



Sonoma County Planning Commission STAFF MEMO

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

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

BACKGROUND

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

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

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

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



COASTAL COMMISSION REVIEW AND RECOMMENDATIONS

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

General comments on All Elements:

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

Public Safety Element:

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



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

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

Public Facilities and Services Element:

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

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

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

4) Avoid term “under specific conditions”.

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

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

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

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

Circulation and Transit Element:

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

2) Include relevant Coastal Act policies in element introduction.

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

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

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

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

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

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



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

RECOMMENDATIONS

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

Public Safety Element:

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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



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

