

Coastal Act Chapter Three Policy Area	Coastal Act Consistency Analysis
<p data-bbox="111 142 275 167">Public Access</p> <p data-bbox="111 212 1035 418">Coastal Act Section 30210. In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse. (Amended by Stats. 1978, Ch. 1075.)</p> <p data-bbox="111 459 1035 630">Coastal Act Section 30211. Development shall not interfere with the public’s right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation. (Amended by Stats. 1976, Ch. 1331.)</p> <p data-bbox="111 670 1035 1513">Coastal Act Section 30212. (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway. (b) For purposes of this section, “new development” does not include: (1) Replacement of any structure pursuant to the provisions of subdivision (g) of Section 30610. (2) The demolition and reconstruction of a single-family residence; provided, that the reconstructed residence shall not exceed either the floor area, height or bulk of the former structure by more than 10 percent, and that the reconstructed residence shall be sited in the same location on the affected property as the former structure. (3) Improvements to any structure which do not change the intensity of its use, which do not increase either the floor area, height, or bulk of the structure by more than 10 percent, which do not block or impede public access, and which do not result in a seaward encroachment by the structure. (4) The reconstruction or repair of any seawall; provided, however, that the reconstructed or repaired seawall is not seaward of the location of the former structure. (5) Any repair or maintenance activity for which the commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the commission determines that the activity will have an adverse impact on lateral public access along the</p>	<p data-bbox="1066 142 1199 167">Evaluation</p> <p data-bbox="1066 212 1990 597">The California Constitution provides that the public has the right-of-way to navigable waters and the right to maximum access of the shoreline, and that development shall not interfere with that right. Recreation and visitor-serving uses have priority over all other uses except coastal-dependent industry and agriculture. The Public Access Element describes in general the public and private parks, trails, and other recreational facilities on the Sonoma County Coast and includes maps showing the locations of these facilities. The element describes the types of facilities in the Coastal Zone, the methods and priorities for acquisition of facilities, the Public Access Plan, and the allowable uses of public access facilities. Policies in this element support and implement Coastal Act Sections 30210, 30211, 30212, 30213, and 30214.</p> <p data-bbox="1066 638 1990 914">The Circulation and Transit Element addresses the planned transportation routes and facilities along the coast, including goals, objectives, and policies affecting the mobility of future residents, businesses, and visitors. This element contains several protections of public access including evaluation of impacts of transportation improvements on public access, provisions for evaluating alternative means of access to coastal access points, and several policies related to the Public Access Plan. Policies in this element support and implement Coastal Act Section 30211.</p> <p data-bbox="1066 954 1990 1513">The Public Access Element is coordinated with several other elements contained within the LCP, including the Land Use, Open Space and Resource Conservation, Agricultural Resources, Circulation & Transit, and Public Facilities and Services Elements. The Land Use Element identifies how public access and outdoor recreation facilities will relate to land use types, and provides policies to establish new park and recreation facilities. Policies in this element support and implement Coastal Act Section 30213. The Open Space and Resource Conservation Element includes design and planning policies addressing Scenic Resources and protection of natural resources that apply to outdoor recreational facility acquisition and development. The Agricultural Resources Element identifies policies that address the protection and enhancement of agriculture that apply to surrounding land uses, including outdoor recreation facilities. The Circulation & Transit Element identifies transportation policies for accessing recreational facilities as well as bikeways that are critical transportation and recreational features connecting communities and public facilities. The Public Facilities and Services Element</p>

beach. As used in this subdivision, "bulk" means total interior cubic volume as measured from the exterior surface of the structure. (c) Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution. (Amended by Stats. 1983, Ch. 744, Sec. 1.)

Coastal Act Section 30212.5. Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30213. Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred. The commission shall not: (1) require that overnight room rentals be fixed at an amount certain for any privately owned and operated hotel, motel, or other similar visitor-serving facility located on either public or private lands; or (2) establish or approve any method for the identification of low or moderate income persons for the purpose of determining eligibility for overnight room rentals in any such facilities. (Amended by Stats. 1991, Ch. 285, Sec. 3.)

