



County of Sonoma
Permit & Resource Management Department

Sonoma County Planning Commission Draft Minutes

Permit Sonoma
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November 17, 2022
Meeting No.: 22-24

Roll Call

Commissioner District 1 Carr
Commissioner District 2 Reed
Commissioner District 3 Wiig
Commissioner District 5 Koenigshofer
Commissioner District 4, Chair Deas

Staff Members

Scott Orr, Deputy Director
Eric Gage, Planner III
Tasha Levitt, Secretary
Christa Shaw, Deputy County Counsel

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

Correspondence

Board of Zoning Adjustments/Board of Supervisors Actions None

Commissioner Announcements Commissioner Deas stated he needs to leave at about 4:45pm. **0h3m**

Public Comments on matters not on the Agenda: **0h4m**

Items scheduled on the agenda

Planning Commission Regular Calendar

Item No.: 1
Time: 1:05 PM
File: PLP20-0018 (Housing Element Update)
Applicant: County of Sonoma
Owner: N/A
Cont. from: N/A
Staff: Eric Gage
Env. Doc: Environmental Impact Report (EIR)
Proposal: The Planning Commission will hold a virtual public workshop on the 6th Cycle Housing Element update. The workshop is informational and requires no action. The workshop will provide an update to the Planning Commission on published Draft Housing Element. All interested persons are invited to attend and provide comments.

Recommended Action: Staff recommends that the Planning Commission receive an informational update on the 2023 Housing Element Update, including the published Draft Housing Element; hold a workshop to receive information, feedback, and suggestions from the public; and provide comments to staff and consultants.

Location: Various
APN: Various
District: Countywide
Zoning: Various

Commissioner Disclosures: 0h0m

Staff Eric Gage summarized the staff report, which is incorporated herein by reference. 0h6m

Commissioner Questions:

Christa Shaw, Deputy County Counsel, stated although the Commission is receiving a presentation today and will eventually be asked to adopt the housing element, it is not before you for deliberation today. This is just a workshop. Secondly, there's been a lot of interest in the community about the forthcoming draft EIR, please keep in mind that's not on the agenda today. The Brown Act requires that discussion be limited to what's on the agenda, so please contain your comments to that. 0h33m

Commissioner Carr asked Counsel if it's in our realm to make suggestions for the Draft Housing Element that will be considered before it's sent to HCD. **County Counsel** responded no the discussion today should be limited to the housing element draft itself, but not the environmental review for it. Commissioner Carr clarified it's appropriate to make comments on the draft housing element itself. **County Counsel** responded yes. 0h34m

Commissioner Carr asked are there statutory limits on time to review and to certify. **County Counsel** responded there are time limits and would like to refer to our consultants on the specifics for that. 0h35m

Consultant Jane Riley responded that it's 90 days for reviews and any subsequent draft is 60 days each, so HCD has a lot of time to review. **Commissioner Carr** clarified. **Consultant Jane Riley** responded. 0h36m

Commissioner Carr asked if there's some way to overlap some of the steps we're looking at, to get through the comment period, make a recommended draft. We're already sort of telescoping the draft housing element and the EIR project. **Consultant Jane Riley** clarified. 0h37m

Commissioner Carr asked do we have to do all the rezoning before it's HCD certified, or does the rezoning come later? **Consultant Jane Riley** responded she thinks we're planning to rezone with adoption of the Housing Element, that's what the EIR plans to do. We do want the draft that goes into HCD to be the one the EIR is based on. If we do have to rezone after the housing element, we'll only have one year to do so, so it'd need to be done by January 31, 2024. 0h37m

Commissioner Carr stated program four kind of suggests we're going to rezone and clarified the date. He sees the rezoning process taking quite a long time given all the different sites and public hearings that are going to generate comments and everything else. We're actually hoping to do that as part of the Housing Element? **Consultant Jane Riley** responded yes that's why it started in 2018. 0h38m

Commissioner Carr stated we did well in the last cycle with the exception of the low income category which seems so because we lost affordable units, not because we underbuilt. What's also remarkable is how we way way overbuilt market rate relative to the lower income and we should cheer ourselves for meeting the other income categories and overall objectives, but we need to see if we can minimize the portion of units that are market rate. 0h39m

Commissioner Carr asked about Figure 11 on page 14 that shows affordable rental housing shortfall. He asked if there's a breakdown of this figure for the unincorporated area. **Consultant Jane Riley** responded we do not, we included all the unincorporated specific figures that were available. 0h40m

