his recommendation. **2h18m**

Commissioner Koenigshofer asked what other kinds of facilities would be allowed? Support facilities versus transmission facilities. **2h19m**

Commissioner Koenigshofer On of the same line of what Commissioner Cornwall is asking, what kind of facilities, other than work facilities, would be allowed if at all, and if so, in what land use category? **2h20m**

Staff Gary Helfrich we allow substations in the PF zone. We don't have any PF near the waterways.

Well, certainly, you know inverter facility is from his physical appearance would look to a lay person to be a substation so the we allow substations in the PF zone and public facilities zone. That would be kind of unusual for us to allow one type of PG&E facility and not allow a different type of facility that's essentially doing the same thing, which is processing electrical energy. 2h21m

Commission Cornwall inclined to support this policy. Would not close the door to onshore facilities everywhere but should be tightly regulated. 2h21m

Staff Gary Helfrich stated there has been incredibly strong support for protecting our commercial fishing industry and that's one of the big reasons why staff is recommending this. 2h24m

Commissioner Ocana asked if the other Commissioners have thought on Amendment on a County Vote? What is the ability to change this plan if circumstances do change? If we prohibit it now will it be forever prohibited? 2h26m

Staff Gary Helfrich the LCP be can be amended in the future. There would be more steps with adding the amendment process. 2h27m

Commissioner Koenigshofer I prefer we include them. Listed impacts visual, fishery, shipping and onshore impacts for moving the energy. We should prevent potential onshore development in the coastal zone. 2h29m

Gary Helfrich include in 1 A? 2h31m

Commissioner Reed good discussion inclined to agree with the commissioners. I would like to hear from the public. 2h33m

Public Comment opened 3:34 pm

Richard Harter
Laura Morgan
Cea Higgins
Beth Bruzzone

Public Hearing Closed, and Commission discussion Opened: 3:40 pm

Commissioner Ocana can we get a vote from the commission to include in 1A and 1B? 2h40m

Commissioner Koenigshofer agreed for now it seems fine. 2h40m

Vacation Rentals:

Staff Gary Helfrich gave presentation 2h40m

Commissioner Cornwall Coastal Act came before the explosion of Vacation Rentals. What can we do to protect the coast from the impacts of vacation Rentals and their impacts to roads and safety? 2h43m

Staff Gary responded lodging is seen as an integral part of coastal access and certainly is when you remember that the coast is available to all people, not just people who live in coastal areas and low cost lodging is actually extremely important. The situation in Sonoma county is most lodging in the coast is provided and has been historically provided by Vacation Rentals we really don't have a lot of what I would call traditional lodging facilities, we don't have a lot of beds available. Vacation rentals is the main way visitors can stay. Provides equitable access. Ability to restrict is based on the impact to coastal resources. 2h46m

Commissioner Ocana So if I could add I think this would be a great opportunity to elaborate on the cultural and historical resources, because there is something to be said about an excess of vacation Rentals in small communities that are made up of residents that live there, so, for example Duncan's Mills
A couple other ones are escaping me, but those are very clear examples, and so I know Commissioner Koenigshofer had talked about elaborating on those kind of historical neighborhoods I think it would be

important to make sure that's very clear that an excess of a vacation Rentals would impact those communities, they would cease to become communities. **2h47m**

Commissioner Koenigshofer stated I have a huge problem with not engaging this question in the coastal zone at all. Resource protection only. We should look at workforce housing. I would like to see us press the analysis and questions to the Coastal Commission. Workforce housing is very inadequate in the coastal zone, as is affordability at all, and you know when I give this by extension the more conversion of the existing housing stock within the coastal zone that turns to vacation Rentals, the greater the possibility that you're eventually going to trigger response of having to build new housing to accommodate people that can't live and work in the in the coastal zone. Would like some way to address vacation rentals in the Coast. **2h50m**

Commissioner Ocana open to the public for comments: 2h53m

Public Comments 3:54 pm

**Charles
Laura Morgan
Erin Casey
Eric Fraser
Cea Higgins
Chris Stoessel**

Public comment closed 4:04 pm

Gary Helfrich responded HCD established income requirements. Policy has been reviewed from other jurisdictions. We have a competitive vacation rental industry on our coast lack of regular lodging makes it hard. We will review and discussion with the Coastal Commission and come back to you. **3h06m**

Commissioner Koenigshofer thanked staff for looking into this request. Camp grounds most affordable. A lot of places on coast that vacation rentals use that are not affordable in terms of workforce housing. We should explore more. Might help us decide how we would like to promote affordable housing. **3h08m**

Commissioner Reed I think, in the spirit of moving this forward and getting a little bit more information, I like Gary's response and willingness to explore a little bit more, I did like I think it was Erin Casey's comments regarding performance standards and some look at what those might be particularly around concentration and things like that, just to begin to get my head around some of the broader issues around vacation Rentals. **3h09m**

Commissioner Koenigshofer business licensing and other revenue generating tools that might be applied. I would like us, while you're looking at the question of the coastal zone as well, whether or not any of those kinds of tools might apply and then whether or not the revenue from those the possible revenue from anything like that could be used to enhance affordability in some pockets of the coast for workforce. **3h10m**

Staff Gary Helfrich responded When we're charging a fee what we spend that money on we can use for different purposes, but that license fee and that permit fee really have to go to the cost of administering those programs. Otherwise it's considered a tax, and it would have to go to a vote. **3h11m**

Commissioner Koenigshofer suggested an enhanced TOT in the Coastal Zone so the funds could be used. **3h11m**

Gary Helfrich will look closer at Mendocino, Humboldt and San Luis Obispo. **3h12m**

Commissioner Ocana inquired if we could you come back to the PC after doing review on the Vacation Rental Ordinance? **3h16m**

Staff Gary Helfrich responded we can report back but would be hard to use in the Coastal Zone. The licensing program should help resolve the behavior based in neighborhoods. **3h16m**

Gary Helfrich asked about the topic of housing and public access for next meeting? **3h16m**

Commissioner Ocana can ask if housing is the last section in the Land use? 3h16m

Commissioner Koenigshofer I would prefer we pick up the Land Use Element at the next meeting it may take the entire meeting. 3h17m

Commissioner Deas agreed. 3h17m

Hearing Closed: 4:20 pm

Minutes Approved: November 10, 2021 and December 9, 2021

Commissioner X discussed. **Staff X** responded. 0h0m

Commissioner X discussed. **Staff X** responded. 0h0m

Public Hearing Opened: PM

Ms. Y, Applicant, gave an overview of the project. 0h0m

Commissioner X inquired about. 0h0m

Commissioner X inquired about. 0h0m

Public Hearing Closed, and Commission discussion Opened: PM

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

County Counsel clarified. 0h0m

Action: **Commissioner XXX** motioned to (**example:** approve the project as recommended with modified conditions). Seconded by **Commissioner XXX** and (approved) with a X-X-X vote.
0h0m

Appeal Deadline: N/A
Resolution No.: N/A

Vote:

Commissioner District 1
Commissioner District 3
Commissioner District 4
Commissioner District 5
Commissioner District 2, Chair

Ayes:
Noes:
Absent:

Abstain:

Public Hearing Opened: PM

Ms. Y, Applicant, gave an overview of the project. 0h0m

Commissioner X inquired about. 0h0m

Public Hearing Closed, and Commission discussion Opened: PM

Commissioner X commented about. 0h0m

Commissioner X discussed. 0h0m

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Commissioner X discussed. 0h0m

County Counsel clarified. 0h0m

Commissioner X commented about. 0h0m

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County Counsel clarified. 0h0m

Commissioner X commented about. 0h0m

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Commissioner X discussed. 0h0m

County Counsel clarified. 0h0m

Public Comments continued for items not on the Agenda: 0h0m
(List names here)

Public commenters that want to receive future hearing notices regarding a project or topic:
No requests received at hearing.

Hearing Closed: X:XX PM

Minutes Approved: Month Day, 2022



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

February 3, 2022
Meeting No.: 22-03

Roll Call

Commissioner District 1 Cornwall
Commissioner District 2 Reed
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 3, Chair Ocana

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Chelsea Holup, Secretary
Verne Ball, Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes January 13, 2022

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments. The Planning Commission will review the Local Coastal Plan on an element by element basis and anticipates considering the **Land Use Element** and **Open Space Element** in this meeting.

The Planning Commission will review and recommend elements of the Local Coastal Plan at subsequent meeting of this continued hearing on a monthly basis. As of the date of this agenda, future meetings are anticipated for **March 3, 2022**, and **April 7, 2022**. At the conclusion of each meeting, the Planning Commission will announce elements to be considered at the next scheduled meeting.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: **Commissioner Cornwall** met with Suzanne Smith, Transportation and Public Works, and Tanya Narrow County Regional Climate Protection Authority about topics related to LCP like sea level rise and activities that the county is undertaking to prepare for sea level rise. **0h5m**

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h7m**

Commissioner Questions:

Commissioner Koenigshofer asked if staff could cluster all Coastal Commission comments in one tab on website? **0h15m**

Staff Gary Helfrich responded. **0h15m**

Sea Level Rise update: **0h20m**

Commissioner Cornwall asked about height of sea level rise onto the maps? **0h25**

Staff Gary Helfrich responded. **0h25m**

Commissioner Cornwall Susan Smith TP Authority her opinion was 10 feet might be enough but it might not.

Staff Gary Helfrich responded. **0h27m**

Commissioner Koenigshofer within 10 year 20 inches? Could you send a submittal Memo out that explains this information plus the source? **0h29m**

Staff Gary Helfrich responded. **0h29m**

Commissioner Deas likes this approach. **0h29m**

Commissioner Cornwall I agree that level of certainty decreases pretty quickly as we go further into the future, these are reasonable bins I just think there's still more to discuss about what is the level that we're going to assign to each of these and I keep coming back to there's the idea of US private house, maybe being subject to

different rules, but in my mind more compelling distinctions are about how long a structure or a US is meant to last. So, if something is going to be permitted it's meant to last 75 years or 100 years I don't know it needs to be at least 10 feet. Whereas something that's not going to have a longer life or that's easy to move like a like a trail and a park and it was important to assign it a worst case sea level rise number. **0h30m**

Staff Gary Helfrich responded through the Chair so the direction I think I was looking for I think i've received, which is putting things in these three bins is an approach supported by the Commission, I just want to be sure, before we put a lot of time into research and coming back with a full report that we're not going down a rabbit hole, what I heard is concurrence with this approach and that, Commissioner, a quick memo on the sources were using and a little bit more background and how the predictions are being created does that sum it up?
0h31m

Commissioner Koenigshofer mapping out the life of structures would be helpful. The timeline plus show your work, I mean i'm not saying that your work, but just so people can understand where it comes from, and then secondarily having this staged information, with obvious footnote, that the further out you get the more flex there is in its accuracy, but you know, then I want to figure out what tools we need to focus on the first 10 years and then the second 10 years because that is the window of the document. **0h33m**

Cultural Resources review 0h35m

Staff Gary Helfrich Looking for recommendation from Commission. **0h36m**

Commissioner Ocana stated she would like the Office of Equity included. **0h37m**

Staff Scott Orr stated all Departments are charged with working closely with the Office of Equity. LCP is broadly out-facing. Caution including a specific reference to another department in this document. Name changes and or County structure changes. CAO may also have preferences in the future for structural changes.
0h39m

Commissioner Ocana requested that Staff come back with confirmation that they have been working with the Office of Equity. **0h39m**

Scott Orr will follow up on that request. **0h40m**

Commissioner Koenigshofer is this in the standard referral procedure? **0h40m**

Staff Scott Orr responded. **0h40m**

Commissioner Ocana would like a formal avenue or request to the office of Equity. **0h41m**

Staff Gary Helfrich does the Commission concur with the recommendation subject to reaching out to Office of Equity? **0h42m**

Commissioner Koenigshofer requested more outreach beyond Landmarks Commission. **0h43m**

Public Facilities review 0h44m

Staff Gary Helfrich explained Public health vs capacity DWR. **0h47m**

Commissioner Deas asked what are some actionable implications for failing?

Staff Gary Helfrich responded must have adequate preserves and have long term ability to serve customers.
0h48m

Scott Orr how much does DWR like new systems right now? **0h49m**

Gary Helfrich Responded close to zero. **0h50m**

Commissioner Koenigshofer how is capacity determined? **0h51m**

Staff Gary Helfrich responded this is suggested as an annual report the Commission can change this to every five years. **0h51m**

Gary Helfrich we can adjust how long we allow homes to remain on properties. We are putting it on the operating plants to show it has the capacity. **0h55m**

Counsel Verne Ball clarified it's still Water Resources Control Board not the Department of Water we get confused because it means the Department of Water Resources, but there's also a division of water rights within the State Water Resources Control Board, but here it's Drinking water regulation was recently moved from public health in California, to the State Water Resources Control Board, which was a big deal, but the public water systems are as Gary was outlining and there are other regulated systems that are smaller than that they're called small water systems, I believe that are regulated by County Environmental Health so there's a division of Labor between the State water resources Control Board and Environmental Health Department Kenny from the Environmental Health Dept. helped us to the size of the system and who regulates and why. **0h58m**

Commissioner Cornwall in favor but provide a report based on capacity. Suggested a frequency of every two or three years for reporting. **0h58m**

Commissioner Ocana asked can lay people complete these reports or do they have to hire a professional? **1h0m**

Staff Gary Helfrich responded. **1h1m**

Scott Orr when looking at polices there may always be a burden on the public as well as staff. Important to leave it open so when we get into the implementation plan we can accordingly. **1h3m**

Commissioner Koenigshofer stated he has an issue with carrying capacity. Not opposed to idea but would like to understand how it might play out.

Staff Gary Helfrich responded with a new policy action. **1h04m**

Commissioner Ocana what would make it more simple? A smaller report or less often? I disagree gave example of a large campground.