Coastal Act Section 30214. (a) The public access policies of this article shall be implemented in a manner that takes into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case including, but not limited to, the following: (1) Topographic and geologic site characteristics. (2) The capacity of the site to sustain use and at what level of intensity. (3) The appropriateness of limiting public access to the right to pass and repass depending on such factors as the fragility of the natural resources in the area and the proximity of the access area to adjacent residential uses. (4) The need to provide for the management of access areas so as to protect the privacy of adjacent property owners and to protect the aesthetic values of the area by providing for the collection of litter. (b) It is the intent of the Legislature that the public access policies of this article be carried out in a reasonable manner that considers the equities and that balances the rights of the individual property owner with the public's constitutional right of access pursuant to Section 4 of Article

include policies that address public services related to outdoor park and recreation facilities. Policies in this element support and implement Coastal Act Section 30212.5.

X of the California Constitution. Nothing in this section or any amendment thereto shall be construed as a limitation on the rights guaranteed to the public under Section 4 of Article X of the California Constitution. (c) In carrying out the public access policies of this article, the commission and any other responsible public agency shall consider and encourage the utilization of innovative access management techniques, including, but not limited to, agreements with private organizations which would minimize management costs and encourage the use of volunteer programs. (Amended by Stats. 1991, Ch. 285, Sec. 3.5.)

Recreation

Coastal Act Section 30220. Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30221. Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area. (Amended by Stats. 1978, Ch. 380.)

Coastal Act Section 30222. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation shall have priority over private residential, general industrial, or general commercial development, but not over agriculture or coastal-dependent industry. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30222.5. Oceanfront land that is suitable for coastal dependent aquaculture shall be protected for that use, and proposals for aquaculture facilities located on those sites shall be given priority, except over other coastal dependent developments or uses. (Amended by Stats. 2006, Ch. 538, Sec. 589. Effective January 1, 2007.)

Coastal Act Section 30223. Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible. (Added by Stats. 1976, Ch. 1330.)

Evaluation

The **Public Access Element** describes in general the public and private parks, trails, and other recreational facilities on the Sonoma County Coast and includes maps showing the locations of these facilities. The element describes the types of facilities in the Coastal Zone, the methods and priorities for acquisition of facilities, the Public Access Plan, and the allowable uses of public access facilities. Policies in this element support and implement Coastal Act Sections 30220-30224.

The **Land Use Element** establishes allowed land uses and densities, and presents policies specific to the Coast or particular sub-areas. The element provides the framework for land uses that serves to protect the Coastal Zone's abundant natural resources and provide for enhanced public access and recreation that serves the greater community while balancing the needs of local residents, farmers, and resource managers. Policies in the Land Use Element support policies in the Agricultural Resources, Public Facilities and Services, and Public Access Elements, and address outer continental shelf development, new residential and commercial development, affordable housing, and visitor-serving commercial uses. Policies in this element support and implement Coastal Act Sections 30220-30223.

The **Public Facilities and Services Element** also addresses Coastal Act Section 30222, providing that, "Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development in accordance with California Coastal Act Sections 30222 and 30254. The use of private lands suitable for visitor-serving commercial recreational facilities designed to enhance public opportunities

<p>Coastal Act Section 30224. Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land. (Added by Stats. 1976, Ch. 1330.)</p>	<p>for coastal recreation shall have priority consistent with coastal priority land uses of the Coastal Act.”</p>
<p>Marine Environment</p> <p>Coastal Act Section 30230. Marine resources shall be maintained, enhanced, and, where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes. (Added by Stats. 1976, Ch. 1330.)</p> <p>Coastal Act Section 30231. The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams. (Added by Stats. 1976, Ch. 1330.)</p> <p>Coastal Act Section 30232. Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur. (Added by Stats. 1976, Ch. 1330.)</p> <p>Coastal Act Section 30233. (a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation</p>	<p>Evaluation</p> <p>The Open Space and Resource Conservation Element addresses scenic resources/design, biotic resources, soils, timber resources, mineral resources, energy resources, air quality, and commercial fishing and support facilities. This element also contains a Scenic Resources / Design section, which identifies designated Scenic Landscape Units, Vista Points, and Scenic Corridors. Along with Coastal Design Guidelines, this section establishes siting and design guidelines to protect coastal views and to minimize other visual impacts of development.</p> <p>This element also identifies designated Environmentally Sensitive Habitat Areas (ESHAs), which include Riparian Corridors, and Biotic Habitat Areas, which include Sensitive Natural Communities and Special Status Animal and Plant Occurrences and Habitats. Policies address the protection and preservation of natural resources (including soils, timber resources, mineral resources, energy resources, and air quality) and the protection and improvement of facilities natural resources associated with the commercial fishing industry. Policies in this element support and implement Coastal Act Sections 30230, 30231, and 30233.</p> <p>In addition, the Water Resources Element is a new element developed in recognition of the importance of water to the environment, economic stability, agricultural protection, and overall quality of life of Sonoma County Coast residents. Policies address subjects such as surface water, groundwater, water conservation and re-use, public water systems, and water quality. Policies in this element support and implement Coastal Act Sections 30230, 30231, and 30233.</p> <p>The Public Safety Element addressed Coastal Act Section 30232 through policies regulating the siting of hazardous waste facilities, and additional permitting requirements for new uses involving hazardous materials in</p>

