



## Sonoma County Planning Commission STAFF REPORT

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** 26 July 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### SUMMARY

**Property Owner:** Various

**Applicant:** County of Sonoma, Permit Sonoma

**Address:** Various

**Supervisory District:** District Five

**APN:** Various

**Description:** In order to retain Local Land use authority 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 of 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.

**CEQA Review:** 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.

**General Plan Land Use:** Various

**Ordinance Reference:** Chapter 26C, CC Coastal Zoning Resource Districts

**Zoning:** Various, CC (Coastal Combining District)



## **RECOMMENDATION**

The Permit Resource and Management Department (Permit Sonoma) recommends that the Planning Commission recommend the Draft Local Coastal Plan update for adoption by the Board of Supervisors, to be effective after certification by the California Coastal Commission.

## **EXECUTIVE SUMMARY**

The purpose of this Local Coastal Plan Update is to help guide land use planning and development decisions within Sonoma County’s Coastal Zone in a manner reflective of current community priorities, responsive to present-day conditions, and consistent with the latest California Coastal Commission policy and guidance. This update also reflects policies related to coastal development that were adopted by the Sonoma County Board of Supervisors in General Plan 2020. In addition, this Local Coastal Plan Update adds new information and policy in the following areas: climate change and adaptation including sea level rise (2100 planning horizon), protecting of water resources; conserving of coastal ecosystems; preserving agriculture; mitigating hazards and wildfire resiliency, and public access. The Local Coastal Plan update will address these areas while modernizing the format of the document making the plan easier to understand and use. 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” collectively). The Local Coastal Plan Update does not become effective until certified by the California Coastal Commission.

## **PROJECT AREA AND CONTEXT**

### ***Background***

Sonoma County has a rich history related to the development and implementation of the Coastal Act as a result of Proposition 20, passed in 1972, wherein Sonoma County had a pivotal role. Sonoma County has had a Local Coastal Plan since the first adoption of the Local Coastal Plan by Board of Supervisors in May 1980. The most recent Local Coastal Plan (Current Plan) was originally certified in 2001.

This Local Coastal Plan update process initiated around the time of the adoption of the Sonoma County General Plan 2020 in 2008. Land Use Program 1: Local Coastal Plan Update adopted with the General Plan by Resolution No. 08-0808 formalized the intent of the Board to update the Plan. The County held three public workshops in spring 2013 as part of the initial plan update process. Three drafts have been circulated for public review and comment to date; the Preliminary Review Draft 2015 was released and workshops were held, the Public Review Draft 2019 circulated and a series of workshops was held into 2020, and recently the Revised Public Review Draft June 2021 was developed in response to public and agency comments on the previous drafts and in response to changed conditions along the Sonoma County Coast since the certification of the 2001 Local Coastal Plan.

### ***Project Location***

The Local Coastal Plan boundary is commonly referred to in the Plan as the Coastal Zone and policies within the Plan are only effective within this area. The Coastal Zone is defined in Coastal Act section 30103, and its boundaries were further established through maps adopted by the State Legislature in 1976, at the time of Coastal Act enactment. Per the Coastal Act, the Coastal Zone includes land and water of the State of California, from the Oregon to the Mexico border. The Coastal Zone extends seaward to the State's outer limit of



jurisdiction, including all offshore islands, and inland generally 1,000 yards. However, in significant coastal estuarine, habitat, and recreational areas it extends inland to the first major ridgeline paralleling the sea or five miles from the mean high tide line of the sea, whichever is less, and in developed urban areas the zone generally extends inland less than 1,000 yards. Along Sonoma County’s 55-mile coast, the Coastal Zone extends inland generally between 3,000 and 12,000 feet from the shoreline, except around Duncans Mills, Willow Creek, and Valley Ford, where it extends up to five miles inland along the Russian River estuary and the Estero Americano.

The Planning Area runs the length of the Pacific Coast margin, from the Gualala River to the Estero Americano. The Planning Area has been divided into the following ten SubAreas for ease of mapping:

- |                                  |                                 |
|----------------------------------|---------------------------------|
| 1. The Sea Ranch North           | 6. The High Cliffs/Muniz-Jenner |
| 2. The Sea Ranch South           | 7. Duncans Mills                |
| 3. Stewarts Point/Horseshoe Cove | 8. Pacific View/Willow Creek    |
| 4. Salt Point                    | 9. State Beach/Bodega Bay       |
| 5. Timber Cove/Fort Ross         | 10. Valley Ford                 |

**Policy Framework**

The California Coastal Act (Public Resources Code Section 30000 et seq.; Coastal Act) was passed by the State Legislature in 1976 and became effective on January 1, 1977. The Coastal Act replaced the original Coastal initiative, Proposition 20, passed in 1972. The Coastal Act transferred the responsibility of preparing a Local Coastal Program (consists of a Local Coastal Plan and an Implementation Plan) from the State and Regional Coastal Commissions to each of the 15 counties and 53 cities along the California Coast. Each jurisdiction is typically develops a Local Coastal Plan or equivalent document that covers a 20-year planning period.

In adopting the California Coastal Act, the legislature declared that its basic goals were to:

- Protect, maintain, and where feasible, enhance and restore the overall quality of the Coastal Zone environment and its natural and man-made resources.
- Assure orderly balanced utilization and conservation of Coastal Zone resources taking into account the social and economic needs of the people of the state.
- Maximize public access to and along the Coast and maximize public recreational opportunities in the Coastal Zone consistent with sound resource conservation principles and constitutionally protected rights of private property owners.
- Assure priority for coastal-dependent and coastal-related development over other development on the Coast.
- Encourage State and local initiatives and cooperation in preparing procedures to implement coordinated planning and development for mutually beneficial uses, including educational uses, in the Coastal Zone.

The Coastal Act established a framework for guiding development and preserving sensitive resources in the Coastal Zone. Through its policies, it sets up a land use priority system which gives the highest priority to the preservation and protection of environmentally sensitive habitats and prime agricultural land and timberland.

Certification of a Local Coastal Plan or Program amendments is required before the Plan or policy changes can take effect and the local jurisdiction can implement its land use authority. The California Coastal Commission will



hold public hearings on the certification of the Local Coastal Plan update after the Sonoma County Board of Supervisors hears and adopts the project.


After a Local Coastal Program has been certified by the Coastal Commission, permitting authority over most new development in the Coastal Zone is transferred to the local government, which reviews proposals for new development for conformance with the Local Coastal Program. The Coastal Commission retains permanent coastal permit jurisdiction over development proposed on tidelands, submerged lands, and public trust lands. The Commission also acts on appeals from certain local government coastal permit decisions.

There are significant differences between the State General Plan law and the Coastal Act with respect to how policies are to be read and interpreted. For example, development projects are typically required to be found consistent on balance with an overall or comprehensive reading of the General Plan’s policies. In contrast, the Coastal Act requires that development projects in the Coastal Zone must be found to be consistent with all of the policies and standards of the Local Coastal Program. In the Coastal Zone, the Local Coastal Program supersedes and takes precedence over other local plans, policies, and regulations.

**Priority of Land Uses**

Consistent with the Coastal Act, the Local Coastal Plan establishes a prioritization of land uses, where lower priority development may not interfere with higher priority uses of land and resources. These land use priorities are unique to the Coastal Zone and are considered in addition to the goals and priorities of the local community.

**Priority of Coastal Land Uses**

	<b>Undeveloped areas</b>		<b>Developed areas</b>
<b>Priority of Use</b> 	Agriculture (Prime coastal dependent), forestry (productive timberland), coastal dependent public recreation [30213, 30241, 30242, 30243, 30250(a), 30250(b)].	Coastal dependent <sup>1</sup> public recreation and public access areas [30213, 30220, 30221]	Coastal dependent industry and commerce, commercial fishing, coastal dependent public recreation and special communities [30213, 30234, 30250(a), 30250(b), 302.53-5(e), 30255]
	Water dependent <sup>1</sup> public recreation [30220, 30221, 30223]		
	Non-coastal <sup>1</sup> or non-water dependent public recreation [30220, 30221]		
	Visitor-serving <sup>1</sup> commercial recreation, lower cost [30222, 30213, 30250 (c)]		
	Visitor-serving <sup>1</sup> commercial recreation, higher cost [30222, 30250 (c)]		



	<i>Undeveloped areas</i>	<i>Developed areas</i>
<b>Low</b>		Affordable, low, and moderate income residential, general industrial, or commercial development <sup>2</sup> [30222, 30250, 30255]
<p>Notes:</p> <p><sup>1</sup> Recreational uses of the coast that do not require extensive alteration of the natural environment have priority in intertidal and waterfront areas over recreational uses that would result in substantial alteration of the natural environment [30233, 30235, 30255]</p> <p><sup>2</sup> Concentration of development policies [30250(a)] limit development in rural areas, except public recreation and visitor-serving uses.</p>		

**PROJECT DESCRIPTION**

The California Coastal Act requires each local government lying, in whole or in part, within the Coastal Zone to prepare a “Local Coastal Program” for that portion of the Coastal Zone within its jurisdiction or else land use authority for local decision making is retained by the Coastal Commission. Local Coastal Programs are basic planning tools used by local governments to guide development in the Coastal Zone, in partnership with the Coastal Commission. Prepared by local government, these collectively govern decisions that determine the short-term and long-term conservation and use of coastal resources. They contain the ground rules for future development and protection of coastal resources. Each Local Coastal Program includes at minimum a “Land Use Plan” and an “Implementation Plan” setting forth measures to implement the plan (such as zoning or ordinances). In Sonoma County the Local Coastal program has three parts, the Local Coastal Plan which is equivalent to the “Land Use Plan” and is currently being updated, and the Coastal Zoning Code and Administrative Manual together serve as the “Implementation Plan” as they are referred to in the Coastal Act. While each Local Coastal Program reflects unique characteristics of individual coastal communities, regional and statewide interests and concerns must also be addressed in conformity with Coastal Act goals and policies.

The Revised Public Review Draft 2021 incorporates recommendations of the 2001 Local Coastal Plan (Current Plan), General Plan 2020, and adds new information and policy in the following areas: climate change and adaptation including sea level rise (2100 planning horizon), protection of water resources; conservation of coastal ecosystems; preservation of agriculture; hazard mitigation and wildfire resiliency, and public access. These are major issue categories which capture local priorities and a change in available information or circumstances impacting Sonoma County since the 2001 Local Coastal Plan was certified.

The Revised Public Review Draft-2021 establishes the goals, objectives, and policies for preservation and future development along our coast. Where additional specificity and outreach are needed to identify future standards, studies, or ordinances the Plan calls for future implementation measures through the established Programs within each element. The implementation of the plan will include modification of the Coastal Zoning Code and Administrative Manual. The anticipated time for completion of the implementation measures vary based on several factors including their complexity, the amount of public input collected through the Plan update process, and the needs for environmental review and outside agency support.



**Outreach History**

Active participation by stakeholders, including citizens, interest groups, government agencies, and research organizations is essential to creating a Local Coastal Program that will protect coastal resources and guide sustainable land use along the Sonoma Coast. The table below identifies key outreach activities that have occurred since the initiation of this planning effort. Where participant numbers are available they have been included for reference. A complete public outreach history is shown below and summaries of public comments received since publication of the 2019 Local Coastal Plan Public Review Draft can be found in Attachment 5.

<b>Date</b>	<b>Workshop/Event/Milestone</b>
<b>April 25, 2013</b>	<b>Press Release:</b> Local Coastal Plan update kickoff announcement.
<b>May 28, 2013</b>	<b>Workshop:</b> The Sea Ranch Del Mar Center
<b>June 5, 2013</b>	<b>Workshop:</b> Bodega Bay Fire Station Meeting Room
<b>June 8, 2013</b>	<b>Workshop:</b> Jenner Community Club
<b>June 1, 2015</b>	<b>Publication and Press Release:</b> Preliminary Draft Local Coastal Plan
<b>June 7, 2015</b>	<b>Workshop:</b> The Sea Ranch Del Mar Center (36 participants)
<b>July 14, 2015</b>	<b>Workshop:</b> Santa Rosa, Permit Sonoma Hearing Room (45 participants)
<b>July 15, 2015</b>	<b>Workshop:</b> Monte Rio Community Center (10 participants)
<b>July 22, 2015</b>	<b>Workshop:</b> Bodega Bay Fire Station Meeting Room (34 participants)
<b>Sept 14, 2015</b>	<b>Workshop:</b> Timber Cove Fire Station (31 participants)
<b>March 31, 2016</b>	<b>Workshop:</b> Santa Rosa Planning Agency Workshop (No participant list)
<b>Sept 2019</b>	<b>Publication and Press Release:</b> 2019 Public Review Draft
<b>Nov 17, 2019</b>	<b>Workshop:</b> The Sea Ranch, Del Mar Center (50 participants)
<b>Dec 14, 2019</b>	<b>Workshop:</b> Bodega Bay, Fire Station Meeting Room (100 participants)
<b>Jan 7, 2020</b>	<b>Workshop:</b> Monte Rio, Community Center (60 participants)
<b>Jan 15, 2020</b>	<b>Workshop:</b> Timber Cove Inn / Coastal MAC meeting (60 participants)
<b>Jan 30, 2020</b>	<b>Workshop:</b> Santa Rosa, Permit Sonoma Hearing Room
<b>Feb 19, 2020</b>	<b>Presentation:</b> Bodega Bay, Fire Station NOAA Greater Farallones National Marine Sanctuary Association
<b>Nov 10, 2020</b>	<b>Virtual Workshop:</b> Board of Supervisors on 2019 Public Review Draft
<b>Feb 25, 2021:</b>	<b>Virtual Workshop:</b> Climate Change Adaptation presented in partnership with NOAA’s Greater Farallones Coastal Resilience Working Group. (35 participants)
<b>Mar 1, 2021</b>	<b>Virtual Workshop:</b> Housing and Accessory Dwelling Units. (40 participants)
<b>Mar 3, 2021</b>	<b>Virtual Workshop:</b> Wildfire Hazard Mitigation and Resiliency presented in partnership with Fire Safe Sonoma (40 participants)
<b>Mar 5, 2021</b>	<b>Virtual Workshop:</b> Mapping and Protection of Environmentally Sensitive Habitat Areas presented in partnership with Permit Sonoma Natural Resources section (30 participants)
<b>May 25, 2021</b>	<b>Virtual Workshop:</b> Board of Supervisors on topic workshop series



**Plan Organization**

This Local Coastal Plan is divided into elements, each of which corresponds to a planning theme or resource topic. A summary of each plan element is provided below. The elements are presented in the order of appearance within the Local Coastal Plan.

**Land Use Element**

The Land Use Element establishes allowed land uses and densities, and presents policies specific to the Coast or particular sub-areas. Policies address outer continental shelf development, new residential and commercial development, affordable housing, and visitor-serving commercial uses. Each Land Use designation corresponds to specific zoning districts in Chapter 26C the Coastal Zoning Code. From the 2001 Local Coastal Plan some Land use designations were renamed to better reflect the intent of the district and correspondence to the appropriate zoning district name.

<b>Land Use Designations</b>	<b>Corresponding Zoning Districts</b>
Open Space (OS)	Planned Community (PC) Rural Residential (RR)
Commercial Fishing (CF)	Commercial Fishing (CF)
Commercial Tourist (CT)	Commercial Tourist (CT)
Commercial Services (CS)	Commercial Services (CS) Community Commercial (C2)
Public Facilities (PF)	Public Facilities (PF)
Rural Residential (RR)	Rural Residential (RR) Agriculture and Residential (AR) Planned Community (PC)
Urban Residential (UR)	Low Density Residential (R1) Medium Density Residential (R2) Planned Community (PC)

**Agricultural Resources Element**

The Agricultural Resources Element presents guidelines and policies that apply to lands with an Agriculture land use designation. Policies address marketing of agricultural products, stabilization of agricultural use at the edge of urban areas, limitations on intrusion of residential uses, location of agricultural-serving and visitor-serving uses, provision of farmworker housing, streamlining of permit procedures for agricultural uses, and recognition of the aquaculture and horse industries as agricultural uses.





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

The Open Space and Resource Conservation Element addresses scenic resources/design, biotic resources, soils, timber resources, mineral resources, energy resources, air quality, and commercial fishing and support facilities. This element also contains a Scenic Resources / Design section, which identifies designated Scenic Landscape Units, Vista Points, and Scenic Corridors. Along with Coastal Design Guidelines, this section establishes siting and design guidelines to protect coastal views and to minimize other visual impacts of development.

This element also identifies designated Environmentally Sensitive Habitat Areas (ESHAs), which include Riparian Corridors, and Biotic Habitat Areas, which include Sensitive Natural Communities and Special Status Animal and Plant Occurrences and Habitats. Policies address the protection and preservation of natural resources (including soils, timber resources, mineral resources, energy resources, and air quality) and the protection and improvement of facilities natural resources associated with the commercial fishing industry.

### ***Public Access Element***

The California Constitution provides that the public has the right-of-way to navigable waters and right to maximum access of the shoreline, and that development shall not interfere with that right. Recreation and visitor-serving uses over have priority over all other uses except coastal-dependent industry and agriculture.

This element describes in general the public and private parks, trails, and other recreational facilities on the Sonoma County Coast and includes maps showing the locations of these facilities.

The element describes the types of facilities in the Coastal Zone, the methods and priorities for acquisition of facilities, the Public Access Plan, and the allowable uses of public access facilities. This element also contains policies relevant to recreational boating facilities.

### ***Water Resources Element***

Water Resources is a new element developed in recognition of the importance of water to the environment, economic stability, agricultural protection, and overall quality of life of Sonoma County Coast residents. Policies address subjects such as surface water, groundwater, water conservation and re-use, public water systems, and water quality. This section reflects the goals of the California Sustainable Groundwater Management Act.

### ***Public Safety Element***

The Public Safety Element establishes special limitations and procedures for review of development projects located in areas subject to natural hazards, including seismic and other geologic hazards, landslide and erosion on unstable slopes, beach erosion and cliff/bluff stability, flooding, sea level rise, tsunami, and wildland fire. Hazardous materials are also addressed.

### ***Circulation and Transit Element***

This element presents plans for the Sonoma County Coast's future highway and transit systems are presented, with emphasis on State Route 1. This element emphasizes an increased role for public transit and other alternative transportation modes and the importance of measures which will allocate existing highway capacity more efficiently during peak travel periods.





**Public Facilities and Services Element**

The various public facilities and services which may affect the future development of land on the Sonoma County Coast are described in this element, including water, wastewater treatment and disposal, parks and recreation, fire protection, law enforcement, and solid waste management. Policies address the lack of basic services on the Coast, which limits development potential in most areas. Policies also address limitations to emergency medical and other health care services for the Coast’s small population spread over large distances. Policies related to youth, family, and senior services are also included.

**Cultural and Historic Resources Element**

Cultural and Historic Resources is a new element developed in recognition of the rich cultural history and significant archaeological and paleontological resources, as well as historic structures and sites, contained in the Sonoma County Coastal Zone. This new element introduced with the Revised Public Review Draft 2021 is also intended to implement California Coastal Commission guidance on protection of Tribal cultural resources, and the importance of an effective Tribal consultation process in protecting these resources. This element provides policies for protection and enhancement of Sonoma County cultural and historic resources within the Coastal Zone.