Staff Gary Helfrich responded. **1h07m**

Staff Scott Orr suggested considering only for Discretionary projects. **1h12m**

Land Use: Public Facilities **1h13m**

Staff Gary Helfrich recommended this be incorporated in the Land Use Element. **1h14m**

Commissioner Reed asked how does this overlap with the State requirement for ground water management Act? **1h14m**

County Counsel Verne Ball the basin in the Coast does not qualify. **1h15m**

Commissioner Cornwall stated can we put something in like, "will not allow an increase in total water demand."

Staff Gary Helfrich responded I will bring back revisions to the Commission. **1h16m**

Gary Helfrich will bring back a draft to the Commission **1h20m**

Land Use: Principally Permitted Use **1h21m**

Commissioner Koenigshofer question Coastal requirement is a singular use but not principle use. How is that determined how much of impact the secondary use might have? **1h24m**

Staff Gary Helfrich responded principle use is about process. **1h24m**

Land Use: Offshore Energy **1h25m**

Commissioner Koenigshofer agrees with proposed. **1h27m**

Commissioner Ocana agrees with proposed. **1h27m**

Commissioner Cornwall agrees with proposed. **1h27m**

Land Use -Housing **1h28m**

Commissioner Deas asked what does barrier free design mean? **1h33m**

Staff Scott Orr responded. **1h33m**

Commissioner Ocana stated I agree with the proposed but would like to see it elaborated more point to ADA or other aging in place language. **1h34m**

County Counsel Verne Ball stated there are existing building codes for accessibility. Would have to look at the law on this. Public facilities have stricter rules than a private residence. **1h35m**

Scott Orr recommend we visit this in the implementation stage. **1h36m**

Commissioner Reed agrees with policy. At minimum it becomes a discussion for the developer. **1h37m**

Staff Gary Helfrich stated that it could be used as an educational talking point. **1h39m**

Commissioner Koenigshofer discussed. **1h39m**

Commissioner Ocana is there any other areas that could be affected by this? Do not want to pigeon hole into only Bodega Bay. **1h41m**

Staff Gary Helfrich responded. **1h42m**

Commissioner Deas agreed leave it broader. **1h43m**

Commissioner Koenigshofer Bodega Bay is the only treatment plant on the coast. Concern that we not let the system get eaten up by market rate housing. We need to leave some capacity for workforce housing. **1h45m**

Staff Gary Helfrich responded agreed with identifying it with Bodega Bay. The second part we do not want to restrict we want to make it neutral . Prohibit new connections unless there is moderate or low income connections. **1h47m**

Commissioner Ocana asked is staff putting together a draft policy that will trigger public input? **1h49m**

Commissioner Koenigshofer requested drilling down into a specific place and idea. **1h52m**

Commissioner Cornwall agree with intent but wording should be clarified. **1h53m**

Staff Gary Helfrich responded should staff change to reserve capacity? Would that be clearer? **1h53m**

Scott Orr how much is the capacity? We need to name the capacity. **1h55m**

Commissioner Koenigshofer can we table this and discuss at later date? **1h56m**

Staff Gary Helfrich responded. 1h56m

New Program C-LU-1 x:

Staff Gary Helfrich highlighted inland areas such as Forestville, Sebastopol ect to work with in near proximity. 2h0m

Commissioner Cornwall asked if we can do anything more? 2h0m

Scott Orr responded we do have two processes in parallel but timing is challenging at the moment. 2h3m

Commissioner Koenigshofer suggested taking out last sentence. 2h3m

Scott Orr agreed with striking the last sentence. 2h4m

County Counsel Verne Ball commented about Coastal Commission Act. The question Gary has the Commission staff, the coastal Commission staff comment on this, the broad observation I have is that Commissioners here are making really intelligent smart policy observations about the relationship between the coastal zone and the non coastal zone, but the LCP regulates the coastal zone, I would anticipate a comment, like a policy like this doesn't belong in an LCP. And I just that's not a criticism it's just a legal perhaps conclusion that that they might come back with but I don't know if Gary is already broached this with them. 2h7m

Staff Gary Helfrich responded policy does not contradict the Coastal Act. 2h8m

Commissioner Koenigshofer commented this is not incompatible with the Coast Act. 2h10m

Land Use Timber Cove 2h10m

Gary Helfrich Presenting to the Commission as a request from the Timber Cove Inn. 2h12m

Commissioner Ocana purpose of specifics? What are we aiming for? 2h13m

Staff Gary Helfrich responded 2h13m

Commissioner Koenigshofer site specific development on coastal side is different than inland. There are reasons for specific limitations. Would not want to sign off on this now. Should not make a decision based on current owner or operator. 2h15m

Commissioner Deas two questions, would it be addressed in the permitting process? Looks like this was based on a past owner? 2h17m

Staff Gary Helfrich offered as an option they could apply for an LCP Amendment at a later date. 2h18m

Staff Gary Helfrich Westside of 101 appealable to the Coastal Commission and has enhanced review for development. It will be a large hurdle for them either way. 2h19m

Commissioner Cornwall why include this in the first place? Why are we including site specifics? What are limited opportunities? 2h21m

Scott Orr suggests not making a decision on it today to give the Commission time and the public time to respond. 2h22m

Commissioner Koenigshofer agree with **Scott Orr** to not vote on today. Reference to BBY service center and limited opportunities is important. 2h24m

Land Use Policy Revision 2h25m

Parking Management

Land Use Campgrounds

Commissioner Koenigshofer disagrees with the limit of 5 acres believes it is too small. 2h 29m

Staff Gary Helfrich responded will look at different size proposals and bring back to the Commission. 2h29m

OSRC Scenic And Visual Resources Policy 2h30m

Commission Ocana asked about trees used for visual screening removed and planted somewhere else on site? 2h33m

Staff Gary Helfrich responded 2h34m

Commissioner Deas Agrees with proposal. 2h35m

Break 3:38 pm return at 3:50 pm

Public Hearing Opened: 3:53 PM

Marti Campbell
Erin Casey
Megan Kaun
Scott Farmer
Laura Morgan
Eric Fraser
Richard Charter
Cea Higgins
Rue Furch
Jennifer Merchant
Joel Schulman
Chris Poehlmann

Public Hearing Closed, and Commission discussion Opened: 4:28 PM

Commissioner Reed commented about to Cea Higgins. Long discussion today without public input until the end. Perhaps we could find a way to integrate comments earlier. 3h29m

Commissioner Deas stated we do read the comments sent in and they are constructive. 3h30m

Commission Cornwall agrees that written comments are helpful. Consolidated view of next draft? How could staff do this? 3h31m

Staff Gary Helfrich responded we release Monday the different versions with the Coastal Commissions comments. Will prepare to publish. 3h32m

Commissioner Ocana stated we value the public input both written and oral. When Marty Campbell brought up the welfare risk, and I believe one other commenter brought that up, I think that is a very valid verbiage and i'm wondering if that would be appropriate to add to that section of the plan. And, or perhaps maybe Gary could just answer that or state if the verbiage will be added to section of plan? 3h32m

Staff Gary Helfrich responded I need to harmonize language to the Safety Element it must be consistent. 3h33m

Commissioner Ocana asked about Cea Higgins comment on Administrative requests. Is it put in the plan? 3h34m

Staff Gary Helfrich stated the meeting happened too close to this meeting but will bring forward to the Commission. [3h34m](#)

Scott Orr reminded the Commission and Public of timelines for making documents public, requirements under the Brown Act. [3h35m](#)

Staff Gary Helfrich stated we will bring forward next month. [3h36m](#)

Commissioner Ocana asked about the Malibu Plan has it been considered? Interesting topic. [3h36m](#)

Staff Gary Helfrich deferred to Counsel. [3h38m](#)

County Counsel Verne Ball stated one of the things that was incorrect is the idea that there's an appellate decision that in October Coastal Commission asked Attorney General on scope of pesticides. They are working on it. The Coastal Commission has been sued on the issue previously. Superior Court decision only. Cannot rely on that case for future legal analysis. When is the use considered development? Will be useful to get clearer guidance on what development is. [3h40m](#)

Commissioner Reed comments from public interested in hearing a possible way to ban pesticides in the Coastal Zone. I'm sympathetic to the comments from the public, and if there was an opportunity to introduce some sort of a ban on pesticide it sounds simple you know, in the in the local coastal plan, I would be interested in hearing about how we might do that and it sounds like we're having some feedback from the state Attorney General would be beneficial to that conversation so let's just track it and see where it goes, you know any other quick comment or question I had was why we don't articulate the public comment in the meeting minutes. As opposed to just listing their names? [3h44m](#)

Scott Orr public comments have never been translated. But all video and audio recordings are posted online. We would not want to miss quote or put words in other's mouths. [3h45m](#)

Commissioner Koenigshofer asked has the Coastal Commission approved the Malibu Pesticide language? [3h47m](#)

County Counsel Verne Ball would need to double check on. [3h47m](#)

Commissioner Koenigshofer I would like to see what language has been adopted and bring it forward to Commission as a policy option. [3h48m](#)

Commissioner Ocana and **Commissioner Deas** agreed. [3h50m](#)

County Counsel Verne Ball stated might have some comments on this and may take some time to flush out. [3h50m](#)

Commissioner Koenigshofer Farm worker housing not be abused once established. Issue of AR Zoning and scope of use in AR idea of unlimited Ag activity in residential zone might create problems. Additional meetings requested by public once the final draft is published there will be a lot of public comment. Asked about material submitted by Spellata regarding Estero Trail when will be discussing? [3h54m](#)

Staff Gary Helfrich will present at the March meeting it is part of the public access element. Off shore energy policy we are not talking about eliminating the offshore we want to add to it. We can't modify it. [3h55m](#)

Staff Gary Helfrich stated the important thing to remember, going back to the principal the permitted use it's not the principal the permitted use in that land use, you know it's zoning that's allowed within that land use and because it's not agriculturally zoned those activities potentially would be subject to a CDP that is appealable to the Coastal Commission so that even for policy is to allow agriculture it's not like an agricultural land use, where that is the principle is permitted use and you know we could clarify this easily by just saying that it's allowed with a CDP.

You just put that in our policy to make it clear, you need a CDP for agricultural operations in residential land use. **3h57m**

Staff Scott Orr strongly recommend set an additional PC meeting in March ideally on a Saturday. We have a lot to cover but would like to keep the Board of Supervisors date. **3h58m**

Commissioner Ocana agrees with additional meeting but would prefer not a Saturday. Set at 1 pm on a weekday. **3h59m**

Commissioner Cornwall request it be held later in the day. **4h0m**

Commissioner Deas reminded the public of future opportunities at the Board of Supervisor level. **4h1m**

Scott Orr March 28 special meeting would have two along with the PA meeting on March 30th. Confirm the special date. **4h1m**

Gary Helfrich reminded April 7th hearing all material would need to be done after the March 28th meeting. **4h7m**

Commissioner Ocana agreed on special meeting of March 28 2022. **4h11m**

Staff Gary Helfrich staff intention is to update the LCP more often. **4h12m**

Commissioner Cornwall Land Use has used water supply and traffic to limit development. We have other technologies now for water development and possible traffic alternatives. We should consider how much development we want on the Coast. **3h13m**

Gary Helfrich Regional Board establishes what can be used. We can put it in the LCP but it is the State Water Regional that regulates. **4h14m.**

Commissioner Ocana thanked the public and staff and will return on March 3, 2022. **4h15m**

Action: N/A Review of Land Use Element and Open Space Element.
Appeal Deadline: N/A
Resolution No.: N/A

Vote: N/A

Commissioner District 1
Commissioner District 3
Commissioner District 4
Commissioner District 5
Commissioner District 2, Chair

Ayes:
Noes:
Absent:
Abstain:

Hearing Closed: 5:15 PM

Minutes Approved: January 13, 2022



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

March 3, 2022
Meeting No.: 22-05

Roll Call

Commissioner District 1 Cornwall
Commissioner District 2 Reed
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 3, Chair Ocana

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Chelsea Holup, Secretary
Verne Ball, Deputy County Counsel

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes None

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions:
Board approved 1.1 million for the Cannabis program.

Commissioner Announcements None

Public Comments on matters not on the Agenda: 10m0s
Laura Morgon

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments. The Planning Commission will review the Local Coastal Plan on an element by element basis and anticipates considering the **Public Access Element, remaining policies of the Open Space and Resource Conservation Element**, and input received from the public since the February 3 reopened hearing. The Planning Commission will announce a schedule for final review and recommendation at the conclusion of this meeting.

The Planning Commission is anticipated to begin final review of recommended changes to the Local Coastal Plan on **March 28, 2022** with recommendation to the Board of Supervisors anticipated on **April 7, 2022**. The Planning Commission Recommended Draft of the Local Coastal Plan will be considered for adoption by the Board of Supervisors at a future date to be determined.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining District).