measures have been provided to minimize adverse environmental effects, and shall be limited to the following: (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities. (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps. (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities. (4) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines. (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas. (6) Restoration purposes. (7) Nature study, aquaculture, or similar resource-dependent activities. (b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for these purposes to appropriate beaches or into suitable longshore current systems. (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. Any alteration of coastal wetlands identified by the Department of Fish and Wildlife, including, but not limited to, the 19 coastal wetlands identified in its report entitled, "Acquisition Priorities for the Coastal Wetlands of California", shall be limited to very minor incidental public facilities, restorative measures, nature study, commercial fishing facilities in Bodega Bay, and development in already developed parts of south San Diego Bay, if otherwise in accordance with this division. For the purposes of this section, "commercial fishing facilities in Bodega Bay" means that not less than 80 percent of all boating facilities proposed to be developed or improved, where the improvement would create additional berths in Bodega Bay, shall be designed and used for commercial fishing activities. (d) Erosion control and flood control facilities constructed on watercourses can impede the movement of sediment and nutrients that would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for these

threshold planning quantities as determined by Federal and State laws. Policies in this element support and implement Coastal Act Section 30232.

The **Public Facilities and Services Element** addresses Coastal Act Section 30231 through goals, objectives, and policies related to public water systems and wastewater treatment facilities.

purposes are the method of placement, time of year of placement, and sensitivity of the placement area. (Amended by Stats. 2022, Ch. 97, Sec. 2. (SB 1497) Effective January 1, 2023.)

Land Resources

Coastal Act Section 30240. (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas. (Amended by Stats. 1991, Ch. 285, Sec. 4.)

Coastal Act Section 30241. The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following: (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses. (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development. (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250. (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands. (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural viability, either through increased assessment costs or degraded air and water quality. (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands. (Amended by Stats. 1982, Ch. 43, Sec. 10. Effective February 17, 1982.)

Coastal Act Section 30241.5. (a) If the viability of existing agricultural uses is an issue pursuant to subdivision (b) of Section 30241 as to any local coastal

Evaluation

The **Open Space and Resource Conservation Element** addresses scenic resources/design, biotic resources, soils, timber resources, mineral resources, energy resources, air quality, and commercial fishing and support facilities. This element also contains a Scenic Resources / Design section, which identifies designated Scenic Landscape Units, Vista Points, and Scenic Corridors. Along with Coastal Design Guidelines, this section establishes siting and design guidelines to protect coastal views and to minimize other visual impacts of development.

This element also identifies designated Environmentally Sensitive Habitat Areas (ESHAs), which include Riparian Corridors, and Biotic Habitat Areas, which include Sensitive Natural Communities and Special Status Animal and Plant Occurrences and Habitats. Policies address the protection and preservation of natural resources (including soils, timber resources, mineral resources, energy resources, and air quality) and the protection and improvement of facilities natural resources associated with the commercial fishing industry. Policies in this element support and implement Coastal Act Sections 30240 and 30243.

The **Agricultural Resources Element** presents guidelines and policies that apply to lands with an Agriculture land use designation. Policies address marketing of agricultural products, stabilization of agricultural use at the edge of urban areas, limitations on intrusion of residential uses, location of agricultural-serving and visitor-serving uses, provision of farmworker housing, streamlining of permit procedures for agricultural uses, and recognition of the aquaculture and horse industries as agricultural uses. Policies in this element support and implement Coastal Act Sections 30241, 30241.5, and 30242. Coastal Act Sections 30242 and 30243 are further addressed through designation criteria for Land Use Map Amendments contained within the **Land Use Element**.