**The table below identifies changes in format from the Current Local coastal plan 2001 and the proposed update. The vast majority of the 2001 recommendations were retained and can be found within the newly designated elements.**

**Correspondence of Previous Local Coastal Plan Organization with Local Coastal Plan Update Elements**

<b>Previous Local Coastal Plan Chapter - Section</b>	<b>Local Coastal Plan Update Element(s) (primary Element - bold)</b>
Development - Land Use	<b>Land Use</b> Public Facilities and Services Open Space and Resource Conservation Public Access
Development - Public Services	<b>Public Facilities and Services</b> Water Resources
Development - Transportation	<b>Circulation and Transit</b>
Development - Visual Resources	<b>Open Space and Resource Conservation</b>
Environment - Environmental Hazards	<b>Public Safety</b> Water Resources
Environment - Environmental Resources	<b>Open Space and Resource Conservation</b>
Harbor	<b>Open Space and Resource Conservation</b> Public Access
Historic Resources	<b>Cultural and Historic Resources Element</b>
Recreation	<b>Public Access</b>



<b>Previous Local Coastal Plan Chapter - Section</b>	<b>Local Coastal Plan Update Element(s) (primary Element - bold)</b>
Resources	<b>Open Space and Resource Conservation</b> Agricultural Resources Water Resources Land Use Public Safety

**Other Changes since 2019 Pubic Review Draft**

**Changes from the Public Review Draft 2019 to the Revised Public Review Draft 2021 are described briefly below and in detail through the attached Policy Comparison Tables.** A significant theme from early public comment on the 2015 and 2019 Drafts was that the documents were too long and poorly organized which would not allow for ease of use. The Revised Public Review Draft 2021 was restructured to improve readability, minimize its length, and so each Element would be written in consistent voice.

**Water Resources Element:** Recommended policies that protect groundwater resources have been updated for consistency with the California Sustainable Groundwater Management Act.

**Circulation Element:** Goals, Objectives, and Policies have been revised for compliance with SB 743, which replaces congestion (Level of Service) with vehicle miles of travel as the metric for evaluating traffic impacts. The change also aligns evaluation of transportation-related impacts with state and local goals to reduce greenhouse gas emissions. In addition, policies intended to improve safety of all road users, consistent with the Sonoma County Transportation Authorities “Vision Zero” program.

**Noise Element:** While General Plans are legally mandated to include a Noise Element, Local Coastal Plans are only required to include policies that regulate development consistent with the provisions of the Coastal Act and for the protection of coastal Resources. Standards found in the General Plan Noise Element are intended to avoid nuisance and protect public health by reducing exposure to noise, but do not provide policy to avoid noise impacts to wildlife. The General Plan Noise standards are applicable in the coastal zone without inclusion in the Local Coastal Plan, and replacing the Noise Element with coastal zone specific policies will improve protection of coastal resources. The General Plan noise standards will remain a baseline standard, but policy recommendation would require new development within or adjacent to Environmentally Sensitive Habitat Area to evaluate noise impacts to wildlife or other noise-sensitive coastal resources and identify measures to mitigate these impact. Additional information on this change is located within the corresponding attached Discussion Paper.

**Map Changes:** The Public Access Map including Marin (partial) and Estero Lane has been revised.

**Appendices:** The Right to Farm Ordinance and Bike and Ped Plan have been removed as appendices, technical correction to renumber the appendices are proposed prior to adoption.

**Relationship to General Plan**

The Local Coastal Plan is functionally similar to the General Plan, however it specifically focuses on the protection of coastal resources and sets policy for future coastal Development. The Plan organization reflects the inland General Plan and relevant policies are incorporated into the Local Coastal Plan update where appropriate in the context of the coastal zone and consistency with the Coastal Act.



### ***Plan Terminology***

The following are essential terms to navigating the language of the Draft Plan. The 2001 Plan generally relies on “Recommendations” as policy reference however the common planning terminology from the General Plan 2020 has been incorporated into the Draft in order to improve implementation.

**Goals:** General guidelines that explain what the County seeks to achieve through Local Coastal Plan implementation.

**Objectives:** Statements that set forth strategies or implementation measures to help attain the stated goals.

**Policies:** Statements that bind or directly guide the County’s actions and establish the standards of review for determining whether land use and development decisions, zoning changes, or other County actions are consistent with the Local Coastal Plan.

**Programs:** Ongoing or future actions necessary or potential steps for implementation of the Local Coastal Program; for example, further study and development of plans of ordinances.

**Other Initiatives:** Non-binding and/or advisory statements of intent, encouragement, or pledges of support for specific endeavors, programs, partnership or outcomes; and which may set guidelines and priorities for County actions.

### ***Focused Discussion Areas***

Attached Policy Discussion Papers on the following topics and associated recommendations are provided in detail:

**Vacation Rentals:** This Policy Discussion Paper addresses the options around the development of a program that will create performance standards for vacation rentals and identify areas where vacation rentals may have an adverse impact on coastal resources. Currently, vacation rentals are unregulated in the coastal zone. The Coastal Commission considers vacation rentals to be a component of public access and requires that land use regulation of vacation rentals occur within the context of the Local Coastal Plan.

**Pesticides:** This Policy Discussion Paper addresses the recommended option regarding the development of a program that will reduce use of pesticides in the coastal zone, consistent with existing California law and regulations. The introduction of pesticides to the coastal environment has potential short-term as well as cumulative impacts to environmentally sensitive wildlife species, Environmentally Sensitive Habitat Areas, and water quality. Regulation of pesticides in California is legally complex and this policy option would create an implementation program to explore the possibility of developing policy and standards that limit use of pesticides in locations where the application of such substances would have the potential to significantly degrade coastal resourced.

**Fire Fuel Management:** This Policy Discussion Paper addresses the much needed options and considerations regarding the development of a program that will expedite permitting for maintaining defensible space around structures and reduce fire fuels consistent with protection of coastal resources. Climate change and a long term policy of fire suppression in forested lands that has led to an accumulation of fuel loads, threatening Sonoma County’s coastal resources and putting coastal communities at high risk of being destroyed by wildfire. Current policy requires each property owner to obtain individual coastal development permit to manage vegetation and



maintain defensible space. This policy option would develop a programmatic response to these risks and streamline the permitting process for fire fuel reduction and management of forest lands in the coastal zone.

**Noise Element:** This Policy Discussion Paper addresses the need to will reduce duplication of polices and expand policy to include regulation of noise impacts that may have an adverse effect on coastal wildlife. The Local Coastal Plan Noise Element proposed in the previous drafts is essentially identical to the Sonoma County General Plan 2020 Noise Element. The General Plan Noise Element is intended to avoid nuisance and protect public health by reducing exposure to noise. These standard are applicable countywide and would apply in the coastal zone regardless of inclusion in the Local Coastal Plan. The Noise Element policies do not protect wildlife and other natural resources from noise impacts, and this policy option would remove the Noise Element and add policies that will protect wildlife and other natural resources from noise impacts.

## **ANALYSIS**

### ***Coastal Act Consistency***

Determining that the Local Coastal Plan is consistent with the Coastal Act is the responsibility of the Coastal Commission and additional changes may occur after adoption to ensure its consistency. Permit Sonoma staff has worked closely with Coastal Commission staff for the last several years when developing the Draft Local Coastal Plan to assure that goals, objectives, policies, programs, and initiatives contained in the 2021 Revised Public Review Draft of the Local Coastal Plan are consistent with provisions of the Coastal Act. The Local Coastal Plan will be improved and revised as it moves through the public hearing process, and staff will continue its collaboration with the Coastal Commission through certification and implementation.

### ***General Plan Consistency***

General Plan consistency is not required by the Coastal Act, but priority in development of the Local Coastal Plan is to harmonize Local Coastal Plan policy with the General Plan while providing maximum protection of coastal resources and preserving public access to the ocean. The proposed Project implements General Plan Land Use Element and programs to protect and enhance coastal resources while guiding future development. The Local Coastal Plan is intended to be a standalone policy document that integrates the appropriate General Plan goals, objectives, and policies with those necessary to comply with the California Coastal Act. The Update Project will not create an internal inconsistency in the General Plan, or inhibit the implementation of any other General Plan policies or program.

### ***Zoning (Implementation)***

Revision of the Coastal Zoning Ordinance to implement the Local Coastal Plan update will be the next step after the Plan is certified by the Coastal Commission. The future update of the Zoning Code and additional implementation measures will be subject to public outreach and review, planned to begin shortly after certification.

### ***Environmental Analysis***

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. It should be noted that only development of the local coastal program is statutorily exempt; development projects in the coastal zone and implementation of programs and initiatives identified by the Local Coastal Plan are not exempt and subject to the provisions of CEQA.

## **PUBLIC COMMENTS**

See Attachment 5 for public, agency, and interest group comments

## **RECOMMENDATIONS**

### ***Staff Recommendation***

Staff recommends that the Planning Commission adopt a resolution recommending the Board of Supervisors adopt the Local Coastal Plan update consistent with Exhibits A (Draft Plan) and B (Recommended Changes) pending certification by the California Coastal Commission and finding the project exempt from CEQA.

## **ATTACHMENTS**

1. Resolution recommending Local Coastal Plan to the Board of Supervisors
2. Local Coastal Plan Revised Public Review Draft (also Exhibit A to the Resolution)
3. Policy Discussion Papers
4. Policy Comparison Tables
5. Public Comment received



## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** October 7 2021 continued from July 26 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. Motion was seconded by Commissioner Deas and approved 4-0-1.

### **RECOMMENDATION**

The Local Coastal Plan is an exceptionally large and complex policy document that guides all land use planning and development decisions within the Coastal Zone. At the July 26 meeting, it became clear that evaluating a policy documents of this magnitude would be best done incrementally over the course of multiple meetings.

Permit Sonoma staff recommends that the Commission continue receiving public comment at the October 7 meeting and establish a schedule to consider the Draft LCP on an element by element basis with two to three elements considered at each meeting. This element-by-element approach allows stakeholders to focus their time and energy on meetings that cover their areas of interest, improving public engagement and participation. The element-by-element schedule will also allow Coastal Commission staff to manage their resources to provide a line-by-line policy analysis for each element in advance of the element being considered by the Planning Commission.

While every aspect of the Local Coastal Plan is important, stakeholder input is not evenly distributed across the elements, with the Open Space and Resource Conservation, Land Use, and Public Access Elements receiving the majority of comments. It is recommended that the Commission consider scheduling the elements for consideration beginning with elements that have received a relatively small number of comments and ending with the elements where public, stakeholder, and agency interest is highest.

It is anticipated that changes to the Draft LCP Glossary and mapping associated with individual elements may be required as part of the Commission's review. Staff is anticipating this will be accomplished concurrently as each element is considered and brought back to the Commission for final review at a subsequent meeting.



Staff recommends hearing the elements on a monthly schedule to allow sufficient time for public response and staff analysis, with a final meeting to consider the entire LCP for recommendation to the Board of Supervisors. Based on comments received to date and complexity of each element, the following schedule is recommended as a road map to adoption. The goal of each meeting of the Planning Commission would be to get through a predetermined list of elements, depending on the size, and confirm the topics of the next meeting.

Planning Commission Dates to be Reserved	Order of Elements
<ul style="list-style-type: none"> <li>• October 7, 2021</li> <li>• November 10, 2021</li> <li>• December 9, 2021</li> <li>• January 13, 2022</li> <li>• February 3, 2022</li> <li>• March 3, 2022</li> <li>• April 7, 2022</li> </ul>	<ul style="list-style-type: none"> <li>• Public Safety</li> <li>• Noise Element relocation</li> <li>• Cultural and Historic Resources</li> <li>• Circulation and Transit</li> <li>• Public Facilities and Services</li> <li>• Water Resources</li> <li>• Agricultural Resources</li> <li>• Public Access</li> <li>• Land Use</li> <li>• Open Space and Resource Conservation</li> </ul>





## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** November 10, 2021 continued from July 26 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan with a final review tentatively scheduled for April 7, 2022.

The Planning Commission directed staff to bring elements for consideration. The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the beginning with elements that have received a relatively small number of comments and ending with the elements where public, stakeholder, and agency interest is highest. The following order of review was established:

- |                                   |   |
|-----------------------------------|---|
| (1) Noise Policies                | (6) Water Resources                     |
| (2) Public Safety                 | (7) Agricultural Resources              |
| (3) Circulation and Transit       | (8) Land Use                            |
| (4) Public Facilities and Service | (9) Public Access                       |
| (5) Cultural Resources            | (10) Open Space & Resource Conservation |

This review includes consistency with the California Coastal Act and public input received on the Draft Local Coastal Plan. Appendices associated with each element will be reviewed concurrently. The Planning Commission also directed staff to return with policy options for noise, vibration, and lighting to be incorporated into the Open Space and Resource Conservation Element and Land Use Element.



## **COASTAL COMMISSION REVIEW AND RECOMMENDATIONS**

Consistent with direction from the Planning Commission, Permit Sonoma staff worked with Coastal Commission staff to complete review of the Public Safety, Public Facilities and Services, and Circulation and Transit Elements. The Commission markup and general comment letter for each element is contained in the Planning Commission packet for this hearing. The Planning Commission packet for today’s meeting contains the original text of each element and the element showing Coastal Commission recommendations and comments in line with the text. The major recommendations and comments are summarized below:

### ***General comments on All Elements:***

- 1) Use exact text from the Coastal Act rather than paraphrasing when referencing the Act.
- 2) Move programs and incentives from the end of each element to a location close to related policies.
- 3) Reference sea level rise by a height above current sea level rather than a date in the future. A 100-year life span should be used for permanent development, and a sea level rise of 10 feet within the next 100 years is recommended for this standard. Policies and mapping should reflect this change.
- 4) Terms defined by the Coastal Act, such as “redevelopment” must use the Coastal Act definition verbatim.
- 5) Delete policies that require that projects conform to existing codes, such as the building code and fire code.
- 6) Combine redundant policies.
- 7) Provide a definition of important terms such as “best available science” and “acceptable risk” in the glossary.

### ***Public Safety Element:***

- 1) Add policy to address redevelopment in unique situations where development cannot be adequately or safely setback or are already occupying lands in the public trust.
- 2) Require deed restrictions, risk disclosure, no future armoring requirements, and future adaptation/removal language as conditions of approval for coastal development permits subject to shoreline hazards.
- 3) Adjust flood risk mapping and policies for development to be consistent with a 10-foot sea level rise.
- 4) Add specific policy for defining slope stability in the context of bluff retreat and landslide hazards.
- 5) Use policy from Half Moon Bay Land Use Plan as model for shoreline protection policy.
- 6) Prioritize nature-based floodplain management over conventional flood control structures.
- 7) Use policy from the 2015 Preliminary Draft Local Coastal Plan to evaluate flood hazards
- 8) Define “existing development” as pre-coastal act development, or use the term “pre-coastal act development” consistently throughout the Local Coastal Plan.



9) Move Policy C-PS-4g, which established setbacks from wetlands and riparian habitat to the Open Space and Resource Conservation Element.

10) Clarify protection of Environmentally Sensitive Habitat Area in the context of fire fuel management programs.

**Public Facilities and Services Element:**

1) Add a section discussing Coastal Act Policies relevant to public facilities and services, including Section 30114. “Public works”, Section 30118. “Special district”, Section 30212.5. “Public facilities; distribution”, Section 30222. “Private lands; priority and development purposes”, Section 30231. “Biological Productivity, Water quality”, Section 30250. “Location; existing developed area”, Section 30254. “Public works facilities”, and Section 30254.5. “Terms or conditions on sewage treatment plant developments”

2) Add section on Coastal Act Land Use priorities in the context of water and sewer service.

3) Include current data on capacity of existing water and sewer facilities to accommodate future growth. If data is incomplete or unavailable, add an actionable policy and include gathering data in Other Initiative C-PF-1.

4) Avoid term “under specific conditions”.

5) Identify private and public water systems in Table C-PF-1.

6) Define “adequate capacity” and “safety improvement” in policies using this term.

7) Expand Policy C-PF-8a to identify underserved broadband areas.

8) Make Other Initiative C-PF-1, analysis of water supply and water budget for the coast, an actionable policy.

**Circulation and Transit Element:**

1) Add more information on sea level rise issues and adaptation planning for transportation infrastructure.

2) Include relevant Coastal Act policies in element introduction.

3) Add policy to encourage non-GHG emitting vehicles.

4) Define “safety improvement” in the context of transportation

5) Add policy referencing Caltrans Repair and Maintenance Guidelines and include manual as an appendix.

6) Include living shorelines and elevated roadways as possible alternatives to armoring and reinforcing roadways.

7) Add reference to Appendix H, “2010 Bicycle and Pedestrian Plan Coastal Zone Projects”.

8) Add 2010 Bicycle and Pedestrian Plan as an appendix.



- 9) Clarify intent of “major reconstruction” as opposed to “major maintenance”. Consider using one term or the other for clarity.
- 10) Add “in consultation with California Coastal Commission and Caltrans to Objective C-CT-4.2 “Heritage Roads”.
- 11) Add policy for emergency wildfire damage repairs of roadways, bridges, and associated structures.

## **RECOMMENDATIONS**

Incorporate changes recommended in the Coastal Commission review, and include the following policy changes in response to comments where the Coastal Commission staff identified the need for policy modification but did not provide recommendations for changes. Example would be Policy C-PS-1i where Coastal Commission staff asked for clarification on how the County will determine when replacement, retrofit, or relocation of infrastructure is “necessary” in addition to how “unreasonable risk” is defined and will be determined.

### ***Public Safety Element:***

**Define “Acceptable Risk” and Acceptable Level” in the context of Policies and Objectives: C-PS-1e, C-PS-2.1, C-PS-2f, C-PS-2h, C-PS-3.1, C-PS-3g, C-PS-4.1, C-PS-4.2, C-PS-4.5, and C-PS-5.2):**

**Policy C-PS-1e:** Assumption of risk. Coastal Commission comments indicate this policy provides a good definition.

**Objective C-PS-2.1:** Policies related to this objective establish specific definitions for acceptable in the context of the policies.

**Policy C-PS-2f:** “A geologic hazards report shall also be prepared where a site evaluation conducted for a Coastal Permit, **where the soils, engineering, or geotechnical report associated with a building permit or grading permit application has identified that such a report is required.**

**Policy C-PS-2h:** **Where geologic hazards are identified, design and construct public projects and facilities to avoid these hazards. Where avoidance is not feasible, design project for maximum resiliency and ability to withstand the identified geologic hazards.** ~~Incorporate measures to mitigate to an acceptable level identified geologic hazards for all County road, public facility, and other projects.~~

**Policy C-PS-3.1:** Regulate new development to **avoid and** reduce the risks of human injury and property damage from existing and anticipated flood hazards. ~~to acceptable levels.~~

**Policy C-PS-3g:** Assess potential hazards from proposed development on a site-specific basis to ensure that siting, mitigation measures, or design changes are sufficient to reduce exposure to these hazards to an acceptable level **as determined by a licensed engineering geologist, geotechnical engineer, or civil engineer.**

**Objective C-PS-4.1:** Policies related to this objective establish specific definitions for acceptable in the context of the policies.

**Objective C-PS-4.2:** Policies related to this objective establish specific definitions for acceptable in the context of the policies.



**Objective C-PS-4.5:** Policies related to this objective establish specific definitions for acceptable in the context of the policies.

**Objective C-PS-5.2:** Policies related to this objective establish specific definitions for acceptable in the context of the policies.