Commissioner Reed asked Bradley about the input on the plan. He was intrigued by the Napa-Sonoma collaborative and asked for an overview of what that group is..... **Staff Bradley Dunn** responded that Jane can probably give you a better overview. It's a multi-county collaborative that provided a lot of data for the AFH. **Consultant Jane Riley** responded they're a group that's funded by ABAG through regional funds and it's intent and purpose is to provide collaborative services as they prepare their housing elements and through the implementation phase. This collaborative added several things to the already robust outreach process. HCD requires a regional analysis and not just the local jurisdictions analysis so we need to go city, county and region. She gave additional details and background. **0h41m**

Commissioner Wiig asked about the slide shown for RHNA requirements and projected ADU development. He stated it strikes him the number look evenly distributed which is a great objective, but it stuck out looking at the progress that was made, it seems the vast majority of ADU production was in the moderate range. So he's reading that we built a lot more moderate income ADU's, as opposed to affordable housing, which for a while ADU was seen as more an affordable housing opportunity. He asked how did we come up with the projection that ADU would be more evenly distributed by the income brackets. **Staff Eric Gage** responded his understanding is this is a state methodology being applied. **Consultant Jane Riley** added it's an ABAG methodology and they came up with these and ask HCD who agree, but it will have to be changed mid-way through the program if it's not being done so they're not lagging behind. The assumption made for ADUs is that no net loss rule. For those that charged rent, the amount was moderately low. **0h44m**

Consultant Jane Riley stated as far as how they were counted in the past, there were surveys done of owners who had built accessory dwelling units and of residents in accessory dwelling units, asking what they paid. If we took the aggregate of all those surveys, most of them that actually charge rent, not counting those which rent wasn't charged which obviously would be very low income. The average was at the high end of low, and the county needed moderate income units and you can count up if somethings in a lower income, you just can't county down. With reports to HCD moderate income units, we could realistically assume were at the high end of low based on those surveys. There's going to have to be surveys done and she recommends not waiting until midway through the housing element cycle. **0h46m**

Commissioner Wiig stated he'd hate to get into a situation where we're making assumptions that ADU's are going to provide affordable housing, at least anecdotally and by some statistics there's some pretty expensive ADU's out there, without provisions or incentive for affordability. We were hopeful back then in what they could do and we should probably temper our expectations. **0h48m**

Commissioner Deas asked if the County has programs to incentivize people to build a fairly expensive ADU and then renting it as low income. Does it or could it exist? **Staff Eric Gage** responded there are currently a number of mechanisms that facilitate the development of ADUs but necessarily providing financing. These take the form of expedited review. One program we anticipate is to have pre-approved plans, so that'll eventually reduce the cost of development of the ADU. There are reductions in fees based on square footage of a 700 square foot ADU or smaller. Those are the current programs and proposed programs in the housing element. He doesn't think there's anything that actively finances the production of accessory dwelling units. **0h49m**

Staff Eric Gage responded there are a couple mechanism that provide devleoepment for ADU's but not financing.. One of the programs we anticipate is to have pre-approved plans which would reduce the cost of ADU. Those are the current and proposed programs in the Housing Element. I don' tthink there's anything that actively finances the production of ADU's

Consultant Jane Riley stated all of the things Eric mentioned in program 25, we also talked about continuing to work with the Napa Sonoma ADU center to provide financing for accessory dwelling units. This is not the same as the Sonoma Napa Housing Collaborative. This is a non profit that's been around for a while. There's also a new CALHFA for lower income homeowners, the 40,000 dollar grant. There are a few things and we'd love to hear more. **0h51m**

Commissioner Deas stated he was just curious what was out there. Even when the county waives permit fees and pre-approved plans is awesome, but you run up against labor costs. **0h52m**

Commissioner Koenigshofer stated the idea of a 1200ft ADU is always amusing, maybe he should build a main house. He asked Bradley Dunn if veterans were targeted in the outreach. **Staff Bradley Dunn** responded that was not distinctive group that we targeted during our process. **0h53m**

Commissioner Koenigshofer asked why wouldn't it be. **Staff Bradley Dunn** responded we started our targets with the requirements from HCS which talk about economic brackets. So we looked at economic brackets and specific targeted communities like farm workers that have kind of been sectioned off in the past. We didn't do veterans during the last housing element either, but if that's a group that we should be targeting in the future, we can take that in our advisement and look for veterans representatives for some of these meetings. **0h53m**

