

DRAFT

Minutes

GENERAL PLAN UPDATE – REFINEMENT GROUP

Thursday, April 8, 2004

12:00 – 5:00 PM

At Carpenters Local 605, 751 Neeson Rd., Marina

Those present: Brian Finegan, Ralph Riva, Bob Perkins, Tom Carvey, Pete Scudder, Ron Chesshire, Jay Brown, Brad Sullivan, Alfred Diaz-Infante, Nancy Isakson (12:50), Roger Moitoso (1:00), Sheryl McKenzie (1:58), Tom Rowley (3:00)

Visitors: Mary Mecartney, Christopher Bunn Jr.,

- I) Public Comment Period (Public Comment for issues not on the agenda)
Public comment: none
- II) Approval of agenda for April 8, 2004
Approved as emailed, with the change of moving “D) i)” to “IIIa.”
- IIIa) Brian Finegan brought copies of the Planning Commission subcommittee reports, handed out at the PC meeting of April 7, 2004. Brian reported on the PC hearing. Each subcommittee read through their recommendations. There was public comment at the end of the day. There was no agenda posted on the Building and Planning Commission web site. The only agenda was posted on the 21st Century General Plan web site. The PC took comments on the reports, appointed a subcommittee to work with staff and County Counsel to try to resolve differences, and put into formal language. There were disagreements from some members of the PC.

Nancy Isakson reported the following from the April 7, 2004 PC hearing:

- Took Rancho San Juan (RSJ) out of the community areas
- Removed 100% affordable housing overlay out of rural areas.
- Wanted winery corridors to have specific area plans.
- Slope restrictions: subcommittee suggested that anything over 30% slope not be included in gross densities.
- Added “trails shall not cross private property without consent of property owner.”
- Cluster subdivisions gutted: prohibited in areas not in the 1982 GP. “Residential clustering not appropriate in Ag areas.”
- Routine and ongoing Ag left as is, with staff changes.
- Barely hit ERME. Critical habitat left as is. 100’ buffer back in.
- Scenic resources: “common public viewing areas.” List of roads that haven’t been designated. E.g. Highway 46,

- LU 7.3: “may be provided by willing property owners, or may be required as a condition of approval.”

Brian Finegan reported the following from the April 7, 2004 PC hearing:

- Concerning the narratives that precede each section, Wendy said that if someone goes to court, a judge may look at the narrative. The pink sheet (Economy, Jobs and Housing) #17, is a disclaimer. Lynn Burgess then said that the narratives are useful.
- In his public comment, Brian recommended that the PC should see the final EIR. They had added comments that mitigations would be added from the DEIR.
- Greenhouse policy: subcommittee left absolute prohibition of offsite greenhouses in the plan. Brian pointed out that Ag has changed.
- Routine and ongoing: the PC thinks that the routine and ongoing exempts these things from permits. Brian pointed out that it exempts from onerous policies.
- Slope: existing slope policies versus the new ones. Staff purported to show that GPU3 is the same as the 1982 GP.
- Second units: they failed to understand that the state law has changed.
- The PC has turned over all the subcommittee reports to a new subcommittee (Martha Diehl, Sharon Parsons, Keith Vandervere and Juan Sánchez) that will report back.
- The Planning Commissioners said that Ag had never talked to them about their concerns about the plan. Jay Brown said that the Ag Viability Ad Hoc committee met for 4 months, but these meetings were terminated. Cattlemen’s, Grower Shipper, Vintners, Farm Bureau, and environmental groups, Bill Yeates, Bill Leahy. They also met with Jim Colangelo, who said he would incorporate the Ag Viability language into GPU3.
- The entire focus was how to fund County government and keep it solvent, rather than ensuring that the public is served. All based on existing budget and funding mechanisms.
- During the PC hearing, Martha Diehl asked Annette Chaplin about CIP, asking if the CIP addresses existing infrastructure deficiencies, or the needs of new development. Sarah Hargreave answered that it doesn’t address current deficiencies, only demands of new development. Martha concluded that new development will have to provide improvements for their projects, but existing deficiencies will not be fixed.