**Policy C-PS-1i:** ~~Facilitate~~ **Improve** response and recovery from natural hazard events by improving the ability of **critical public infrastructure and facilities, such as roads, bridges, water and wastewater systems, and energy transmission facilities** to withstand and remain functional after hazard events. Where necessary **to protect public health and safety**, retrofit, replace, or relocate existing infrastructure and facilities to ~~avoid unreasonable risks from hazards~~ **provide continued operation of these facilities and avoid safety and health hazards associated with loss or failure of these facilities.**

**Policy C-PS-3f:** Construction **or redevelopment** of structures within 100 feet of the top of any natural or manmade embankment which defines a channel shall be prohibited, except where Permit Sonoma finds that: flood hazard risk to life and property has been minimized and **impacts to coastal resources have been avoided or minimized to the maximum extent feasible.** Reductions to building setbacks in 100-year floodplains shall be avoided. Where this policy conflicts with C-OSRC-5c(2) of the Open Space and Resource Conservation Element, the more restrictive of the two shall apply.

**Policy C-PS-3J:** Policy to be replaced with C-PS-3n from 2015 Preliminary Draft LCP :

**“Policy C-PS-3n:** Where additional data and information is necessary to adequately assess the on-site and off-site flood and inundation hazards from a proposed development, to develop mitigation measures to reduce these hazards to an acceptable level, or to determine compliance of an existing or proposed development with the Sonoma County Code, a supplemental site-specific flood and inundation hazards analysis shall be required. The site-specific analysis may include but is not limited to:

- (1) Topographic mapping.
- (2) Analysis of the influence of sea level rise on flood elevations and flood and inundation hazards and zones.
- (3) Delineation of flood and inundation hazard zones.
- (4) Calculation of expected flood elevations.
- (5) Calculation of expected flood velocity.
- (6) Analysis of the impacts on on-site and off-site flooding, drainage, and stormwater runoff.
- (7) Using construction details and specifications, analysis of compliance with the Sonoma County Code.
- (8) Using cost and appraisal data, analysis of when reconstruction, rehabilitation, additions, or other improvements to structures would constitute a “substantial improvement” under the Sonoma County Code.
- (9) Development of mitigation measures to reduce flood and inundation hazards to an acceptable level. “



**Policy C-PS-4h:** Approval of projects in hazard areas: Permit Sonoma staff supports Coastal Commission staff recommendation with regard to development restrictions and deed restrictions, but this policy will require additional review by County Counsel. Permit Sonoma staff recommends that the Planning Commission incorporated the Coastal Commission recommendation subject to review by County Counsel.





## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** December 9, 2021 continued from July 26 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan with a final review tentatively scheduled for April 7, 2022.

The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the beginning with elements that have received a relatively small number of comments and ending with the elements where public, stakeholder, and agency interest is highest. The following order of review was established:

- |                                   |   |
|-----------------------------------|---|
| (1) Noise Policies                | (6) Water Resources                     |
| (2) Public Safety                 | (7) Agricultural Resources              |
| (3) Circulation and Transit       | (8) Land Use                            |
| (4) Public Facilities and Service | (9) Public Access                       |
| (5) Cultural Resources            | (10) Open Space & Resource Conservation |

This review includes consistency with the California Coastal Act and public input received on the Draft Local Coastal Plan. Appendices associated with each element will be reviewed concurrently. The Planning Commission also directed staff to return with policy options for noise, vibration, and lighting to be incorporated into the Open Space and Resource Conservation Element and Land Use Element.

At the November 10, 2021 reopened hearing, the Planning Commission conducted an initial review of the recommended draft Public Safety Element, Public Facilities and Services Element, and recommended noise, vibration, and light policies to be incorporated into the Land Use Element and Open Space and Resource Conservation Element.





In response to Coastal Commission staff input that the Local Coastal Plan use a consistent projected measurement for sea level rise, the Commission directed staff to return at a future meeting with maps showing the difference between a projected 6 foot vs. 10 foot increase in sea level. The Commission also directed staff to add language to the Public Facilities and Services Element that connects policies for public facility resiliency to hazards identified in the Public Safety Element.

Other direction from the Commission included:

- Clarification of policy for application of biosolids on agricultural lands.
- Carrying capacity of the Sonoma Coast should be considered as part of development policies.
- Increase camping capacity as part of meeting equity goals in the context of coastal access and recreation.
- Investigate opportunities to provide effective bus service as an alternative to private vehicles.

The Planning Commission scheduled the Circulation and Transit, Water Resources, and Agricultural Resources Elements for the December 9, 2021 reopened hearing.

### **COASTAL COMMISSION REVIEW AND RECOMMENDATIONS**

Permit Sonoma and Coastal Commission staff have completed a line-by-line review of the Circulation and Transit Element, Water Resources, and Agricultural Resources Elements to assure consistency with the California Coastal Act and incorporate public input on each element. Coastal Commission markup and general comment letter for each element is contained in the Planning Commission packet for this hearing. There are five documents associated with each element:

- Original text of the June 2021 Revised Public Review Draft
- Policy comparison table showing associated existing LCP policies and changes made to the 2019 Public Review Draft LCP
- Element markup showing Coastal Commission recommendations
- General comments on the element provided by Coastal Commission staff.

The major staff recommendations and comments are summarized below:

#### ***General Comments on All Elements:***

- 1) Use exact text from the Coastal Act rather than paraphrasing when referencing the Act.
- 2) Move programs and incentives from the end of each element to a location close to related policies.
- 3) Reference sea level rise by a height above current sea level rather than a date in the future. A 100-year life span should be used for permanent development, and a sea level rise of 10 feet within the next 100 years is recommended by Coastal Commission staff for this standard. Policies and mapping should reflect this change.
- 4) Terms defined by the Coastal Act, such as “redevelopment” must use the Coastal Act definition verbatim.



- 5) Delete policies that require that projects conform to existing codes, such as the building code and fire code.
- 6) Use actionable language in policies.
- 7) Combine redundant policies.
- 8) Provide a definition of important terms.

***Circulation and Transit Element:***

- 1) **1.1 Purpose:** Amended text - “The Circulation and Transit Element will assure that a resilient transportation network, meeting the mobility needs of residents and visitors to the coast, will be maintained in the face of sea level rise and climate change while protecting coastal resources. California Coastal Act section 30254 allows maintenance and improvement of transportation facilities that provide access to coastal resources and within the Coastal Zone, and requires that Highways 1 and 116 in the Coastal Zone continue to be maintained as scenic rural two-lane highways.
- 2) Include relevant Coastal Act policies (Sections 30250 and 30251) in element introduction.
- 3) Add discussion of how sea level rise and climate change will affect the transportation network.
- 4) Define “safety improvement” in the context of transportation
- 5) Add policy referencing Caltrans Repair and Maintenance Guidelines and include manual as an appendix.
- 6) Identify roads that will require relocation as a result of sea level rise and climate change. This would include, but not be limited to: Valley Ford Estero Road, Doran Beach Road, Bay Flat Road, Bean Avenue, Highway 1 at Salmon Creek, Highway 1 between Highway 116 and Jenner, Highway 1 at Russian Gulch, Highway 1 along High Cliffs, north of Meyers Grade,
- 7) Include living shorelines and elevated roadways as possible alternatives to armoring and reinforcing roadways.
- 8) Modify Active Transportation and Transit section to make it easier to build multiuse trails.
- 9) Add reference to Appendix H, “2010 Bicycle and Pedestrian Plan Coastal Zone Projects”.
- 10) Add 2010 Bicycle and Pedestrian Plan as an appendix.
- 11) Use “major reconstruction” as opposed to “major maintenance”. Consider using one term or the other for clarity.
- 12) Objective C-CT-4.2: Add “in consultation with California Coastal Commission and Caltrans” to objective language.
- 13) Add policy for emergency wildfire damage repairs of roadways, bridges, and associated structures.
- 14) Define “safety improvements”

**Water Resources Element:**

- 1) Use actionable language in the following policies: C-WR-2e, C-WR-3b, C-WR-3c, C-WR-3e, C-WR-4d, C-WR-4f, C-WR-4g, C-WR-4i, and Program C-WR-11.
- 2) Clarify policy on impaired surface waters
- 3) Analyze potential for saltwater intrusion into freshwater resources and add policy if necessary.
- 4) Clarify policy changes made for consistency with the Surface Groundwater Management Act.
- 5) Clarify the roles of State Water Board and Coastal Commission with regard to groundwater resources and surface water quality, stormwater discharge, and wastewater treatment and dispersal.
- 5) Add policy referencing Caltrans Repair and Maintenance Guidelines and include manual as an appendix.
- 6) Policy C-WR-1e Define parameters for application of Best Management Practices
- 7) Add policy requiring permits and approvals for new development to include evaluation of the potential to introduce additional naturally occurring and human caused contaminants into groundwater.
- 8) List Federal and state water regulations within the context of the Coastal Act.
- 9) Evaluate effectiveness of water conservation efforts in the coastal zone. Evaluation will consider how climate change and sea level rise may increase or reduce effectiveness.

**Agricultural Resources Element:**

- 1) Add applicable Coastal Act Policies, including Section 30241, 30241.5, 30242, and 30250 to the introduction.
- 2) Define “Prime Farmland” consistent with Government Code Section 51201(c).
- 3) Under “3. Impacts of Climate Change” add cross references to relevant Water Element and Hazard Element policies.
- 4) Revise Policy C-AR-1d to prohibit conversion of agricultural lands to any non-agricultural land use unless necessary to protect coastal resources or provide public access.
- 5) Revise Policy C-AR-2c to specify that outside service area agreements are limited to providing connections to municipal wastewater systems, if available, only when necessary to replace an existing failing septic system serving a legally established structure or use.
- 6) Revise Policy C-AR-3a to reference the Sonoma County Right to Farm Ordinance.
- 7) Clarify relationship between Williamson Act contracts and Coastal Act protection of agricultural lands. Eliminate reference to prime lands, as there are no prime farmlands within the coastal zone.
- 8) Clarify that wine grape cultivation is an agricultural use, and that commercial cannabis cultivation is a non-agricultural use.

9) Replace references to “agricultural support uses” with “agricultural support services” for consistency with the Glossary.

10) Policy C-AR-5c (1) recommended change: “The use is subordinate to on-site agricultural production based on the following considerations: a. ~~The portion~~ **Less than 5%** of the site devoted to the agricultural support use in relation to agricultural production.

11) Clarify distinction between marine aquaculture and commercial fishing within the context of on-shore support facilities by renaming “4.5 Marine Aquaculture and Fishing **Support Facilities**”

12) Revise Policy C-AR-7a: **Land-based** outdoor aquaculture shall **require a Coastal Development Permit, appealable to the Coastal Commission. Land-based aquaculture must not interfere with coastal access, adversely affect coastal resources, including potential for release of farmed fish, and discharge of parasites, pathogens, or chemical compounds, including but not limited to antibiotics and pharmaceuticals into the ocean.** ~~be permitted in the same manner as other agricultural production uses~~

## **RECOMMENDATIONS**

Incorporate changes recommended in the Coastal Commission review. Commission staff is meeting with Permit Sonoma to clarify the roles of other agencies and regulations with regard to the Water Resources Element, but have not reached a final recommendation as of the date of this memo. It is anticipated that this work will be complete prior to the December 9, 2021 continued hearing and materials will be provided in advance of the hearing.



## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** January 13, 2021 continued from July 26, 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan with a final review tentatively scheduled for April 7, 2022.

Chronology of Review by the Planning Commission:

**November 10, 2021:** Noise, Vibration, and Light Policy, Public Safety Element, Public Facilities and Service Element.

**December 9, 2021:** Circulation and Transit Element, Water Resources Element, Agricultural Resources Element.

**January 13, 2022** (current meeting): Cultural and Historic Resourced Element, Land Use Element.

**February 3 and March 3, 2022** (future): Public Access Element, Open Space & Resource Conservation Element

**April 7, 2022** (future): Final Review and Recommendation to Board of Supervisors

The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the Draft LCP that includes consistency with the California Coastal Act and consideration of public input received on the Draft LCP to date. Appendices and maps associated with each element will be reviewed concurrently.

At the December 9, 2021 reopened hearing, the Planning Commission conducted an initial review of the recommended draft Circulation and Transit Element, Water Resources, and Agricultural Resources Elements. This meeting will review the Land Use and Cultural & Historic Resources Elements, including a policy option to include the previously reviewed noise, vibration, and lighting standards into the Land Use Element. It is



anticipated that the Public Access Element will be reviewed at the reopened hearing on February 3, 2022 and the Open Space & Resource Conservation Element will be reviewed at the reopened hearing on March 3, 2022, completing initial review of all elements of the Local Coastal Plan. Final review of the complete Local Coastal Plan and recommendation to the Board of Supervisors is anticipated for the reopened hearing on April 7, 2022.

## **COASTAL COMMISSION REVIEW AND RECOMMENDATIONS**

Permit Sonoma and Coastal Commission staff have completed a line-by-line review of the Cultural and Historic Resources Element and the Land Use Element to assure consistency with the California Coastal Act and incorporate public input on each element. Coastal Commission markup and general comment letter for each element is contained in the Planning Commission packet for this hearing. In addition to related maps and appendices, the following is provided for each element under review:

- Policy comparison table showing associated existing LCP policies and changes made to the 2019 Public Review Draft LCP
- Element markup showing Coastal Commission recommendations
- General comments on the element provided by Coastal Commission staff.

The major staff recommendations and comments are summarized below:

### ***General Comments on All Elements:***

- 1) Use exact text from the Coastal Act rather than paraphrasing when referencing the Act.
- 2) Move programs and incentives from the end of each element to a location close to related policies.
- 3) Reference sea level rise by a height above current sea level rather than a date in the future. A 100-year life span should be used for permanent development, and a sea level rise of 10 feet within the next 100 years is recommended by Coastal Commission staff for this standard. Policies and mapping should reflect this change.
- 4) Terms defined by the Coastal Act, such as “redevelopment” must use the Coastal Act definition verbatim.
- 5) Delete policies that require that projects conform to existing codes, such as the building code and fire code.
- 6) Use actionable language in policies.
- 7) Combine redundant policies.
- 8) Provide a definition of important terms.

### ***Cultural and Historic Resources Element:***

Permit Sonoma staff requests that the Planning Commission consider the following recommendations and responses for the Cultural and Historic Resources Element:

1. **(Comment A1)** Add the following new policy:



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
[www.PermitSonoma.org](http://www.PermitSonoma.org)



**“Policy C-CH-1xx:** Require all ground disturbing activities to be suspended if subsurface archaeological or paleontological resources are discovered during the development process and Permit Sonoma Project Review staff shall be notified and a qualified archaeologist shall be contacted immediately to make an evaluation of the find and report to Permit Sonoma. Permit Sonoma staff may consult and/or notify the appropriate Tribal representative. Permit Sonoma Project Review staff and the archaeologist shall visit the site to determine the extent of the resources and to develop and coordinate proper protection/mitigation measures required for the discovery. No work shall commence until a protection/mitigation plan is reviewed and approved by Permit Sonoma Project Review staff and the appropriate Tribal authority has determined that adequate measures are in place to protect, preserve, and/or recover the resource.”

**2. (Comment A2)** Add Coastal Act Section 30244 Coastal Act Policies to the introduction.

**3. (Comment A3)** In mid-December 2019, Permit Sonoma provided the 2019 Public Review Draft Local Coastal Plan to the following Tribal governments for review, comment, and request for consultation:

- Federated Indians of Graton Rancheria
- Kashia Pomos of Stewarts Point Rancheria
- Middletown Rancheria Band of Pomo Indians
- Lytton Rancheria of California
- Dry Creek Rancheria Band of Pomo Indians
- Cloverdale Rancheria Band of Pomo Indians
- Mishewal Wappo Tribe of Alexander Valley

The Tribes were also provided with the updated Cultural and Historic Resources Element and invited to comment and provide direction to the Planning Commission. As of this meeting, no comments or requests for consultation have been received from the Tribes.

**4. (Comment A4, A5)** In partnership with the Tribes, provide additional background on Tribal history and description of archeological resources that are associated with this history.

**5. (Comments A6, A7)** Add the following new policy below Policy C-CH-1a. The new policy and Policy C-CH-1d is recommended to be moved to follow Policy C-CH-1a as these policies deal with related resource protection:

**“Policy C-CH-1xx:** When a cultural resources study identifies the potential to affect known or newly discovered archaeological, Native American, or paleontological resources, require submittal of a monitoring and reporting plan that identifies methods and describes the procedures for selecting archeological and Native American monitors and procedures to protect resources. Procedures to protect resources shall include, but are not limited to, stopping construction and ground disturbing activities in the area of the discovery that has any potential to uncover or otherwise disturb cultural resources in the area of the discovery until measures to protect the resources are identified and incorporated into the project.”



**6. (Comment A8, A9)** Include a side window outlining the role and resources of the Northwest Information Center at Sonoma State University.

“The Northwest Information Center (NWIC) of the California Historical Resources Information System is one of nine information centers affiliated with the State of California Office of Historic Preservation in Sacramento. NWIC staff regularly assist Cultural Resources Consultants undertaking research in history and archaeology as well as providing information to landowners, scholars, and the general public about archaeology, history, architecture, and cultural resources legislation. NWIC research and information is provided to more than 100 federal, state, or local government agencies, as well as over one thousand private cultural resource consultants, environmental, planning, engineering, and development firms. Approximately 2000 requests for information are fulfilled each year.”

**7. (Comment A10, A11)** Standards for archeological studies are included in the Sonoma County Local Coastal Plan Administrative Manual. Change text of last sentence in Policy C-CH-1d to

“This policy ~~may~~ **does** not apply to sites where an adequate study was previously prepared and is determined to adequately evaluate cultural and historic resources that may be affected by the project. **As part of determining adequacy**, previous studies ~~shall~~ **will** be referred to Tribes for ~~early and frequent~~ comment and confirmation of adequacy.”

**8. (Comment A12)** Revise text of part 3 of Policy C-Ch-1e as follows:

“(3) **Establish ongoing government-to-government communication with the** ~~Provide~~ Tribes **in order to identify and develop** with meaningful opportunities to respond and participate in County decision-making processes that affect Tribal **rights and** Interests.

**9. (Comment A13)** Revise text as noted. Specific standards will be included in the Administrative Manual.

**10. (Comment A14)** Add the following new policy below Policy C-CH-1a.

“**Policy C-CH-1xx:** Identify archaeological and paleontological resources, including Tribal artifacts and sacred sites, at risk from hazards such as erosion, wildfire, inundation, and sea level rise. Work with Tribal Historic Preservation Officers and the State Historic Preservation Office to identify mitigation and monitoring programs that will protect and preserve these resources consistent with the applicable provisions of the Coastal Act. Protection of Tribal resources shall done in a manner that respects the Tribes sovereign rights and confidentiality with respect to these resources.

**Land Use Element:**

Permit Sonoma staff requests that the Planning Commission consider the following recommendations and responses for the Land Use Element. Permit Sonoma staff is not recommending inclusion of Coastal Commission standards for non-conforming uses as they are less restrictive than those found in the current Coastal Zoning Code (Chapter 26C):



1. **(Comment A1):** Consistent with Planning Commission direction and Coastal Commission staff input, add the following General Land Use Policies between Section 1.2 “Priority of Land Uses” and Section 1.3 “Coastal Land Use Categories”

**“1.X NEW SECTION “General Land Use Policies”**

“The following policies apply to implementation of this Plan as well as development in all land use categories and uses associated with that development:

**Policy C-LU-1.X1:** The Coastal Zoning Code and the Coastal Administrative Manual shall be consistent with Goals, Objectives, Policies, Programs, and Other Incentives of the Local Coastal Plan.

