



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
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March 28, 2022
Meeting No.: 22-07

Roll Call

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

Staff Members

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

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

Approval of Minutes February 3, 2022 and March 3, 2022

Correspondence None

Board of Zoning Adjustments/Board of Supervisors Actions Noe

Commissioner Announcements None

Public Comments on matters not on the Agenda: None

Items scheduled on the agenda

Planning Commission Regular Calendar

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

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

Sonoma County Planning Commission will resume the virtual public hearing opened on July 26 2021 to receive public comment and consider recommendations on the Public Review Draft of the Local Coastal Plan to the Board of Supervisors in which all interested persons are invited to attend and provide comments.

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

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

Commissioner Disclosures: None

Gary Helfrich summarized the staff report, which is incorporated herein by reference. **0h5m**

Commissioner Questions:

Commissioner Koenigshofer asked when would public comment make its way into the Draft? **0h11m**

Staff Gary Helfrich responded. **0h11m**

Commissioner Koenigshofer asked if there is public input that is considered inconsistent with Coastal Act will it be flagged? **Staff Gary Helfrich** responded. **0h13m**

Commissioner Koenigshofer does not want to lose public comment that might be considered inconsistent. We would want that analysis shown by staff. **0h14m**

Staff Gary Helfrich stated yes we would provide that in a fairly concise way. Staff would need a time horizon from the Commission. Go back to public comments from last July 2021? **0h15m**

Commissioner Koenigshofer responded agreed. **0h15**

Staff Scott Orr responded between now and one month prior to the next PC would release updated drafted. Would give time for each Commissioner to give comments ask questions ectara but no large policy changes. **0h15m**

Commissioner Cornwall asked about how would the public comments be noted. Stated some public comments span multiple Elements. **0h16m**

Staff Scott Orr responded I think we were just having kind of a general or overarching section, you know we'll break it up, all we can but just for the sake of time we probably wouldn't have a big internal meeting. If a comment spans multiple Elements will probably just make the decision to include it in a general section. **0h16m**

Commissioner Reed stated I expect this will be a large document. Could the Commission get hard copies of the Draft? **0h17m**

Staff Scott Orr we could do that per request of each Commissioner. **0h17m**

Commissioner Koenigshofer stated I would like a hard copy and color maps. **0h17m**

Staff Scott Orr stated we will end meeting with a more formal direction and timeline. **0h19m**

Commissioner Koenigshofer stated we already modified approach by looking at it Element by Element. It has been beneficial high level of communication with the Coastal Commission staff. Thanked Staff and the public for patience and work done. **0h20m**

Staff Gary Helfrich continued the overview presentation. **0h21m**

All Elements will have identical format sections
Summarized **Circulation & Transit Element**

Commissioner Reed asked to clarify we're looking at the Circulation and Transit Element today, but this idea that we're going to receive another copy of all the comments of and Commission comments for all the elements, subsequent to this? **0h32m**

Staff Gary Helfrich responded correct. Will do this for each Element. The idea was to sort of walk the Commission through kind of the three aspects of what we'd be presenting on each element for your final review, which would be the Coastal Commission draft the planning Commission policy recommendations and the public input with staff recommendations. Great and we do that for each Element, and where the Elements had extensive dependencies it would include comments on the dependencies as well. **0h32m**

Public Hearing Opened: 1:33 PM

Beth Bruzone
Cea Higgins

Commissioner Reed Why don't we leave it open for a minute, and maybe we can respond to miss Persons question regarding the EV stations would that be part of a Use Permit where applicants might be encouraged to apply for one? **0h36m**

Staff Gary Helfrich responded It would be both and maybe that's a good point that was brought up there, we should clarify, because the intention is it's both it's both public and private. And the intent there is to just lower the bar if somebody right now there's a lot of places where if you had a restaurant and you wanted to ensure install EV charging stations like the Tides wanted to put EV stations in they need a Coastal Development Permit with Hearing because of where they're located and the intention of that is to streamline the entitlement process basically provide incentives, but also to have it so in all of our public use areas there will be EV charging stations, but my understanding is those aren't free I mean there may be built with taxpayer money, but so is the campground and you still have to pay a fee to camp and assume you have to pay a fee to charge your vehicle too. **0h36m**