Commissioner Disclosures: None **0h0m**

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h14m**

Commissioner Questions:

Commissioner Koenigshofer asked about calendar. My understanding we are one meeting behind. **0h20m**
Staff Scott Orr responded. **0h20m**

Staff Gary Helfrich responded the Commission can change the schedule if needed. **0h21m**

Commissioner Ocana recommended meeting one on one with Staff to incorporate edits. **0h22m**

County Counsel, Verne Ball stated there is no reason why Commissioner Koenigshofer could not meet with Staff. **0h22m**

Commissioner Ocana recommended coming back on March 28th, 2022 with all edits incorporated. **0h24m**

Commissioner Koenigshofer agreed. **0h24m**

Staff Gary Helfrich continued to summarized the staff report, which is incorporated herein by reference. **0h25m**

Staff Gary Helfrich highlighted Public Comments and Administration recommendations from *Save Our Sonoma Coast* overview and Timber Cove Inn. **0h30m**

Commissioner Cornwall stated collecting fees for affordable housing need to be at a level that would allow construction. **0h37m**. **Staff Gary Helfrich** responded proposed the same as current inland fee's. Staff will discuss with Housing Team and come back to Commission. **0h38m**

Commissioner Koenigshofer asked about Land Use Polices needs clarification? **0h39m**. **Staff Gary Helfrich** responded will look up on the break. **0h39m**

Staff Gary Helfrich gave overview of Pesticide Regulation **0h41m**

County Counsel Verne Ball stated that the Attorney General has a list of opinions they are working on. **0h42m**

Commissioner Koenigshofer asked for clarity when would it be applied? **0h42m**
Staff Gary Helfrich responded. **0h45m**

County Counsel Verne Ball applies to development but at broadest it includes regulation of intensity of use of the land. **0h46m**

Commissioner Koenigshofer asked about the difference between “shall be minimized verses shall minimize adverse impacts to ESHA?” **Staff Gary Helfrich** responded both Policy’s should have the same language. **0h48m**

Gary Helfrich stated need to specifically refer to ESHA or otherwise it could be seen as not carrying out the Coastal Act. **0h52m**

Commissioner Cornwall asked what does the word development cover?
Staff Gary Helfrich responded yes, it is used in context of the Coastal Act definition. **0h53m**

Commissioner Koenigshofer asked not retroactive until they come in for a new Permit? **0h53**
County Counsel Verne Ball responded. Geared toward CDP Conditions. There could be other Ordinances or Actions we could consider. **0h53m**

Staff Gary Helfrich gave overview of Open Space & Resource Conservation. **0h53m**

Commissioner Cornwall stated Steelhead should be on the list. Minimum flow standard should be named.
Staff Gary Helfrich the 1.5 times flow was recommend by Coastal Commission staff. Will look into minimum standards with Natural Resource Staff and see if there is one. **1h4m**

Staff Gary Helfrich gave an overview of proposed programs in the Open Space & Resources Conservation Element. **1h9m**

Chair Ocana proposed to open to public comment but with a focus on current topic. **1h12m**

Public Hearing Opened: 2:14 PM

Richard Charter
Larry Hanson
Laura Morgan
Peter Prows
Beth Bruzzone
Kimberly Burr
Cea Higgins

Public Hearing Closed, and Commission discussion Opened: 2:32 PM

Staff Gary Helfrich showed Policies with specific references. **1h36m**

Commissioner Cornwall would all of these concerns now be covered under the new process? 1h37m

Staff Gary Helfrich responded 1h37m

County Counsel Verne Ball stated the assessor has no authority to amend the LCP. APN numbers change. We can look at and find a way to identify without identifying the business name. 1h42m

Staff Gary Helfrich is requesting direction from the Commission. Policy to remain intact and come up with several ways to identify parcels? 1h44m

Commissioner Koenigshofer stated he agrees with leaving polices as it. 1h45m

Chair Ocana suggested with leave the polices in but come back with suggestions on identifying. 1h46m

Commissioner Deas agrees. 1h46m

Commissioner Reed agrees with Commissioner Koenigshofer. Leave language in there. It would be understood as historic. 1h46m

Staff Scott Orr, explained names may change but it will not change the intent of the Policy. Most critical to decide is what to leave in and what to take out. 1h48m

Commissioner Ocana asked **Commissioner Koenigshofer** if we decide to keep the Timber Cove Inn then the applicant would need to come back with a specific request? 1h48m

Commissioner Koenigshofer responded if they want to change this, they would make an application, the application would set forth the scope of their proposal which would go through the requirements and analysis by staff and be subject to public hearings, as opposed to the sweeping alteration of the intention of the LCP as presented here for the last four and a half decades. 1h49

Straw vote

Commissioner Koenigshofer motioned to leave all polices in. Seconded by **Commissioner Reed** and passed with a 5-0-0 Vote.

Break until 3:05 pm

Staff Gary Helfrich gave presentation Public Access Element: 2h6m

Regional Parks staff Steve Ehret will provide background on material provided to Commission on the technical corrections. Permit Sonoma Staff is recommending we incorporate the changes. 2h6m

Commissioner Koenigshofer what is the context to consider this information? 2h9m

Staff Gary Helfrich responded 2h10m

Chair Ocana in support of hearing from Regional Parks staff. 2h10m

Regional Parks Staff, Steve Ehret public access planning changes every three to six months. When Projects are adopted it is nice to update to reflect current events. 2h11m

Staff Gary Helfrich Revise definition of development consistent with Coastal Act. Suggesting add Temporary Events. 2h12m

Commissioner Koenigshofer asked if a road closure is defined? One lane closure or both lanes? 2h14m

Staff Gary Helfrich blocking access to beach is not allowed. Right now, we have no guidance. Implementation of temporary events staff is hopping the County will develop what is considered a road closure definition. 2h15m

Chair Ocana asked will it prohibit future events? [2h17m](#)

Staff Gary Helfrich responded it will set standards for future use. We are working on a Special Event Policy now for the County. [2h18m](#)

Commissioner Cornwall requested to enter a sentence, "for a temporary event." [2h18m](#)

Commissioner Koenigshofer asked is this a policy? Aggress with using the Commissioners 1998 Memo. But suggests a balance with Temp Events and with public access. [2h19m](#)

Staff Gary Helfrich responded, correct this would be implemented similar to the inland policy for Special Events. [2h20m](#)

Commissioner Reed asked is the recommendation that this should become a Program? [2h21m](#)

Staff Gary Helfrich responded a Program sets parameters for future standards. [2h22m](#)

County Counsel Verne Ball stated to be clear in order to preserve the status quo you could have both the Policy and a Program. I recommend keeping this language as is and adding a Program. [2h23m](#)

Staff Scott Orr recommends the Commissioner consider that after public input. [2h24m](#)

Staff Gary Helfrich revise Policy C-PA-3c [2h26m](#)

Regional Parks Staff Steve Ehret highlighted the difference between East and West points of access. Visual access versus parking. Stated there is a variety of low cost approaches, senior pass, ADA pass, low income pass. [2h30m](#)

Chair Ocana discussed the idea of low income public stopping and use restrooms without having to pay. Does the County intend to increase bathrooms and trash receptacles along the coast? What is the threshold to charge for parking? [2h30m](#)

Regional Parks Staff Steve Ehret stated we would like to build more restrooms but prohibited by issues State wide. Often tricky with site constraints. Protecting water quality is a consideration with installing bathrooms. [2h30m](#)

Chair Ocana asked does there need to be additional stronger language in this section to help with the County goals? [2h31m](#)

Regional Parks Staff Steve Ehret stated staff will take a look at and get back to Permit Sonoma Staff. [2h30m](#)

Commissioner Koenigshofer asked if Regional Parks offers a discounted day pass? Does the Sea Ranch have restrooms? [2h31m](#)

Regional Parks Staff Steve Ehret responded Sea Ranch does have restrooms. No fee's are charged. There are no discounted day passes. [2h31m](#)

Commissioner Koenigshofer stated we should not rely only on Regional Parks or State Parks review only. I would prefer drawing a line with this policy. Would like access more broadly accessible with more free or low cost policy. [2h33m](#)

Chair Ocana asked if language could be added to encourage development of basic services? [2h33m](#)

Commissioner Koenigshofer Can I make a follow up associated comments, Commissioner Ocana if we make a policy statement, that we could propose the allocation of some financial resources that were transit occupancy tax.

Revenue as a means of funding that looking at a program that would expand under the umbrella of access restroom facilities that were in the free access. **2h34m**

Regional Parks Staff Steve Ehret stated there are differences between County and State parks for charging fees. **2h35m**

Commissioner Ocana requested Staff to comment on shoring up that last line there by adding basic services. **2h36m**

Staff Gary Helfrich responded that is an excellent idea. Would like to met with Steve Ehret to discuss and make sure it meets the state parks requirement. Something that is easy to interpret and creates a clear line and, of course, since this in the LCP it applies to state parks, so we would have uniform standard state parks, is subject to the coastal act, just like regional parks is. **2h37m**

Staff Gary Helfrich gave overview of Public Access to Estero Americano: **2h38m**

Commissioner Koenigshofer requesting update on Bodessa project. Asked if it is an issue of showing access on map before it is an actual approved access point? **2h51m**

Staff Gary Helfrich stated these are future plan points and or lead on a docent bases. **2h51m**

Commissioner Koenigshofer asked is it restricted access only? **2h52m**

Chair Ocana asked for clarification between restricted access by private owner verses a County Park. **2h52m**

Staff Gary Helfrich responded private access is recognized in the Coastal Act. This is part of the current Coastal Plan and is supposed to identify points of access. **2h54m**

Commissioner Cornwall lack of clarity of what qualifies as public access. I would like to hear a clear definition. **2h55m**

Gary Helfrich responded should represent future and planned access points. **2h55m**

County Counsel Verne Ball clarified access at Scotty Creek. It is not the job of the LCP to define each access. Each point is different. **2h58m**

Commissioner Koenigshofer stated think of restricted access as Conditioned. A degree of access developed. **2h59m**

Chair Ocana suggested to open up to public comment **2h59m**

Public Hearing Opened 4:00 pm
Steve Birdlebough
Cea Higgins
Diane Moore
Beth Bruzzone
Tibbetts
Jennifer Merchant
Peter Prows
Cea Higgins (allowed additional time)

Public Comment closed 4:21 pm

Commissioner Ocana asked for clarification on the K2 access point. Is this setting a precedence? Are they any other Counties that have a similar access points? **3h21m**

Staff Gary Helfrich Marsh Road access in Marin. Does not list access point not part of their LCP. **3h22m**

Commissioner Cornwall asked where do these access points come from how are they selected? What is the process for finding or designating another one.? 3h23m

Commissioner Deas asked what is the process once we've identified these of figuring out how these actually become access points or whether or not they are the you know are actually feasible and we thought that would be. 3h24m

Commissioner Koenigshofer asked what is the criteria and how was it applied to identify access points? 3h29m

Staff Gary Helfrich stated I will defer to Steve Ehret on access plan. Marsh Road is historic and a popular point even though Marin has taken it out of their plan. The County needs to perform the analysis first before we take it off the map. When an access point comes up for development is when it will be under go analysis including CEQA. Land Trust bought that land specifically for the purpose of a public access point and whether or not it's feasible the county has to perform the analysis and it may turn out that there are unavoidable unmitigated environmental impacts and it's not a feasible location, but we need, we need to do that analysis before we take it off the map. And I'm talking about when it comes up for development when we're doing a CDP is for now leaving it in the plan if it's not feasible and it won't pass environmental review it's not going to happen, whether or not it's on the map, putting it on the map doesn't get rid of the endangered species act it doesn't get rid of any of the other constraints on the site and it will get analyzed when it comes time to have it developed. 3h26m

Commissioner Koenigshofer this is a request but do they have any plan how it would be developed? 3h27m

Staff Gary Helfrich stated the Land Trust requested it be put on the map. 3h29m

Staff Scott Orr requesting Steve Ehret weigh in. 3h29m

Regional Parks Staff, Steve Ehret clarified that State-wide studies deal with the issue of what is a public access point. Land Trust property is running guided tours with hand held kayaks from shore. There is a public and private spectrum allowed along the Coast. The LCP attempts to identify all of these. 3h30m

County Counsel Verne Ball stated there is no lines being drawn. No commitment for public or private trail. The only possible effect is what the Sonoma Land Trust wants to do with their property. Any development would have to go through the Coastal Permit process. The Bordessa property easement has current discussions underway. The Trail easement does not actually say it leads to the water. 3h34m

Commissioner Koenigshofer stated curious what is the criteria. Is there a current inventory so we can see all of the potential access points? 3h37m

Regional Parks Staff Steve Ehret clarified the Coastal Commission requested dedicated land with intention to develop be captured for information in the current Draft LCP. 3h38m

Commissioner Koenigshofer asked again, how these points were chosen. 3h39m

Staff Gary Helfrich stated these points are carried over from 2001 Local Coastal Plan. I can look at record and get back to staff. 3h40m

Commissioner Koenigshofer stated concerned with public access bumping up against environmental issues and trespass issues. 3h41m

Staff Scott Orr asked if map was updated to reflect current and proposed access points would that be helpful? 3h42m

Staff Gary Helfrich stated these are meant as general locations. The points may change. 3h44m

Scott Orr responded master plan is important for future use. It can take decades to develop. 3h44m

Commissioner Ocana stated I agree with color coding list public access or restricted access should be clear along with sites that are actual access points. **3h50m**

Commissioner Deas stated I appreciate idea of making this clear with color coding as discussed. **3h51m**

Regional Parks Staff Steve Ehret agrees with clarity on map. Consider what the benefits are for listing out possible future access points. Example of a Master plan that took 40 years to develop (Taylor Mountain Regional Park). **3h51m**

Chair Ocana conclude today's meeting and announced the next meeting will be a 1:05 pm on March 28, 2022. Encouraged all Commissioners to meet with Gary Helfrich before then to discuss specific points before the March 28 2022 meeting. **3h52m**

Staff Gary Helfrich asked for clarification: leave points on map but clarify which have access? The Commission supports leaving the access points on the Estero However, once the map clarified so that it's obvious which points are public which are private which are restricted and apply that same criteria to the other public access maps. Is that correct? **3h52**

Commissioner Koenigshofer what did the Land Trust say, that point or some other point? Asked about access from road and the Sea Ranch side. **3h52m**

Regional Parks Staff Steve Ehret stated the single point designates many possibilities not necessarily a trail. The single points are used to designate a whole range of activities so it's not just necessarily a single trail in a single point. For example they lead tours all over the property to look at the habitat and the properties are protected by Conservation Easements. Also, which have in your monitoring so it's not that they're trying to build a particular trail or at least that's my understanding of it. It is this activity they're inviting the public periodically out to and it's being recognized by the LCP. **3h52m**

Staff Gary Helfrich stated will research and discuss with Commissioner Koenigshofer. **3h58m**

Commissioner Ocana asked how was the land obtained? If there were public funds used to buy the land then maybe there should be public access. **3h59m**

Staff Gary Helfrich thanked staff for finishing the LCP preliminary review. **4h0m**

Action: Not applicable. Review of Public Access Element and remaining policies of the Open Space and Resource Conservation Element.