**Policy C-LU-1.X1:** New development, as defined by the Coastal Act, shall comply with the policies of the Local Coastal Plan. New development means any project for which a coastal development permit is required. Flexibility in land use standards is limited to that allowed by the Local Coastal Plan.

**Policy C-LU-1.X1:** With the exception of development excluded from the permit requirements of the Coastal Act under Title 14, Division 5.5, Chapter 6 of the California Code of Regulations, by a Coastal Commission Exclusion Order, and/or development excluded by Attachment B of the certified Coastal Administrative Manual, Coastal Development Permits shall be required for any project that meets the definition of development pursuant to Coastal Act Section 30106. A waiver may be considered for small-scale agricultural uses, smaller structures, and temporary uses where it can be demonstrated that the project will not adverse impact to coastal resources or coastal access.

**Policy C-LU-1.X1:** Noise generated by coastal development or any use associated with coastal development shall not exceed the following standards as measured at the property line or nearest noise-sensitive resource, whichever is more restrictive:

Average noise for 30 minutes in any hour:	45 decibels
Average noise for 15 minutes in any hour:	50 decibels
Average noise for 5 minutes in any hour:	55 decibels
Average noise for 72 seconds in any hour:	60 decibels

Where impacts are limited to people, these measurements shall be adjusted human perception of noise by applying the International Organization of Standards “A” weighting to measurements.

These standard are subject to the following adjustments:

Daytime noise emitted between 7:00 am and 10:00 pm may be increased by 5 decibels.

Where natural ambient sound is significantly below the standards, noise shall be limited to no more than 1.5 decibels above the ambient sound level.

Where natural ambient sound is significantly above the standards, maximum noise generation may be adjusted upward to match ambient levels to a maximum of 5 decibels.



**Policy C-LU-1.X2:** Projects shall evaluate potential for project noise to have an adverse impact on biological resources. If noise levels allowed by C-LU-1.X1 have potential to have an adverse impact on biological resources, noise emissions shall be further limited to prevent creating any significant adverse impact on biological resources.

**Policy C-LU-1.X3:** Standards found in policies C-LU-1.X1 and C-LU-1.X2 may be exceeded for emergency operations, operation of existing roads, and agricultural operations as well as temporary noise generation from solid waste collection, school functions, and property maintenance.

**Policy C-LU-1.X3:** Special events may exceed standards found in policies C-LU-1.X1 and C-LU-1.X2 on a temporary basis if noise generated by the event is found to have no significant impact on biological resources. Events that expose people and wildlife to loud impulsive sounds in excess of 85 decibels, such as fireworks, are prohibited.

**Policy C-LU-1.X4:** Vibration generated by coastal development or any use associated with coastal development shall not exceed a PPV of 0.01 at the project boundaries in developed areas. In undeveloped and agricultural areas, PPV cannot exceed 1.00. In all cases, PPV cannot exceed values that will result in damage to coastal resources

This policy does not apply to the following activities:

1. Geotechnical borings necessary to determine site stability and suitability for development.
2. Emergency repairs for which a Coastal Emergency Permit has been issued.
3. Installation of road signs, guardrails, and safety-related road equipment such as call boxes or traffic signals.

**Policy C-LU-1.X5:** The following standards apply to all exterior lighting with the exception of temporary lighting associated with emergency response and emergency infrastructure repair:

1. Lighting shall be fully shielded to prevent nighttime light pollution
2. Lighting shall be downward facing, located at the lowest possible point to the ground to prevent spill over onto adjacent properties, glare, nighttime light pollution and unnecessary glow in the rural night sky.
3. Light fixtures shall not be located at the periphery of the property and shall not wash out structures on any portions of the project site. Security lighting shall be put on motion sensors.
4. Flood lights and uplights are not permitted except in agricultural operations and commercial fishing facilities.
5. Signs that emit light are prohibited and lights used to illuminate signs shall be shielded to prevent light spill beyond the sign and not exceed a total light output of 1000 lumens
6. Light fixtures emitting over 1000 lumens are prohibited except where needed for agriculture, commercial fishing, and first responders.
7. Total illuminance beyond the property line, created by simultaneous operation of all exterior lighting, shall not exceed 1.0 lux. Color temperature of exterior light sources shall be 3000 Kelvin or lower.

**2. (Comment A2):** Include complete text of relevant Coastal Act policies at beginning of element.

**3. (Comment A3):** Add a row in Figure C-LU-1 between “Visitor Serving commercial recreation, lower cost” and “Visitor-serving commercial recreation, higher cost” that contains the following text:

“Local Priority Uses: Affordable dwelling units and workforce housing for extremely low, very low, and low-income households.”

**4. (Comments A4):** Land Use and Zoning table corrections have been made and are shown in **bold** in the draft element.

**4. (Comments A5, A6):** Text added to clarify that farmworker housing must support onsite agricultural uses.

**5. (Comment A7):** Permit Sonoma staff recommends not separating designation criteria from land use categories.

**6. (Comment A8):** Mapping of zoning districts that correspond to Local Coastal Plan land uses will be part of implementing the Local Coastal Plan by updating the Coastal Zoning Ordinance.

**7. (Comment A9):** Add the following definition to the glossary:

“Residential Accessory Structures are all structures other than the primary residence that are located on a residentially developed parcel”

**8. (Comment A10, A15):** Add reference to Sonoma County Ordinance 6085, adopted Oct. 7, 2014, which enacts the provisions of California Government Code Section 65915, allowing residential density bonus for qualifying low and extremely low income projects.

**9. (Comments A11-A13):** Add the following policy to “3.2 Affordable Housing”:

**Policy C-LU-5.X1** Identify affordable housing as a Local Priority Use and second tier priority to support the local workforce, with the intent of facilitating a range of housing types for those who live and work on the coast. Affordable housing as a Local Priority Use will support Coastal Act Priority Uses by providing housing for people employed by coastal parks, visitor serving uses, and agriculture as well as reduce transportation based carbon emissions.

**10. (Comment A14):** Add footnote or side panel explaining the role of HCD in housing policy.

**11. (Comment A16, A17):** Delete policies C-LU-5e and C-LU-5f as the County’s mobile home rent stabilization ordinance and state housing law protecting mobile home parks from conversion are outside of the scope of the Coastal Act and apply countywide.

**12. (Comment A19):** Two types of Housing Opportunity Areas are defined in the policy text (“Type A” and “Type C”)

**13. (Comment A20):** Replace “Encourage diverse unit design including visitability and universal design” in Policy C-LU-5i with “Encourage barrier-free design that creates homes that are safe and accessible for everyone, regardless of age, physical ability, or stature.”

**14. (Comment A22):** Revise Policy C-LU-5m as follows:



**“Policy C-LU-5m:** Concentrate housing production efforts in areas where public sewer and water service are available and **require service providers to retain adequate sewer and water service capacities for housing units affordable to Moderate and Low Income households.**”

This policy is also recommended to be referenced in the Public Facilities and Services Element.

**15. (Comment A24)** Revise Policy C-LU-5p as follows:

**“Policy C-LU-5p:** Prohibit conversion of rental units currently providing low and moderate income housing opportunities **to market rate housing, short term rentals, or non-residential uses** unless the conversion provides a greater affordable housing opportunity.”

**16. (Comment A28):** Add the definition of “visitor-serving commercial facilities” found in Section 3.3 “Visitor Serving Commercial Facilities” to the glossary.

**17. (Comment A29, A30):** Combine policies C-LU-6b and C-LU-6d to clarify policy within and outside of Urban Service Areas.

**18. (Comment A31):** Policy C-LU-6h has text added in bold to clarify context of allowable expansion at Ocean Cove. Consideration of sea level rise applies along the entire coast, not to just one specific location.

**19. (Comment A35)** Policy C-LU-2b is revised as follows to clarify the requirement for increasing density within an Urban Service Area:

**“Policy C-LU-2b:** Encourage construction of new housing for low and moderate income households under the Density Bonus or Housing Opportunity Area Programs outlined in the Coastal Zoning Ordinance. Achieving a density higher than 4 units per acre under either Program **is permitted where higher density will not impact coastal resources or reduce public access.** ~~may not require a Local Coastal Plan Amendment.~~

**20. (Comment A37):** Reference Policy C-LU-2m in the Public Facilities and Services Element.

**21. (Comment A40):** Revise Program C-LU-3 as follows:

**“Program C-LU-3:** ~~Consider~~ Develop a parking management program for Bodega Bay commercial areas **consistent with maintaining coastal access and protection of coastal resources.**

**RECOMMENDATIONS**

Incorporate changes recommended in the Coastal Commission review with Permit Sonoma staff recommended changes.





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## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** February 3, 2021 continued from July 26, 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan with a final review tentatively scheduled for April 7, 2022.

Chronology of Review by the Planning Commission:

**November 10, 2021:** Noise, Vibration, and Light Policy, Public Safety Element, Public Facilities & Service Element.

**December 9, 2021:** Circulation and Transit Element, Water Resources Element, Agricultural Resources Element.

**January 13, 2022:** Cultural & Historic Resources Element, Land Use Element (partial)

**February 3, 2022: (This Meeting):** Land Use Element, Open Space & Resource Conservation Element (partial)

**March 3, 2022:** Open Space & Resource Conservation Element (complete), Public Access Element

**April 7, 2022:** Final Review and Recommendation to Board of Supervisors

The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the Draft LCP that includes consistency with the California Coastal Act and consideration of public input received on the Draft LCP to date. Appendices and maps associated with each element will be reviewed concurrently.

At the December 9, 2021 reopened hearing, the Planning Commission conducted an initial review of the recommended draft Circulation and Transit Element, Water Resources, and Agricultural Resources Elements. At



the January 13, 2022 meeting, the Commission reviewed the Cultural & Historic Resources Element and began review of the Land Use Element, including a policy option to add general policies for all land uses at the beginning of the Land Use Element. At today's meeting, the Planning Commission will complete review of the Land Use Element and begin review of the Open Space & Resource Conservation Element. It is anticipated that the remainder of the Open Space & Resource Conservation Element and the Public Access Element will be reviewed at the reopened hearing on March 3, 2022, completing initial review of all elements of the Local Coastal Plan. Final review of the complete Local Coastal Plan and recommendation to the Board of Supervisors is anticipated for the reopened hearing on April 7, 2022.

## **ADDENDEUM TO THE JANUARY 13, 2022 MEMO**

The staff memo pertaining to the Cultural & Historic Resources Element and Land Use Element was provided to the Commission as part of the January 13, 2022 meeting packet, and is included in this month's packet for reference. The following section is an addendum to the January 13, 2022 memo in response to comments and recommendations received regarding these elements.

### ***Principally Permitted Uses***

#### **What is a Principally Permitted Use?**

Within the context of the California Coastal Act, a principally permitted use is a single category of development identified for each land use category that clearly carries out the intent of that land use category and development associated with that use is consistent with the Coastal Act. An example of a principally permitted use would be a single family home within the Rural Residential land use.

The Coastal Commission does not allow multiple uses to be identified as principally permitted. Each land use category is limited to a single principally permitted use. The current Sonoma County Coastal Zoning Ordinance (Chapter 26C) generally lists multiple principle uses and is inconsistent with current Coastal Commission policy. The Draft LCP will correct this inconsistency with Coastal Commission policy by identifying a single principally permitted use for each land use category.

#### **Is principally permitted development exempt from needing a Coastal Development Permit?**

A Coastal Development Permit is required for principally permitted development unless the development is statutorily excluded by the Coastal Act or categorically excluded by an Exclusion Order issued by the Coastal Commission. Consistent with Section 30603 of the Coastal Act, the decision to approve or deny a Coastal Development Permit issued for a Principally Permitted cannot be appealed to the Coastal Commission except in the following circumstances:

1. The development is between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tideline of the sea where there is no beach, whichever is the greater distance.
2. The development is located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet inland of the top of the seaward face of any coastal bluff.
3. The development is located within or may adversely impact an Environmentally Sensitive Habitat Area.



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4. Any development of a major public works project or a major energy facility.

While Coastal Development Permits for Principally Permitted uses are often not appealable to the Coastal Commission, these permits may be appealed to the Board of Zoning Adjustments and the Board of Supervisors.

### ***Municipal Service Capacity and Resiliency***

Commissioners and the public have commented that policy is necessary to assure that water and sewer service providers demonstrate that adequate capacity exists before allowing new service connections and that the providers have adopted resiliency plans that identify actions necessary to respond to the impacts of sea level rise and climate change on their facilities.

The following policies are recommended for the Public Facilities & Service Element:

“Policy C-PF-1xx: Operators of public water systems and operators of public wastewater treatment systems shall provide a report on capacity to Permit Sonoma on an annual basis.”

Policy C-PF-2xx: All public water systems and public wastewater systems shall develop a resiliency plan on or before January 1 2025. Using a forecast of a 10-foot increase in sea level within the next 100 years, the plan shall identify need to relocate, modify, or reinforce existing infrastructure. Where no feasible method can be identified to allow continued operation of system components, the plan shall provide estimates of when facility components would fail and consequences associated with loss of these components.”

The following policies are recommended for the Land Use Element:

“Policy C-LU-1xx: Prohibit development that requires additional water and/or wastewater service in areas served by public water and/or public wastewater systems if the operator cannot demonstrate that adequate capacity exists to serve existing development while maintaining at least a 10% reserve capacity.”

### ***Campgrounds***

Commissioners commented that campgrounds provide the lowest cost overnight accommodations and are essential to maintaining adequate and equitable coastal access.

Staff recommends adding policy that allows public and private campgrounds in Land Extensive Agriculture, Diverse Agriculture, Recreation, Resources and Rural Development, Timber, and Public Facilities land uses on parcels that are larger than 5 acres, consistent with protection of coastal resources and public access. Campgrounds would be subject to a Use Permit and Coastal Development Permit. This policy would only include facilities where visitors supply their own tent, trailer, or RV.

### ***Timber Cove Inn***

The Timber Cove Inn requested that Policy C-LU-6I be removed and Timber Cove be added to Objective C-LU-2.3. These recommendations are consistent with increasing accommodations for coastal visitors as part of providing coastal access.

“Policy C-LU-6I: Limit expansion at the Timber Cove Inn to improved parking and public access facilities.”



“Objective C-LU-2.3: Designate Bodega Bay as the major retail and service center for the coast. Permit limited opportunities for new commercial activities in the communities of the Sea Ranch, Duncans Mills, Jenner, **Timber Cove**, and Stewarts Point, in keeping with their size and character.”

### ***Affordable Housing***

Comments were received noting that while the Coastal Zone has limited opportunity to develop additional housing, opportunity exists to provide affordable and workforce housing in nearby inland areas such as the lower Russian River,

### ***Evaluation of Communities as Historic Districts***

Staff recommends the following program be added to the Cultural & Historic Resources Element evaluating the following communities as potential historic districts:

“Program C-CH-1x: Work with the Sonoma County Landmarks Commission to evaluate the Coastal Communities identified in Policy C-LU-2j for recognition and designation as historic districts”

### ***Climate Change and Cultural Resources***

Staff recommends the following program be added to the Cultural & Historic Resources Element to protect cultural and historic resources from sea level rise and climate change:

“Program C-CH-2x: Identify areas where cultural and historic resources may be at risk from sea level rise or wildfire. Develop a plan to move, recover, document, and/or preserve these resources as appropriate, or in the case of Tribal resources, as directed by the Tribe.”

## **COASTAL COMMISSION REVIEW AND RECOMMENDATIONS: OPEN SPACE & RESOURCE CONSERVATION ELEMENT**

Permit Sonoma and Coastal Commission staff have completed a line-by-line review of the Open Space & Resource Conservation Element to assure consistency with the California Coastal Act and incorporate public input on each element. Coastal Commission markup and general comment letter for each element is contained in the Planning Commission packet for this hearing. In addition to related maps and appendices, the following is provided for each element under review:

- Policy comparison table showing associated existing LCP policies and changes made to the 2019 Public Review Draft LCP
- Element markup showing Coastal Commission recommendations
- General comments on the element provided by Coastal Commission staff.

The major staff recommendations and comments are summarized below:

### ***General Comments on All Elements:***

- 1) Use exact text from the Coastal Act rather than paraphrasing when referencing the Act.
- 2) Move programs and incentives from the end of each element to a location close to related policies.



- 3) Reference sea level rise by a height above current sea level rather than a date in the future. A 100-year life span should be used for permanent development, and a sea level rise of 10 feet within the next 100 years is recommended by Coastal Commission staff for this standard. Policies and mapping should reflect this change.
- 4) Terms defined by the Coastal Act, such as “redevelopment” must use the Coastal Act definition verbatim.
- 5) Delete policies that require that projects conform to existing codes, such as the building code and fire code.
- 6) Use actionable language in policies.
- 7) Combine redundant policies.
- 8) Provide a definition of important terms.

### ***OSRC Scenic and Visual Resources Policy***

Permit Sonoma staff requests that the Planning Commission consider the following recommendations and responses for the Open Space & Resource Conservation Element Scenic and Visual Resources Policy Section:

1. **(Comment A1)** Additional policy mirroring Coastal Act Section 30251 to be added.
2. **(Comment A2)** Scenic view guidelines are part of the Coastal Administrative Manual and Appendix A of the Draft LCP. Permit Sonoma Staff feels that an appendix within the LCP is easier to understand and reference in other elements if necessary.
3. **(Comment A3)** “Significant” is site specific, as some very small groups of trees in sensitive areas may be important to preserve. Staff recommends the following change to Policy C-OSRC-1g:

**Policy C-OSRC-1g:** The following standards shall be used in addition to those of Policy C-OSRC-1f for new subdivisions within Scenic Landscape Units, other Major Views, and views from Vista Points:

- (1) All maps must designate building envelopes ~~that they are~~ to be located in the least visually sensitive areas, and with height limitations as a note on the map if necessary to adequately mitigate visual impacts.
- (2) Lots shall be clustered to reduce visual impacts where consistent with the Land Use Element.
- (3) **Where development of building sites and roads proposes tree removal, existing trees shall be evaluated by an arborist and preserved if it is determined that to be removed have significant arboreal value or provide visual screening.** ~~are to be constructed to preserve significant tree stands and significant oak trees.~~



(4) Driveways and access roads shall be hidden from view from public roads and other public use areas where practical.

**4. (Policy C-OSRC 3d)** Staff recommends the following change to Policy C-OSRC-3d:

**Policy C-OSRC-3d:** In evaluating proposed development, the potential impact of any proposed artificial night lighting on the coastal ecosystem should be considered using the best available science. **Any Proposed artificial night lighting that is determined by the best available science to have a negative impact on coastal ecosystems shall be prohibited**

***OSRC Community Character and Design Policy***

Coastal Commission staff did not feel that any policies in this section required revision in order to be consistent with the Coastal Act. Permit Sonoma staff requests that the Planning Commission review this section and provide recommendations.

***OSRC Terrestrial Habitats Policy and Commercial Fishing Policy***

Coastal Commission staff provided minor revisions in order to be consistent with the Coastal Act. Permit Sonoma staff supports these changes and requests that the Planning Commission review these sections and provide recommendations.