Public Hearing Closed, and Commission discussion Opened: 1:36 PM

Commissioner Cornwall commented about a number of statements in staff Memo vary in force some say, "shall be verses when identified." In support of stronger language. Asked about reducing VMT (Vehicle Miles Traveled) in comparison to what? **0h43m**

Staff Gary Helfrich responded requiring road way expansion to put in side walk would not be feasible due to possible ESHA on either side. Sonoma County Transit we can't force them to develop but just encourage them to develop better transit. We tried to make them positive actionable statements. **0h45m**

Commissioner Cornwall stated we need this plan to lay the groundwork for future use. Important issue how people get to the coast. The LCP should be as strong as possible. **0h48m**

Commissioner Koenigshofer stated General Plan relationship to housing and transit the LCP should clearly push the General Plan direction that overlap. VMT when we talk about coastal zone and working remotely.

Traffic on the coast is mainly a visitor travel tourism issue. Cumulative impacts on coast still seemed overlooked I see it as an omission. [0h50m](#)

Commissioner Reed requested to circle back to **Commissioner Cornwall**. [0h54m](#)

Staff Scott Orr Just because something says when feasible doesn't mean it doesn't have value. When staff is conducting an analysis on a discretionary permit there's never a point where we go okay we're doing our analysis, this project says when feasible, they say it's not feasible. I think that it's appropriate for vehicle miles traveled, especially in regards to greenhouse gases, because requiring EV charging stations actually doesn't do anything for VMT because an electric vehicle is still a vehicle on the road driving miles: So in cases like that I think it's good to have a little bit of flexibility knowing that when a discretionary project comes forward we will as staff discuss that flexibility and whether it is or not appropriate in in the circumstance. [0h57m](#)

Commissioner Reed responded when we have use permit come before us where you know the applicant has to demonstrate that they have responded to those kinds of comments and they have to prove that, for example, it's not feasible and you know it seems to me that it allows for some creativity and some discussion of the site plan specifically ways of achieving those things to provide incentive for them. [0h55m](#)

Commissioner Cornwall responded individual projects, you know, a bigger project or something would have to do a traffic analysis and then there's some demonstration usually that the amount of traffic and VMT that they would cause is not that much. What we really need is not just prevent minor increases, which is what usually happens when we can project by project, but we need to drive a long-term significant decrease, both in VMT and in congestion and emissions. How can we have general proposed language that the county will move toward a program of funding and planning, and you know that's going to take a long time, in the meantime I'm wondering what kinds of project by project, you know month by month, year by year steps can be taken to definitely not increase the emissions and congestion. Because right now going back to that carrying capacity comment we're over the top on many days a year at the coast are ready, so how, in practice, would a project with new development not increase this? [0h57](#)

Staff Scott Orr responded in general any new use is a defacto increase. So this would mean no development at all on the Coast. The Coastal Commission might see this as limiting public access. [0h59](#)

Commissioner Cornwall A more refined version of that would be no net increase in VMT. Maybe projects have to pay into some fund or they have to take something off the road or they have to some I mean if we don't put something in place then we're just going to keep creeping up that's the nature of the beast. [0h58m](#)

Gary Helfrich staff has thought about this. It is Tourism driving the VMT not development. There is not very much capacity on the Coast for development. The Coastal Act encourages public access but also drives up the issue of vehicles on the road. [1h1m](#)

Commissioner Cornwall seems like an issue the Coastal Commission needs to deal with. Have they come up with anything new? [1h2m](#)

Staff Gary Helfrich responded no but the Coastal Commission is open to ideas. [1h3m](#)