Alfred Diaz-Infante reported the following from the April 7, 2004 PC hearing:

- The PC disregarded some important elements of the 100% affordable housing overlay.
- Economic report. They focused on funding to maintain the road system.
- The PC encouraged higher density development, saying that lower densities don’t pay for themselves.
- Took out the 100% AHO, although there is a strong need for below market rate housing.

Brian Finegan said that the County staff said that they have been excluded from the RG meetings. Tom Carvey will write a letter to GPU staff via Annette Chaplin, Lynn Burgess, Jim Colangelo, cc: BoS. County staff, inviting them and repeating that the meetings are open to the public. Tom Carvey said that during public testimony he had often stated that RG meetings are open to the public and that the web site contains agendas, minutes, and an open invitation to join the group.

III) Approval of minutes from April 1, 2004
Approved as emailed. m/s/c

IV) Economic Impact Analysis
Nancy Isakson distributed a CD of GPU3 in Word format.

Nancy Isakson said that she is still looking for an economist. Ralph Riva said we have done all of our work in a very democratic way and have nothing to be ashamed of. There was discussion about what qualifications the person we're looking for should have.

Brad Sullivan said that the current EIA is based on poor County infrastructure, and starting from that viewpoint, it will be impossible to come up with solutions. Mike Caplin said that the EIA may make assumptions that are not based in reality. It talks about funding County infrastructure. Mike said that the plan talks about "per person" costs in rural areas. But the tax is not a "per person" tax. Do the rural areas pay their way or not? If they do, then they're not a burden.

Alfred said that the County's economist said that less development is better than more.

V) Public Service Element
Luann Meador was not present; Mike Caplin led the discussion of this element in her absence. Two documents were distributed:

- The Public Services Element of GPU3, dated 4-1-04
- The subcommittee work: Part 2 Goals and Policies, dated 4-1-04

The group started on PS-1.5

PS-1.5: Cost Sharing

The "fair share" language is included. Change "new development" to "subdivision?" Could a barn be called "new development?" Mike Caplin suggested that the "first single family home" should not be considered "new development."

Jay Brown said that first single family homes should be excluded. Brian said there's a footnote in PS-1 about single family homes.

Alfred read the RG definition of “fair share” as follows:

“Fair share” means the proportional share attributable to a new development project of the cost of providing additional service facility capacity necessary for the new development project to meet adopted service level standards for that service facility. Fair Share is that portion of the cost of providing such additional service facility capacity, excluding the cost of remedying any existing capacity deficiencies in that service facility calculated as the ratio between the burden placed on the service facility by the new development project, and the total burden on that service facility from existing development, the proposed new development project, and all reasonable anticipated cumulative development.

Nancy read from Brian and Nancy’s “Definition” work. Brad Sullivan said that some counties use this language to justify the imposition of mitigation fees.

Chair refers back to subcommittee.

PS-1.6: Documentation of Service Ability:

There was discussion of what to do in areas where public services are not available. Do these “services” include access to schools, sewer, etc.? Roger Moitoso asked if there is a difference between building half a dozen homes in Lockwood and 1,000 homes elsewhere. E.g. building a winery would bring new jobs. Must be able to differentiate between Wal-Marts and wineries. Brian Finegan said that the focus of this policy is “what paper do I have to bring to get a building permit.” Jay: add same as PS-1.5 sentence re: exemptions from the policies. Nancy read a section from PS-3.1, domestic water. This is not in PS-4. They meant for their language to be “element-wide.” This should be in PS-1, said Brian, so that it would pertain to the entire element.

Nancy’s language: “The first single family dwelling and any allowed structure pursuant to LU-9.1 on a legal lot of record shall not be considered development for the purposes of this plan.”

Sheryl McKenzie suggested saying “public utilities” instead of “public services.” The documentation should follow the concept we articulated.

PS-1.7: Project Improvements:

Brian: this is intended to apply to a phased subdivision. If it’s phased, provide a phased implementation plan to show how you’ll phase it. Change title to “Phased Project Improvements.” Mike Caplin tracking changes.

PS-2 – Ambulance, Sheriff and Fire: Change to “strive to provide ambulance....etc.” rather than “ensure that....etc.” 2nd sentence ok.