Commissioner Koenigshofer stated it's often noted in census information about homeless populations that there's a significant veteran homeless population. As a veteran, he finds that mind-boggling. **Staff Bradley Dunn** stated we did have at least 2 people mention being veterans in a focus group, but we didn't seek out specific veteran based groups, rather we were looking at homeless folks in general. **0h54m**

Staff Scott Orr stated message received Commissioner Koenigshofer. **0h55m**

Commissioner Koenigshofer stated regarding Figure 11, that throughout you have to make an effort to keep track of when we are referring to the Unincorporated County versus the whole county. He suggests anytime there's a reference to Sonoma County that's not exclusively unincorporated, it would be nice to say including the city, for clarity throughout. **0h55m**

Commissioner Koenigshofer stated he notices a fair amount of discussion around farmworkers, year-round and seasonal. He asked if there's somewhere that calls out the tourism visitor serving sector of the economy which is predominantly low wage as a distinct and targeted group that's impacted by housing costs. **Consultant Jane Riley** responded it's not because it's one of the required groups we have to look at. Farmworkers, homeless, female headed households, the whole range of special needs are groups we have to address. Veterans are not, although there's some overlap We could add that data if it's something you're looking for it isn't expressly addressed because it's not required by HCD. **0h56m**

Commissioner Koenigshofer stated thank you for that clarity about HCD's minimum requirements. We're not prohibited from looking more closely at categories that might be unique to our local economy. Is it a limit of categories. **Consultant Jane Riley** responded it is not. **0h57m**

Commissioner Koenigshofer stated our economy and the portion of workforce in that sector is significant, so it seems to be a stress point. He gave an example. **Staff Scott Orr** responded it partially acknowledged, almost verbatim with what you said that visitor serving business workers have been increasing displaced by those who can afford the high price of housing. So while there may not be a number of programs, it is acknowledged in our community profile. **0h58m**

Commissioner Koenigshofer stated when we see the housing impact fees that attend commercial or residential projects, looking at some of the stuff that comes through the BZA, the impact fees is a lot of money, but in once sense it's not that money if you're trying to build a fund that has a sufficient amount of heft in the housing realm. He wonders if more focus on that might bring forth some further discussion about how much the housing impact fees are and whether or not we're charging enough for that sector, that the Economic Development Board and Tourism Bureau constantly promotes increases in and we're continually falling further behind. **0h59m**

Commissioner Wiig stated this is his first real meeting so if he's going to far in policy, feel free to real him in. Program 26, Aging in place also stuck out to him. He's in support of those programs as they exist in that intention and asked if there's been any consideration to pretty much the opposite. Providing services and policies in places where we can provide seniors with opportunities to move into more suitable places. He shared population statistics that stood out to him. Assuming 80 percent of homes are single family detached units, we can kind of assume we have a large and growing number of older folks living alone in single family houses unincorporated area, which is totally fine, but if we have programs to keep folks in place we're also looking at finite housing stock, especially for single family detached units that would be adequate homes for families. He's not saying we should push people out of their homes by any means to be very clear, but has there been conversation about programs that at least give options or incentives for an older, single person living in a gour

bedroom to downsize, freeing up housing that might be more suitable for a family, knowing it's going to be challenging to build family sized housing in the unincorporated area. Has that been explored at all? 1h01m

Consultant Jane Riley stated you're seeing the demographic trends following the same way. Frankly, we're seeing it in other jurisdictions as well but it's especially acute here. We simply can't afford to house young families especially where it takes a bunch of septic money to build single family homes. The county has made a number of changes to address that. One is JDUs and ADUs. There's been an increase in uptake of affordable rental units for seniors. There's more that we can do and we need to look at locational factors when looking at senior's and things they need. This housing element does propose a senior housing combining district, which would identify where locationally is good for seniors to get where they need to go. 1h04m

Commissioner Wiig stated it seems within the housing element, if we have a program for aging in place perhaps we can categorize it for incentive transition or we can come up with a nice term for it. Of course, Prop 13 makes a challenge, who wants to let go of the property taxes they were paying thirty years ago. We're not going to reform that as part of our housing element, but there are numerous challenges to that transition, so providing proactive incentives to help those who are interested make that transition to free up some of that housing. 1h06m

Consultant Jane Riley stated there have been a number of home share programs focused seniors through the county and other nonprofits throughout the years and they've never really developed the traction we'd like for them to see. Seniors are very reluctant to open their houses to other people without the kind of protections that you get from being in a separate unit. We're hopeful that the JDU program is going to help with that. We've seen people build a JDU out of their home and move into that so they can get rent for the main home and that does open housing stock. 1h07m