**RECOMMENDATIONS**

Incorporate changes recommended in the Coastal Commission review with Permit Sonoma staff recommended changes.





## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** March 3, 2021 continued from July 26, 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan. A review of Planning Commission changes on is anticipated for March 28, 2022, with final review tentatively scheduled for April 7, 2022.

Chronology of Review by the Planning Commission:

**November 10, 2021:** Noise, Vibration, and Light Policy, Public Safety Element, Public Facilities & Service Element.

**December 9, 2021:** Circulation and Transit Element, Water Resources Element, Agricultural Resources Element.

**January 13, 2022:** Cultural & Historic Resources Element, Land Use Element (partial)

**February 3, 2022:** Land Use Element, Open Space & Resource Conservation Element (partial)

**March 3, 2022 (This meeting):** Open Space & Resource Conservation Element (complete), Public Access Element.

**March 28, 2022:** Initial review of Local Coastal Plan incorporating Planning Commission changes

**April 7, 2022:** Final Review and Recommendation to Board of Supervisors

The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the Draft LCP that includes consistency with the California Coastal Act and consideration of public input received on the Draft LCP to date. Appendices and maps associated with each element will be reviewed concurrently.



At the December 9, 2021 reopened hearing, the Planning Commission conducted an initial review of the recommended draft Circulation and Transit Element, Water Resources, and Agricultural Resources Elements. At the February 3, 2022 meeting, the Commission completed review of the Land Use Element and reviewed the Open Space & Resource Conservation Element with the exception of Biotic Resources. At today’s meeting, the Planning Commission will consider the following:

- Recommended pesticide policy based on the City of Malibu Local Coastal Program
- Policy recommendations provided by Save Our Sonoma Coast
- Review the Public Access Element and complete review of Open Space & Resource Conservation Element, completing initial review of all elements of the Local Coastal Plan.

A revised draft will be reviewed by the Planning Commission on March 28, 2022 with final review and recommendation to the Board of Supervisors is anticipated at the April 7, 2022 reopened public hearing.

### **POLICY RECOMMENDATION: PESTICIDES**

Permit Sonoma has received a number of requests to consider policy that will prohibit use of pesticides in Coastal Zone.

#### ***Background:***

The introduction of pesticides to the coastal environment has potential short-term as well as cumulative impacts to environmentally sensitive wildlife species, Environmentally Sensitive Habitat Areas, and water quality. Bobcats, mountain lions, coyotes, and other carnivore species are susceptible to death through coagulopathy, or internal bleeding caused by consuming anticoagulant rodenticides directly or indirectly by consuming prey that has been poisoned by anticoagulant rodenticides. Many herbicides and fungicides are water soluble and will pollute creeks, streams, and inshore tidelands as well as percolate into groundwater and contaminate drinking water. Pesticides also have potential to alter sensitive plant communities and eliminate plants and insects that provide food for birds. A final concern is that pesticides runoff into tidelands bioaccumulates in bay mud, permanently damaging eelgrass meadows and estuarine ecosystems along the Sonoma Coast.

Food and Agriculture Code section 11501.1(a) preempts local governments from “prohibit[ing] or in any way attempt[ing] to regulate any matter relating to the registration, sale, transportation, or use of pesticides.” In passing this law, the Legislature found that “matters relating to (pesticides) are of a statewide interest and concern and are to be administered on a statewide basis by the state unless specific exceptions are made in state legislation for local administration.”

Although it restricts local authority to regulate pesticides, the Food and Agriculture Code does not explicitly limit the authority of state agencies or departments. In the opinion of the Coastal Commission, the Commission itself is authorized to regulate pesticides in order to carry out the Coastal Act, at least so long as such regulation does not conflict with other statewide pesticide laws. When reviewing the Malibu pesticide prohibition, Coastal Commission staff noted that LCP policies regulating pesticide use are only protected from preemption if the policies are necessary or proper in carrying out the Coastal Act, such as by regulating the use of pesticides that qualify as, or are associated with, proposed development. Coastal Commission staff emphasized that LCP policies the regulate pesticide use more broadly are likely to be preempted by the Food and Agriculture Code



The Coastal Commission staff report on this item is provided as part of the Planning Commission Packet as “Attachment A - Coastal Commission staff report Malibu Pesticide Ban”.

**Policy Recommendation:**

Using the certified Malibu LCP pesticide policy as a template, Permit Sonoma Staff recommends the Planning Commission consider adding the following policies to the Open Space & Resource Conservation Element:

**“Policy C-OSRC-XX-1:** Except as permitted pursuant to this provision or Policy C-OSRC-XX-3, development that involves the use of pesticides, including insecticides, herbicides, rodenticides or any other similar toxic chemical substances, shall be prohibited in cases where the application of such substances would have the potential to significantly degrade Environmentally Sensitive Habitat Areas or coastal water quality or harm wildlife. Herbicides may be used for the eradication of invasive plant species or habitat restoration, but only if the use of non-chemical methods for prevention and management such as physical, mechanical, cultural, and biological controls are infeasible. Herbicides shall be restricted to the least toxic product and method, and to the maximum extent feasible, shall be biodegradable, derived from natural sources, and used for a limited time. When permitted, application of such herbicides shall not take place during the winter season, when rain is predicted within a week of application, or when wind is predicted above 5 mph. The County will identify non-toxic and earth-friendly management techniques for controlling pests and will conduct public outreach to promote the use of such techniques on property with the County.

**Policy C-OSRC-XX-2:** The use of insecticides, herbicides, or other toxic substances by County employees and contractors in construction and maintenance of County facilities, including public roads, shall be minimized.

**Policy C-OSRC-XX-3:** Mosquito abatement within or adjacent to ESHA shall be limited to the implementation of the minimum measures necessary to protect human health, and shall minimize adverse impacts to Environmentally Sensitive Habitat Areas.”

**COASTAL COMMISSION REVIEW AND RECOMMENDATIONS: OPEN SPACE & RESOURCE CONSERVATION ELEMENT**

Permit Sonoma and Coastal Commission staff have completed a line-by-line review of the Open Space & Resource Conservation Element to assure consistency with the California Coastal Act and incorporate public input on each element. Coastal Commission markup and general comment letter for each element is contained in the Planning Commission packet for this hearing. In addition to related maps and appendices, the following is provided for each element under review:

- Policy comparison table showing associated existing LCP policies and changes made to the 2019 Public Review Draft LCP
- Element markup showing Coastal Commission recommendations
- General comments on the element provided by Coastal Commission staff.

The major staff recommendations and comments are summarized below:

**General Comments on All Elements:**



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- 1) Use exact text from the Coastal Act rather than paraphrasing when referencing the Act.
- 2) Move programs and incentives from the end of each element to a location close to related policies.
- 3) Reference sea level rise by a height above current sea level rather than a date in the future. A 100-year life span should be used for permanent development, and a sea level rise of 10 feet within the next 100 years is recommended by Coastal Commission staff for this standard. Policies and mapping should reflect this change.
- 4) Terms defined by the Coastal Act, such as “redevelopment” must use the Coastal Act definition verbatim.
- 5) Delete policies that require that projects conform to existing codes, such as the building code and fire code.
- 6) Use actionable language in policies.
- 7) Combine redundant policies.
- 8) Provide a definition of important terms.

### ***OSRC Biotic Resources Policy***

Permit Sonoma staff requests that the Planning Commission consider the following recommendations and responses for the Open Space & Resource Conservation Element Biotic Resources Policy Section. Staff is aware that policy numbering in this section is inconsistent and this will be corrected in the Planning Commission Recommended Draft:

1. **(Comment A5)** Element will be reorganized by protected habitat type and resource area.
2. **(Comment A6)** Coastal Act Sections 30107.5, 30230, 30231, 30233, 30236, 30240 will be added to the beginning of the Biotic Resource section.
3. **(Comment A7)** Staff recommends the following change to Objective C-OSRC-5.2:

**Objective C-OSRC-5.2:** Designate Environmentally Sensitive Habitat Areas and ~~periodically~~ update designations **every 24 months** using credible data sources, including peer-reviewed publications, and recent California Coastal Commission decisions.

4. **(Comment A8)** Objective C-OSRC-5.3 consolidated previous Objectives C-OSRC-6.6 through 6.10. Staff recommends restoring and renumbering the Biotic Resource objectives to improve coastal resource protections:

**Objective C-OSRC-5.3:** Establish standards and programs to protect native trees and plant communities.

**Objective C-OSRC-5.4:** Support use of native plant species and removal of invasive exotic plant species.

**Objective C-OSRC-5.5:** Encourage voluntary efforts to restore and enhance biotic habitat.



**Objective C-OSRC-5.6:** Preserve and restore major wetlands and estuarine habitat.

**Objective C-OSRC-6.10:** Promote production of native marine and shoreline plant and animal habitats.

**5. (Comment A9)** Recommend moving Policy C-OSRC-5a(2) to the Streams and Riparian Corridors section.

**6. (Comment A10)** Add Coastal Commission definition of wetlands to the “Wetlands” introduction. Text of California Code of Regulations, title 14, section 13577(b) will be inserted in a sidebar text box adjacent to the wetlands policies.

**7. (Comment A11)** Add the following text to “Terrestrial Habitats”:

“ A wide range of terrestrial habitats occur throughout the coastal areas of Sonoma County. Terrestrial habitats include coastal dunes, coastal prairie, coastal scrub, woodlands and forests, and urban and residential areas which contain habitats. **These habitats are sensitive to disruption of habitat caused by physical removal, destruction, damage, disturbance, fragmentation, or contamination of air, land, water, soil, and vegetation of an area which cause the plant and animal habitats in the area to be removed, replaced by other habitats, or degraded to the point where the habitats are functionally unable to support the plant and animal species originally present.**”

**8. (Comment A12)** Add text of Coastal Act Section 30240 to “Environmentally Sensitive Habitat” introduction.

**9. (Comment A13-15)** Revise Policy C-OSRC-5b(3) as follows:

**“Policy C-OSRC-5b(3):** A biological resource assessment shall be required for any project which could impact biological resources. The biological resource assessment shall be performed by a qualified biologist and shall meet criteria described in Appendix E-2, Biological Resource Assessment Requirements **and shall:**

**Identify and analyze the potential biological impacts of the proposed development and distinguish between time (permanent vs. temporary impacts) and/or space (e.g., maintenance of large habitat areas vs. habitat fragmentation. The duration of temporary impacts must be specified. Potential cumulative biological impacts must also be discussed.**

**List all field methods actually employed, including the methods for formal protocol surveys. The detailed survey protocols for particular sensitive habitats or species may be placed in an appendix, but should not just be referenced to in a separate document.”**

**10. (Comment A15)** General overview of coastal habitat values will be added as a text box.

**11. (Comment A16)** Revise Policy C-OSRC-5b(5) as follows:

**“Policy C-OSRC-5b(5):** Establish buffers around ESHA to protect it from development impacts. ESHA buffers shall be developed in accordance with Appendix E-3 **and consider**

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**the impacts of climate change and sea level rise.** All buffers around ESHA shall be a minimum of 100 feet in width; a lesser width may be approved by the County as addressed in Policy C-OSRC-5b(10), **Policy C-OSRC-5b(7)**, and Appendix E-3. ~~A buffer of greater than 100 feet may be required in consultation with resource agencies to protect sensitive species. For example, a~~ **Generally, a 600-foot buffer** ~~is~~**might be required for** heron rookeries; a 500-foot buffer for occupied raptor nests; a 300-foot buffer for any occupied burrow of a burrowing owl. **Minimum buffer around ESHA shall be 100 feet. This buffer may be reduced in consultation with resource agencies and with the recommended mitigation and monitoring for impacts.** Only developments consistent with Policy C-OSRC-5b(7) shall be allowed in ESHA buffers. **Where ESHA buffers are found to deprive a property owner of all reasonable economic use of their property, the development project shall be referred to the California Coastal Commission to identify least environmentally damaging feasible alternative that will not significantly degrade of coastal resources and permits the applicants a reasonable economic use of their property consistent with Section 30010 of the Coastal Act**

**12. (Comment A17)** Delete redundant last sentence in Policy C-OSRC-5b(10)

**13. (Comment A18-19)** Add previous Objective C-OSRC-6.11

**“Objective C-OSRC-6.11:** Designate all streams shown on maps created by USGS in the National Hydrography dataset as Riparian Corridors, and establish streamside conservation areas along these designated corridors.”

**14. (Comment A20-21)** Habitat Development Guidelines from Appendix E-3 will be added as a policy in Section 3.4 “Stream and Riparian Vegetation”.

**15. (Comment A22-23)** Add the following policy to Section 3.4 “Stream and Riparian Vegetation”:

**Policy C-OSRC-5XX:** “Carry out the following activities to preserve Chinook and Coho Salmon Habitat (Anadromous Fish Streams):

(1) Maintain flow levels 1.5 times the minimum necessary for use of the stream as an anadromous fish spawning area.

(2) Stream diversions are prohibited when the stream flow in an Anadromous Fish Stream falls below the minimum flow standard and until the stream flow returns to levels above the minimum flow standard.

(3) Allow and encourage maintenance of summer base flow in an Anadromous Fish Stream to ensure survival of fish in all life cycle phases.

(4) Work with the Sonoma County Water Agency and other entities to identify all streams with bed-and-bank channels and add Riparian Corridor designation for all such streams that are not already identified in the USGS in the National Hydrography dataset”

**16. (Comment A24)** Add the following programs to Section 3.4 “Streams and Riparian Vegetation”:

**Program C-OSRC-XX1:** Continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources.

**Program C-OSRC-XX2:** In coordination with resource agencies, landowners, and the affected public, regularly review Riparian Corridor designations; ephemeral drainage; the requests, approvals, and required mitigation for setback reductions; any cumulative effect of the approved reductions; and other protection issues and, if warranted, develop recommendations for County policies that may be needed to ensure appropriate protection of Riparian Corridors.

**Program C-OSRC-XX3:** In coordination with resource agencies, landowners, and the affected public, conduct a comprehensive study of Riparian Corridors in grazing areas and, if warranted, develop recommendations for County policies that may be needed to ensure appropriate protection of such corridors. The study should consider the need for policies directing development of livestock watering areas away from Riparian Corridors and use of special range management practices, including fencing, which protect Riparian Corridors.

**Program C-OSRC-XX4:** Support mapping by the Sonoma County Water Agency and other entities of all stream channels with “bed-and-banks”. As this information becomes available, initiate rezoning to the BR Combining District for these streams, including corresponding General Plan Amendments necessary to designate them as Riparian Corridors.

**17. (Comment A25-26)** Wetland determination is in Appendix E. Wetland plant list and link to National Wetland Plant list will be added to Appendix E.

**18. (Introduction to Wetlands)** Add the following to introduction of Section 3.5 “Wetlands”:

“Wetlands shall be defined and delineated consistent with the definitions of the Coastal Act, the Coastal Commission Regulations, and this Local Coastal Plan, as applicable.

**Wetlands, both single-parameter wetlands as defined by the Coastal Act and 3-parameter as defined by the U.S. Army Corps of Engineers, are considered Environmentally Sensitive Habitat Areas...”**

**19. (Comment A27)** Add the following to to Section 3.5 “Wetlands”:

**“Policy C-OSRC-9c:** Where the required initial site inventory indicates the presence or potential for wetland species or indicators, the County shall require the submittal of a detailed biological study of the site, consistent with the requirements of Policy C-OSRC-7e, including a delineation of all wetland areas on the project site. Wetland extents shall be determined in conformance with the direction provided in Appendix E.”

20. **(Comment A28)** Recommend no change with methodology to determine wetland buffers in Appendix E.
21. **(Comment A30)** Domestic animals off leash are prohibited by Sonoma County Code.
22. **(Comment A31, A33)** To maintain Local Coastal Plan organizational consistency, Habitat Protection Guidelines will remain in Appendix E-5. Appendices are not subordinate to policy and are equally enforceable.
23. **(Comment A32)** Policy references will be corrected as part of formatting the Planning Commission Recommended Draft.
24. **(Comment A34)** Mitigation ratios change over time and Policy C-OSRC-5e(1) states only a minimum ratio to allow flexibility to establish more restrictive mitigation ratios in the future without the need for a Local Coastal Plan amendment.

Other sections of the Open Space and Resource Conservation Element were reviewed by the Planning Commission at the February 3, 2020 reopened public hearing. Permit Sonoma staff also recommends incorporating all highlighted text changes provided by Coastal Commission staff.

## **COASTAL COMMISSION REVIEW AND RECOMMENDATIONS: PUBLIC ACCESS ELEMENT**

Permit Sonoma staff requests that the Planning Commission consider the following recommendations and responses for the Public Access Element.

1. **(Comment A1-A3)** Make the following revisions to the introduction.

“One of the highest priorities in the California Coastal Act of 1976 is the mandate to maximize **public recreation opportunities and** access to the coast. Provisions in Chapter 3 of the Coastal Act (Sections 30210-30214) set forth requirements for the provision of public access along the Sonoma Coast:

Coastal development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization;

Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects;

Public access facilities shall be distributed throughout the Sonoma Coast to prevent overcrowding or overuse.

Throughout this element, “public access” shall mean access to the coast as defined by Chapter 3 of the Coastal Act. **Protection of Environmentally Sensitive Habitat Areas may not be adversely impacted by public access and recreational activities.”**

2. **(Comment A4-A6)** Coastal Act policies relevant to coastal access will be added to the Coastal Act discussion in the introduction.

**3. (Comment A8-A10)** Anticipated timeline of trail development, history of public access in Sonoma County, and statement that access and recreational facilities shall be designed and sited for sea level rise resiliency and, where necessary, planned retreat.

**4. (Comment A11)** Expanded discussion of equity and the relationship between recreation and access will be added to the Public Access Plan introduction.

**5. (Comment A12)** Revise second paragraph of “South Coast” section as follows:

“The majority of the coastal property from the Russian River estuary to Bodega Head is a part of Sonoma Coast State Park and provides numerous developed and informal access points. Acquisition of **property by public agencies and land conservation organizations** in the Willow Creek watershed, Wright Hill Ranch, and the Carrington Ranch will eventually provide extensive public access **via public trails** to the upland areas north of Salmon Creek in the Coastal Zone. Public access to the Bodega Bay tidelands is available at the County-owned facilities of Spud Point Marina, Westside Park, Bird Walk Coastal Access Trail, and Doran Regional Park. Two public access trails in the Bodega Harbor Subdivision were dedicated to County Regional Parks providing access along the coast and Shorttail Gulch.

**6. (Comment A13-A14)** Revise Policy C-PA-1b as follows: Policy C-PA-1b:

**Policy C-PA-1b:** ~~Implement the~~ **The following criteria define** Acquisition Priorities for the Public Access Plan ~~as follows:~~

(1) Acquisition Priority I: Begin or continue efforts to acquire through purchase, permit requirements, donation, or other negotiations as necessary to implement the Public Access Plan.

(2) Acquisition Priority II: Require an offer of dedication or dedication of an easement as a condition of any Coastal Permit **where nexus exists between the proposed development and a public access point identified in the Public Access Plan as outlined in Appendix B.**

When all available Priority I properties have been acquired, take positive steps toward acquiring Priority II properties. If a time sensitive Priority II property is available, consider pursuing it before all Priority I properties have been acquired.