PS-2.1: Consider service levels: cross out “intensification of use on an existing lot.”

PS-2.2: Prioritize Services: Leave as is in GPU3

PS-2.3: New Development Consistent with Available Services: Alfred said that there allowances should be allowed of other solutions to response times. Leave as is in GPU3. Change title to “New or Expanded Community Areas.” Change “shall” to “may.” Otherwise, leave as is in GPU3

PS-2.4: Maintain Adopted Levels of Services: “The County should support local fire agencies in supporting and maintaining standards...etc.”

PS-2.5: Coordination with Other Jurisdictions: as per subcommittee recommendation with today’s changes.

PS-2.6: Notification of Levels of Services in Rural Areas: See 17 (a) on the yellow pages. See HS-3.2. Leave as is in GPU3.

PS-2.7: Construction Requirements: Change title to “subdivision construction requirements” Leave as is in GPU3

PS-2.8: Leave as is in GPU3

(PS-3 and PS-4 were completed in previous “Water” subcommittee work.)

Goal PS-5 Storm Drains: End the sentence with “in order to encourage groundwater replenishment.” Pete Scudder said that in Marina, storm water must go back into the ground in percolation ponds.

PS-5.1: “discretionary development projects” means projects that require a discretionary permit. Houses are not discretionary. There was discussion of the purpose of this section. Is it to encourage off-site drainage? Priority is on site, which would be appear to be in conflict with the goal. The property owner should be able to make the decision whether to deal with the drainage on-site or off-site.

PS-5.2: Countywide Storm Drain Plan: delete this section: there is no money to fulfill this plan.

PS-5.3: Protection of Water Quality: as per subcommittee recommendation

PS-5.4: Construction of Improvements: “required drainage facilities, otherwise as per subcommittee recommendation

Community Areas and rural Centers

PS-5.5: as per subcommittee recommendation

PS-5.6: “that may significantly impact onsite or downstream...etc.” Otherwise as per subcommittee recommendation

Goal PS-6: Solid Waste: Leave as is in GPU3

PS-6.1: Diversion Targets: Leave as is in GPU3

PS-6.2: Integrated Waste Management Plan: Leave as is in GPU3

PS-6.3: Operation of Existing Facilities: Leave as is in GPU3

PS-6.4: Location of New Facilities: First sentence: “County shall cooperate with other entities to locate...etc.” Add to a) on or near agricultural lands that are in agricultural production or in a location that would impact agricultural viability....etc. Otherwise, leave as is in GPU3.

PS-6.5: Resource Recovery: Leave as is in GPU3

PS-6.6: Recycling During Construction: Leave as is in GPU3

PS-6.7: Oil Field Disposal: Leave as is in GPU3

Community Areas and Rural Centers

PS-6.8: New Development: Where necessitated by the nature of the project....etc. Otherwise leave as is in GPU3

VI) Reports from sub-committees

A) Finished Elements:

- i) Land Use
- ii) Ag
- iii) ERME
- iv) Circulation

B) Elements in process:

- i) Public Service
- ii) Definitions

C) Elements not yet started:

- i) Administration (Rich Smith and Brian Finegan)
- ii) Coastal and Inland (Mike Caplin, Kurt Gollnick, Sheryl McKenzie and Nancy Isakson)
- iii) Economic Development (Rich Smith and Brian Finegan)

D) Other items:

- i) Update of GPU process: move to top of agenda, III a)
- ii) Update of EIR: Bob Perkins asked what material had been submitted re the EIR. Tom Carvey reported that the RG work was delivered to the GPU office

on Friday afternoon. Brian Finegan asked to be removed from the Economic Development Element.

iii) Coastal and Inland

VII) Agenda building for next meeting: There are a couple of elements that we haven't yet started, or identified. Add to "elements not yet started": Health and Safety needs to be added. Housing Element is not under consideration as it has already been certified.

VIII) Adjournment to meeting of Thursday, April 15, 2004, 12:00 to 5:00 PM at Scudder Roofing, 3344 Paul Davis Dr., Marina. Lunch provided by Pete Scudder.