Commissioner Koenigshofer would like to see measure of importance of public interest would prefer public policy get expressed and implemented on more than just what the applicant wants or needs. VMT is the umbrella to subtopics. Mention of complexity of subsets would be worth noting. Mentioned outlining coastal towns that are inland but are affected by development in the Coast But the quantifiable impacts in the coastal zone could be quite visible and finding a way to recognize the real world nexus between an out of zone project and its implications in the coastal zone, I think is important to note relative To general plan discussions. The whole question of what the county does through tourism promotion you know, I think it it's oddly in a vacuum in the sense that it's outside the realm of any kind of CEQA analysis, which I find sometimes to be very frustrating and unfortunate because you can have all sorts of public resources devoted to promoting activity which exacerbates carrying capacity problems and congestion problems, and it would be nice if it is at least there was some recognition that some of that programming should be measured against carrying capacity that might be more general plan observation than coastal zone but it certainly applies in the coastal zone. [1h5m](#)

Commissioner Reed it seems like the consensus is to try to push the local coastal plan to incorporate more decisive kinds of language, and I would imagine we've been pushed to incorporate more decisive language. To staff will you take these comments back and edit? Or should we look at what you have submitted in your Memo? **1h7m**

Staff Gary Helfrich responded this represents Coastal Commission comments, public input, and Planning Commission comments. We are well aware of concerns. I'm worried about a list of changes. We need a list more specific. **1h10m**

Commissioner Reed asked be more specific? **1h10m**

Staff Gary Helfrich yes looking for a way to present to Commission with specific recommendation and changes so we will have something actionable. **1h11m**

Commissioner Cornwall Element as presented is fine. But can we go farther? If the answer is no that that's fine.

Staff Scott Orr responded I think the main feasible is that's an issue is policy **CCT** to see which has wherever feasible require development projects to implement measures, etc. If it's only feasible that doesn't have a strike through on the page and I think it's entirely within the Commission's power to say you know what we don't want that we want to require development to do this, and ultimately it's something that the Coastal Commission may change after it goes to the Board but it is something that the Planning Commission can decide to model and give staff direction today. **1h13**

Commissioner Cornwall stated also in 2b take away four words. **1h14m**

Staff Gary Helfrich I agree c2c strike first two words. The Commission is making a recommendation should be your best it may be struck down but I think it is important that your recommendation reflects what you want. So far as we're concerned, you can make something more restrictive as long as you aren't stepping in and restricting things that the Coastal Act encourages. just be reasonable it's like if you're requiring development, you know there's important requiring development not parks and things that well parks can be developed, but requiring development to implement measures that increase the occupancy in vehicles. **1h15m**

Commissioner Reed responded thank you for clarifying that. Well, given that I would support **Commissioner Cornwall's** recommendation to delete the "wherever feasible". CT2a and remove first two words of CT. **1h17m**

Commissioner Koenigshofer asked do all projects fall into these two actions? **1h17m**

Gary Helfrich what would then be a good qualifying phrased add in there to qualify what type of development projects? **1h17**

Commissioner Koenigshofer stated when applicable is stronger language, then whenever feasible. **1h17m**

Staff Scott Orr When applicable suggested. **1h17m**

Gary Helfrich It could be required for development projects with potential to increase the VMT. **1h17m**

Staff Scott Orr: Okay, a little more complicated, but Commissioner Cornwall, how do you feel about when applicable, which means the staff, which is the regulatory Agent is the one deciding when its applicable rather than the applicant deciding when it's feasible? **1h17m**

Commissioner Cornwall agrees with the change. **1h18m**

County Counsel Verne Ball stated there are feasible economic and physical limitations involved. Not necessarily made by the applicant. Where it is not feasible, is not in the eye of the applicant, and it certainly can, in certain cases like Commissioner mentioned bear on the applicants finances, but it can mean impossible, I mean it can have elements of physical impossibility. In in the realm of the California Environmental Quality Act, it has a specific meaning by case law where feasibility really means would a prudent developer go forward in the economic component, but usually, when you use the word feasible there's economic and physical limitations and variety of other limitations that are read into the word so it's not really a question of who decides it has several layers of determinations that have to be made and they wouldn't just be made by staff, it would be a question of what the facts are and the role of the deciding Commission and other permit grantor would be to adjudicate to those. **1h18m**

Staff Scott Orr stated to create an example of a development project example of a fence. I think when applicable is clearer and in plain terms and wherever feasible. **1h21m**