Appeal Deadline: Not Applicable

Resolution No.: Not Applicable

Vote: Not applicable

Commissioner District 1 Cornwall

Commissioner District 2 Reed

Commissioner District 4 Deas

Commissioner District 5 Koenigshofer

Commissioner District 3, Chair Ocana

Hearing Closed: 5:00 PM



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

March 28, 2022
Meeting No.: 22-07

Roll Call

Commissioner District 1 Cornwall
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Reed

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Chelsea Holup, Secretary
Verne Ball, Deputy County Counsel IV

1:00 PM Call to order, Roll Call and Pledge of Allegiance.

Approval of Minutes February 3, 2022 and March 3, 2022

Correspondence None

Board of Zoning Adjustments/Board of Supervisors Actions Noe

Commissioner Announcements None

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. The Revised Public Review Draft - June 2021 of the Local Coastal Plan Update was developed in response to public and agency comments on the Public Review Draft - 2019 and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments.

The Planning Commission is anticipated to begin final review of recommended changes to the Local Coastal Plan on **April 7, 2022** with recommendation to the Board of Supervisors. The Planning Commission Recommended Draft of the Local Coastal Plan will be considered for adoption by the Board of Supervisors at a future date to be determined.

APN: Various within the Fifth District.
District: All Item of County Wide Importance.
Zoning: All Parcels within the Sonoma County Coastal Zone, CC (Coastal Combining

Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h5m**

Commissioner Questions:

Commissioner Koenigshofer asked when would public comment make its way into the Draft? **0h11m**

Staff Gary Helfrich responded. **0h11m**

Commissioner Koenigshofer asked if there is public input that is considered inconsistent with Coastal Act will it be flagged? **Staff Gary Helfrich** responded. **0h13m**

Commissioner Koenigshofer does not want to lose public comment that might be considered inconsistent. We would want that analysis shown by staff. **0h14m**

Staff Gary Helfrich stated yes we would provide that in a fairly concise way. Staff would need a time horizon from the Commission. Go back to public comments from last July 2021? **0h15m**

Commissioner Koenigshofer responded agreed. **0h15**

Staff Scott Orr responded between now and one month prior to the next PC would release updated drafted. Would give time for each Commissioner to give comments ask questions ectara but no large policy changes. **0h15m**

Commissioner Cornwall asked about how would the public comments be noted. Stated some public comments span multiple Elements. **0h16m**

Staff Scott Orr responded I think we were just having kind of a general or overarching section, you know we'll break it up, all we can but just for the sake of time we probably wouldn't have a big internal meeting. If a comment spans multiple Elements will probably just make the decision to include it in a general section. **0h16m**

Commissioner Reed stated I expect this will be a large document. Could the Commission get hard copies of the Draft? **0h17m**

Staff Scott Orr we could do that per request of each Commissioner. **0h17m**

Commissioner Koenigshofer stated I would like a hard copy and color maps. [0h17m](#)

Staff Scott Orr stated we will end meeting with a more formal direction and timeline. [0h19m](#)

Commissioner Koenigshofer stated we already modified approach by looking at it Element by Element. It has been beneficial high level of communication with the Coastal Commission staff. Thanked Staff and the public for patience and work done. [0h20m](#)

Staff Gary Helfrich continued the overview presentation. [0h21m](#)

All Elements will have identical format sections
Summarized **Circulation & Transit Element**

Commissioner Reed asked to clarify we're looking at the Circulation and Transit Element today, but this idea that we're going to receive another copy of all the comments of and Commission comments for all the elements, subsequent to this? [0h32m](#)

Staff Gary Helfrich responded correct. Will do this for each Element. The idea was to sort of walk the Commission through kind of the three aspects of what we'd be presenting on each element for your final review, which would be the Coastal Commission draft the planning Commission policy recommendations and the public input with staff recommendations. Great and we do that for each Element, and where the Elements had extensive dependencies it would include comments on the dependencies as well. [0h32m](#)

Public Hearing Opened: 1:33 PM

Beth Bruzzone
Cea Higgins

Commissioner Reed Why don't we leave it open for a minute, and maybe we can respond to miss Persons question regarding the EV stations would that be part of a Use Permit where applicants might be encouraged to apply for one? [0h36m](#)

Staff Gary Helfrich responded It would be both and maybe that's a good point that was brought up there, we should clarify, because the intention is it's both it's both public and private. And the intent there is to just lower the bar if somebody right now there's a lot of places where if you had a restaurant and you wanted to ensure install EV charging stations like the Tides wanted to put EV stations in they need a Coastal Development Permit with Hearing because of where they're located and the intention of that is to streamline the entitlement process basically provide incentives, but also to have it so in all of our public use areas there will be EV charging stations, but my understanding is those aren't free I mean there may be built with taxpayer money, but so is the campground and you still have to pay a fee to camp and assume you have to pay a fee to charge your vehicle too. [0h36m](#)

Public Hearing Closed, and Commission discussion Opened: 1:36 PM

Commissioner Cornwall commented about a number of statements in staff Memo vary in force some say, "shall be verses when identified." In support of stronger language. Asked about reducing VMT (Vehicle Miles Traveled) in comparison to what? [0h43m](#)

Staff Gary Helfrich responded requiring road way expansion to put in side walk would not be feasible due to possible ESHA on either side. Sonoma County Transit we can't force them to develop but just encourage them to develop better transit. We tried to make them positive actionable statements. [0h45m](#)

Commissioner Cornwall stated we need this plan to lay the groundwork for future use. Important issue how people get to the coast. The LCP should be as strong as possible. [0h48m](#)

Commissioner Koenigshofer stated General Plan relationship to housing and transit the LCP should clearly push the General Plan direction that overlap. VMT when we talk about coastal zone and working remotely.

Traffic on the coast is mainly a visitor travel tourism issue. Cumulative impacts on coast still seemed overlooked I see it as an omission. **0h50m**

Commissioner Reed requested to circle back to **Commissioner Cornwall**. **0h54m**

Staff Scott Orr Just because something says when feasible doesn't mean it doesn't have value. When staff is conducting an analysis on a discretionary permit there's never a point where we go okay we're doing our analysis, this project says when feasible, they say it's not feasible. I think that it's appropriate for vehicle miles traveled, especially in regards to greenhouse gases, because requiring EV charging stations actually doesn't do anything for VMT because an electric vehicle is still a vehicle on the road driving miles: So in cases like that I think it's good to have a little bit of flexibility knowing that when a discretionary project comes forward we will as staff discuss that flexibility and whether it is or not appropriate in in the circumstance. **0h57m**

Commissioner Reed responded when we have use permit come before us where you know the applicant has to demonstrate that they have responded to those kinds of comments and they have to prove that, for example, it's not feasible and you know it seems to me that it allows for some creativity and some discussion of the site plan specifically ways of achieving those things to provide incentive for them. **0h55m**

Commissioner Cornwall responded individual projects, you know, a bigger project or something would have to do a traffic analysis and then there's some demonstration usually that the amount of traffic and VMT that they would cause is not that much. What we really need is not just prevent minor increases, which is what usually happens when we can project by project, but we need to drive a long-term significant decrease, both in VMT and in congestion and emissions. How can we have general proposed language that the county will move toward a program of funding and planning, and you know that's going to take a long time, in the meantime I'm wondering what kinds of project by project, you know month by month, year by year steps can be taken to definitely not increase the emissions and congestion. Because right now going back to that carrying capacity comment we're over the top on many days a year at the coast are ready, so how, in practice, would a project with new development not increase this? **0h57**

Staff Scott Orr responded in general any new use is a defacto increase. So this would mean no development at all on the Coast. The Coastal Commission might see this as limiting public access. **0h59**

Commissioner Cornwall A more refined version of that would be no net increase in VMT. Maybe projects have to pay into some fund or they have to take something off the road or they have to some I mean if we don't put something in place then we're just going to keep creeping up that's the nature of the beast. **0h58m**

Gary Helfrich staff has thought about this. It is Tourism driving the VMT not development. There is not very much capacity on the Coast for development. The Coastal Act encourages public access but also drives up the issue of vehicles on the road. **1h1m**

Commissioner Cornwall seems like an issue the Coastal Commission needs to deal with. Have they come up with anything new? **1h2m**

Staff Gary Helfrich responded no but the Coastal Commission is open to ideas. **1h3m**

Commissioner Koenigshofer would like to see measure of importance of public interest would prefer public policy get expressed and implemented on more than just what the applicant wants or needs. VMT is the umbrella to subtopics. Mention of complexity of subsets would be worth noting. Mentioned outlining coastal towns that are inland but are affected by development in the Coast But the quantifiable impacts in the coastal zone could be quite visible and finding a way to recognize the real world nexus between an out of zone project and its implications in the coastal zone, I think is important to note relative To general plan discussions. The whole question of what the county does through tourism promotion you know, I think it it's oddly in a vacuum in the sense that it's outside the realm of any kind of CEQA analysis, which I find sometimes to be very frustrating and unfortunate because you can have all sorts of public resources devoted to promoting activity which exacerbates carrying capacity problems and congestion problems, and it would be nice if it is at least there was some recognition that some of that programming should be measured against carrying capacity that might be more general plan observation than coastal zone but it certainly applies in the coastal zone. **1h5m**

Commissioner Reed it seems like the consensus is to try to push the local coastal plan to incorporate more decisive kinds of language, and I would imagine we've been pushed to incorporate more decisive language. To staff will you take these comments back and edit? Or should we look at what you have submitted in your Memo? **1h7m**

Staff Gary Helfrich responded this represents Coastal Commission comments, public input, and Planning Commission comments. We are well aware of concerns. I'm worried about a list of changes. We need a list more specific. **1h10m**

Commissioner Reed asked be more specific? **1h10m**

Staff Gary Helfrich yes looking for a way to present to Commission with specific recommendation and changes so we will have something actionable. **1h11m**

Commissioner Cornwall Element as presented is fine. But can we go farther? If the answer is no that that's fine.

Staff Scott Orr responded I think the main feasible is that's an issue is policy **CCT** to see which has wherever feasible require development projects to implement measures, etc. If it's only feasible that doesn't have a strike through on the page and I think it's entirely within the Commission's power to say you know what we don't want that we want to require development to do this, and ultimately it's something that the Coastal Commission may change after it goes to the Board but it is something that the Planning Commission can decide to model and give staff direction today. **1h13**

Commissioner Cornwall stated also in 2b take away four words. **1h14m**

Staff Gary Helfrich I agree c2c strike first two words. The Commission is making a recommendation should be your best it may be struck down but I think it is important that your recommendation reflects what you want. So far as we're concerned, you can make something more restrictive as long as you aren't stepping in and restricting things that the Coastal Act encourages. just be reasonable it's like if you're requiring development, you know there's important requiring development not parks and things that well parks can be developed, but requiring development to implement measures that increase the occupancy in vehicles. **1h15m**

Commissioner Reed responded thank you for clarifying that. Well, given that I would support **Commissioner Cornwall's** recommendation to delete the "wherever feasible". CT2a and remove first two words of CT. **1h17m**

Commissioner Koenigshofer asked do all projects fall into these two actions? **1h17m**

Gary Helfrich what would then be a good qualifying phrased add in there to qualify what type of development projects? **1h17**

Commissioner Koenigshofer stated when applicable is stronger language, then whenever feasible. **1h17m**

Staff Scott Orr When applicable suggested. **1h17m**

Gary Helfrich It could be required for development projects with potential to increase the VMT. **1h17m**

Staff Scott Orr: Okay, a little more complicated, but Commissioner Cornwall, how do you feel about when applicable, which means the staff, which is the regulatory Agent is the one deciding when its applicable rather than the applicant deciding when it's feasible? **1h17m**

Commissioner Cornwall agrees with the change. **1h18m**

County Counsel Verne Ball stated there are feasible economic and physical limitations involved. Not necessarily made by the applicant. Where it is not feasible, is not in the eye of the applicant, and it certainly can, in certain cases like Commissioner mentioned bear on the applicants finances, but it can mean impossible, I mean it can have elements of physical impossibility. In in the realm of the California Environmental Quality Act, it has a specific meaning by case law where feasibility really means would a prudent developer go forward in the economic component, but usually, when you use the word feasible there's economic and physical limitations and variety of other limitations that are read into the word so it's not really a question of who decides it has several layers of determinations that have to be made and they wouldn't just be made by staff, it would be a question of what the facts are and the role of the deciding Commission and other permit grantor would be to adjudicate to those. **1h18m**

Staff Scott Orr stated to create an example of a development project example of a fence. I think when applicable is clearer and in plain terms and wherever feasible. **1h21m**

Commissioner Deas, agree with the difference when applicable seems more specific. **1h22m**

Commissioner Koenigshofer looked at improve bus transit. Strike efficient and add affordable to transit? What is the purpose of the policies of stating a policy in service to the objective, which is in service of the goal If we don't have any policy control. Does that mean we shouldn't state what we believe the policy should be? **1h23m**

Staff Scott Orr responded I think the benefit of having policies that where we may not have full control and they may be a little more aspirational is there may be a project that comes down the road that can actually further something like this that we could use to add to the project description of a project include some aspect that isn't really necessary for the project, but does further certain policies and maybe gets them through a discretionary process. I'm just trying to think of reasons for, possibly including in along the lines with. **1h25m**

Commissioner Reed to **Scott Orr** can we take a break now for eight minutes to think on and come back? **1h26m**

Commissioner Reed We were debating or discussing your policy CT dash A Is that correct and I think the conversations going toward whether we should delete that or amended in some ways. **1h35m**