Commissioner Koenigshofer stated, a foot note on the prop 13(?) observatiob. If you do want to move from a larger house to a smaller one, you can take your prop 13 tax rate to the new property, so it's not as big of a disincentive as some think. 1h08,

Commissioner Koenigshofer stated as a footnote to the prop 13 observation, if you do want to move from a larger acreage to a smaller house in town, or even an apartment or condo, you can take your prop 13 tax rate with you, so that isn't as big of a disincentive. The great baby boom is now entering the great baby boomer die off and if you look at the timeline for this housing element that goes to 2031, the baby boom era is right now top line 78 age years and lower age 59. By the end of this cycle these people will be in there 80s. So, this will be a self-correcting problem. He asked if that fact is considered in these projections. 1h09m

Consultant Jane Riley state the housing element is only addressing through 2031, but yes it's certainly a trend we've seen. We don't overtly say that of these people are going to die, but we do keep this in mind.

Commissioner Koenigshofer stated when you get up into 86 a lot of those people are going to die. 1h10m

Staff Scott Orr stated that sounds like a wonderful springboard into public Comment. **Commissioner Deas** agreed and opened public comment. 1h10m

Public Hearing Opened: 2:10 PM

Karen Rosenberg
Fred Allebach
Legal Aid of Sonoma County
Calum Weeks
Kirstyne Lange
Bryce Jones

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

Commissioner Koenigshofer asked if we will be seeing this again. **Staff Scott Orr** responded yes. commented about. 1h28m

Commissioner Koenigshofer asked when. **Consultant Jane Riley** responded not before it's transmitted to HCD. **1h28m**

Commissioner Koenigshofer clarified that it's a certified housing element and not a submitted housing element. **County Counsel** responded that's correct. **Commissioner Koenigshofer** asked if we went into the category of noncompliance, what's the timeline for somebody to put a project together. Projects that are kind of ready to go or in the pipeline would then qualify for that special treatment because of the noncompliance status, or is there nothing that's an immediate threat in that window between submission and certification. **1h29m**

County Counsel stated she'll speak to that generally. The builder's remedy does not get the project around CEQA. If it qualifies for a CEQA exemption then it could move forward quite quickly. If it doesn't qualify for a CEQA exemption, it would still have to go through the normal CEQA review. It just can't be denied or an application can't be rejected on the basis of lack of general plan or zoning consistency. **1h30m**

Commissioner Koenigshofer asked if in application is submitted while we're out of compliance and during the CEQA process the housing element is certified, so now we're not out of compliance. Does that get treated as a pipeline for non-compliance processing or does it then fall into normal process review? **County Counsel** responded she believes it would have to continue through the entitlements process as if compliance with zoning and general plan was irrelevant because the application was submitted at a time when it didn't matter whether the project complied with general plan and zoning or not. **1h31m**

Commissioner Koenigshofer asked so you don't really get any credit for having it in by the deadline because the certification process of HCD is limited as the timeline mention of 60 or 90 days. **County Counsel** responded maybe Jane can speak to credit, but the statute for builder's remedy is clear that if we are not certified on the due date, the various penalties and ineligibilities will start. The clock starts ticking on those on February 1st. **1h31m**

Consultant Jane Riley stated correct but let me try to address the flexibility with HCD. They will take 90 days with that initial draft, however what they've been doing as long as they have the staff, we've been offering a mid review opportunity to correct any deficiencies that HCD has identified, revise the housing element and then resubmit it to HCD so the hope is with one or two changes, you will be in substantial compliance with the statute which is certification. We can then move more quickly to adopt that housing element knowing that it will be certified right away and HCD doesn't have to take the 60 days post-adoption. So it can be less than 60 days from adoption. **1h32m**

Commissioner Koenigshofer stated but we won't make the December 31st meeting. **Consultant Jane Riley** responded that's correct. The objective is to continue to work towards certification and to get back into compliance as quickly as possible. **1h33m**

Commissioner Carr asked but that would not affect the 90 days review. **Consultant Jane Riley** responded it does not affect the 90-day review and explained the process. We have an opportunity to address most of their concerns before the end of that 90 days and resubmit a housing element, so we're much closer to an adoptable element. **1h33m**

Commissioner Carr asked so basically unless we can get that mid-point review, this isn't going to come to hearing until March, so there will be several months of non-compliance or semi-non-compliance. He's concerned at this point because we're not seeing, along with the element, the list of sites. He knows that's going to come out with the EIR and next draft of the element. Is the list of potential rezoning sites the same as it was? **Consultant Jane Riley** responded the list is in the housing element, Appendix D. **1h35m**