(3) Acquisition Priority III: Require an offer of dedication or dedication of an easement as a condition of any Coastal Permit **where nexus exists between the proposed development and a public access point identified in the Public Access Plan as outlined in Appendix B.** Offers of dedication for some Priority III properties may never be exercised because adequate access is provided by private owners, there is inadequate funding, or it is determined to not be in the public's interest to open access.

When all available Priority I and II properties have been acquired, take steps toward acquiring Priority III properties. If a time sensitive Priority III property is available, consider pursuing it before all Priority I and II properties have been acquired.

**7. (Comment A15)** Revise Policy C-PA-1d as follows:

**“Policy C-PA-1d:** Require dedication of a public access easement, right of way, or fee title as a Condition of Approval for a Coastal Permit for new development requested on property along the alignment of the California Coastal Trail or containing a planned access facility described in the Public Access Plan, for new development located between the first public road and the shoreline (i.e., west of the first public road); and for any new development located east of the first public road. The dedication shall be reviewed and approved by the Sonoma County Regional Parks Department as sufficient to support development and long term maintenance of the planned public access facility. The dedication shall be granted to the County of Sonoma or a State agency.

**As defined by Coastal Act Section 30212 New development does not include**

**(1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610.**

**(2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure.**

**(3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure.**

**(4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure.**

**(5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the beach.**

**As used in this subdivision, “bulk” means total interior cubic volume as measured from the exterior surface of the structure.”**

**8. (Comment A16)** Revise Policy C-PA-1f as follows:

**“Policy C-PA-1f:** Use the ~~California Coastal Commission’s Standards and Recommendations for Accessway Location and Development (2007)~~ **California Coastal**



**Commission & Coastal Conservancy Accessibility Standards** or successor document in siting and locating new or expanded public accessways and other recreation facilities.

**9. (Comment A16-A19)** Revise Policy C-PA-1h as follows:

**“Policy C-PA-1h:** ~~Use the following standards for determination of Developed (active) parks, such as needs: 5 acres of Community Parks, Neighborhood Parks, and Regional Recreation Areas~~ **shall be provided at a ratio of 5 acres of developed parkland** per 1,000 residents in the Coastal Zone. Developed park acreage within private residential areas shall count towards meeting the acreage standard. **Parkland that provides public access opportunities may count towards dedication of easement or real property required by Policy Policy C-PA-1b.”**

**10. (Comment A20)** Policy C-PA-1i is intentionally open with regard to partner agencies in order to allow maximum flexibility in access acquisition.

**11. (Comment A21)** Revise Policy C-PA-1j as follows:

**“Policy PA-1j:** ~~Encourage~~ **Require** owners of fee and non-fee private accessways which provide access to the public to continue to provide access to the public. If a landowner closes an access point to the public, measures to maintain the maximum amount of public access shall be assessed and feasible measures to maintain equivalent access implemented, including but not limited to negotiating an easement. Closures of public access must be consistent with Policy C-PA-5e.”

**12. (Comment A22)** Revise Policy C-PA-1l as follows:

**“Policy C-PA-1l: A Where access is provided by lateral accessways, the lateral accessway shall extend from the mean high tide line landward to a defined line, such as the intersection of the sand with the toe of a revetment, vertical face of a seawall, toe of a bluff, or other feature.”**

**13. (Comment A23-A24)** “Braided” is a term used by Sonoma County Regional Parks in their planning documents and is used here for consistency. The following policy is recommended to be added to the Coastal Trail section:

**“Policy C-PA-XX:** Multi-use trails, associated amenities, and passive recreational features shall be located to minimize impacts to sensitive habitats and other sensitive surrounding land uses, such as residences and agriculture.”

**14. (Comment A25)** The following policy is recommended to be added to the Coastal Trail section:

**“Policy C-PA-XX:** Study, identify and implement future alignments of the California Coastal Trail that would be sufficiently protected from the highest projection of erosion and sea level rise scenarios and would preserve or establish native vegetation between the trail and the bluff edge.”

**15. (Comment A26)** The following policy is recommended to be added to the Coastal Trail section:

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**“Policy C-PA-XX:** Lateral trails along the bluff edge shall be set back a sufficient distance from the bluff edge to avoid impacts from erosion and sea level rise, generally 50-100 feet, and native vegetation shall be established and maintained between the trail and the edge to stabilize the blufftop. Outlooks and other trail amenities shall be incorporated to discourage damage from informal trails.”

**16. (Comment A27)** The range of trail constraints make it impossible to define a specific timeline for “interim” trail alignments.

**17. (Comment A28-32)** Parking standards and managed retreat will be added to “Trail Design and Construction” policies.

**18. (Comment A32)** Policy C-WR-1n was moved to Public Access as the pier removals are necessary to construct portions of the Bodega Bay trail.

**19. (Comment A33-A36)** Permit Sonoma staff recommends keeping sections identified to be changed to policy within the introduction to Section 4.2 “Access Planning and Development”.

**20. (Comment A37)** The following policy is recommended to be added to the Access Planning and Development section:

**“Policy C-PA-XX:** New development adjacent to public access and recreation areas vulnerable to coastal bluff erosion or sea level rise shall be sited and designed to accommodate eventual loss and necessary replacement of such public access and recreation areas.”

**21. (Comment A38)** The following policy is recommended to be added to the Access Planning and Development section:

**“Policy C-PA-XX:** Temporary events shall be regulated consistent with guidance provided in the January 23, 1998 Coastal Commission Memorandum on Regulation of Temporary Events in the Coastal Zone or successor guidance. Use of public roads in a lawful manner that does not require road closures or unreasonably restrict public access shall not be considered an intensification of use for the purpose of determining if the event requires a Coastal Development Permit.”

**22. (Comment A39)** No change recommended.

**23. (Comment A40- A42)** Standards for public access development priorities will be added to the Public Access Plan. Policy organization is a general comment that will be incorporated into the Planning Commission Recommended Draft Local Coastal Plan.

**24. (Comment A43-44)** Replace Policy C-PA-3c with the following text:

**“Revised Policy C-PA-3c: Where adverse impacts to existing public coastal access cannot be avoided by new development and no feasible alternative exists, ensure that impacts are mitigated such as through the dedication of a new access or trail easement in perpetuity or the provision of improvements to other public coastal**



**access points along the Sonoma Coast. New access shall located as close as possible to the currently identified access point and provide equivalent access to the coast.”**

**25. (Comment A45)** Delete Policy C-PA-3d as the need for permitting and level of review is determined at the time of application.

**26. (Comment A46)** Delete Policy C-PA-3f as it is redundant with Policy C-PA-1f.

**27. (Comment A47)** Revise Policy C-PA-3m as follows:

**“Policy C-PA-3m:** Provide safe and, clear, and low impact public access trails with pervious surfaces wherever possible. ~~The trail surface could be dirt, gravel, paved, or a stairway.~~ Improvements should be designed to be safe, minimize impacts to sensitive resources, minimize maintenance costs, and provide disabled accessibility to the extent feasible without substantially impacting sensitive resources.

**28. (Comment A8-A49)** Revise Objectives C-PA-4.1 and C-PA-4.2 as follows:

**“Objective C-PA-4.1:** Ensure that adequate low or no-cost parking facilities are provided at-for each new or expanded public access facilities.”

**“Objective C-PA-4.2:** Identify, prioritize, and implement parking improvements, including no-or -low cost parking, at parklands.”

**29. (Comment A50)** Revise Policy C-PA-4d as follows:

**“Policy C-PA-4d:** Maintain and provide free parking, ~~subject to reasonable restrictions,~~ at all public access points on the coast which do not contain special facilities in excess of restrooms, parking, gated access, trash enclosures, informational kiosks, and other minor amenities. ~~If user fees are implemented for any coastal park areas, encourage discounts to County residents.”~~

**30. (Comment A51)** Add the following Policy to the “Locating and Developing Parking Improvements” section.

**“Policy C-PA-XX:** Minimize barriers to public coastal access to the maximum extent feasible, including ensuring that public access and recreational opportunities account for the social, physical, and economic needs of all people.”

**31. (Comment A52-A53)** Revise Policy C-PA-4e as follows:

**“Policy C-PA-4e:** Until completion of Program C-PA-3 continue to apply zoning permit standards for temporary private events on public beaches, access, and recreational facilities that do not involve structures or other coastal development. **Ensure that temporary events minimize impacts to public access, recreation, and coastal resources through the special events permitting process. Require a coastal development permit for temporary events that have the potential to result in significant adverse impacts to public access or coastal resources during the peak summer months.”**

**32. (Comment A55)** Text in “Allowable Facilities” is informational and not intended as a policy.

**33. (Comment A56-A57)** Delete “Maintenance” and “Policing” from Section 4.3 “Facility Management and Operation.

**34. (Comment A58)** Revise “Private Fee Access” as follows:

A few landowners charge minimal day use access fees that permit the general public the opportunity to reach the shoreline. By controlling access by fee and location, the property owner can operate trails, parking, and boat launching in a manner that affords minimum interference with other land uses. Unfortunately, several of these access points have been closed. ~~The Public Access Plan encourages owners of fee accessways to continue to provide access to the public.~~ Private fee accessways require a Coastal Permit and can be subject to sanitary, parking, and other conditions similar to those applied to public accessways.

**35. (Comment A59)** Revise Goal C-PA-5 as follows:

**GOAL C-PA-5: Ensure that** public access facilities are operated and maintained to protect natural resources and public safety and to prevent adverse impacts on adjacent properties.

**36. (Comment A60)** Revise Policy C-PA-5a as follows:

**“Policy C-PA-5a:** California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) environmental analyses on proposed State Parks or County Regional Parks projects shall include ~~estimates~~ **records** of current and **forecast of** future visitor use **to provide a determination if the** ~~and analyses of adequacy of the~~ proposed facilities **are adequate** to meet ~~county-wide~~ **current and future visitor demand.”**

**37. (Comment A61)** Demand for park facilities is not homogenous along the Sonoma Coast, and demand in the southern section between Bodega Bay and Jenner is far higher than the area north of the Russian River. No change is recommended.

**38. (Comment A62)** Policy C-PA-5c is intended to apply to all public recreation facilities. No change is recommended.

**39. (Comment A63)** Entire LCP will be reorganized to put programs in the same section as associated policies.

**40. (Comment A64)** Typo noted. Policy numbering is incorrect.

**41. (Comment A65-A66)** See response 21. (Comment A38)

## **RECOMMENDATIONS**

Incorporate changes recommended in the Coastal Commission review with Permit Sonoma staff recommended changes.





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## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** March 28, 2022 continued from July 26, 2021  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### **BACKGROUND**

On July 26, 2021, the Planning Commission opened the public hearing to recommend the Revised Public Review Draft of the Local Coastal Plan ("Draft LCP") to the Board of Supervisors. Three hours of public comment was received and Commissioner Koenigshofer moved to continue the hearing to October 7, 2021 and the public comment period to remain open. On October 7, 2021, the Planning Commission reopened the hearing and motioned on a 4-0-1-0 vote for a scheduled review once a month of individual element of the Local Coastal Plan. A review of Planning Commission changes on is anticipated for March 28, 2022, with final review tentatively scheduled for April 7, 2022.

Chronology of Review by the Planning Commission:

**November 10, 2021:** Noise, Vibration, and Light Policy, Public Safety Element, Public Facilities & Service Element.

**December 9, 2021:** Circulation and Transit Element, Water Resources Element, Agricultural Resources Element.

**January 13, 2022:** Cultural & Historic Resources Element, Land Use Element (partial)

**February 3, 2022:** Land Use Element, Open Space & Resource Conservation Element (partial)

**March 3, 2022:** Open Space & Resource Conservation Element (complete), Public Access Element.

**March 28, 2022 (This meeting):** Initial review of Local Coastal Plan incorporating Planning Commission changes

**April 7, 2022:** Continue Review and Recommendation to Board of Supervisors

The Commission directed staff to work with California Coastal Commission staff to complete a line-by-line review of the Draft LCP that includes consistency with the California Coastal Act and consideration of public input received on the Draft LCP to date. Appendices and maps associated with each element will be reviewed concurrently.



At the March 3, 2022 reopened hearing, the Planning Commission completed their initial review of the Public Review Draft of the Local Coastal Plan. At today’s meeting, the Planning Commission will consider the following:

- Recommendations for final changes to the Circulation and Transit Element
- Provide staff with specific direction regarding format of elements and recommendations for final review.

Staff will be returning on April 7, 2022 to the reopened public hearing with recommendations for revisions to remaining elements of the Local Coastal Plan.

### **LCP REVIEW RECOMMENDATION**

The Local Coastal Plan is a very complex document with a multi-year history of revisions. As part of review during this continued hearing, Coastal Commission staff has provided input on a line-by-line basis using Coastal Act consistency as their standard of review. No objections to the Coastal Commission recommendations have been raised, and the Commission has supported incorporating Coastal Commission recommendations in all elements of the Local Coastal Plan. The Commission recommendations included two substantial organizational changes to the elements: (1) Add a section that includes the complete text of Coastal Act Policies that directly relate to each element and (2) Move policies and incentives closer to policy sections that they support.

In addition to the Coastal Commission reorganization, policy numbering was inconsistent and a number of redundant policies were identified.

Staff is in the process of updating all of the elements to incorporate the Coastal Commission recommendations and correct typos, redundancies, and minor technical errors. The first element that has been prepared is the Circulation and Transit element, which is recommended for your review at this meeting. Text that has been changed to incorporate Coastal Commission recommended changes is followed by “(CCC REVISED)” in grey text.

#### **1. Revise Program C-CT-4-P2 as follows:**

Program C-CT-4-P2: Monitor traffic volumes on County-maintained road segments, and work with Caltrans on similar State Highway 1 segments that are projected to experience high traffic volumes during peak weekend periods, particularly in the summer and fall months- **and produce a report summarizing this data and analyzing trends. The report shall be updated every two years and provided to Sonoma County, SCTA, and Caltrans and include forecasts on origin and destination of trips where data exists to support this analysis.** Use this information to develop strategies for transportation alternatives, such as shuttle bus routes, to reduce coastal visitor’s dependency on automobiles while maintaining convenient and equitable access to the coast for all visitors.

#### **2. Sea Level Rise Adaptation:**

At the December 9, 2021 continued hearing, Commission direction to develop policy and program that identifies road segments at risk from sea level rise and a program to implement this policy. Coastal Commission staff had provided similar input but not provided exact text to be incorporated into the LCP. Permit Sonoma Staff has subsequently met with Coastal Commission staff and clarified the policy and program found it the Coastal Commission recommended change to include establishing a priority list.

“Policy C-CT-4i: Identify road segments at risk from sea level rise and coastal erosion and routes for realignment or alternative routes in the event that maintaining the roadway is not feasible. (CCC REVISED)”



“Program C-CT-1-P2: Monitor coastal erosion and flooding to identify road segments that will require realignment, elevation, or abandonment due to sea level rise and climate change. As part of this program evaluate existing development served by these road segments and develop a plan for relocation of development served by the road segment or alternative routes that are adequate to support continued use of existing development. **The plan shall establish priorities for these sea level rise resiliency measures and** Plans shall include an evaluation of the useful economic life of development served by a road segment and provide a fiscal analysis of the cost of maintain road connectivity as compared to the economic value of development that is dependent on the road segment. Where road segments are necessary to support a coastal access point, consider alternative means of access as an alternative to maintaining a roadway designed for motor vehicle use (CCC REVISED)”

3: Recommendations provided the public subsequent to the December 9, 2021 meeting:

Staff recommends incorporating the following revisions to the Circulation and Transit Element:

**Objective C-CT-1.2:** Reduce the need for automobile use by a combination of infrastructure **and transit** improvements and incentives that favor ~~alternate modes~~ **active transportation** over automobile use.

**Objective C-CT-1.3:** Reduce greenhouse gas emissions by ~~minimizing future increase in~~ **reducing** vehicle miles travelled **and providing sufficient charging stations for electric vehicles.**

**Policy C-CT-1a:** Transportation improvements shall minimize adverse impacts to biotic resource and Environmentally Sensitive Habitat Areas, and disruption of neighborhoods and communities ~~to the maximum extent feasible.~~

**Policy C-CT-1b:** Require new development **to include adequate charging stations for electric vehicles and to** reduce vehicle miles traveled ~~to the maximum extent feasible.~~

**Policy C-CT-2a:** Provide efficient, affordable public transportation service in and to the Coastal Zone and require expansion of ~~alternative~~ **active** modes of transportation where opportunities are identified.  
(NEW – CONSIDER DELETING)

**Policy C-CT-2c:** Wherever feasible, require development projects to implement measures that **favor** pedestrians, increase the average occupancy of vehicles, **and reduce vehicle miles traveled**, such as:

**Policy C-CT-2e:** Provide incentive programs at businesses and visitor destinations that reduce automobile trips, such as secure bike parking, shower facilities, telecommuting, flexible schedules, etc. Programs may apply to existing employers as well as to new development. Establish measurable goals for these programs, collect data, and provide periodic reports on **vehicle miles traveled in the Coastal Zone, and on** program effectiveness.

**Objective CT-3.6:** Eliminate potential obstacles to walking and cycling by providing continuous and well-connected pedestrian walkways and bicycle facilities, and safe road crossings, with a focus on **trips of 3 miles or less in and near** ~~short trips~~ within developed coastal communities.

Policy CT-3d: The Regional Parks Department shall be responsible for establishing and maintaining Class I bikeways, and the Department of Transportation and Public Works (TPW) shall be responsible for establishing and maintaining Class II, III, **and IV** bikeways and pedestrian facilities along County rights-of-way in unincorporated areas.



**Policy CT-3j:** The most recent version of **design guidelines for bicycle and pedestrian facilities, such as those published by NACTO**, Chapter 1000 of the Caltrans Highway Design Manual, AASHTO's "Guide for the Development of Bicycle Facilities", and the "California Manual on Uniform Traffic Control Devices" (MUTCD) shall be used as general design guidelines for design, construction and maintenance of bikeways.

**Policy CT-3p:** The following projects shall be referred to the BPAC for a determination of consistency with the Bicycle and Pedestrian Plan and to evaluate potential for creating hazards or barriers to walking or bicycling: (GP2020)

- (1) Road widening projects.
- (2) Road capacity improvement projects.
- (3) Resurfacing, restoration, and/or rehabilitation of roads with existing or proposed Class II, III, or Class IV bikeways.
- (4) Resurfacing, restoration, and/or rehabilitation of roads that include the installation of rumble strips, AC berms or similar barriers, and/or roadway dots in the shoulder area.
- (5) Traffic calming improvements.
- (6) Discretionary projects adjacent to existing or proposed Class I bikeways and/or roads with existing or proposed Class II, ~~or Class III~~, **or IV** bikeways.
- (7) Discretionary projects anticipated to be conditioned with roadway improvements along existing or proposed Class I, II, ~~or III~~, **or IV** bikeways.

**Policy CT-3aa:** The BPAC shall review bicycle parking at transit facilities and accommodations to carry bicycle on-board buses every 2 years to assure that anticipated demand for **bicycle** parking and on-board accommodations can be met.

**Policy CT-3nn:** ~~Develop a Guaranteed Ride Home Program for those County workers and employees of other employers with participating programs who regularly bicycle, walk, vanpool, carpool, or use transit for their trip to work or school. The program would encourage use of alternative transportation modes by providing free transportation in the event of personal emergencies, illness, or unscheduled overtime.~~

**GOAL C-CT-4:** Provide and maintain a highway **and trail** system capacity that **is consistent with necessary reductions in vehicle miles traveled** ~~serves projected travel demand~~ and creates a transportation network that equitably meets the mobility needs of all, including pedestrians, bicyclists, children, students, persons with disabilities, users of public transportation, together with motorists and movers of commercial goods.