Staff Scott Orr to the Commission how would the Commission feel about instead of provide efficient comma affordable, it says provide accessible, which to me accessible implies efficient affordable reliable. And then not have it say where opportunities are identified, so it reads a little stronger. If there is value in keeping it that's a recommendation that maybe makes it a little more straightforward. But if the Commission would rather deleted them that's fine too. **1h37m**

Commissioner Koenigshofer would Policy 2A and 2B be just one policy statement? Reading from the Element itself. **1h38m**

Staff Gary Helfrich stated will clarify language we can put in to follow regulations. **1h42m**

Staff Scott Orr stated if everyone agrees maybe we should move on. Staff can consider the input and consider reconfiguration. **1h43m**

Commission Cornwall another edit last goal four on page 18. Capacity and safety insert into goal statement that it is consistent with required reductions in VMT. **1h43m**

Staff Gary Helfrich stated section four is safety get rid of capacity. Staffs recommendation here would be just in section for section should be safety we get rid of capacity and it would be a network with the ability to safely meet the future travel rather than capacity. **1h45m**

Commissioner Cornwall So, if this is just going to be about safety, a word we talk about capacity and be there's a lot of stuff in this goal that that goes beyond safety like providing equitable coastal access isn't about safety and the multiplicity of types of users of transportation. My main point, and maybe there's a better place to do this, is that I think that our goals, whatever goals and policies and programs that are about capacity and providing mobility should not just be about increasing the ability of the roads and the more cars, they should

really have as one of their goals, reducing VMT and being consistent with it like other counties in the state.
1h46m

Staff Gary Helfrich stated li'd still recommend considering replacing capacity with the word ability. Could be maintenance and safety verses capacity. 1h47m

Commissioner Cornwall agrees. 1h49m

Commissioner Koenigshofer suggested a title change, Safety and Carrying Capacity Policy. 1h49m

Commissioner Reed stated I sort of feel like carrying capacity adds kind of a level of analysis, like that you'd have to go through to determine what the carrying capacity is. So I'm not sure that it helps to clarify the goal.
1h49m

Commissioner Deas stated not sure how much of an impact this will really have on the outcome of the policy we're making. Not sure the this is worth changing. 1h49m

Commissioner Reed So, just to clarify, we did amend the goal statement per the memo and I think that that satisfies Commissioner Cornwall comments regarding vehicles miles vehicle miles traveled so we've refined the goal. The recommendation seems like it holds together pretty well that way. 1h49m

Commissioner Koenigshofer stated road design and maintenance standards should operate within the carrying capacity of the Coastal resource. 1h50

Staff Gary Helfrich responded carrying capacity needs to be defined if we are going to use it in this plan.
1h51m

Commissioner Koenigshofer stated Well I'm trying to insert the loaded term of carrying capacity with purpose for avoiding having discussions about carrying capacity what better way to introduce the idea of having those discussions and analysis and actually say we're going to do it because it matters. Maybe look at objective C dash CT for one established road design and maintenance standards to protect coast, the resources while providing public access to the coast. That to me, that means that road design and maintenance standards operate within the limitation, to wit the carrying capacity of coastal resource. 1h51m

Staff Gary Helfrich carrying capacity is an excellent framework for this policy we don't define it anywhere, so I think we need to have a definition of what it is, if we're going to refer to it in this plan. I mean we all, we all think we know what it is we all have an idea of what it is, but it's not articulated the plan. 1h51m

Staff Scott Orr don't think we need a definition. Change to carry capacity or leave it as is. 1h56m

Commissioner Reed change to carrying capacity shows we do have a concern. Concept should be our goal.
1h57m

Commissioner Cornwall goal statement does not include VMT should include all check boxes 1h58m.

Commissioner Koenigshofer suggested to **Commissioner Cornwall** to speak together with Staff and then come back for decision. 1h58m

County Counsel concerned about carrying capacity term more on how this implemented how will it be interpreted. Concept is to make sure enough road to get to where your going. A lot of polices that could come into play. We don't want to confuse the traffic community. Connotations here not that the connotation of sort of the general biological you know notion that there's a limit on what things can bear but more on the nitty gritty of how this is implemented in the transportation context and so when you talk to someone who's working with the traffic engineer, and they see the word carrying capacity, how will they interpret that and what will it mean to them, it does remind me a little bit when you use the word capacity of the term level of service which is one that we still have in our general plan, the state is trying to kill off that concept generally but that concept of capacity is really you know, making sure that there's enough road to get where you're going and not necessarily this concept of a limit on the existing road system and how you balance that so there are a lot of policy issues that

could be come into play here and it'd be helpful, just to make sure that we don't create confusion and sort of the traffic community. 2h0m

Commissioner Koenigshofer stated the whole carrying capacity is what interests me. Outside and even more broadly than just this transportation question is what I'm interested in exploring. 2h3m

Commissioner Reed is that the final comment? 2h3m

Commissioner Cornwall stated the first goal does not include protect coastal resources or reduce VMT. The mandated reductions in VMT some reference to that or it is consistent with. 2h4m

Scott Orr responded staff will look at pulling that language into the goal 2h4m.

Commissioner Reed next topic is to schedule the next meeting in June. 2h4m

Scott Orr proposing a June meeting and skip April. 2h4m

Commissioner Koenigshofer suggested a mid morning meeting with a lunch and the afternoon hearing.

Staff Scott Orr we can do that but we can also go later and have a dinner break. Proposing June 23, 2022. 2h8m

All Commissioner agreed accept for Commissioner Deas. 2h9m

Commissioner Koenigshofer suggested push up to June 30th? Would have to cancel the PA meeting 2h10m

Commissioner Deas that day would work.

Staff Scott Orr that day is same day we have to submit Board materials.

Scott Orr Special meeting on June 28th 2022. We would look to have all draft materials released on May 27, 2022. 2h20m

Commissioner Reed should anticipate reviewing the entire draft and each Element? Should we open up public comment to each Element? 2h21m

Staff Scott Orr suggested open one public sessions for the entire draft. 2h21m

Staff Gary Helfrich stated he encourages the Commissioners to read the Draft LCP as soon as its made public on **May 27th**. We are available to talk to you on an individual bases with questions or concerns. 2h22m

Staff Gary Helfirch stated he will incorporate recommendations from today's meeting into the draft. 2h22m

Scott Orr between now and June 30th we will cancel the April 7th Planning Commission meeting. May 14th will be the last day to accept comments that can be incorporated into the draft. We will continue to receive public comments and place them in the record but they will not be incorporated past May 14th. May 27th the Updated Draft LCP will be published. Meeting on June 29th for final review and recommendation. 2h22m

Commissioner Reed concluded the meeting. 2h24m

Action: N/A Review and discussion only.
Appeal Deadline: N/A
Resolution No.: N/A

Vote: N/A

Commissioner District 1 Cornwall	Present
Commissioner District 3 Ocana	Absent

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Commissioner District 4 Deas	Present
Commissioner District 5 Koenigshofer	Present
Commissioner District 2, Chair Reed	Present

Hearing Closed: 3:25 PM

Minutes Approved: February 3, 2022 and March 3, 2022



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
2550 Ventura Avenue, Santa Rosa, CA 95403
(707) 565-1900 FAX (707) 565-1103

June 29, 2022
Meeting No.: 22-13

Roll Call

Commissioner District 1 Cornwall
Commissioner District 2 Reed
Commissioner District 4 Deas
Commissioner District 5 Koenigshofer
Commissioner District 2, Chair Ocana

Staff Members

Scott Orr, Deputy Director
Gary Helfrich, Staff
Chelsea Holup, Secretary
Verne Ball, Deputy County Counsel

1:00 PM Call to order

Approval of Minutes March 28, 2022

Correspondence None

Board of Zoning Adjustments/Board of Supervisors Actions

Commissioner Announcements None

Public Comments on matters not on the Agenda: None

Break Back at 1:20 pm

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: Sonoma County Local Coastal Plan Update (PLP13-0014)
Applicant: County of Sonoma
Owner: Not Applicable
Cont. from: July 26, 2021
Staff: Gary Helfrich
Env. Doc: The project is statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265, Adoption of Coastal Plans and Programs. CEQA does not apply to

activities and approvals pursuant to the California Coastal Act by any local government, necessary for the preparation and adoption of a local coastal program.

Proposal: The State requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use and protect coastal resources in compliance with the Coastal Act. In June of 2021, a revision to the 2019 Public Review Draft of the Local Coastal Plan was released. This revision, the 2021 Revised Public Review Draft was reviewed by the Sonoma County Planning Commission at their July 26, 2021 meeting. In response to public input the Planning Commission continued this hearing to October 7, 2021 to allow additional time for review and reopened the hearing to consider elements of the plan individually. As part of this extended review, involving 8 additional meetings, the California Coastal Commission provided a line-by-line review of the 2021 Revised Public Review Draft. At the conclusion of the March 28, 2022 reopened hearing, the Planning Commission directed staff to prepare a revised plan incorporating Coastal Commission recommendations and input received from the Planning Commission.

At this hearing, the Planning Commission will hold its final review of the May 2022 Planning Commission Draft Local Coastal Plan, and consider public comments received since the 2021 Revised Public Review Draft was released in June of 2021, as well as policy options based on these comments. The Planning Commission is anticipated to make their final recommendation to the Board of Supervisor for adoption of the Local Coastal Plan at the conclusion of this hearing. The Planning Commission Recommended Draft of the Local Coastal Plan will be considered for adoption by the Board of Supervisors at a future date to be determined.

All interested persons are invited and encouraged to attend and provide comments.

Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h20m**

Staff Gary Helfrich to Chair look for recommendation to go forward for review. Element by Element is Requested. **0h33m**

Commissioner Ocana I agree with that review. Suggested go over Policy Options first and then go by Element by Element. **0h33m**

Commissioner Reed asked about mapping the new access points? **Staff Gary Helfrich** responded. **0h34m**

Commissioner Reed supports using NOAA's projections. **0h34**

Commissioner Cornwall stated I support using NOAA's projections but should use the most current maps. Should use conservative for long term building. 10 feet is maybe a better fit. **0h35m**

Staff Gary Helfrich responded with what we know today the projections are the worst-case scenario. 10 Feet will happen much later. We do need to pick a number and give property owners a predictable path to developing. **0h37m**

Commissioner Koenigshofer stated I agree with seven feet. But if there is a significant change staff should consider an update to the LCP and bringing it back to the PC before the five-year review. **0h39m**

Commissioner Deas stated fine with seven feet. **0h40m**

Commissioner Cornwall asked is there a way for staff to address the public with changes requested that have already been made? **0h41m**

Staff Gary Helfrich responded yes, through the Chair, we will certainly do that and tried to do as best we could in our responses to the comments we received during this reopened hearing that if something was addressed by a new policy or revised policy we put a reference to that policy in the response. **0h41m**

Staff Scott Orr responded anything that changes today or a new Policy we will be calling that out at the Board of Supervisors Hearing. **0h42m**

Commissioner Ocana agrees with **Commission Cornwall** not sure how this could be done. **0h43mm**

Commissioner Cornwall could there be a marked-up version? **0h43m**

Staff Gary Helfrich responded the LCP has gotten continuously better. Many of the public comments have been based on an older version of the LCP. **0h44m**

Staff Scott Orr pointed out the matrix responses for a reference. The vast majority of comments or that you're referencing would be reflected in the attachment that has a public comment matrix of what the comment was a summary of it, one section, and then the response, such as this was included, you know in this year or this goes against the Coastal Commission so we've registered it, but we can't put it in things like that. This has been made public in Attachment three. **0h44m**

Commissioner Ocana would like to rap this up and keep the discussion on track. **0h45m**

Commissioner Koenigshofer had a similar discussion with Staff Gary Helfrich. Much of the public comment is incorporated under the umbrellas of the CCC (Coastal Commission comments). It is not always readily identifiable.

Perhaps Gary can point this out as we go through. **0h46m**

Commissioner Ocana agrees with the NOAA of seven feet. Should state the most accurate reports are used. **0h46m**

Cannabis prohibition proposed.