Commissioner Carr asked if the list is the same as it was in 2021. **Consultant Jane Riley** clarified and responded. **1h36m**

Commissioner Carr stated in 2021 it was 59 sites in various areas of the County. **Consultant Jane Riley** responded she believes the list includes 52 of those 59 but it includes way more than that. **1h36m**

Commissioner Carr stated when he did the field work on those 59 sites some were very troubling, but there were others in the vicinity of those sites that look pretty nice. He asked if we are no longer limited to nominated sites. **Consultant Jane Riley** stated no and we never were. The nomination part didn't come until later. 1h36m

Commissioner Carr asked about 3 Specific Plans, the SDC property, the airport specific plan and the springs plan. He stated at some point we ought to ask HCD if that rezoning will qualify meeting the RHNA. He understands that the reason there's a reticence on the part of staff to include those is they're not confident those sites would be able to be developed during the course of this cycle. It's possible some of those units may be built during the 6 years and is suggesting that be done. 1h38m

Commissioner Carr asked what is the likely timeline of the Springs and Airport plan and if they might come before January 2024. **Staff Scott Orr** stated of the two plans, the springs is further along and you'll see that prior to the airport plan. The goal is to wrap up all of the specific plans because the board has set a side money for a general update, but the goal is to finish these projects first. 1h39m

Commissioner Carr stated he's not criticizing anyone, but it's unfortunate we couldn't get to these projects more quickly because those are the three areas he thinks we could really do damage in terms of the RHNA. There's services available, good compatibility with the work-live and other things in those areas. 1h40m

Commissioner Carr asked about table 9 on the last page of the element. He asked if we are suggesting to rezone properties in excess of RHNA to have buffers or if there's another reason to zone that many more properties. **Consultant Jane Riley** responded because of no net loss the HCD wants to see 120 to 130 percent in your inventory. Sometimes we get close to that and sometimes we can. The no net loss provisions also means the inventory has to be a truly dynamic inventory in response to the housing, and we've never had that before. The inventory will be dynamic and will be reviewed every year. The point is to maintain the whole time adequate inventory throughout the planning period. It's something usable to developers and updated at least once a year that reflects if new sites are available and better than some we had on inventory. 1h41m

Commissioner Carr asked if that means if the Airport and Springs Plans come along that we could go back to these sites and zone them to what they were. **Consultant Jane Riley** responded she doesn't think we can down zone but we could take them off the inventory. **County Counsel** stated there are a variety of State laws now that make it very difficult for local governments to down zone sites so we don't recommend that. Another reason to maintain that dynamic inventory is to ensure that when it goes to HCS on that annual progress report we don't fall into non-compliance again because we didn't maintain adequate sites. HCD gets another look at the housing element every year and if they find us not in compliance, the builders and other penalties would kick in again. 1h43m

Commissioner Carr asked about 220% number being incorrect. **Consultant Jane Riley** responded it is her understanding that that is a typo. 1h44m

Commissioner Carr asked why is the quantified objective so much higher than the RHNA. Is that a bigger area or does it include parts of the cities that's not part of the county? **Consultant Jane Riley** responded no, but she has a Staff member who can probably answer better if you want to promote him, Elliot Pickett. 1h45m

Commissioner Carr stated the quantified objectives are way higher than the RHNA. **Consultant Jane Riley** responded as they can be. The county did opt to include quantified objectives for non-unit types of housing to better object the needs. There are a bunch of housing types that the county provides, bunk houses, homeless shelter beds, etc, that doesn't count toward RHNA. The County still wanted to include those in its quantified objectives. 1h45m

Consultant Elliot Pickett responded and clarified what table 6 shows. 1h46m

Commissioner Carr It would be nice to have a table to distinguish those two. He asked about the footnote and if the jurisdiction of the CDC is much broader than Sonoma County. **Consultant Elliot Pickett** responded. 1h48m

Commissioner Carr asked stated looking at that table we have no idea of knowing what we're doing over the next 6 years is meeting the QO, given that other jurisdictions are going to be contributing to that. If we're going

to be looking at CDC boundaries, let's put everything in there but we also need to know what the QO is for the County unincorporated area. **1h49m**

Commissioner Carr asked, in response to the last speaker, are there any ways to deal with the economic justice issue, specifically for black population. If there are ways to do that he's not sure but would suggest we look for something like that. He would also support something if there was a way to afford the rental inspection program that the woman from legal aid recommended. An objective way to intervene for renters that feel like their property maintenance is kept up. That's a good idea but doesn't know if it's practical or not. **1h50m**