**Objective C-CT-4.1:** Establish road **and trail** design and maintenance standards that protect Coastal resources while providing public access to the Sonoma Coast.



**Policy C-CT-4a:** Use the **current version of design guidelines for road, bicycle and pedestrian facilities, such as the Caltrans Highway Design Manual, the State Parks Trails Handbook, and publications of the National Association of City Transportation Officials (NACTO)**, as well as the ~~American Association of State Highway Transportation Officials (AASHTO) functional classification system and guidelines~~ **and the "California Manual on Uniform Traffic Control Devices"** for geometric design for the highway and trail network.

**Policy C-CT-4d:** Road and trail design and maintenance activities shall be consistent with the principals of the Complete Streets Act of 2008 and consider the mobility needs of all road users on an equitable and equal basis.

**Policy C-CT-4g:** Provide intersection management improvements at intersections with high crash rates and/or long delays for turning movements. These may include installation of **stop signs**, traffic signals, signal timing, re-striping, lengthening, turn lane additions, or other improvements, provided the improvements are consistent with the applicable road classifications and protection of coastal resources. **Only where clearly identified as necessary to lower crash rates, turn lane additions may be constructed.**

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

**Objective C-CT-5.2:** Work with the SCTA and Federal and State governments to obtain the necessary funding for the planned circulation, **trail**, and transit system.

**Policy C-CT-5c:** Carry out on an as needed basis projects that enhance traffic safety but do not **measurably significantly** increase capacity, including but not limited to traffic control devices (signals and signs), curvature reduction, turn lanes at intersections, shoulder improvements, reconstruction, and resurfacing. Approval of these projects should be balanced with impacts on coastal resources and be consistent with Coastal Act Polices and this LCP including but not limited to habitat, habitat buffers, as well as view protections.

**Program C-CT-2-P1:** Work with Sonoma County Transit to ~~develop~~ increase bus service between Bodega Bay and Jenner with regular connections to inland communities and job centers that will provide an alternative to commuting by automobile. Coordinate routes, schedules, and fares among transit providers to make transfers convenient between the various transit systems during commute periods.

**Program C-CT-5:** Classify, designate, and design roadways **and trails** according to ~~the functional classifications of the AASHTO manual. Use flexibility of the AASHTO manual to reduce adverse impacts on coastal resources and provide maximum safety and convenience for bicyclists and pedestrians.~~ **current version of guidelines for road, bicycle and pedestrian facilities, such as the Caltrans Highway Design Manual, the State Parks Trails Handbook, and publications of the National Association of City Transportation Officials (NACTO), as well as the American Association of State Highway Transportation Officials (AASHTO).**





**RECOMMENDATIONS**

Provide staff with format recommendations for final review remaining elements and recommend the Circulation and Transit Element as modified to the Board of Supervisors.



## Sonoma County Planning Commission STAFF MEMO

**FILE:** Sonoma County Local Coastal Plan Update (PLP13-0014)  
**DATE:** June 29, 2022  
**TIME:** At or after 1:05 PM  
**STAFF:** Gary Helfrich, Project Planner

**A Board of Supervisors hearing on the project will be held at a later date and will be noticed at that time.**

### SUMMARY

**Property Owner:** Various

**Applicant:** County of Sonoma, Permit Sonoma

**Address:** Various

**Supervisory District:** District Five

**APN:** Various

**Description:** In order to retain Local Land use authority, the California Coastal Act requires Sonoma County to develop and maintain a Local Coastal Program to regulate land use, and protect coastal resources consistent with the provisions of the Coastal Act. In Sonoma County, the Local Coastal Program consists of three components: Local Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual. This project is the first comprehensive update to the Local Coastal Plan since it was adopted in 2001.

The May 2022 Planning Commission Draft Local Coastal Plan under review at this reopened hearing incorporates revisions and reorganization of the 2021 Revised Public Review Draft as recommended by the California Coastal Commission as part of their line-by-line review. After recommendation by the Planning Commission and adoption by the Board of Supervisors, the Local Coastal Plan must be reviewed and certified by the California Coastal Commission for consistency with the Coastal Act.

**CEQA Review:** 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.

**General Plan Land Use:** Various

**Ordinance Reference:** Chapter 26C, CC Coastal Zoning Resource Districts

**Zoning:** Various, CC (Coastal Combining District)



**RECOMMENDATION**

Permit Sonoma staff recommends that the Planning Commission recommend the May 2022 Planning Commission Draft Local Coastal Plan, including changes recommended by the Planning Commission at this hearing, for adoption by the Board of Supervisors.

**LOCAL COASTAL PLAN UPDATE TIMELINE**

Developing a comprehensive update to the Sonoma County Local Coastal Plan has been a 9 year long process, involving extensive outreach, research, and numerous revisions. Below is a timeline of the Local Coastal Plan update program since the kickoff meeting on April 25, 2013:

<b>Date</b>	<b>Workshop/Event/Milestone</b>
<b>April 25, 2013</b>	<b>Press Release:</b> Local Coastal Plan update kickoff announcement.
<b>May 28, 2013</b>	<b>Workshop:</b> The Sea Ranch Del Mar Center
<b>June 5, 2013</b>	<b>Workshop:</b> Bodega Bay Fire Station Meeting Room
<b>June 8, 2013</b>	<b>Workshop:</b> Jenner Community Club
<b>June 1, 2015</b>	<b>Publication: Preliminary Draft Local Coastal Plan</b>
<b>June 7, 2015</b>	<b>Workshop:</b> The Sea Ranch Del Mar Center (36 participants)
<b>July 14, 2015</b>	<b>Workshop:</b> Santa Rosa, Permit Sonoma Hearing Room (45 participants)
<b>July 15, 2015</b>	<b>Workshop:</b> Monte Rio Community Center (10 participants)
<b>July 22, 2015</b>	<b>Workshop:</b> Bodega Bay Fire Station Meeting Room (34 participants)
<b>Sept 14, 2015</b>	<b>Workshop:</b> Timber Cove Fire Station (31 participants)
<b>Mar 31, 2016</b>	<b>Workshop:</b> Santa Rosa Planning Agency Workshop (No participant list)
<b>May 25, 2017</b>	<b>Workshop:</b> U.C. Davis Bodega Bay Marine Laboratory (No participant list)
<b>June 22, 2017</b>	<b>Workshop:</b> PRMD Hearing Room (No participant list)
<b>June 26, 2017</b>	<b>Workshop:</b> The Sea Ranch Del Mar Center (No participant list)
<b>Sept 2019</b>	<b>Publication: 2019 Public Review Draft</b>
<b>Nov 17, 2019</b>	<b>Workshop:</b> The Sea Ranch, Del Mar Center (50 participants)
<b>Dec 14, 2019</b>	<b>Workshop:</b> Bodega Bay, Fire Station Meeting Room (100 participants)
<b>Jan 7, 2020</b>	<b>Workshop:</b> Monte Rio, Community Center (60 participants)
<b>Jan 15, 2020</b>	<b>Workshop:</b> Timber Cove Inn / Coastal MAC meeting (60 participants)
<b>Jan 30, 2020</b>	<b>Workshop:</b> Santa Rosa, Permit Sonoma Hearing Room
<b>Feb 19, 2020</b>	<b>Presentation:</b> Bodega Bay, Fire Station NOAA Greater Farallones National Marine Sanctuary Association
<b>Nov 10, 2020</b>	<b>Virtual Workshop:</b> Board of Supervisors on 2019 Public Review Draft



<b>Feb 25, 2021:</b>	<b>Virtual Workshop:</b> Climate Change Adaptation presented in partnership with NOAA’s Greater Farallones Coastal Resilience Working Group. (35 participants)
<b>Mar 1, 2021</b>	<b>Virtual Workshop:</b> Housing and Accessory Dwelling Units. (40 participants)
<b>Mar 3, 2021</b>	<b>Virtual Workshop:</b> Wildfire Hazard Mitigation and Resiliency presented in partnership with Fire Safe Sonoma (40 participants)
<b>Mar 5, 2021</b>	<b>Virtual Workshop:</b> Mapping and Protection of Environmentally Sensitive Habitat Areas presented in partnership with Permit Sonoma Natural Resources section (30 participants)
<b>May 25, 2021</b>	<b>Virtual Workshop:</b> Board of Supervisors on topic workshop series
<b>June 21, 2021</b>	<b>Publication: 2021 Revised Public Review Draft</b>
<b>July 26, 2021</b>	<b>Public Hearing:</b> PC 1 <sup>st</sup> meeting. Initial review of LCP
<b>Oct 7, 2021</b>	<b>Public Hearing:</b> PC 2 <sup>nd</sup> meeting. Noise policy, future meeting schedule
<b>Nov 10, 2021</b>	<b>Public Hearing:</b> PC 3 <sup>rd</sup> meeting. Public Safety, Public Facilities
<b>Dec 9, 2021</b>	<b>Public Hearing:</b> PC 4 <sup>th</sup> meeting. Agricultural Resources, Water Resources, and Circulation & Transit Elements.
<b>Jan 13, 2022</b>	<b>Public Hearing:</b> PC 5 <sup>th</sup> meeting. Cultural Resources and Land Use Elements.
<b>Feb 3, 2022</b>	<b>Public Hearing:</b> PC 6 <sup>th</sup> meeting. Land Use and Open Space & Resource Conservation Elements.
<b>Mar 3, 2022</b>	<b>Public Hearing:</b> PC 7 <sup>th</sup> meeting. Open Space & Resource Conservation and Public Access Elements.
<b>Mar 28, 2022</b>	<b>Public Hearing:</b> PC 8 <sup>th</sup> meeting. Review of Coastal Commission recommendations and direction for preparing revised draft.
<b>June 2, 2022</b>	<b>Begin Publication: May 2022 Planning Commission Draft</b>
<b>June 20, 2022</b>	<b>Complete Publication: May 2022 Planning Commission Draft</b>
<b>June 29, 2022</b>	<b>Public Hearing:</b> PC 9 <sup>th</sup> meeting. PC will consider recommending the May 2022 Planning Commission Draft for adoption by the Board of Supervisors.

**PUBLICATION OF MAY 2022 PLANNING COMMISSION DRAFT**

To provide the public, agencies, and interest groups with sufficient time to review the May 2022 Planning Commission Draft Local Coastal Plan, a goal was set to provide the entire document 30 days in advance of the June 29, 2022 hearing. This proved to be overly ambitious, given Permit Sonoma and Coastal Commission staff resources. To provide as much time as possible for review, individual sections of the May 2022 Planning Commission Draft were published as they became available. The table below shows the publication timeline:

<b>Date</b>	<b>Section</b>
<b>June 2, 2022</b>	Appendix A: Design Guidelines, Appendix C: Right to Farm Ordinance, Appendix D: Scenic Resources, Appendix E: Natural Resources, Appendix F: Shoreline Protection, Appendix G: Bodega Bay Vulnerability Assessment, Appendix H: Bicycle and Pedestrian Project List, Appendix I: Categorical Exclusions, Appendix J: Historic



	Resources Inventory, Appendix K: State Route 1 Repair Guidelines, Appendix L Coastal Commission ADU Guidelines, Figure C-AR-1: Agricultural Resources, Figure C-CT-1: Circulation, Figure C-LU-1: Land Use, Figure C-OSRC-1: Scenic Resources, Figure C-OSRC-2: Environmentally Sensitive Habitat, Figure C-PF-1: Facilities – Schools, Figure C-PF-2: Facilities – Fire Districts, Figure C-PS-1: Geologic Hazards, Figure C-PS-2: Slope Instability Hazards, Figure C-PS-3: Flood Hazards, Figure C-PS-4: Coastal Exposure Threats, Figure C-PS-5: Role of Natural Habitat in Reducing Hazards, Figure C-PS-6: Wildland Fire Hazards, Figure C-WR-1: Watersheds, Figure C-WR-2: Groundwater Basins, 8. Circulation & Transit Element
<b>June 5, 2022</b>	Figure C-PS-1: Public Access
<b>June 6, 2022</b>	Appendix B: Public Access Plan, 1. Introduction, 3. Agricultural Resources Element, 6. Water Resources Element, 10. Cultural and Historic Resources Element
<b>June 7, 2013</b>	2. Land Use Element
<b>June 9, 2022</b>	4. Open Space & Resource Conservation Element
<b>June 13, 2022</b>	5. Public Access Element
<b>June 16, 2022</b>	Format change only to Land Use Element
<b>July 20, 2022</b>	Public Safety Element, 9. Public Facilities and Services Element, 11. Glossary Publication Complete

**REORGANIZATION, REVISIONS, AND POLICY OPTIONS**

***1. Reorganization***

In response to Coastal Commission staff recommendations, all elements now contain short descriptions of element purpose, relationship to other elements, and complete text of relevant sections of the California Coastal Act. Policies now directly quote Coastal Act sections rather than paraphrase text. In elements with multiple topic areas, there is a separate subsection for each topic that lists goals, objectives, policies, programs, and incentives relevant to the topic. This reorganization also resulted in comprehensive renumbering of goals, objectives, policies, programs, and incentives.

***2. Revisions and Policy Options***

The following parenthetical notes have been added to aid in following revisions that are included in the May 2022 Planning Commission Draft. Note that terms “GP2020”, “GP2020 Revised”, “Existing LCP Existing”, “LCP Revised”, and “New” have been carried over from the “June 2021 Public Review Draft of the Local Coastal Plan”.

- GP2020**                      General Plan 2020 policy that has been incorporated into the Local Coastal Plan
- GP2020 Revised**        General Plan 2020 policy that has been incorporated with revisions into the Local Coastal Plan
- Existing LCP**                Policy carried over from the 2001 Local Coastal Plan.
- Existing LCP Revised**    Policy from the 2001 Local Coastal Plan that has been revised.



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- New** Policies that were identified as new in the June 2021 Public Review Draft Local Coastal Plan.
- CCC Revised** Revisions recommended by the Coastal Commission as part of their review of the June 2021 Public Review Draft Local Coastal Plan.
- PC Revised** Revisions to the June 2021 Public Review Draft Local Coastal Plan in response to input to staff during this hearing. Additional policy options are also being provided in this memo in response to Planning Commission discussion and questions raised during this hearing.

**Key changes to goals, objectives, policies, programs, and incentives for each element are listed below as well as staff recommended policy options.**

### ***Introduction***

Permit Sonoma and Coastal Commission staff recommend revising Section 2 of the Introduction to clarify that all components of the Local Coastal Program must be reviewed and revised incrementally on a regular basis, consistent with California Coastal Act Section 30519.5 (emphasis added):

**“Coastal Act Section 30519.5: Periodic review of certified local programs; recommendations; reports**

(a) The commission shall, from time to time, but at least **once every five years after certification**, review every certified local coastal program to determine whether such program is being effectively implemented in conformity with the policies of this division. If the commission determines that a certified local coastal program is not being carried out in conformity with any policy of this division it shall submit to the affected local government recommendations of corrective actions that should be taken. Such recommendations may include recommended amendments to the affected local government's local coastal program.

(b) Recommendations submitted pursuant to this section shall be reviewed by the affected local government and, if the recommended action is not taken, the local government shall, within one year of such submission, forward to the commission a report setting forth its reasons for not taking the recommended action. The commission shall review such report and, where appropriate, report to the Legislature and recommend legislative action necessary to assure effective implementation of the relevant policy or policies of this division.”

Recommended revision to Section 2 for consistency with Section 30519.5:

The California Coastal Act (Public Resources Code Section 30000 et seq.; Coastal Act) was passed by the State Legislature in 1976, became effective on January 1, 1977, and replaced the original Coastal Initiative, Proposition 20, passed in 1972. The California Coastal Act requires each local government with jurisdiction over land within the Coastal Zone to prepare a Local Coastal Program for that portion of the Coastal Zone within its jurisdiction. A Local Coastal Program is a basic planning tool used by local governments, in partnership with the Coastal Commission, to guide development in the Coastal Zone. ~~An LCP must cover a 20-year planning period and must be reviewed and updated every five years. Each LCP~~ **A Local Coastal Program must** includes a Land Use Plan, which contains goals and policies for development, and an Implementation Plan, which contains, ~~in the form of zoning or other ordinances,~~ measures to implement the plan.



The Sonoma County Local Coastal Program consists of this Local Coastal Plan (the Land Use Plan), the Coastal Zoning Ordinance (the Implementation Plan) and the Coastal Administrative Manual, which provides guidance for the Implementation Plan. **Consistent with Coastal Act Section 30519.5, Sonoma County shall review the Local Coastal Program and amend as indicated by this review every five years after certification by the California Coastal Commission.**

### ***Land Use Element***

“Local Priority Use” has been added to **Table C-LU-1** of “Affordable dwelling units for extremely low, very low, and low-income households. Accessory dwelling units” establishing affordable housing as a higher priority than visitor serving commercial, non-water dependent recreation, commercial, and residential development.

Section added defining “Principally Permitted Use”.

New “General Land Use Policies” (**Policies C-LU-1a through C-LU-1i**) section that applies to all development in all land use categories. This includes:

Requirement for consistency with Coastal Act and Local Coastal Plan for all development.

Requirement for the Coastal Zoning Code and Coastal Administrative Manual to be consistent with goals, objectives, policies, programs, and initiatives of the Local Coastal Plan.

Policies for noise, vibration, and exterior lighting that apply to all development within the coastal zone.

**Policy C-LU-3a** Includes full text of Coastal Act section 30515.

**Policy C-LU-3b:** Added at direction of PC to prohibit energy support facilities in Commercial Fishing land use category.

**Policy C-LU-4g:** Clarifies that ADU’s cannot be used for transient rental.

**Policy C-LU-4u** Encourages service providers to retain capacity for affordable housing. Policy option is to replace “Encourages” with “Require”

Policy option: Delete **Initiative C-LU-5-I1** – duplicates **Policy C-LU-4u**

**Program C-LU-6-P1:** Program added to develop parking management program for Bodega Bay commercial area.

### ***Agricultural Resources Element***

**Table C-AR-3:** Lists commercial cannabis cultivation as a prohibited use.

Policy option: Recognize commercial cannabis cultivation as a permitted non-agricultural use, subject to a Use Permit and Coastal Development Permit.

**Policy C-AR-4a and C-AR-4c:** Use Permit and Coastal Development Permit required for outdoor aquaculture. Establishes criteria for approval of aquaculture processing or support services.

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





**Policy C-OSRC-2d:** Prohibits outdoor lighting that has a negative impact on coastal ecosystems.

**Policy C-OSRC-4h:** New policy to protect anadromous fish streams

**Objective C-OSRC-5.1:** Establish criteria for identifying and evaluating coastal wetlands and provide a policy framework for protecting coastal wetlands.

**Policy C-OSRC-5h:** No net losses shall occur in wetland acreage, functions, or values.

**Objective C-OSRC-6.1:** Identify areas where marine environmental resources are at risk from development, sea level rise, and climate change. Establish criteria protecting resources from these risks.

**Objective C-OSRC-6.1:** Protect marine mammal haul out areas and seal nurseries from disturbance associated with development or other human activity.

**Policy C-OSRC-6e and C-OSRC-6f:** Allows temporary closure of public access to protect marine mammal haul out areas during pupping season.