Commissioner Ocana stated I am concerned about adding a prohibition I'm wondering Gary if you couldn't give us a quick synopsis as to why this is why the prohibition is recommended. **0h47m**

Staff Scott Orr responded to build off inland the Board of Supervisors has given staff direction to update our cannabis program and we're going through the process of drafting a new ordinance getting a consultant on board to do an EIR and this is just not a good time to be adding another area that would You know, have a cannabis permit wrapped Both in terms of The direction to update our ordinance and it's just kind of a very difficult thing for us to add into this process, even if we were to required to have a use permit at this time. **0h47m**

Commissioner Ocana how about not at this time? **0h48m**

Staff Gary Helfrich recommend to stay silent on it. **0h48**

Staff Scott Orr suggested leaving as it. If it is not listed then it is not allowed. **0h49m**

Commissioner Ocana in agreement with not referencing it. **0h49m**

Commissioner Koenigshofer aren't most areas in the Coastal Zone in the Class Four Ground Water Area? I would argue and prefer it should be prohibited. **0h50m**

Commissioner Ocana responded what about dry farming would that change your opinion? We don't know where the evolution of Cannabis will go in Sonoma County. **0h50m**

Commissioner Koenigshofer responded I guess we disagree. **0h51m**

Commissioner Reed I agree with Commissioner Koenigshofer. There is a strong agreement we don't have the resources to support this. 0h52m

Commissioner Cornwall asked how can it be legal in the County but illegal on the Coast? Pointed out strawberries and zucchini are also water intensive. I do not believe water scarcity should be the only reason to prohibit Cannabis on the coast. 0h53m

Scott Orr the difference is we have an Ordinance inland for Cannabis. We could include as non-ag use. 0h54m

Commissioner Deas I agree with the option of staying silent. Concerned with prohibiting now and having a hard time reversing in the future. 0h55m

Commissioner Koenigshofer to issue of other high demand water crops should not be a reason to include Cannabis. Larger parcel sizes limit soil types that would be recognize in land use category is LIA. I don't think there is any LIA in the Coastal Zone at all. 0h57

Gary Helfrich responded there is not any LIA in the Coastal Zone. 0h57m

Staff Scott Orr my suggestion was editing table C-AR-3 dash, which is agriculture uses and support uses allowed some common thresholds and in the second part of the table, there is a non agricultural reduces category. So we could just include it there to make it clear that we're not bundling it in with the rest of the agricultural uses. Cannabis would be listed as a specifically as a non-agricultural use. 0h58m

Commissioner Koenigshofer asked meaning that it would not be allowed? 0h58m

Staff Scott Orr responded anything should the Federal rules change that would automatically be allowed anywhere that agriculture is allowed and protected on the coast. 0h58m

Commissioner Koenigshofer responded so it would be a de facto prohibition until federal law changed and public and local review? 0h58m

Staff Scott Orr responded correct. 0h58m

Commissioner Ocana asked would that be commercial or cannabis in general? 0h58m

Staff Scott Orr responded it means any type of commercial cultivation. We should hold off on any straw votes until we receive public comment. Any cultivation beyond six plants is not allowed. 0h59m

Commissioner Reed asked is hemp protected? 1h0m

Staff Scott Orr responded it is a federally recognized as agriculture, so it is significantly more protected than cannabis is at this time. 1h0m

Coastal Access:

All agreed to go with staff recommendation. 1h0m

Access Points:

Commissioner Ocana stated would go with staff recommendation. 1h1m

Commissioner Koenigshofer support first part. Second part on the mapping potential future access has been confused by public. Would be changed to clearly state it is not access but could be potential? 1h2m

Staff Gary Helfrich responded proposed still means you can't assume it is open to the public. 1h3m

Commissioner Koenigshofer in favor of both staff's recommendations. 1h3m

Commissioner Ocana asked Gary, can I ask a clarifying question, there are access points that are privately owned. Could you just clarify for us how that's identified. **1h3m**

Staff Gary Helfrich responded well those fall in a couple of categories one would be the boat launch at Ocean Cove access point. You pay a fee to launch. There are also campgrounds where you have to pay a fee but it is in a public location with a public parking lot. In terms of proposed should not be relevant if it is private or public owned land this could change at any time. Just because open land space buys a property would not automatically mean it is now public access. **1h4m**

Commissioner Cornwall convinced by staff should not label private versus public. I support staff's recommendation **1h4m**

Commissioner Ocana time to open for public comment. **1h5m**

Public Hearing Opened: 2:05 PM

Beth Bruzzone
Ariel Majorana
Jaime Neary
Don Mcenhill
Wendy Krupnick
Marti Campbell
Steve Birdlebough

Public Hearing Closed, and Commission discussion Opened: 2:21 PM

Commissioner Ocana thanked the public for all comments. Start review of Elements? **1h22m**

Staff Gary Helfrich stated the main change in introduction is the five-year review required. **1h23m**

Commissioner Reed commented thinks that is a good addition and supports the five-year review requirement. **1h23m**

Straw vote on Introduction:

Commissioner Koenigshofer comment on line two references to Coastal Act and then to the Public Code. Minor point would be worth while to site sections to make it easier to find. **1h25m**

Staff Gary Helfrich responded the reason we wouldn't do that is most members of the public are not attorneys. The Act does say in the beginning 1973. If someone were curious and wanted to do a deeper dive it is in the public guide. General public is more familiar with the Coastal Act. **1h26m**

Staff Gary Helfrich to **County Counsel Verne Ball** is there any legal advantage? **1h28m**

County Counsel responded it can be found in multiple ways. You could provide more information. **1h28m**

Commissioner Ocana suggested perhaps add a line. **1h28m**

Staff Gary Helfrich we could add public resources code reference in header. Would be an easy fix. **1h29m**

Staff Scott Orr suggested a break while **Commissioner Koenigshofer** reconnects to webinar. **1h31m**

Break return 2:40 pm

Commissioner Koenigshofer stated would still have liked more time to go over final version. Under table C-L-U-1 priority of land uses can staff explain how the table should be interpreted? **1h43m**

Staff Cecily Condon coastal wide specific title could be applied. 1h45m

Staff Gary Helfrich I think **Commissioner Koenigshofer** is asking about where it says coastal dependent public recreation and public access areas that doesn't have a title above it. 1h45m

Commissioner Koenigshofer asked could we put all areas? 1h46

Scott Orr recommended to put all Coastal areas. 1h46m

Commissioner Koenigshofer useful tool but can be confusing to people. 1h47m

Gary Helfrich stated **Cecily Condon** will do the inline changes so it will be her screen that we use. 1h47m

Commissioner Cornwall asked about the Coastal dependent public recreation in both boxes? 1h48m

Staff Cecily Condon there is a foot note it defines recreational at the coast that does not require extensive alteration of the natural environment. 1h49m

Commissioner Cornwall how is public recreation different from public serving? 1h50m

Staff Cecily Condon again primary difference is highlighted in the foot note. Passive recreation versus less passive. 1h51m

Commissioner Cornwall responded passive and active, I understand, but it seems like a visitor is also a member of the public and they might wherever they go they might pay money or they might not pay money is that the difference between commercial and non-commercial? Are there legal meanings of these words? 1h51m

County Counsel clarified specific language that establishes the hierarchy. Section 30222 Article that establishes these priorities. To some extent, Commissioner, this does track the Statute, which has separate like 30222 is separate from you know, three or two to one and there's a specific language in the Coastal Act that establishes these hierarchies Our job is kind of to interpret them to, to the extent that there's ambiguity sometimes they go back to 1976 but just to give you an example specific to your question section 302222 the Coast Act says, the use of private land suitable for visitors serving commercial recreational facilities designed to enhance public opportunities for coastal recreation use shall have priority over private residential general industrial or general commercial development but not over agriculture or coastal dependent industry. So these are all separate sections and its a whole article of the Coastal Act that establishes these priorities. 1h51m

Commissioner Koenigshofer commented in order to make sense, out of the table, one has to familiarize himself with the sections. Which referenced in this table included in the sections that are set forth in the preceding pages. 1h53m

Staff Gary Helfrich responded correct. The Coastal Commission was very clear that you don't paraphrase you are to quote the entire section. One important change that is relevant to some new sections in the Coastal Act is local priority uses. It is a challenge to give priority to affordable housing. From discussions with the Coastal Commission staff, they will support having a local priority use for affordable housing that places that above many, many other uses generally would be higher priority so that's the highest priority, we can put on affordable housing, but that does improve the ability to develop affordable housing. 1h54m

Staff Scott Orr is there is concern that this table will undermine the Coastal plan or an element? 1h55m

Commissioner Cornwall no that was not my point. The table is just confusing. 1h55m

Commissioner Koenigshofer suggested must be read along with sited sections might be a helpful guidance. Discussion on workforce housing where would vacation rental fall in these categories? 1h56m

Staff Gary Helfrich responded it will be in one of the two visitor serving commercial categories, because clearly a House that is going for \$5,000 a night is different than one going for \$100 a night so vacation Rentals could be either of those categories, depending on the rental rate. **1h57m**

Commissioner Koenigshofer asked if we were looking at vacation rental policy in the context of competing priority uses where would it fall? **1h57m**

Staff Gary Helfrich responded it falls below coastal resource protection below agriculture below coastal dependent recreation. Any recreation activity that is not dependent upon being on the water and over pretty much all of the commercial uses and definitely above development of housing or any commercial or industrial developments. **1h58m**

Commissioner Koenigshofer so it would be low water dependent public recreation and it would be below local priority uses. **1h58m**

Staff Gary Helfrich responded no, it is local, that is, the local priority use. **1h58m**

Commissioner Koenigshofer vacation rentals used to not be an issue but now are that we are trying to catch up to. **1h59m**

Staff Gary Helfrich responded so I'm sorry I interpreted that, as I thought you were asking a question about affordable housing. No Vacation Rentals are in those two boxes, it says visitor serving commercial recreation lower costs and the one that says higher cost, depending on what the rental is. Vacation rentals in the coastal zone is on a separate track. The amendment to the coastal zoning code to begin to regulate vacation rentals is a project on an independent track. We will be taking an Amendment to the Coastal Zoning Ordinance to the Coastal Commission as part of the vacation rental program update. **2h0m**

Polices have already been recommended by the Commission. Existing home that gets converted to a vacation rental. **2h0m**

Commissioner Koenigshofer if were serious about workforce housing there is some competing interests. I want a sense for future discussions on where on the priority lists the vacation rentals fall. Does Counsel have any thoughts on this or insight? **2h1m**

County Counsel Verne Ball my advice would think of this holistically when you deal with that Ordinance. For example you could have a cap on the number of vacation rentals relative to the overall available housing. Chapter 26 C would have to make a decision at that point. You would not want to get it done in this table. We want to prioritize this set limits they could be brought together to the Commission at that time. **2h3m**

Commissioner Koenigshofer meaning Chapter 26 C changes? **2h4m**

Gary Helfrich responded the Planning Commission has reviewed and recommended changes to Chapter 26 C to the Board of Supervisors already. **2h4m**

Staff Scott Orr for the sake of moving us forward tables are useful but this is pulled from Code. This should be just a general sense of priority. If you go to each section it will describe in more detail the priority. **2h5m**

Commissioner Reed agrees with Scott Orr. Affordable dwelling units is what the PC had requested before and it is added now. I support it as is. **2h6m**

Commissioner Koenigshofer request center market rate housing under the low priority. State again note it should be read along with the specific sections. **2h7m**

Commissioner Ocana any other comments on the Land Use Element? **2h10m**

Commissioner Koenigshofer stated page two other permitted uses may be required change to site what cannot be permitted so the public does not go down the wrong path. **2h11m**

Commissioner Cornwall in staff memo a reference to policy L-U- dealing with affordable housing I could not find it. [2h12m](#)

Staff Gary Helfrich responded C-LU-5 i1. Recommendation was to change to require into a Policy. [2h14m](#)

Commissioner Koenigshofer secondary and subordinate means the same to me. No definition of subordinate in glossary. I've seen this be a problem when your trying to figure out if a use is secondary and subordinate. The issue that comes up is two uses on property but the discretionary use should be subordinate. Should not be used based on acreage and total use. How do we define the phrase so it is not relying on is it compatible? [2h15m](#)

Staff Scott Orr responded that type of specific is more appropriate for the Zoning Code. At the Policy level it may take away from the Policy. [2h19m](#)

Commissioner Koenigshofer I don't think were over doing it. But I also think we should provide enough direction in the LCP for the Zoning Code. We should define it. We should distinguish the General Plan is not the Coastal Plan. [2h20m](#)

Commissioner Ocana stated we should move on. Staff understands the need to clarify in the glossary. [2h21m](#)

Staff Scott Orr clarified the Vacation Rental Ordinance is moving forward not the Zoning Code. [2h23m](#)

Commissioner Koenigshofer requested define both in the glossary. [2h24m](#)

Commissioner Koenigshofer 2.2 Recreation and Natural Resources change the introduction. Precise development plans and planned community. Reword so it emphasizes RRD development. Just reverse the order of two paragraphs. [2h25m](#)

Commissioner Ocana if you change the paragraphs here it will interrupt the format in the other sections. [2h37m](#)

Staff Scott Orr responded we can make the change. We understand the direction. [2h38m](#)

Commissioner Koenigshofer are golf courses considered passive recreation? [2h38m](#)

Staff Gary Helfrich responded it is important to clarify in the glossary. Personal opinion in this section it would not be defined as passive recreation. [2h29m](#)

Commissioner Koenigshofer stated commercial tourist no reference to camp grounds. Lodging reference camping is the least impact and least expensive. We should list them in principally permitted Use. [2h31m](#)

Staff Gary Helfrich good point but make sure Vacation rentals is not included. [2h31m](#)

Commissioner Koenigshofer stated 2.5 Residential Land Use. Concern with unlimited use in AR. [2h33m](#)

Staff Gary Helfrich responded there are only two parcels with AR in coastal zone. [2h33m](#)

Commissioner Koenigshofer could we eliminate the AR all together? [2h33m](#)

Commissioner Ocana what would be the benefit of eliminating it? [2h34m](#)

Commissioner Koenigshofer responded there are limits on AR zoning because it is residential not agricultural. It is not consistent with impact. [2h35m](#)

Staff Cecily Condon suggested looking at Chapter 26 C where is very clearly identified with limitations. It is not necessarily appropriate to define it here as unlimited production. May I suggest and edit that it says, "on land designated low residential and zoned low residential or agricultural and residential. Limited crop in farm animal

husbandry is allowed, as defined in those zoning districts, or even without the as defined statement that would still hold true. **2h36m**

Commissioner Koenigshofer agreed with staff's recommendation. Onshore facilities is it with new technologies the concern comes up. Is there a way to raise concern in the LCP? Is it possible to express that concern for onshore facilities in the LCP? **2h37m**

Staff Gary Helfrich the best way would be to get another initiative on the ballot to modify the existing voter approved Ordinance. And electrical transmission facilities will require environmental review and a Coastal Permit which is appealable to the Coastal Commission. **2h40m**

Commissioner Ocana stated I interpreted the goal today is to review all of the elements to get this in front of the BOS to then get it in front of the Coastal Commission for final adoption by Fall 2022. I would also like to give more space to other Commissioners to comment. **2h44m**

Commissioner Koenigshofer this is not a new item before you. We have a lot of public testimony that is not included in the draft. What do we do with new material? **2h45m**

Commissioner Ocana responded we are elaborating on things that are not under the purview of the draft. We need to make it more specific line by line item rather than elaborate discussions that could be held offline... **2h46m**

Staff Scott Orr it is a balancing act if we're not able to reach a decision today on the draft we will not be able to bring this item back until September or later in 2022. We have not had an update in over two decades. **2h47m**

