



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

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

October 7, 2021
Meeting No.: 21-10

Roll Call

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

Staff Members

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

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

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions

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

Commissioner Announcements

None

Public Comments on matters not on the Agenda:

Noah Levy 7m0s
Eris Weaver 9m0s

Items scheduled on the agenda

Planning Commission Regular Calendar

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

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

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

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

Commissioner Disclosures: None

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

Commissioner Questions:

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

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

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

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

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

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

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

Staff Gary Helfrich responded. **0h43m**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Public Hearing Opened: 2:19 PM

Laura Morgan
Cea Higgins
Beth Bruzzone
Rue Furch

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Vote:

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

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

Hearing Closed: 3:00 PM