Commissioner Carr stated he's having trouble with zoning sites that are inside a city urban growth boundary. To him it just feels wrong. I know there's latitude under this version of the RHNA where we could get it reduced if the city rezones a property to comply with the county. But we're telling the city to rezone a property without any concurrence. He thinks we should avoid this. **1h51m**

Commissioner Carr stated he thinks we should limit housing size like we did in the SDC plan. It helped us get to a point where we had market rate units that were at least affordable to first time home buyers and the size limitations we used in SDC were 1,800 square feet. A home this size can house a family with four kids, it's just not a mansion. **1h52**

Commissioner Carr stated he'd like to see if we should go after the older covenants that have racial discrimination embedded into their rules. He knows this has come up over the last few and doesn't know if it's worth doing and there are some people think we shouldn't get rid of those covenants as an example of our sorted history. **1h53m**

Commissioner Carr stated he's opposed to any zoning code amendments that increase development in rural areas. Several programs in 15G that suggest to reduce agricultural requirements for Ag employee units. That we make it easier to get ADUs than we do now, that's contrary to the general plan. There is a tension between the general plan of this county and the unrestricted development in rural areas. ADUs and JDUs are stated mandated and they do provide some affordability but they double the density for all rural areas where ADUs are allowed and that affects traffic, vehicle miles traveled, which our worst performance in the climate change resolution. He thinks we should drop any program that would increase the number of rural housing units and focus on urban areas. **1h54m**

Commissioner Carr stated if Type C aren't working maybe let's get rid of it. He hopes we can do something to promote the use of the section 8 voucher. There's something in the air where a lot of property owners won't allow their properties to be eligible, maybe we can do something along those lines. **1h55m**

Commissioner Wiig stated he seconds Commissioner Carr's comments on city and urban centered growth and protecting our rural spaces. He points out that when we're talking about both vehicle miles traveled, greenhouse gas emissions and economic viability, in some cases folks are working in the rural areas. He wants to make sure where we're talking about housing to be clear what type of housing and for whom. Talking about lowering thresholds for agricultural use and farm worker housing for instance. A lot of the challenges with agricultural policy is that we have a whole apparatus of bureaucracy and policy and tax breaks all predicated on this idea that agriculture can only exist on certain acreages, when the truth is Sonoma County has a number of small scale farms many of which employ more people on a couple of acres than some of the big ranches do on 5,000 acres. He wants to be really clear that we're talking about farm worker housing, maybe people working in the tourism industry which here in Sonoma County is uniquely rural. So some of these folks are in need of housing who might not want to live in Santa Rosa just to drive an hour to get to work. He advocates for more clarity and more programs that specifically provide and lower the bar for housing development for farm workers, for people working in rural economies. We've got plenty of Silicon Valley retirees and second homes and Air BnBs moving into our rural area. What we really need to focus on in this housing element is to protect the housing stock for those who actually work and depend on their livelihoods in rural communities. **1h56m**

Commissioner Wiig stated one example, looking at policy He3d which is expanded allowance for non traditional housing, talking about tiny homes trailers for instance. He is in huge support of that. We know these things already exist, they're just not permitted. For a lot of people, it is that middle ground. There's this huge gap between subsidized housing and homelessness and market rate housing which you're paying 1,800 for a 1-bedroom apartment. A lot of these tiny homes, trailers provide that middle ground for, he can say for himself

showing up here in his 20s working on farms, that was the only way he survived was living in unpermitted trailers and whatnot. He's not saying we should have housing that is substandard by any means, but we should be looking at alternative, creative solutions that are just ADUs that are bigger than his house, because that's not going to provide affordable housing in the rural areas. That's the bottleneck for a lot of affordable housing as it relates to tiny homes and trailers. **1h58m**

Commissioner Wiig stated he would like to see the County explore composting toilets. It already exists, there's several examples. The County was working with the Occidental arts and Ecology center on a number of prototypes. He doesn't fully understand what happens but it sounds like there was some dropping of balls, but it was incredibly exciting back when got started. To show that is can be done and done safely. It's not like this is a crazy out there idea that's never been done. There are a number of States and communities. Humboldt County has policies that allow for composting toilet on a property that has an adequate septic or sewer system. For instance, a small scale farm they can have a farm worker housing by having a tiny home or trailer that has a composting toiler as long as there's septic on the property somewhere. Humboldt County has been doing it and people are dying of E. Coli out there. He thinks it's a huge missed opportunity when it comes to affordable housing in our rural areas, not to mention when we're talking about drought and water use. The amount of money that gets flushed down a toilet is pretty unfortunate whereas composting toilers are ecological water conservation opportunities the County should really be looking into. **2h00m**