Commissioner Deas, agree with the difference when applicable seems more specific. **1h22m**

Commissioner Koenigshofer looked at improve bus transit. Strike efficient and add affordable to transit? What is the purpose of the policies of stating a policy in service to the objective, which is in service of the goal If we don't have any policy control. Does that mean we shouldn't state what we believe the policy should be? **1h23m**

Staff Scott Orr responded I think the benefit of having policies that where we may not have full control and they may be a little more aspirational is there may be a project that comes down the road that can actually further something like this that we could use to add to the project description of a project include some aspect that isn't really necessary for the project, but does further certain policies and maybe gets them through a discretionary process. I'm just trying to think of reasons for, possibly including in along the lines with. **1h25m**

Commissioner Reed to **Scott Orr** can we take a break now for eight minutes to think on and come back? **1h26m**

Commissioner Reed We were debating or discussing your policy CT dash A Is that correct and I think the conversations going toward whether we should delete that or amended in some ways. **1h35m**

Staff Scott Orr to the Commission how would the Commission feel about instead of provide efficient comma affordable, it says provide accessible, which to me accessible implies efficient affordable reliable. And then not have it say where opportunities are identified, so it reads a little stronger. If there is value in keeping it that's a recommendation that maybe makes it a little more straightforward. But if the Commission would rather deleted them that's fine too. **1h37m**

Commissioner Koenigshofer would Policy 2A and 2B be just one policy statement? Reading from the Element itself. **1h38m**

Staff Gary Helfrich stated will clarify language we can put in to follow regulations. **1h42m**

Staff Scott Orr stated if everyone agrees maybe we should move on. Staff can consider the input and consider reconfiguration. **1h43m**

Commission Cornwall another edit last goal four on page 18. Capacity and safety insert into goal statement that it is consistent with required reductions in VMT. **1h43m**

Staff Gary Helfrich stated section four is safety get rid of capacity. Staffs recommendation here would be just in section for section should be safety we get rid of capacity and it would be a network with the ability to safely meet the future travel rather than capacity. **1h45m**

Commissioner Cornwall So, if this is just going to be about safety, a word we talk about capacity and be there's a lot of stuff in this goal that that goes beyond safety like providing equitable coastal access isn't about safety and the multiplicity of types of users of transportation. My main point, and maybe there's a better place to do this, is that I think that our goals, whatever goals and policies and programs that are about capacity and providing mobility should not just be about increasing the ability of the roads and the more cars, they should

really have as one of their goals, reducing VMT and being consistent with it like other counties in the state.
1h46m

Staff Gary Helfrich stated li'd still recommend considering replacing capacity with the word ability. Could be maintenance and safety verses capacity. 1h47m

Commissioner Cornwall agrees. 1h49m

Commissioner Koenigshofer suggested a title change, Safety and Carrying Capacity Policy. 1h49m

Commissioner Reed stated I sort of feel like carrying capacity adds kind of a level of analysis, like that you'd have to go through to determine what the carrying capacity is. So I'm not sure that it helps to clarify the goal.
1h49m

Commissioner Deas stated not sure how much of an impact this will really have on the outcome of the policy we're making. Not sure the this is worth changing. 1h49m

Commissioner Reed So, just to clarify, we did amend the goal statement per the memo and I think that that satisfies Commissioner Cornwall comments regarding vehicles miles vehicle miles traveled so we've refined the goal. The recommendation seems like it holds together pretty well that way. 1h49m

Commissioner Koenigshofer stated road design and maintenance standards should operate within the carrying capacity of the Coastal resource. 1h50

Staff Gary Helfrich responded carrying capacity needs to be defined if we are going to use it in this plan.
1h51m

Commissioner Koenigshofer stated Well I'm trying to insert the loaded term of carrying capacity with purpose for avoiding having discussions about carrying capacity what better way to introduce the idea of having those discussions and analysis and actually say we're going to do it because it matters. Maybe look at objective C dash CT for one established road design and maintenance standards to protect coast, the resources while providing public access to the coast. That to me, that means that road design and maintenance standards operate within the limitation, to wit the carrying capacity of coastal resource. 1h51m

Staff Gary Helfrich carrying capacity is an excellent framework for this policy we don't define it anywhere, so I think we need to have a definition of what it is, if we're going to refer to it in this plan. I mean we all, we all think we know what it is we all have an idea of what it is, but it's not articulated the plan. 1h51m

Staff Scott Orr don't think we need a definition. Change to carry capacity or leave it as is. 1h56m

Commissioner Reed change to carrying capacity shows we do have a concern. Concept should be our goal.
1h57m

Commissioner Cornwall goal statement does not include VMT should include all check boxes 1h58m.