**Objectives C-OSRC-7.3 through C-OSRC 7.7** Protection and enhancement of native coastal habitats.

**Objective C-OSRC-8.1:** Review and update Environmentally Sensitive Habitat Area designations every 5 years.

**Policy C-OSRC-8a:** Establishes criteria for identifying Environmentally Sensitive Habitat Areas.

**Policy C-OSRC-8c:** Requires that biological resource assessments take into account sea level rise and climate change.

**Policy C-OSRC-8l:** Clarifies protection for old growth forest ecosystems in private ownership.

**Policy C-OSRC-10c:** Erosion control measures required on projects with slopes over 10%.

### ***Public Access Element***

Added reference to California Coastal Conservancy’s “Completing the California Coastal Trail” (Attachment 6)

**Policy C-PA-1b and Policy C-PA-1c:** Clarifies priority criteria for public access land acquisition and development.

**Policy PA-1j:** Requires a Coastal Development Permit for closure of privately owned or controlled accessways that are open to public use or vacation of rights of way associated with public access or that provide access to existing or proposed access points.

**Policy C-PA-2a:** Multi-use trails, associated amenities, and passive recreational features shall be located to minimize impacts to sensitive habitats and other sensitive surrounding land uses, such as residences and agriculture.

**Policy C-PA-2g and C-PA-3a:** Locate and design access and recreational facilities to accommodate and adapt to sea level rise and climate change.

**Policy C-PA-4e:** New temporary events policy consistent with California Coastal Commission 1993 “Guidelines for the Exclusion of Temporary Events from Coastal Commission Permit Requirements” (Attachment 7).





Policy Option: Revision to Public Access Plan

Staff recommends the following changes to the Public Access Plan, Access Point E-2, as an offer to dedicate a trail easement has been recorded as requires by an earlier Coastal Development Permit, and resolution of disputes regarding the offer to dedicate are beyond the scope of the Local Coastal Plan:

**(E-2) Ocean Cove Coastal Access & Boat Launch**

Access to Ocean Cove for pedestrians and for launching small watercraft is available for a small fee. Vehicular access to the blufftop and parking near the bluff are provided. A road from the bluff to a beach on the cove provides access. Approvals associated with coastal development at this location required offers to dedicate access and trail easements and other improvements to parking, ~~but these agreements remain in dispute.~~

Owner/Manager: Private

Status: Existing

Acquisition Priority: I

Development Priority: III

Existing Improvements: Private campground, boat launch, store

Proposed Improvements and Programs:

1. ~~Continue to provide~~ **Support private commercial recreational activities that provide maximum public access to the shoreline including the boat launch.**
2. ~~Require the Offer to Dedicate a trail easement for pedestrians and bicyclists to connect Highway 1 with Stillwater Cove Regional Park through the campground.~~ **Develop access to Stillwater Cove Regional Park, consistent with the Offer of Dedication of an Easement recorded October 16, 2009, Document #2009099641.**
3. ~~Require the Offer to Dedicate for the boat launch to stipulate that in the event that the boat launch closes to the public, the County can exercise their easement and re-open the facility for public use.~~ **A Coastal Development Permit, appealable to the Coastal Commission, shall be required for permanent termination of private commercial recreational activities that provide public access, including but not limited to the boat launch.**

Estero Americano Access:

Many comments have been received concerning access to the Estero Americano, both in support and in opposition to public access to the coast in this area. Opponents have raised issues of trespassing, vandalism, damage to environmentally sensitive habitat areas and requested that all references to public access to the Estero Americano be removed from the Local Coastal Plan. Proponents have argued that access to the coast is a right protected by the California Constitution and the Coastal Act. There are also disputes regarding access easements that go well beyond the scope of the Local Coastal Plan.

Any new access point or trail would require a Coastal Development Permit, and this permit could only be issued if the project met the legal standards for the protection of Environmentally Sensitive Habitat Areas (ESHA), to the extent ESHA are present. Section 30240 of the Coastal Act states:

- (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
- (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.



Trails are resource dependent and are not prohibited in ESHA, provided that there is no significant disruption of habitat values. Adjacent areas must also protect ESHA. The Coastal Act specifically contemplates that recreation areas can be in, adjacent to, or near ESHA, if this standard is met. The LCP does not consider a project level proposal for access to the Estero Americano, but it is not the intent of the LCP to thwart access to the Estero. Staff does not recommend removing references that identify access points to the Estero Americano, but does recommend that the public access figures clearly identify proposed access points on lands that are privately owned.

### ***Water Resources Element***

**Objectives C-WR-1.6 through C-WR-1.14** added or revised:

**Objective C-WR-1.6:** Educate the public about practices and programs to minimize water pollution, and provide educational and technical assistance to agriculture in order to reduce sedimentation and increase on-site retention and recharge of storm water.

**Objective C-WR-1.7:** Secure funding sources for development of Sonoma County Coastal Zone groundwater quality assessment, monitoring, remedial and corrective action, and awareness/education programs.

**Objective C-WR-1.8:** Require treated water to conform with beneficial water use standards to the maximum extent feasible.

**Objective C-WR-1.9:** Minimize the pollution of stormwater runoff and the degradation of surface water quality from roads and other paved surfaces, commercial development, waterfront development, and agricultural facilities.

**Objective C-WR-1.11:** Encourage new groundwater recharge opportunities and protect existing groundwater recharge areas.

**Objective C-WR-1.12:** Require consideration of naturally occurring and human caused contaminants in groundwater in development projects. Educate the public on evaluating groundwater quality

**Objective C-WR-1.14:** Protect groundwater from saltwater intrusion.

**Policy C-WR-1c:** Revised to give priority to Low Impact Development approach to stormwater management.

**Policy C-WR-1e:** Requires Treatment Control Best Management Practices (BMPs) for post-construction treatment of storm water runoff.

**Policy C-WR-1g:** Establishes siting requirements for new development that minimize stormwater runoff impacts.

**Policy C-WR-1k:** Prohibits new development in Bodega Bay and The Sea Ranch if municipal wastewater service is inadequate or discharge fails to meet standards set by the North Coast Regional Water Quality Control Board.

**Policy C-WR-3c and Policy C-WR-3d:** Require public water systems to prepare facilities master plans that report system capacity and ability to serve future demand taking into account the anticipated impacts of sea level rise and climate change. New connections are prohibited if the system cannot meet current or future demand.



**Policy C-WR-4f:** Allows greywater systems and roof top rainwater harvesting to minimize use of groundwater resources.

**Policy CWR-4g:** Limits landscaping to native drought tolerant plants.

**Policy C-WR-4k:** Requires all new development within the Bodega Bay Urban Service Area to have no impact on groundwater recharge.

### ***Public Safety Element***

#### Sea Level Rise

At the February 3, 2022 reopened public hearing, there was extensive discussion regarding how to forecast sea level rise, and which forecast to use as a basis for policy development. At that time of the meeting, the California Ocean Council Science Advisory Team “Rising Seas in California; An Update on Sea-Level Rise Science” (Attachment 5) published in April 2017, along with the “State of California Sea-Level Rise Guidance 2018 Update” appeared to represent the best available information and forecast. This study projected that there could be approximately 2 meters (6.6 feet) of sea level rise by 2100, assuming that carbon emissions continue at the current rate and a worst case scenario of a 3 meter (10 foot) rise assuming rapid ice loss in Greenland and Antarctica.

On a straw vote, the Planning Commission supported using a 10-foot rise in sea level for Local Coastal Plan policy.

Shortly after this meeting, the National Oceanic and Atmospheric Administration (NOAA) published the “Global and Regional Sea Level Rise Scenarios for the United States” in late February of 2022 (Attachment 4). This document, prepared in partnership with U.S. Environmental Protection Agency, National Aeronautics and Space Administration, U.S. Geological Survey, U.S. Army Corps of Engineers, U.S. Department of Defense, and the University of Hawai‘i at Mānoa represents a significant advance in climate change science and provides the best forecasts of sea level rise and associated impacts currently available.

An important finding of the NOAA study is that new information supports a 2.1-meter (7 foot) rise in sea level by 2100, and the assumptions associated with greater sea level rise are unlikely to occur until 2150, assuming that global climate emissions continue to follow their current trends. In consideration of this report, Permit Sonoma and Coastal Commission staff are recommending using a 7-foot rise in sea level as the standard for Local Coastal Plan Policy.

**Policy C-PS-4a:** Sea Level is defined as the locally corrected mean high water level referenced to the average of all the high water heights observed over the 1983-2001 National Tidal Datum Epoch at the National Oceanic and Atmospheric Administration Point Reyes Station Datum, Station ID 9415020.

**Policy C-PS-4b:** Sea Level Rise is defined as a 7-foot increase in sea level relative to the locally corrected mean high water level referenced to the average of all the high water heights observed over the 1983-2001 National Tidal Datum Epoch at the National Oceanic and Atmospheric Administration Point Reyes Station Datum, Station ID 9415020.

**Policy C-PS-4c:** For the purposes of vulnerability and risk assessments, mapping, land use planning, and adaptation planning, identify the areas projected to be inundated by sea level rise as defined in Policy C-4b,



including under projected high tides, high water conditions in combination with high tides, storm wave run up and storm surge.

**Policy C-PS-1d:** Evaluate and update hazard data every 3 years or at intervals recommended by responsible agencies, whichever is more frequent, to reflect any changes made by various responsible agencies including, but not limited to, the FEMA, United States Geological Survey (USGS), California Geologic Survey and /or California State Geologist, National Oceanic and Atmospheric Administration (NOAA), National Ocean Protection Council, California Coastal Commission, and California Department of Forestry and Fire Protection (CAL FIRE). In the event of conflicting information among these sources, Permit Sonoma staff shall determine which is most appropriate in consultation with California Coastal Commission staff. Provide locally generated hazard data to these agencies involved in hazard mapping.

Duplicate to Policy C-PS-1d recommended for deletion:

**Policy C-PS-4d:** Update hazard data every 3 years or at intervals recommended by responsible agencies, whichever is more frequent, using the best available scientific estimates, aligning with projections used by regional, state and federal agencies.

### ***Circulation & Transit Element***

At the March 28, 2022 reopened hearing, the Planning Commission provided specific input on goals, objectives, policies, programs, and initiatives in the Circulation & Transit Element. This input is included in the May 2022 Planning Commission Draft and identified with the notation “PC-Revised” in the document.

**Objective C-CT-1.3:** Reduce greenhouse gas emissions by reducing vehicle miles (VMT) traveled, especially VMT associated with vehicles powered by hydrocarbon fuels, such as gasoline and diesel, and providing sufficient charging stations for electric vehicles.

**Program C-CT-1-P5** Require repair of transportation infrastructure in response to wildfire damage use fire resistant materials and that support structures be hardened against wildfire to the maximum extent possible, consistent with avoiding adverse impacts to visual or biotic resources, and work with Coastal Commission staff to identify fire hardening standards that could be excluded from needing a Coastal Development Permit.

**Policy C-CT-2a:** Provide efficient, affordable public transportation service within and to the Coastal Zone and require expansion of active modes of transportation where opportunities are identified.

**Objective CT-3.4:** Incorporate Vision Zero strategies into all transportation improvements, with a focus on intrinsically safe roadway design. These strategies include continuous collection and analysis of data to understand trends and potential disproportionate impacts of traffic deaths on certain populations, and using this data to design a transportation network that can achieve a goal of zero deaths and serious injuries.

**GOAL C-CT-4:** Provide and maintain a road, transit, and trail system within the carrying capacity of coastal resources that will reduce vehicle miles traveled while equitably meeting the mobility needs of all, including pedestrians, bicyclists, children, students, people with disabilities, users of public transportation, motorists, and commercial transportation.

**Objective C-CT-4.1:** Develop road, transit, and trail system design standards that avoid impacts to Coastal resources and are resilient to sea level rise and climate change while providing equitable public access and mobility to and within the Sonoma Coast.



**Policy C-CT-4b:** Road and trail design and maintenance activities shall be consistent with the principals of the Complete Streets Act of 2008 and consider the mobility needs of all road users on an equitable basis.

**Policy C-CT-4c:** The following policies apply to Highway 1 and Highway 116 within the Coastal Zone:

- (1) Repair and maintenance of Highway 1 shall be consistent with 2019 Caltrans “Sonoma State Route 1 Repair Guidelines” found in Appendix K.

**Policy C-CT-4i:** Using a projected 7-foot rise in sea level relative to identify road segments at risk from sea level rise and coastal erosion and routes for realignment or alternative routes in the event that maintaining the roadway is not feasible.

**Policy C-CT-5c:** Carry out on an as needed basis projects that enhance traffic safety but do not measurably increase capacity, including but not limited to traffic control devices (signals and signs), curvature reduction, turn lanes at intersections, shoulder improvements, reconstruction, and resurfacing. Approval of these projects should be balanced with impacts on coastal resources and be consistent with Coastal Act Polices and this LCP including but not limited to habitat, habitat buffers, as well as view protections

Policy Option:

**New Program:** Identify reliable data sources for vehicle counts and parking data and collect this information annually. Produce a report every three years that identifies impacted areas, peak days and months, and evaluates trends. Work with the Economic Development Board and Visitor Tourism Bureau to fund this program.

### ***Public Facilities and Services Element***

**Program C-PF-1:** Create a total water supply and use budget for the Sonoma County Coastal Zone that considers future impacts on water including, but not limited to: loss of groundwater to salt water intrusion, potential droughts, increased water usage for increased development, and fire suppression.

**Policy C-PF-2f:** The following guidelines shall be used for any exception allowed by Policy C-PF-2e (*Staff note – Policy C-PF-2e allows exceptions to restrictions on extending wastewater service beyond the wastewater district boundary*):

- (3) Require written certification by the service provider that adequate service capacity, consistent with the facility master plan, is available for the use to be connected to the system;

**Policy C-PF-2h:** The following guidelines shall be used for any exception allowed by Policy C-PF-2g (*Staff note – Policy C-PF-2g allows exceptions to restrictions on extending water service beyond the water providers service area*):

- (1) Size facilities to serve development consistent with the Local Coastal Plan;
- (2) Require written certification that adequate service capacity is available for the economic life of the development to be connected to the system or planned to be connected in the future; and
- (3) Use out-of-service area agreements that limit the use to existing development rather than annexations.

**Initiative C-PF-8-11:** Encourage the providers of telecommunication services, including broadband, to expand and improve services to the Sonoma County coast, based on areas of identified need, including closure of the gap in existing fiber-optic cable between the north and south coast.



### ***Cultural and Historic Resources Element***

Subsequent to the last reopened public hearing on March 28, 2022, Sonoma County entered into consultation with Federated Indians of Graton Rancheria. Consultation has concluded and policies regarding Tribal and cultural resources reflect the outcome of this consultation.

Staff recommends adding the following policy and program:

**Policy C-CH-:** Require projects to maintain and preserve the integrity of historic structures and features associated with or may be affected by the proposed project.

**New Program:** Create an inventory of historic resources that are at risk from neglect and/or the effects of sea level rise and climate change. This inventory would identify preservation priorities based on historic significance, current condition, level of risk, and funding needs as well as strategies for preservation, consistent with protection of coastal natural resources.

### **TECHNICAL AND TYPOGRAPHIC CORRECTIONS**

The following technical and typographic errors have been identified and will be corrected in the final Planning Commission recommended draft of the Local Coastal Plan:

Land Use Element: **Policy C-LU-1b** duplicates **Policy C-LU-1c**, and is recommended for deletion. **Policy C-LU-1c** represents the policy recommended by Permit Sonoma and Coastal Commission staff.

Duplicate policy numbering **Policy C-LU-6n**

Policy **C-LU-4u** incorrectly numbered.

Open Space & Resource Conservation Element:

**Policy C-OSRC-7f** references **C-OSRC-2a-2d**, not -2e

Circulation & Transit Element:

Policies in Section 3 Bicycle and Pedestrian Policies are missing “C-“prefix in policy numbers.

Public Access Element:

Policy numbering is inconsistent within Section 3 “Access Planning and Development”

Public Facilities & Services Element

**Figure C-PF-2c** legend has Bodega Bay Fire Protection District and Bodega Volunteer Fire Department reversed.

Numbering format for Public Facilities & Services Programs is inconsistent

Duplicate policy numbering **Policy C-PF-2f**

Table C-PF-1 shows incorrect number of vacant residential lots at the Sea Ranch. Correct number is 439



Description of The Sea Ranch fire district is incorrect. “The Sea Ranch, staffed by CalFire personnel funded through CSA 40” will be replaced with “North Sonoma Coast Fire Protection District staffed by CalFire contract personnel”

Reference to “Gualala Health Center” is incorrect and will be replaced with “Redwood Coast Medical Services”

## **PUBLIC COMMENTS**

A table of public comments received since publication of the 2021 Revised Public Review Draft on June 21, 2021 is found in Attachment 3.

## **ANALYSIS**

### ***Coastal Act Consistency***

Determining that the Local Coastal Plan is consistent with the Coastal Act is the responsibility of the Coastal Commission and additional changes may occur after adoption to ensure its consistency. Permit Sonoma staff has worked closely with Coastal Commission staff for the last several years when developing the Draft Local Coastal Plan to assure that goals, objectives, policies, programs, and initiatives contained in the 2021 Revised Public Review Draft of the Local Coastal Plan are consistent with provisions of the Coastal Act. The Local Coastal Plan will be improved and revised as it moves through the public hearing process, and staff will continue its collaboration with the Coastal Commission through certification and implementation.

### ***General Plan Consistency***

General Plan consistency is not required by the Coastal Act, but priority in development of the Local Coastal Plan is to harmonize Local Coastal Plan policy with the General Plan while providing maximum protection of coastal resources and preserving public access to the ocean. The proposed Project implements General Plan Land Use Element and programs to protect and enhance coastal resources while guiding future development. The Local Coastal Plan is intended to be a standalone policy document that integrates the appropriate General Plan goals, objectives, and policies with those necessary to comply with the California Coastal Act. The Update Project will not create an internal inconsistency in the General Plan, or inhibit the implementation of any other General Plan policies or program.

### ***Zoning (Implementation)***

Revision of the Coastal Zoning Ordinance to implement the Local Coastal Plan update will be the next step after the Plan is certified by the Coastal Commission. The future update of the Zoning Code and additional implementation measures will be subject to public outreach and review, planned to begin shortly after certification.

### ***Environmental***





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. It should be noted that only development of the local coastal program is statutorily exempt; development projects in the coastal zone and implementation of programs and initiatives identified by the Local Coastal Plan are not exempt and subject to the provisions of CEQA.

## **RECOMMENDATIONS**

### ***Staff Recommendation***

Staff recommends that the Planning Commission adopt a resolution recommending the May 2022 Planning Commission Draft Local Coastal Plan, including changes recommended by the Planning Commission at this hearing, for adoption by the Board of Supervisors and finding the project statutorily exempt from the California Environmental Quality Act (CEQA) as per Section 15265.

## **ATTACHMENTS**

1. Resolution recommending Local Coastal Plan to the Board of Supervisors
2. May 2022 Planning Commission Draft
3. Public comments received since publication of the 2021 Revised Public Review Draft
4. 2022 NOAA Global and Regional Sea Level Rise Scenarios for the United States
5. 2017 Rising Seas in California an Update on Sea Level Rise Science
6. Completing the California Coastal Trail
7. Guidelines for Exclusion of Temporary Events