Commissioner Ocana I agree we should be able to meet the goal today on the draft with a final recommendation to the Board of Supervisors. We need to focus on the major priorities. **2h47m**

Commissioner Koenigshofer my question to staff was, is there a way to incorporate this request into this plan, other than kicking it over to the people to do an election? I didn't get an answer to that. Regarding the existing voter approved Ordinance that regulates onshore facilities. **2h47m**

Staff Scott Orr we cannot effectly include that request in a short amount of time. **2h48m**

Commissioner Reed appreciates **Commissioner Koenigshofer's** through analyses of report. I was using the staff memo as an outline of what has been done. We may use this as a guidance and then ask questions. **2h49m**

Commissioner Cornwall stated I only have 4 or 5 things I want to bring up. **2h50m**

Commissioner Ocana to **Commissioner Cornwall** let's come back at 4 pm. We can focus on the staff memo and use our time efficiently as possible. **2h51m**

Staff Scott Orr reminded folks going to **Commissioner Cornwall** and then **Commissioner Reed** suggested using the Memo as a guide. Our goal today should be to consider the larger array of items coming to the Commission. If we don't finish today likely the General Plan Update will be delayed by six months. **3h2m**

Commissioner Cornwall one issue I wanted to raise is sea level rise and the management of retreat. The plan needs to create a definite pathway for planning for roads and protection and what manner and with what money. Not sure they are there. I saw in the public safety Element identifies areas but not how this will get done. Baseline is from 2005 questioning that date that we are now putting the seven feet rise. Questioning that using that date as a baseline. **3h4m**

Staff Gary Helfrich responded sea level rise base line. It has to be done over a 19 year measuring period it has a huge amount to do with the relationship with the earth and the moon. It is like the census it does not happen very often. The one were using is what the USGS standard is using. **3h6m**

Staff Gary Helfrich I think we are one step away from determining how we would move roads or plants. We have not done the studies yet but we have tried in the LCP to take into account and use projections. We can only rely on the best available studies we have today. **3h8m**

Commissioner Cornwall asked would any other Commissioners like to see specific plans now for these areas? **3h8m**

Commissioner Reed to **Commissioner Cornwall** I'm seeing a review in the hazard data every three years. Are you proposing to go beyond that? Is it contingent on mapping? **3h9m**

Cornwall trying to go beyond the data to go into the plans for roads, trails, subdivisions now what is to be done. **3h9m**

Commissioner Reed is that contingent upon the mapping? **3h9m**

Staff Gary Helfrich important thing they are called **Figures and not Maps. These are intended as a general graphic guide.** An actual project will require a site specific case with studies and professionals. The maps are for reference only. The science is not updated that often. But we use the most available studies and science. Should not be longer than five years and if it needs to be less that will be done. **3h11m**

Staff Scott Orr responded maybe we include some kind of Policy that outlines an update in the next Multijurisdictional Hazard Update Plan. Not sure how we would accommodate retreat planning in this phase in the process. **3h12m**

Staff Cecily Condon Objective CPS-4.5 page 32 and 33 different adaptation strategies could tie objective CPS 4.5. **3h12m**

Commissioner Cornwall agreed with suggestion. **3h12m**

Staff Gary Helfrich pointed out in the staff memo new policy that ADU's (Assessory Dwelling Units) cannot be used as vacation rentals. **3h13m**

Commissioner Koenigshofer asked are we using staff memo as a guidance? I'm in support of this. **3h14m**

Commissioner Ocana we covered the Cannabis conversation earlier and touched on all of the Land Use Elements listed in the staff memo did not talk about parking in the commercial area. **3h14m**

Gary Helfrich not complicated to add but we need data before we can do policy. **3h14m**

Commissioner Ocana moving onto Agricultural Resource Element. Aquaculture. **3h16m**

Staff Gary Helfrich Aquaculture this is given the most restrictive needing a high level of review both a Coastal Permit and Use Permit. Types of aquaculture go all over the map in terms of impact. If it's a good project it will get approved but if its damaging it will get denied. **3h16m**

Commissioner Reed all look like positive additions and looks like the public input was also added. Outside of the Cannabis question there was not a lot to discuss five year update to EHSA is positive. **3h17m**

Commissioner Cornwall would like to talk about protecting small scale agricultural and would like a Coastal Plan that supports small ag. I do want a Coastal plan that supports small farmers. **3h19m**

Staff Gary Helfrich responded the area is not really viable beyond small cattle. Very poor soil with nonexistent water resource. Parcels are all relatively large we don't have many small parcels. The physical characteristics of the Coast make it almost impossible to do small agriculture. **3h20m**

Commissioner Cornwall not clear why they wrote the letter if there is something they don't want to protect. **3h20m**

Staff Gary Helfrich the public can confuse the coastal zone with the coastal area. The coastal area does have areas where agriculture can be a success but it is not in the coastal zone. **3h21m**

Gary Helfrich would require subdivision of large parcels to encourage small agriculture. A lot of associated concerns to allow the public to split up large parcels into smaller parcels. **3h21m**

Commissioner Koenigshofer any movement towards subdividing large parcels into small parcels on the Coast would eliminate grazing operations. It is a no starter. You would end up with a lot of mini mansions of the coast and not small farming. A policy promoting that lands held by RP, State Parks be encouraged to lease for grazing purposes would be a worth while addition. Sited a few small farms that are successful. **3h23**

Commissioner Cornwall ok I am satisfied with this. **3h25m**

Commissioner Ocana one public mentioned the lack of siting forests in the Coastal Plan. Could staff address this? **3h26m**

Staff Gary Helfrich there are huge timber tracks next to the Coastal Zone but again they are outside. We have to take into concern what does the Coastal Plan control. **3h27m**

Commissioner Ocana suggested to move onto Open Space:

Scott Orr asked **Cecily Condon** to share screen of memo as we go through the discussion. **3h29m**

Staff Gary Helfrich starting at top, three new general polices: Lighting, protection of fish streams, coastal wetlands identified. Added back in objectives, native coastal habitats. All assessments take into account sea level rises and climate change. Erosion control measures over 10% slope. **3h30m**

Commissioner Reed commented looks good to me. **3h34m**

Commissioner Cornwall looks good to me. **3h34m**

County Counsel clarified change to Dept of Fish and Wildlife from Dept of Fish and Game. **3h35m**

Staff Gary Helfrich stated the public access element added reference to CC. Estero American Access staff recommendation **3h36m**

Commissioner Ocana what would it look like for future access trails? How would they be created? Specifically Estero? **3h39m**

Staff Gary Helfrich discussed both organization support access points on their property. Access point on Sonoma County side of the road. Bordessa property access point **County Counsel Verne Ball** can discuss. **3h40m**

County Counsel Verne Ball easement document conflict with land owners for years. The outcome is uncertain no current decision for a particular trail. The trail may not actually reach the Estero. **3h42m**

Staff Gary Helfrich these points are generalized and conceptual planning graphics. Not intended to point to exact points and access. **3h42m**

Commissioner Ocana does county staff have the ability to monitor and take down some of the erroneous markers? **3h43m**

Staff Scott Orr responded we do our best to track and keep accurate information. **3h43m**

Commissioner Cornwall stated many of these sites show where trails are but not legally. **3h44m**

Commissioner Ocana move onto Water Resource Element: **3h44m**

Staff Gary Helfrich comment revised draft based on sustainable water management act. Not in place yet.
3h45m

Staff Gary Helfrich highlighted policy for new connections are prohibited if the system cannot meet current or future demand taking into account climate change and sea level rise. Public water system can be anything from one connection (Blue Heron) up to the Sea Ranch. This will put a cap on new connections until it can be demonstrated as supportable for no impact development. 3h47m

Commissioner Koenigshofer request to scroll back up to previous page CW-R-1K in particular Bodega Bay not Sea Ranch is there a mechanism or a way for us to call for some reservation for a treatment level capacity for affordable level development? 3h50m

Staff Gary Helfrich responded will look into if its not in there we will make a note. 3h50m

Commissioner Koenigshofer is there a logical cutoff point for smaller systems? 3h21m

Staff Gary Helfrich what defines a public system is defined by State. We can't define it. A master plan for the smaller systems is not really that burdensome. 3h52m

Commissioner Koenigshofer but it may be a big deal for one individual. So does it require a qualified professional to prepare? 3h53m

Staff Gary Helfrich responded it does not require a licensed professional to prepare. 3h54m

Commissioner Cornwall I generally like the water resources element but also agreed with suggested Rue Furch changes. I believe the edits would strengthen the outcome and make them more compatible. 3h55m

Commissioner Ocana asked is there any items that would not be appropriate for inclusion? 3h57m

Staff Gary Helfrich I thought Rue Furch's suggestions were excellent recommendations. 3h57m

Commissioner Ocana is the County intending on implementing ??? or ? 3h58m

Staff Gary Helfrich the water resource policy would be strengthened if it referenced the Land Use Policy. The idea it has to be considered to meet that standard of that policy as well as provide service to existing customers.
3h58m

Commissioner Ocana so that there will be a consideration for a capacity for a reserve. 3h59m

Staff Gary Helfrich good point that you've made to connect the points together. 3h59m

Cecily Condon brought up both policies to mark up. 4h0m

Commissioner Ocana drought tolerant plants is there going to be monitoring of that or is neighbors monitoring that? 4h0m

Staff Gary Helfrich the main place would be in new development. It is hard to apply retroactively to built homes. 4h1m

Commissioner Cornwall asked about the Rue Furch edits. What was the conclusion? 4h2m

Staff Scott Orr responded trying to tie the water resource policy to the land use policy. 4h2m

Gary Helfrich responded create a reference back to the policy C-LU-4u 4h2m

Commissioner Koenigshofer asked to Counsel can we require service providers? 4h3m

Counsel County Verne Ball responded requires a conversation between utility and housing element requirements. It is an ongoing conversation versus a one-off requirement. More likely it would come into play during development. Housing Element Laws and Special Districts. 4h5m

Staff Gary Helfrich this is a tough one. It is not clear. 4h5m

Staff Scott Orr is we use require we have to be specific what that means. Whereas encourage let's us rely on the policy to support things that may come forward. If we are going to require it should list amount of Units. 4h6m

Commissioner Koenigshofer we should be using action language. I would like to try and require that some portion of water and sewage hookups be set aside for workforce housing. I would prefer we take an ambitious approach. 4h7m

Staff Scott Orr what if we require and tie it to the affordable housing requirements of the Zoning Code. Then in the Zoning Code we could with a 15% inclusionary standard. But we could draw a link from plan to implementation. 4h9m

Commissioner Koenigshofer I like that so it would be an inclusionary zoning type of approach? 4h7m

Staff Scott Orr yes draw a connection with reserve requirement with de Facto basement inclusionary requirement is. 4h10m

Commissioner Koenigshofer I don't want to limit the action item to only private development. 4h11m

Staff Scott Orr I can't think of a way to put 100% affordability on this policy. 4h11m

Commissioner Koenigshofer responded it may create a lower level of capacity if you base it on the 15%. 4h12m

Staff Scott Orr I understand but I don't think its right to put expectation on utilities to maintain capacity for a project we hope happens but may never materialize. 4h13m

County Counsel Verne Ball addressed by existing law SB 1087 2004 requires housing elements when adopted be distributed to water and utilities. And then they must adopt policies that can meet that. It is not simple it involves RENA numbers and where they are placed. A question of adequate and how that is defined in the planning process. 4h14m

Commissioner Koenigshofer that is very helpful. Is there any reason why we have the Policy in here then? 4h15m

Commissioner Cornwall I think this is important to keep. We don't want any good developer to put on the hook for that. 4h16m

Commissioner Koenigshofer not a lot of potential for development in Bodega Bay. You can go ahead and leave it the way it is. 4h16m

Staff Cecily Condon stated this may also come into play for consistency requirements when reviewing a project of expansion or a new project. This would facilitate staff to bring up this point and make sure it is addressed. 4h17m

Commissioner Ocana asked any additional comments for water developments? 4h18m

Commissioner Koenigshofer what did we decide on Rue Furch's suggestions? There are 6 pages have not read through as a uniform adoption. 4h18m

Commissioner Ocana I believe we all agreed to incorporate her edits. 4h19m

Staff Gary Helfrich stated at first review the changes seem to improve the policy. I have not analyzed everything in the letter. 4h19m

County Counsel Verne Ball responded I would like to point out the memo is lengthy. You have to be clear about what to do with it. Some of it is open ended. 4h19m

Commissioner Deas I agree I think we should spend more time with reviewing it. 4h20m

Commissioner Ocana suggested **Commissioner Cornwall** go over the proposal? 4h20m

Commissioner Koenigshofer requested staff go over it and take a 10 minute break to go over it. 4h21m

Commissioner Ocana how does the Commissioner feel about another couple hours of review? 4h22m

Commissioner Reed and **Commissioner Cornwall** agreed let's just keep going. 4h22m

Staff Scott Orr shared screen **Gary Helfrich** look at suggested changes first. Then come back and look at the questions. 4h23m

Commissioner Koenigshofer stated bullet points are important. 4h23m

Staff Scott Orr will read anything with a yellow component and then get feedback. Read out WR-3 the Water Resources Element with addition of, "for the benefit of all uses." 4h24

Commissioner Cornwall wording means it is not just for human consumption. 4h24m

Commissioner Ocana, Commissioner Reed, Commissioner Koenigshofer support the change. 4h24m

Staff Scott Orr wetlands added, class 4 water area shall be protected, CW-R1.3, CW-R1.5, CW-R1.6, 4h26

County Counsel can be clarified with commas. This is an objective and not a policy. Unlikely this would become a dispute. I would advise commas to be applicable to all. 4h30m