Commissioner Koenigshofer suggested to **Commissioner Cornwall** to speak together with Staff and then come back for decision. 1h58m

County Counsel concerned about carrying capacity term more on how this implemented how will it be interpreted. Concept is to make sure enough road to get to where your going. A lot of polices that could come into play. We don't want to confuse the traffic community. Connotations here not that the connotation of sort of the general biological you know notion that there's a limit on what things can bear but more on the nitty gritty of how this is implemented in the transportation context and so when you talk to someone who's working with the traffic engineer, and they see the word carrying capacity, how will they interpret that and what will it mean to them, it does remind me a little bit when you use the word capacity of the term level of service which is one that we still have in our general plan, the state is trying to kill off that concept generally but that concept of capacity is really you know, making sure that there's enough road to get where you're going and not necessarily this concept of a limit on the existing road system and how you balance that so there are a lot of policy issues that

could be come into play here and it'd be helpful, just to make sure that we don't create confusion and sort of the traffic community. 2h0m

Commissioner Koenigshofer stated the whole carrying capacity is what interests me. Outside and even more broadly than just this transportation question is what I'm interested in exploring. 2h3m

Commissioner Reed is that the final comment? 2h3m

Commissioner Cornwall stated the first goal does not include protect coastal resources or reduce VMT. The mandated reductions in VMT some reference to that or it is consistent with. 2h4m

Scott Orr responded staff will look at pulling that language into the goal 2h4m.

Commissioner Reed next topic is to schedule the next meeting in June. 2h4m

Scott Orr proposing a June meeting and skip April. 2h4m

Commissioner Koenigshofer suggested a mid morning meeting with a lunch and the afternoon hearing.

Staff Scott Orr we can do that but we can also go later and have a dinner break. Proposing June 23, 2022. 2h8m

All Commissioner agreed accept for Commissioner Deas. 2h9m

Commissioner Koenigshofer suggested push up to June 30th? Would have to cancel the PA meeting 2h10m

Commissioner Deas that day would work.

Staff Scott Orr that day is same day we have to submit Board materials.

Scott Orr Special meeting on June 28th 2022. We would look to have all draft materials released on May 27, 2022. 2h20m

Commissioner Reed should anticipate reviewing the entire draft and each Element? Should we open up public comment to each Element? 2h21m

Staff Scott Orr suggested open one public sessions for the entire draft. 2h21m

Staff Gary Helfrich stated he encourages the Commissioners to read the Draft LCP as soon as its made public on **May 27th**. We are available to talk to you on an individual bases with questions or concerns. 2h22m

Staff Gary Helfirch stated he will incorporate recommendations from today's meeting into the draft. 2h22m

Scott Orr between now and June 30th we will cancel the April 7th Planning Commission meeting. May 14th will be the last day to accept comments that can be incorporated into the draft. We will continue to receive public comments and place them in the record but they will not be incorporated past May 14th. May 27th the Updated Draft LCP will be published. Meeting on June 29th for final review and recommendation. 2h22m

Commissioner Reed concluded the meeting. 2h24m

Action: N/A Review and discussion only.
Appeal Deadline: N/A
Resolution No.: N/A

Vote: N/A

Commissioner District 1 Cornwall	Present
Commissioner District 3 Ocana	Absent

Commissioner District 4 Deas	Present
Commissioner District 5 Koenigshofer	Present
Commissioner District 2, Chair Reed	Present

Hearing Closed: 3:25 PM

Minutes Approved: February 3, 2022 and March 3, 2022