



Legislation Text

File #: 2023-0345, **Version:** 1

To: Sonoma County Board of Supervisors
Department or Agency Name(s): Permit Sonoma
Staff Name and Phone Number: Gary Helfrich (707) 565-2404
Vote Requirement: Majority
Supervisorial District(s): Countywide

Title:

2:30 PM -Sonoma County Local Coastal Plan Update (PLP13-0014)

Recommended Action:

Hold a public hearing, consider policy options prepared by staff, and adopt the Local Coastal Plan update as recommended by the Planning Commission as revised consistent with Board action on policy options. (Exempt from the California Environmental Quality Act per Public Resources Code section 21080.9)

Executive Summary:

The California Coastal Act requires local governments in the Coastal Zone to either prepare a Local Coastal Program or to formally ask the California Coastal Commission to do so. To preserve local control, Sonoma County has prepared a Local Coastal Program. The Local Coastal Program must regulate land use and protect coastal resources consistent with the Coastal Act. The Coastal Commission then must certify that it complies with the Coastal Act. In Sonoma County, the Local Coastal Program consists of three components: Local Coastal Plan, Coastal Zoning Ordinance, and Coastal Administrative Manual.

The Sonoma County Local Coastal Plan update has been a 9-year long process, involving extensive public outreach, research, and numerous revisions. The Planning Commission opened the public hearing for the Local Coastal Plan on July 26, 2021, concluded the hearing on June 29, 2022, and has recommended a draft of the Local Coastal Plan for adoption by the Board of Supervisors. The Board of Supervisors considered the Planning Commission recommendation at its October 4, 2022 hearing and directed Permit Sonoma staff to return with policy options that address various issues raised at the hearing.

After the Board of Supervisors adopts the Plan, and the California Coastal Commission certifies it, Permit Sonoma will begin implementation of the Plan by proposing updates to the Coastal Zoning Ordinance and Coastal Administrative Manual for consistency with the amendments. These updates are anticipated to be developed in mid-2023 and will go through the same process of Planning Commission recommendation, Board of Supervisors adoption, and Coastal Commission certification as the Local Coastal Plan.

Discussion:

Background:

General Plan 2020 adopted Land Use Program 1 as part of the 2008 General Plan update. The Land Use Program 1 identifies a need to update the Local Coastal Plan in order to improve integration and consistency with the General Plan while assuring that the Local Coastal Plan remains consistent with and carries out the

policies of the California Coastal Act. The California Coastal Act declares that that the basic goals of the state for the coastal zone are to:

- a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources.
- b) Assure orderly, balanced utilization and conservation of coastal zone resources taking into account the social and economic needs of the people of the state.
- c) Maximize public access to and along the coast and maximize public recreational opportunities in the coastal zone consistent with sound resources conservation principles and constitutionally protected rights of private property owners.
- d) Assure priority for coastal-dependent and coastal-related development over other development on the coast.
- e) 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.

In September of 2019, the *2019 Public Review Draft* was published and presented to the public in a series of 12 public workshops, ending with a Board of Supervisors workshop session on May 25, 2021. The Planning Commission determined that given the scope of the plan and significant public interest, the hearing would require multiple meetings to consider the *Revised Public Review Draft 2021* on an element-by-element basis. Planning Commission review proceeded as follows:

October 7, 2021: Review noise policy, establish hearing schedule
November 10, 2021: Public Safety and Public Facilities Elements
December 9, 2021: Agricultural Resources, Water Resources, and Circulation & Transit Elements
January 13, 2022: Cultural Resources and Land Use Elements
February 3, 2022: Land Use continued and Open Space & Resource Conservation Elements
March 3, 2022: Open Space & Resource Conservation (continued) and Public Access Elements
March 28, 2022: Review of Coastal Commission recommendations and direction for preparing revised draft.
June 29, 2022: Final review and recommendation to the Board of Supervisors

On August 30, 2022, the Board of Supervisors held a public workshop to provide direction to staff and provide an opportunity for public input on the Planning Commission Recommended Local Coastal Plan.

On October 4, 2022, the Board of Supervisors began consideration of the Planning Commission Recommended Local Coastal Plan. During that review, the Board identified a need to consider options to the policies recommended by the Planning Commission and directed Permit Sonoma staff to return with discussion papers on each topic and provide recommendations on various options that were identified. Additional policy options have been provided in response to topics raised by the Coast Municipal Advisory Council in their November 9, 2022 letter to Supervisor Hopkins (Attachment 11), and policy topics discussed at a September 14, 2022 stakeholder meeting held by the 5th District in Bodega Bay. A detailed discussion on each topic is found in Attachment 2, Local Coastal Plan Policy Option Papers.