The **Cultural and Historic Resources Element** addresses the rich cultural history and significant archaeological and paleontological resources as well as historic structures and sites found along the Sonoma Coast. These resources

program or amendment to any certified local coastal program submitted for review and approval under this division, the determination of “viability” shall include, but not be limited to, consideration of an economic feasibility evaluation containing at least both of the following elements: (1) An analysis of the gross revenue from the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. (2) An analysis of the operational expenses, excluding the cost of land, associated with the production of the agricultural products grown in the area for the five years immediately preceding the date of the filing of a proposed local coastal program or an amendment to any local coastal program. For purposes of this subdivision, “area” means a geographic area of sufficient size to provide an accurate evaluation of the economic feasibility of agricultural uses for those lands included in the local coastal program or in the proposed amendment to a certified local coastal program. (b) The economic feasibility evaluation required by subdivision (a) shall be submitted to the commission, by the local government, as part of its submittal of a local coastal program or an amendment to any local coastal program. If the local government determines that it does not have the staff with the necessary expertise to conduct the economic feasibility evaluation, the evaluation may be conducted under agreement with the local government by a consultant selected jointly by local government and the executive director of the commission. (Added by Stats. 1984, Ch. 259, Sec. 1.)

Coastal Act Section 30242. All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30243. The long-term productivity of soils and timberlands shall be protected, and conversions of coastal commercial timberlands in units of commercial size to other uses or their division into units of noncommercial size shall be limited to providing for necessary timber processing and related facilities. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30244. Where development would adversely impact archaeological or paleontological resources as identified by the State Historic

serve important social, commercial, recreational, and educational roles in the community. Cultural resources are also tied to the identity and practices of Native American peoples, and their relationship to these resources is much different than the relationship the general non-native community has to them. The Sonoma County coast is rich in cultural resources tied to the identity, history, and practices of tribal peoples, and their unique relationship to the landscape. Policies in this element support and implement Coastal Act Section 30244.

While public access is a high priority use, Coastal Act Section 30240 requires that development is subordinate to protection of environmentally sensitive habitat areas, and that recreation areas shall be compatible with and not adversely impact these resources. Consistent with Coastal Act Section 30240, the **Public Access Element** provides protections for ESHA including provisions for trail location, alignment, design, and construction, and provisions for development review within these areas.

<p>Preservation Officer, reasonable mitigation measures shall be required. (Added by Stats. 1976, Ch. 1330.)</p>	
<p>Development</p> <p>Coastal Act Section 30250. (a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. (b) Where feasible, new hazardous industrial development shall be located away from existing developed areas. (c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors. (Amended by Stats. 1979, Ch. 1090.)</p> <p>Coastal Act Section 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. (Added by Stats. 1976, Ch. 1330.)</p> <p>Coastal Act Section 30252. The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public</p>	<p>Evaluation</p> <p>The Land Use Element establishes allowed land uses and densities, and presents policies specific to the Coast or particular sub-areas. Policies address outer continental shelf development, new residential and commercial development, affordable housing, and visitor-serving commercial uses. Policies in this element support and implement Act Sections 30250, 30252, 30253, and 30255.</p> <p>Highway 1 provides the only north-south transportation corridor in the Coastal Zone, and is extremely vulnerable to erosion from storms, landslides, and sea level rise, as well as damage from wildfires. These hazards are increasing in frequency and severity due to climate change, and maintenance of Highway 1, as well as other roads at risk from sea level rise, must shift from armoring and reinforcement to a strategy of planned retreat, elevated roadway sections, or living shorelines. The Circulation and Transit Element presents plans for the Sonoma County Coast’s future highway and transit systems are presented, with emphasis on State Route 1. This element emphasizes an increased role for public transit and other alternative transportation modes and the importance of measures which will allocate existing highway capacity more efficiently during peak travel periods. Policies in this element support and implement Coastal Act Sections 30251-30254.</p> <p>Economic pressures can result in farmlands being taken out of production and converted to residential development or other urban uses. Reducing intrusion of urban uses into agricultural areas and providing economic incentives for farmers to keep land in agricultural protection is critical to preserving and protecting agricultural land. Consistent with Coastal Act Section 30250, the Agricultural Resources element contains policies to preserve agriculture as a long term economically viable land use by protecting agricultural production from intrusion of urban development on agricultural land, and allowing farmers to manage their operations without conflict from non-agricultural land uses.</p> <p>The Public Facilities and Services Element addresses various public facilities and services which may affect the future development of land on the Sonoma County Coast are described in this element, including water, wastewater</p>

transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30253. New development shall do all of the following: (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development. (d) Minimize energy consumption and vehicle miles traveled. (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses. (Amended by Stats. 2008, Ch. 179, Sec. 187. Effective January 1, 2009.)

Coastal Act Section 30254. New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division; provided, however, that it is the intent of the Legislature that State Highway Route 1 in rural areas of the coastal zone remain a scenic two-lane road. Special districts shall not be formed or expanded except where assessment for, and provision of, the service would not induce new development inconsistent with this division. Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal-dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30254.5. Notwithstanding any other provision of law, the commission may not impose any term or condition on the development of any sewage treatment plant which is applicable to any future development that the commission finds can be accommodated by that plant consistent with this division. Nothing in this section modifies the provisions and

treatment and disposal, parks and recreation, fire protection, law enforcement, and solid waste management. Policies address the lack of basic services on the Coast, which limits development potential in most areas. Policies also address limitations to emergency medical and other health care services for the Coast's small population spread over large distances. Policies related to youth, family, and senior services are also included. Policies in this element support and implement Coastal Act Sections 30254 and 30254.5.

The primary impression of any area on the Coast comes from what is seen while driving, cycling, or hiking along a roadway. Consistent with Coastal Act Section 30251, the **Open Space and Resource Conservation Element** strive to retain the largely open, scenic character of Scenic Landscape Units and views from Vista Points and preserve visual quality of roadside landscapes. The element also includes policies to preserve and maintain views of the nighttime skies and visual character of urban, rural, and natural areas through limitations on outdoor lighting, as well as design policies that recognize the diverse communities along the Sonoma Coast and preserve local character.

Consistent with Coastal Act Section 30253, the **Public Safety Element** establishes goals, objectives, and policies to minimize potential human injury and property damage by guiding future development to reduce the exposure of persons and property to hazards. The policies in this element are intended to avoid development which would result in unacceptable risks to the residents, visitors, private property, public facilities, and infrastructure in the Coastal Zone; and to minimize risks for existing development already located in hazard areas. Acceptable levels of risk are context sensitive and based on the nature of each hazard, the frequency of exposure, the number of persons exposed, and the potential damage.

The policies in the **Public Safety Element** are intended to avoid development which would adversely affect existing and future residents, visitors, and property; and to not place an undue financial burden on property owners and taxpayers by allowing development in hazard areas which may have unusually high costs for public services and disaster relief. This element is based on the best available science and information and official data sources to delineate areas potentially at risk from various hazards. It includes maps of known high hazard areas to not only guide development but also to increase awareness of inhabitants and aid in disclosure of potential hazards in real estate transactions.

<p>requirements of Sections 30254 and 30412. (Added by Stats. 1984, Ch. 978, Sec. 1.)</p> <p>Coastal Act Section 30255. Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support. (Amended by Stats. 1979, Ch. 1090.)</p>	<p>The Public Safety Element is only one part of a comprehensive countywide approach to address hazards that also includes emergency response plans, pre-disaster preparation and training, pre-disaster mitigation, design and construction standards, and education.</p>
<p>Industrial</p> <p>Coastal Act Section 30260. Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible. (Added by Stats. 1976, Ch. 1330.)</p> <p>Coastal Act Section 30261. Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for oilspills, and (4) have onshore deballasting facilities to receive any fouled ballast water from tankers where operationally or legally required. (Amended by Stats. 1987, Ch. 182, Sec. 1.)</p> <p>Coastal Act Section 30262. (a) Oil and gas development shall be permitted in accordance with Section 30260, if the following conditions are met: (1) The</p>	<p>Evaluation</p> <p>The Sonoma County Local Coastal Plan, through policies contained in the Land Use Element, does not support general industrial and commercial energy development on the Sonoma County coast. Long-range protection of coastal resources, agriculture, forestry, commercial and recreational fishing, and enhancement of tourism and recreation are the priorities of the Coastal Program. These priorities are considered to be incompatible with energy development, in particular off-shore energy production and off-shore mining. A Local Coastal Plan Amendment would be required for any proposed onshore facility to support offshore oil and gas exploration or development and any such amendment would not be effective until a majority of the voters in Sonoma County, in a general or special election, approve the proposed amendment, unless such amendment is approved by the California Coastal Commission pursuant to Section 30515 of the California Coastal Act.</p>