Commissioner Carr stated he appreciates that, when he was working for the County the obstacle was the regional water quality control board, not the county per se. He has no problem seeing if there's a way to do that kind of idea. He wants to make sure what we do puts the worker an resident in close proximity. By and large we'll find the far majority of the county that means putting the housing units in the communities. The Forestville, Bodega, etc. **2h02m**

Commissioner Wiig stated he was chatting with a farmer in Forestville who said the biggest game changer for her is affordable housing. The only thing standing between her and both the viability of her farm and the affordability of housing for farm workers. We're not talking about 20-30 farmers but 2 farmers. It's septic and the barriers on composting. **2h03m**

Commissioner Koenigshofer stated our whole County general plan and it's reliance on city general plan the foundation was to stop sprawl. He echoes Commissioner Carr's concerns, that we still rely on the basic policies that encourage city-centered growth and part of that is we're implementing other state policy, like conserving important farmland etc. So, there is some conflict internally in state driven policies. He also points out an erroneous point of view that there this policy only overlay to what we're doing in terms of preserving Ag: Open Space, community separates, community identify by having community separation. It misses the mark because if you look at the most fundamental infrastructure element of any resident or business, it's not sewer or septic, it's water. **2h04m**

Commissioner Koenigshofer stated when you have a water scarce area, all this talk about massaging the rules to get more housing. All over the west county people hire water because they run out every single year. It isn't just an optional policy. There are natural limitations across the landscape in our County that limit the carrying capacity for density of users. Trying to be disciplined in our adherence to the fundamental policies of avoiding sprawl and trying to locate most housing, if not in the cities, at least in those areas that are unincorporated communities and predominantly where there's sewer service. **2h05m**

Commissioner Koenigshofer stated to talk about frustrating many people with not being able to upgrade sewer systems and plants. In his lifetime there used to be Federal money available for those purposes, but he doesn't think those funding sources are available anymore. You have these existing fairly developed places like Occidental which has a septic system that's problematic. We need to be very careful to not lose track of what the fundamental policies are and the natural limitations that are also a major driver of those policies. It's a vote for trying to really work hard to incorporate the needed residential development in areas that are more suitable. Greg mentioned the Airport area, when we had a hotel project come through it made him think the County ought to look hard at that area because it's sewerred, there's a lot of jobs and it's the base of the SMART system. He doesn't know if the designations that are offices are valid anymore in that area. It could provide substantial a substantial possibility to convert office zoned and hotel zoned properties. **2h07m**

Commissioner Wiig stated, he'd like to reiterate the point brought up Commissioner Koenigshofer about remote work. That's something that's really new. The last time we did this element update, certainly it existed but it's growing and a huge trend. He thinks it's one of the biggest threats to our rural workers, people who are working in rural communities. Folks who are working on farms, vineyards, in rural stores and folks working in a tourism industry in those rural communities. They're not competing not just with the retirees and the second homers, but people who realize they can for a tech start up in Silicon Valley but get to open their door to this beautiful redwood forest or rolling green hills. He wants to remind folks that agricultural land protection doesn't exist without people, so we can't preserve farmland and agriculture without preserving the people who make it work and operate. There needs to be heightened protections here to make sure we recognize the threat to rural workers who're suddenly competing for a finite housing stock. Who wouldn't love to live in the beautiful outskirts of Occidental even if they spend there day making apps. We need concrete protections to make sure the people who actually have to live in those communities, who make them function, have opportunities to live where they work. There's always been competition but thinks in the coming years it's going to be bigger, more intense competition. The guy who works at the grocery store in Occidental, the farm and winery workers, simply can't compete with that kind of pressure. Whether it's retirees, telecommuters, or second homes, we need some protections for our rural workers. **2h09m**

Commissioner Koenigshofer stated the biggest problem there is vacation rental unit conversions of existing units and we're not doing enough to stop that. **2h12m**

Commissioner Wiig stated we are looking at 17 percent or so vacancy rate in the unincorporated. It's 3x as high as the rest of the bay area, the unincorporated area. That's 11,500 units of vacant homes. That's pretty staggering. **Commissioner Deas** responded and agreed yes it really is. **2h12m**