Staff Scott Orr suggested leave at reduce. 4h30m

C-WR-1c, C-WR-1e, C-WR-1g, WR-14/policy CR-W-1g (where feasible use previous surfaces). Policy C-WR 1j, CW-R 11, CW-R 1-P-I, CW-R-P3,

Commissioner Koenigshofer commented CW-R-1-P3 on the development guidelines for Rural Communities that would provide for retention of sites pre-development rate of groundwater recharge as opposed to? 4h41m

Staff Gary Helfrich responded there is a list of defined rural communities in the coastal zone. 4h41m

Commissioner Koenigshofer so this means it would exclude development between rural communities? So, the guidelines would not apply to development between rural communities? 4h42m

Commissioner Cornwall should we just get rid of the rural communities and generalize it. 4h42m

Staff Scott Orr to staff do you have enough information on that to make the changes? 4h42m

Staff Scott Orr suggested create guidelines for development. 4h43m

Staff Scott Orr WR-15 & 16 programs believes it is redundant already accounted for. Would not recommend change. 4h45m

Commission agreed not to incorporate. 4h45m

CWR-2a Scott Orr agrees with this change but could not recommend live. 4h47m

Commissioner Deas I hesitate to add this. 4h48m

Commissioner Cornwall option to work with NOAA. 4h48m

Scott Orr asked so rather than include it in a policy make it a program? 4h48m

Commissioner Cornwall responded yes. 4h48m

Staff Scott Orr suggested to name work with agencies instead of making it specific agencies. 4h49m

Commission agreed. 4h49m

Scott Orr CW-R-2b agrees with suggestion. 4h50m

Program WR-20/2.1 watershed from basin. 4h50m

Commissioner Cornwall explained difference. 4h51m

Staff Gary Helfrich use both we don't want to lose basin. 4h52m

Commissioner Koenigshofer the watersheds are for the most part way outside of the coastal zone. How do you do this if most of it is out of the coastal zone? 4h53m

Commissioner Cornwall responded 4h54m

Commissioner Koenigshofer who would be managing the groundwater management plan? Not sure how this would work. 4h54m

Commissioner Cornwall suggested using staff's suggestion to use both basin and watershed. 4h55m

County Counsel Verne Ball one suggestion would be to present to the Board of Supervisors and then have technical staff do the analysis. You really want to use the right terms. I suggest this warrants some care. 4h56m

Commissioner Cornwall just leave it as the planning area. Should define and justify the area. 4h58m

Staff Cecily Condon this is assuming we are already looking at a defined and predetermined area. The Board has developed a groundwater area. 4h58m

Staff Scott Orr asked for clarity from Commissioner Cornwall. 4h59m

Commissioner Cornwall suggested for the special study area and take out water area and basin. 4h59m

Staff Scott Orr staff can recommend that change we will also run it by our Geologist in house and if there is a problem we will highlight this to the Board. 4h59m

C-WR-5 **Staff Scott Orr** does not recommend. 5h0m

Commission agreed. 5h0m

Policy C-WR 3d WR-22/3 **Scott Orr** supports this. 5h01m

C-WR 3-12 may hamstring in dire situations. 5h5m

C-WR 4 encouraging water monitoring for all monitoring users and require water metering. 5h7m

C-WR-4-P4 Scott Orr suggested leave as is. 5h8m

Commissioner Cornwall discussed water exporting and importing on Coast under WR/2/75. 5h8m

Staff Scott Orr this one I would want the full Commission to weigh in on. It is a policy position. 5h10m

Staff Gary Helfrich mentioned Casini Ranch exporting water all over West County in Summer. 5h11m

County Counsel Verne Ball recycle water might be an issue. 5h11m

Commissioner Deas and **Commissioner Carr** are hesitant to incorporate this one. 5h11m

Commissioner Cornwall hesitant to allow if that meant development that could not support water. 5h12m

Commissioner Koenigshofer the only source would be the Sonoma County Water Agency with a pipeline for exporting. I don't see a foreseeable threat. I would need more information on before signing on. 5h14m

WR-28/6 Watershed Management objective C-WR -6.2.

Commissioner Koenigshofer what was the original intent of the objective? 5h16m

Staff Scott Orr responded we look at the impacts of water exports and imports. 5h16m

Staff Cecily Condon WR 5.2 is a duplicate. Suggested omitting this objective all together. 5h17m

Staff Gary Helfrich confirmed and agreed. 5h17m

Commissioner Koenigshofer asked in the other place where the objective exists would it be good to put the new language there? 5h18m

Staff Cecily Condon we she look at it based on the watershed should do the environmental review with a broader mind. I would not want it to limited it to the coastal watersheds. 5h19m

Staff Scott Orr confirmed take out the highlighted yellow. All agreed. 5h19m

Commissioner Ocana stated thank you so much thought that was a huge endeavor really appreciate it. I'm glad we got through that I would like to ask if there are any other comments on this element, and if not, then we take a quick, short break I'm seeing shaking heads. 5h19m

Commissioner Koenigshofer stated I've one comment, in addition to thanking Scott I'd like to thank Rue Furch for the careful quality work. 5h20m

Commissioner Ocana stated a five-minute break and then come back for the remaining four elements. 5h20m

Commission Meeting resumed at 6:26 pm

Commissioner Ocana stated welcome back we will start with the public safety element number seven. 5h26m

Staff Gary Helfrich stated we've already discussed the major change in in the public safety element, which are the sea level rise policies so unless there's more questions on those a skip down to the only other major recommendation, which is that there are two policies that are essentially duplicates CPS one D and CPS for D. One D is the one that has been gone over with Coastal Commission, so the staff recommendation, there is to delete the duplicate policy CPS for D and that's it for public safety. I do want to point out, though, is one key thing about this, this is the policy says to evaluate and update hazard data every three years, so this is another one of our policies that specifically calling for regular updates on information and updates on our policies in response to what we hear. So are there any question on the public safety element? 5h27m

Commissioner Ocana I think we are good I just want to check in with **Commissioner Cornwall**. This is something that was concerning to you do you feel satisfied with all of our previous communications? 5h28m

Commissioner Cornwall responded I just want to make sure that we're going beyond assessing civil rights risks to get to the point of actually planning to resolve them. To **Gary Helfrich**, is it correct that your response was that those tasks the actual detailed planning tasks for assets at risk is located, not necessarily here, but in places like circulation and transit for roads and in water resources for water facilities? 5h29m

Staff Gary Helfrich responded it is through literally in every element because things like historic and cultural resources there are policies for evaluating sea level rise and climate change, risks to resources land use it's obviously in there, so this is kind of a master policy that then ripples out through every other element of the coastal plan, which is why it's so important to have agreement on how we define it. So the important thing is the public safety element is where sea level rises defined so hopefully everyone's happy with the discussion that we've had there. Are there any comments about deleting the duplicate policy on evaluating updating hazard data? 5h29m

Commissioner Ocana suggested move onto Circulation and Transit Element. 5h30m

Staff Gary Helfrich stated this was an element has many things recommended that was reviewed by the Planning Commission. On the March 3, 2022 meeting this is one of the elements that we had a more robust policy level conversation than some of the other ones. So the policies are focused a couple of things, one is that we're removing references from level of service and every all the impacts are evaluated based on vehicle miles of travel which is consistent with California law for evaluating traffic impacts we've also added an objective for Vision Zero which is CT 3.4 so that's to incorporate Vision Zero strategies and all transportation improvements. Is there a question about what Vision Zero is because I could explain it or I could move on. CT for is important when it says use a set of projected seven foot sea level rise to identify all road segments at risk from sea level rise And then identify routes for realignment or alternative routes in the event that maintaining the roadway is not feasible so that's an important policy that incorporates sea level rise into future planning for roads, we also made the recommendation to incorporate the Caltrans to know rate Sonoma State route one prepare guidelines by references and appendix to the LCP that covers guidelines for repairs on both highway One and highway 116 it's already been reviewed and certified by the Coastal Commission. It gives us a good handbook for when we have a lands like when we have infrastructure replacement, as long as Caltrns is following these repair guidelines it established the thresholds if of what subject to a coastal permit what's exempt what it should look at like how it should be built so it's a I think it's going be a real step forward in expediting maintaining route, one which is just critical in the coastal zone. And then there's a policy option that we're recommending, which is to identify reliable data sources for vehicle counts and parking data collect this information annually, then produce a report every three years that it identifies impact areas peak days and months and evaluates trends and work with the Economic Development Board and the visitor tourism bureau to fund this program so that's a totally new Program. And that's the highlights of what's changed in circulation and transit. There's quite a number of active transportation alternative transportation small changes that was recommended either by the Commission. The coastal Commission have to be clear, or were discussed and appear to be agreed to at the March 3, 2022 meeting. The one outlier here is we've heard a lot of public input about establishing a shuttle bus program similar to Muir Woods and well there's policies that support a we were really This is like affordable housing is developing policies that can give people an alternative to an automobile is going to take a while in the coastal zone it's not there's no immediate solutions available Muir woods has the advantage of being a federal facility with basically, one pickup point one drop off point it's not 55 miles of coastline it's also not a place that people use for recreation you're not bringing a surfboard you're not bringing tents you're not bringing a lot of the things that visitors to our coast bring, but we do have programs in there to evolve away from an automobile dependent transportation system they're just at this time, the best really the best we can do immediately is incorporate the design principles in the highway one that make it more likely that people can walk when they're you know locally around the deck of Bay, so you won't say I won't walk to the post office because I'm going to die so I'm going to drive my car quarter mile, which of course really increases congestion on highway one. And for slightly longer routes is make it so if people would feel safe riding a bicycle on certain segments of highway. one I mean most of our All the traffic, not all the traffic impacts, the major impacts major the empty south of the Russian river so that's also the easiest area to focus transit on because fairly difficult to get transit providers say that could run up to the Sea Ranch it's a good concept but not that feasible. That is the updates to the circulation element, are there any questions about those changes? 5h31m

Staff Scott Orr responded for clarity, I think one thing, specifically that staff needs direction on the policy option because it its an option. 5h36m

Staff Gary Helfrich responded that is true. The new program proposes to identify reliable data sources for vehicle counts and produce a report about impacted areas peak days and months and trends in in traffic in the Bodega Bay area actually in the coastal zone. [5h36m](#)

Commissioner Koenigshofer responded I have a question on that the scope of it. Would you do the corridors, leading to the Coastal Zone? [5h37m](#)

Staff Gary Helfrich responded you would have to because that's kind of like watersheds you can't just cut it off at the edge of the Coastal Zone. A big part of this is origin destination you've got to know where the cars are coming from to generate any type of report that means anything. [5h37m](#)

Staff Scott Orr stated one thing I would recommend is going through the meeting today is potentially changing it from three years to five years. There is a lot of things that we need to do every five years that might benefit from having that part of the discussion, rather than it getting out of every year and a half. How does the Commission feel about that? [5h37m](#)

Commissioner Cornwall responded I think that a lot of these three-year intervals sound really short considering what I consider understaffing of permits. I think five year recommend just from a feasibility point of view, and if that enables multiple reviews and data collections, to be simultaneous all better. [5h37m](#)

Commissioner Koenigshofer responded so if you had just done, the other five year cycles and this one wouldn't be done for five more years, I say no. [5h38m](#)

Staff Scott Orr responded even though we're talking a five-year cycle, works needs to get started almost immediately so that we have time to identify resources get information do an analysis and then get ready to tell the people about it. [5h39m](#)

Commissioner Koenigshofer responded that's good. That is what I wanted to know and what I hoped to hear because the town of Bodega that town of Freestone has had multiple meetings and crazy crashes. It is now a focal point of CHP. Most of the traffic is not local traffic. [5h39m](#)

Commissioner Cornwall responded transportation to and from the coast needs to have a complete revolution like what we want to see in 20 years. This will take a lot of money and studies. I want to see these programs set us up for that success. One piece a public member submitted, Steve Birdelough was the idea of a program to alert drivers of full parking lots and reservations. What is the probably of a program like this? [5h40m](#)

Staff Gary Helfrich responded through the Chair it's an excellent idea and I think what the ideas be framed up in the context that there is a first step that's even more important, which is, we have no way of collecting that data currently we have no requirements that anybody keeps data on how many cars are in the parking lot. There's no tube counters loop detectors and there's tons of informal parking on Highway One, So the first thing we've got to do is get an handle on what would our methodology be to even to gather that information in the first place, so I think that's a critical step that has to happen prior to going down the road of looking into the feasibility of some sort of notification system, because you have to be able to know what your notifying them of. [5h41m](#)

Commissioner Cornwall asked could that kind of date be integrated into the data program that we just talked about? [5h42m](#)

Staff Gary Helfrich responded all the notes the first step is we don't know how to collect it. [5h42m](#)

Staff Scott Orr responded to **Commissioner Cornwall**, yes, I think the previous program we talked about of identifying reliable data sources vehicle counts and all that, I think that does get us to the direction that you're wanting to go without needing to specifically pick future solutions to it. But we could look at enhancing that program by including an extra line about it's lowering wireless options to decrease conduction as it goes, or something like that. You know whether it's websites that you know say full of parking lot is i'm hesitant to say yeah let's send out, you know wireless text to people as they're driving out to the parking lot just because we don't want to encourage people looking at their phone while they're on highway one but I think that we could include some kind of exploratory option to that prior to the Program. [5h43m](#)

Action: **Commissioner Koenigshofer** motioned to approve the Local Coastal Plan Update with changes as recommended by the Planning Commission to the Board of Supervisors for adoption. Seconded by **Commissioner Deas** and approved with a 5-0-0 vote.

Appeal Deadline: Not applicable
Resolution No.: 22-04

Vote:
Commissioner District 1 Cornwall Aye
Commissioner District 2 Reed Aye
Commissioner District 4 Deas Aye
Commissioner District 5 Koenigshofer Aye
Commissioner District 2, Chair Ocana Aye

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

Hearing Closed: 7:30 pm

Minutes Approved: March 28, 2022