development is performed safely and consistent with the geologic conditions of the well site. (2) New or expanded facilities related to that development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, or sites required to produce the reservoir economically and with minimal environmental impacts. (3) Environmentally safe and feasible subsea completions are used if drilling platforms or islands would substantially degrade coastal visual qualities, unless the use of those structures will result in substantially less environmental risks. (4) Platforms or islands will not be sited where a substantial hazard to vessel traffic might result from the facility or related operations, as determined in consultation with the United States Coast Guard and the Army Corps of Engineers. (5) The development will not cause or contribute to subsidence hazards unless it is determined that adequate measures will be undertaken to prevent damage from that subsidence. (6) With respect to new facilities, all oilfield brines are reinjected into oil-producing zones unless the Geologic Energy Management Division of the Department of Conservation determines to do so would adversely affect production of the reservoirs and unless injection into other subsurface zones will reduce environmental risks. Exceptions to reinjections will be granted consistent with the Ocean Waters Discharge Plan of the State Water Resources Control Board and where adequate provision is made for the elimination of petroleum odors and water quality problems. (7) (A) All oil produced offshore California shall be transported onshore by pipeline only. The pipelines used to transport this oil shall utilize the best achievable technology to ensure maximum protection of public health and safety and of the integrity and productivity of terrestrial and marine ecosystems. (B) Once oil produced offshore California is onshore, it shall be transported to processing and refining facilities by pipeline. (C) The following guidelines shall be used when applying subparagraphs (A) and (B): (i) "Best achievable technology," means the technology that provides the greatest degree of protection taking into consideration both of the following: (I) Processes that are being developed, or could feasibly be developed, anywhere in the world, given overall reasonable expenditures on research and development. (II) Processes that are currently in use anywhere in the world. This clause is not intended to create any conflicting or duplicative regulation of pipelines, including those governing the transportation of oil produced from onshore reserves. (ii) "Oil" refers to crude oil before it is refined into products, including gasoline, bunker fuel, lubricants, and asphalt. Crude oil that is upgraded in quality through residue reduction or other means shall be

transported as provided in subparagraphs (A) and (B). (iii) Subparagraphs (A) and (B) shall apply only to new or expanded oil extraction operations. "New extraction operations" means production of offshore oil from leases that did not exist or had never produced oil, as of January 1, 2003, or from platforms, drilling island, subsea completions, or onshore drilling sites, that did not exist as of January 1, 2003. "Expanded oil extraction" means an increase in the geographic extent of existing leases or units, including lease boundary adjustments, or an increase in the number of well heads, on or after January 1, 2003. (iv) For new or expanded oil extraction operations subject to clause (iii), if the crude oil is so highly viscous that pipelining is determined to be an infeasible mode of transportation, or where there is no feasible access to a pipeline, shipment of crude oil may be permitted over land by other modes of transportation, including trains or trucks, which meet all applicable rules and regulations, excluding any waterborne mode of transport. (8) If a state of emergency is declared by the Governor for an emergency that disrupts the transportation of oil by pipeline, oil may be transported by a waterborne vessel, if authorized by permit, in the same manner as required by emergency permits that are issued pursuant to Section 30624. (9) In addition to all other measures that will maximize the protection of marine habitat and environmental quality, when an offshore well is abandoned, the best achievable technology shall be used. (b) Where appropriate, monitoring programs to record land surface and near-shore ocean floor movements shall be initiated in locations of new large-scale fluid extraction on land or near shore before operations begin and shall continue until surface conditions have stabilized. Costs of monitoring and mitigation programs shall be borne by liquid and gas extraction operators. (c) Nothing in this section shall affect the activities of any state agency that is responsible for regulating the extraction, production, or transport of oil and gas. (Amended by Stats. 2019, Ch. 771, Sec. 19. (AB 1057) Effective January 1, 2020.)