Commissioner Reed stated he's really inspired by the dialogue across the Commission and the depth of the report. Unfortunately, we're up against this time restraint and I think we're all trying to deal creatively with where this county is going to go. Looking at urban centers around Petaluma they're diving in and trying to get the density dispersed around town planned properly and it's really a challenge for them. In the county we're dealing with the rural countryside we've all come to appreciate, but we see we're not accommodating the breadth of individuals who want to live here, and I'm optimistic we are going rise the challenge and looks forward to more discussion. **2h13m**

Commissioner Deas gave thanks to Staff, Commissioners, and public and asked staff for the next steps. **Staff Scott Orr** responded from staff side we got a lot of we really good comments both in terms of things we need to clarify and to consider in terms of programs from both Commissioners and public comments. For next steps he deferred to Eric. **2h14m**

Staff Eric Gage reiterated the comment period closes on December 5th and where to direct them. Following the comment period, they can be directed to the state HCD. In the weeks following the close of the comment period, we will revise the draft accordingly and submit to HCD for their review. Sometime after that we will be publishing the draft EIR and starting the 45 day comment period on that document. He expects that document would also have a workshop at this commission. **2h15m**

Staff Scott Orr stated likely the next time this commission will see it is the draft EIR public comment workshop. **2h16m**

Commissioner Carr asked, for the EIR and rezoning process, are all the individual sites being considered, would they all receive the rezoning notice? **Staff Eric Gage** asked someone more senior to comment on noticing requirements. **Staff Scott Orr** responded noticing requirements at this scale, he doesn't think individual parcels would get everything, just the number of parcels that are subject to the housing element in the county, we would just do the highest scale noticing. **2h16m**

Commissioner Carr asked do we will have if 1,000 people are affected you can go to a higher level? **Staff Scott Orr** and **County Counsel** responded that's correct. **2h17m**

Commissioner Carr asked if individual property owners would be notified. **County Counsel** stated she doesn't know what Permit Sonoma's process is for that, but as a matter of law she doesn't believe they would have to be. If the Commission would prefer that that happen, you can direct staff to do so. **2h17m**

Commissioner Carr stated he's sat through many hearings where the property owner's property is being rezoned and they don't know there's a hearing. He advocated for at least notifying the property owners and the neighbors as well. **2h17m**

County Counsel asked to retract that and stated because of the number of sites proposed for rezoning, that would not be the 1,000 person bar because it's 59 sites or whatever the number is, so we would need to notice the people individually. As far as the broader public and how the housing element affects the whole county, that would also need to be published. There's varying levels of notice that would need to be given here. **2h18m**

Commissioner Carr clarified, so you would have to notify the neighborhood of whatever the distance around the rezoning sites. **County Counsel** responded she believes so but will have to check and get back to the Commission. **2h18m**

Commissioner Carr suggested we do it anyway. **2h19m**

Commissioner Koenigshofer stated we're the local government, the expense for appropriate notification ought not be an issue. The property owner should be notified and each individual property should be notified and asked what the noticing requirement is. **Staff Scott Orr** responded typically but it is a balancing act of time and money and efficient local government. **2h19m**

Commissioner Koenigshofer stated he's talking about efficient local government defined as being transparent and respectful of public right to understand what's being proposed to be done with their property or neighborhood. As far as he's concerned, each individual property owner consistent and adjoining property owners consistent with the standard of an individual application should be the standard use for notice. Enough of this is being taken away from local government, I don't think we should completely gut the notification process. **Staff Scott Orr** responded he can guarantee we are not gutting the local notification process. each of those individual owners should receive a notice and... Enough of this is being taken away from the local government, I don't think we should completely gut the local notification process. **2h20m**

Commissioner Koenigshofer state he doesn't want to argue but if you're not notifying people you're coming pretty darn close. 59 parcels, the County can afford that bearing down on a two billion dollar budget. The prospect of notifying 5, 10, 15, 30 properties that might be within 300 feet of some or all of them, he doesn't see that as a burden in an 8 year cycle. **2h20m**

Commissioner Carr stated we probably don't get to direct them but for what it's worth he completely agrees because what's going to happen is people will find out and be blistering in the public hearing. **2h21m**

Commissioner Deas stated thank you for everyone's input and asked for the next steps procedurally. **2h21m**

Staff Scott Orr and **Commissioner Deas** adjourned the meeting. **2h22m**

Action: Not applicable
Appeal Deadline: Not applicable
Resolution No.: Not applicable

Hearing Closed: 3:23 PM

Minutes Approved: None