



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
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December 9, 2021
Meeting No.: 21-14

Roll Call

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

Staff Members

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

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

Approval of Minutes None

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

Shaun McCaffery appointed to Fourth District

Commissioner Announcements

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

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

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

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

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

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

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

Commissioner Disclosures: None

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff Gary Helfrich responded **0h51m**.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Hearing Opened: 2:17 PM

Steve Birdlebough
Rue Furch
Tom Conlon
Eris Weaver

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Reed announced a ten-minute break until 3pm

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Staff Gary Helfrich responded It would. 2h31m

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

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

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

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

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

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

Public Comment opened 3:36 pm

Rue Furch

Public Comment closed 3:38 pm

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Comment Opened: 4:25 PM

Kimberly Burr
Cea Higgins
Megan Kaun
Beth Bruzzone

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Commissioner Koenigshofer yes. **3h55m**

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

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

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

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

All commissioners agreed. **3h58m**

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

Vote:

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

Ayes:
Noes:
Absent:
Abstain:

Hearing Closed: 4:58 PM