Coastal Act Section 30263. (a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property. (b) New or expanded refineries or

petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible. (Amended by Stats. 1991, Ch. 535, Sec. 1.)

Coastal Act Section 30264. Notwithstanding any other provision of this division except subdivisions (b) and (c) of Section 30413, new or expanded thermal electric generating plants may be constructed in the coastal zone if the proposed coastal site has been determined by the State Energy Resources Conservation and Development Commission to have greater relative merit pursuant to the provisions of Section 25516.1 than available alternative sites and related facilities for an applicant's service area which have been determined to be acceptable pursuant to the provisions of Section 25516. (Added by Stats. 1976, Ch. 1330.)

Coastal Act Section 30265. The Legislature finds and declares all of the following: (a) Transportation studies have concluded that pipeline transport of oil is generally both economically feasible and environmentally preferable to other forms of crude oil transport. (b) Oil companies have proposed to build a pipeline to transport offshore crude oil from central California to southern California refineries, and to transport offshore oil to out-of-state refiners. (c) California refineries would need to be retrofitted if California offshore crude oil were to be used directly as a major feedstock. Refinery modifications may delay achievement of air quality goals in the southern California air basin and other regions of the state. (d) The County of Santa Barbara has issued an Oil Transportation Plan that assesses the environmental and economic differences among various methods for transporting crude oil from offshore California to refineries. (e) The Governor should help coordinate decisions concerning the transport and refining of offshore oil in a manner that considers state and local studies undertaken to date, that fully addresses the concerns of all affected regions, and that promotes the greatest benefits to the people of the state. (Amended by Stats. 2006, Ch. 294, Sec. 2. Effective January 1, 2007.)

Coastal Act Section 30265.5. (a) The Governor, or the Governor's designee, shall coordinate activities concerning the transport and refining of offshore oil. Coordination efforts shall consider public health risks, the ability to achieve short-term and long-term air emission reduction goals, the potential for reducing California's vulnerability and dependence on oil imports, economic development and jobs, and other factors deemed important by the

Governor, or the Governor's designee. (b) The Governor, or the Governor's designee, shall work with state and local agencies, and the public, to facilitate the transport and refining of offshore oil in a manner that will promote the greatest public health and environmental and economic benefits to the people of the state. (c) The Governor, or the Governor's designee, shall consult with any individual or organization having knowledge in this area, including, but not limited to, representatives from the following: (1) State Energy Resources Conservation and Development Commission. (2) State Air Resources Board. (3) California Coastal Commission. (4) Department of Fish and Wildlife. (5) State Lands Commission. (6) Public Utilities Commission. (7) Santa Barbara County. (8) Santa Barbara County Air Pollution Control District. (9) Southern California Association of Governments. (10) South Coast Air Quality Management District. (11) Oil industry. (12) Public interest groups. (13) United States Department of the Interior. (14) United States Department of Energy. (15) United States Environmental Protection Agency. (16) National Oceanic and Atmospheric Administration. (17) United States Coast Guard. (d) This act is not intended, and shall not be construed, to decrease, duplicate, or supersede the jurisdiction, authority, or responsibilities of any local government, or any state agency or commission, to discharge its responsibilities concerning the transportation and refining of oil. (Amended by Stats. 2022, Ch. 97, Sec. 3. (SB 1497) Effective January 1, 2023.)

Sea Level Rise

Coastal Act Section 30270. The commission shall take into account the effects of sea level rise in coastal resources planning and management policies and activities in order to identify, assess, and, to the extent feasible, avoid and mitigate the adverse effects of sea level rise. (Added by Stats. 2021, Ch. 236, Sec. 2. (SB 1) Effective January 1, 2022.)

Evaluation

Section 30006.5 of the California Coastal Act identifies sea level rise as one of the topics for which additional scientific and technical analysis and recommendations are necessary to aid coastal planning, conservation, and development decisions. This Local Coastal Plan includes policies to address hazards from sea level rise to enhance the safety of residents and visitors, while providing a framework for consideration and permitting of coastal development projects. The **Public Safety Element** establishes special limitations and procedures for review of development projects located in areas subject to natural hazards, including seismic and other geologic hazards, landslide and erosion on unstable slopes, beach erosion and cliff/bluff stability, flooding, sea level rise, tsunami, and wildland fire.