The topics discussed include:

- a) Agricultural fencing

- Clarifies what is an “agricultural operation”
 - Provide clear exception for agricultural fencing that is a necessary component of an existing agricultural enterprise
 - Allows agricultural fencing within riparian corridor setbacks, subject to a coastal development permit
- b) Support for the U.C. Davis Bodega Marine Laboratory (BML)
- Policy to streamline permitting for BML research on lands outside of the main campus
 - Requires restoration of the site after research is concluded
- c) Expanded opportunities for new campgrounds
- Identifies campgrounds as an important source of affordable lodging for visitors
 - Allows campgrounds in all agricultural, resource, and commercial land use categories where campgrounds will not interfere with the principally permitted use
- d) Public access to the Estero Americano
- Option to remove future access locations and replace with a policy supporting development of public accessways and requiring a coastal development permit for vacating existing rights of way necessary for establishing access in the future
- e) Fire fuel management
- New program to develop Forest Health and Fire Resilience Public Works Plans for high fire risk areas to streamline fire fuel management and provide consistent guidelines for property owners
- f) Preservation of non-commercial forest and woodlands
- Clarifies definition of “forest” and “woodland”
 - Adds “forest” to the the list of potential Environmentally Sensitive Habitat Areas
 - Adds consistency to policies that include references to woodlands, forests, and forest soils
- g) On-shore facilities related to off-shore wind energy or seabed mining
- New policies that would prohibit on-shore facilities related to off-shore wind energy or seabed mining
- h) Reintroduction of Sea Otters to the Sonoma Coast
- Stronger policy to protect kelp beds
 - Policy to collaborate with Tribes, agencies, and interest groups to reintroduce Sea Otters to the Sonoma Coast
 - New program identifying opportunities for Sea Otter reintroduction
- i) Site-specific policies for visitor serving development
- Analysis of development history for affected parcels finding them redundant with other policies and ineffective at controlling site development
 - Recommendation to remove all parcel specific policies
- j) Subdivision of agricultural lands to support small family farms
- Analysis of available agricultural parcels finds that a significant inventory of small parcels
 - Agricultural land lease is an alternative to subdivision
 - Reducing minimum parcel size is likely to result in long term conversion of agricultural land to residential use
 - Poor soils and limited groundwater require relatively large parcel sizes to sustain an agricultural enterprise.
- k) Technical Corrections
- The following additions to the technical corrections are recommended for inclusion in the Local Coastal

Plan:

- The correction comment associated with “Area 8 Pacific View/Willow Creek Land Use” should include parcels 097-210-004, 097-210-005, 101-090-001, and 101-090-009 to remain designated as Resources and Rural Development.
- The Land Use Element tables for Land Extensive Agriculture and Diverse Agriculture contain incorrect punctuation (comma) that creates an unclear definition of residential density. In addition, the policy for Diverse Agriculture included the incorrect residential density (160 acres rather than 40 acres)

Existing text for Land Extensive Agriculture:

One single-family residence per 160 acres or one per parcel, if a parcel is less than 160 acres, when supporting agricultural uses onsite.

Corrected text for Land Extensive Agriculture:

One single-family residence per 160 acres or one per parcel if a parcel is less than 160 acres, when supporting agricultural uses onsite.

Existing Text for Diverse Agriculture

One single-family residence per 40 acres or one per parcel, if a parcel is less than 160 acres when supporting agricultural uses onsite

Corrected Text for Diverse Agriculture

One single-family residence per 40 acres or one per parcel if a parcel is less than ~~160~~ 40 acres when supporting agricultural uses onsite.

In addition to the technical corrections listed above, Sonoma County Regional Parks provided an annotated list of corrections to policies that affect development and management of parks in the coastal zone (Attachment 8).

Staff Recommendation: Adopt the Local Coastal Plan as recommended by the Planning Commission, with amendments as directed by the Board of Supervisors, and find the project statutorily exempt from the California Environmental Quality Act per Public Resources Code section 21080.9.

Strategic Plan:

The Local Coastal Plan update supports Climate Action and Resiliency Goal 1 Objective 2 with policies that streamline fire fuel management in high fire severity areas of the coast, supports Goal 5 Objective 1 with policies that protect natural resources, infrastructure, and development from impacts of sea level rise, and supports Goal 4, Objective2 with a program to encourage development of broadband infrastructure throughout the coastal zone.

Prior Board Actions:

N/A

FISCAL SUMMARY

N/A

Narrative Explanation of Fiscal Impacts:

N/A

Narrative Explanation of Staffing Impacts (If Required):

N/A

Attachments:

- Att 1: PLP13-0014 Planning Commission Recommended Draft July 2022
- Att 2: PLP13-0014 Local Coastal Plan Policy Option Papers
- Att 3: PLP13-0014 Planning Commission Hearing Minutes July 26, 2021 through June 29, 2022
- Att 4: PLP13-0014 Planning Commission Staff Reports and Memos
- Att 5: PLP13-0014 Public comments and responses provided to the Planning Commission at the June 29, 2022 meeting
- Att 6: PLP13-0014 California Coastal Commission Comments and Element Markups
- Att 7: PLP13-0014 PC Reso Local Coastal Plan 2022-06-29
- Att 8: PLP13-0014 Regional Parks technical correction memo
- Att 9: PLP13-0014 Board of Supervisors Summary Report October 4, 2022
- Att 10: PLP13-0014 Resolution
- Att 11: PLP13-0014 Sonoma Coast MAC Comment Letter dated November 9 2022
- Att 12: PLP13-0014 Staff PowerPoint

Related Items "On File" with the Clerk of the Board:

1. Additional public comments provided to the Planning Commission and Board of Supervisors
2. Revised Public Review Draft Local Coastal Plan - June 2021
3. 2001 Sonoma County Local Coastal Plan
4. Public comments received since June 29 2020 Planning Commission Hearing
5. Resolution 01-1469