




## Chapter 5 Community Infrastructure & Service – Final PC Markup 8-19-10

Plan Alternative				Chapter 5 Community Infrastructure and Service						Staff Remarks/ Implementation	Position R,M,D
				<b>5.4 Goals</b>							
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-G1. Adequate Infrastructure and Services.</b> Well maintained public infrastructure and services supporting existing development with an ability to expand to satisfy the needs of new development.							<b>R</b>
<b>Vote Tally:</b>				<b>Alt A/B/C</b> <b>6-0 favor</b>	Kreb Yes	Gearheart Yes	Faust Absent	Smith Yes	Emad Yes	Nelson Yes	Mayo Yes
<b>Commission Comments:</b>				C. Nelson – if the infrastructure exists and is in poor repair, then new development should pay for the impact that they have on the existing infrastructure. If I have an existing house, I should not have to pay for their impacts. This point is not made in this goal.							
<b>August 12, 2010</b>				C. Smith – this may be addressed in future policies and standards.							
				C. Mayo – The local community that has not caused this lack of funding for infrastructure improvements, the state has been robbing the County. This goal makes good sense; however, we need to talk about getting the money back from the state. Impact fees will not get it.							
				Straw vote was taken – all in favor.							
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-G2. Sustainable Funding.</b> Adequate and sustainable revenue sources for capital improvements and maintenance of infrastructure and services.							<b>R</b>
				<b>COMMENTS:</b>							
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-G3. Interagency Coordination.</b> Coordinated planning, prioritization, funding, and implementation of infrastructure and public service projects across jurisdictional boundaries.							<b>R</b>
				<b>COMMENTS:</b>							

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				<b>5.4 Policies</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P1. Coordination with Service Providers.</b> The County shall work cooperatively with service providers to identify needs, secure funding, and implement infrastructure and public service projects consistent with this Plan.	Prog IM1, IM24, IM27	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P2. Prioritization.</b> The County shall give highest priority to infrastructure and services necessary to protect public health and safety. Infrastructure projects that support regional housing goals, provide for economic growth, and further conservation and open space goals shall also receive high priority. Transparent and open public processes shall be used to prioritize projects based on funding guidelines and objective ranking criteria.	Prog	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P3. Public infrastructure and Services Standards.</b> Use objective public infrastructure and service standards to: A. Assess service conditions; B. Establish minimum levels of service benchmarks; C. Specify infrastructure and service needs for new development; D. Identify deficiencies and rank priorities; and E. Set goals for levels of service for funding purposes.	Prog, QJ, Min, S1, IM2 	<b>R</b>
				<b>COMMENTS:</b>		
	<b>B</b>			<b>IS-P4. Requirements for Discretionary Development.</b> The adequacy of public infrastructure and services for discretionary development shall be assessed relative to service standards adopted by the Board of Supervisors, local service providers, and state and federal agencies. Discretionary development may be approved if it can be found that: A. Existing services are adequate; or	Leg, QJ, Min, S1, IM2 	<b>R Vote 6-1</b>

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	B. Adequacy will be attained <u>concurrent with project implementation</u> through project conditions; or C. Adequacy will be obtained over a finite time period through the implementation of a defined capital improvement or service development plan; or D. Evidence in the record supports a finding that the discretionary development cannot be feasibly provided with adequate infrastructure and services and project approval will not adversely impact health, welfare, and safety or plans to provide infrastructure or services to the community.		
	<b>COMMENTS: 8-12-10</b> - straw vote all in favor of Alternative B (C. Faust absent).  <b>9-9-10</b> Commissioner Faust prefers Alternative A wording with a slight change – developers should pay the costs; option B allows the transfer of this cost to taxpayers.		
A	<b>IS-P4. Requirements for Discretionary Development.</b> The adequacy of public infrastructure and services for discretionary development shall be assessed relative to service standards adopted by the Board of Supervisors, local service providers, and state and federal agencies. Discretionary development may be approved if it can be found that: A. Existing services are adequate; or B. Adequacy will be attained concurrent with project implementation through project conditions.		D
	<b>COMMENTS: 9-9-10</b> C. Faust prefers Alternative A.		
C	<b>IS-P4. Requirements for Discretionary Development.</b> The adequacy of public infrastructure and services for discretionary development shall be considered during the review of discretionary projects. Discretionary development may be approved if it can be found that: A. Existing services are adequate; or B. Adequacy can be attained through project conditions; or C. The applicant records a notice on the property indicating the infrastructure and service deficiencies.		D

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				<b>COMMENTS:</b>								
	<b>B</b>			<b>IS-P5. Fiscal Impact Assessment.</b> The economic impacts of discretionary development on existing and planned public infrastructure and services shall be considered during the project review process. Significant adverse affects shall be mitigated to the extent feasible through changes in project design, timing, or financial exactions in proportion to project impacts.							Prog, QJ, Min, IM3	<b>R Straw Vote 6-1</b>
				<b>COMMENTS: 8-12-10:</b> C. Smith – we need to take into account the property tax contribution of new development when we prepare fiscal impact assessments. This may sometimes offset the cost of the public infrastructure improvements. Straw vote - all in favor of Alternative B (C. Faust absent).  <b>9-9-10</b> Commissioner Faust supports Alternative A because the project proponent should mitigate impacts at the time and not pass to future generations.								
	<b>A</b>			<b>IS-P5. Fiscal Impact Assessment.</b> The economic impacts of discretionary development on existing and planned public infrastructure and services shall be assessed during the project review process. Significant adverse affects shall be mitigated through changes in project design, timing, or financial exactions in proportion to project impacts.								<b>D</b>
				<b>COMMENTS:</b>								
	<b>A</b>	<b>B</b>	<b>C</b>	<b>IS-P6. Fair Share Cost Allocation.</b> New development shall pay the proportional cost of providing infrastructure and services needed to serve the development.							QJ, Min, IM3-8	<b>R</b>
<b>Vote Tally:</b>				<b>Alt A/B/C 5-1</b>	Kreb Yes	Gearheart Yes	Faust absent	Smith yes	Emad yes	Nelson Yes	Mayo <b>No</b>	
<b>August 12, 2010</b>				C. Gearheart – I would like to review P6 along with the Implementation measures (IM 2-8) all together. I also have questions on Impact Fees (John Miller responded to C. Gearheart's questions) I support P6 and IM 2-8 also.								
				C. Kreb – I support this. New development should pay this cost. I want my taxes to pay for existing services. I support IM 2-8 also.								



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				C. Emad – this is a very complex issue – I agree with C. Kreb – but every word needs to be defined. In principle I'm in favor, but in practice I am uncomfortable with the way P6 is written but will support. I support IM 2-8 also.		
				C. Mayo – I can't wrap my head around this – the county should have a capital improvement plan to address this – bad policy. The formula used to address traffic impacts for the Forster-Gill project is not acceptable for that subdivision. If we use the same formula for all development, I cannot support.		
				C. Smith – I agree with C. Kreb and his viewpoint, but I am opposed to putting the burden on new development to pay for the inadequacies of old infrastructure. If the policy does this, I don't have a problem with it. I'm okay with P6, and IM3 – 8. If they are abused and require new development to pay more than their proportional share, this is not okay. However, I will support as written.		
				Counsel Carolyn Ruth – most of these funding mechanisms have statutory requirements to implement.		
				C. Nelson – if this is truly proportional, I will support – and support IM 2-8		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P7. Mitigation of Cross-jurisdictional Impacts.</b> The County shall <del>enter into reciprocal agreements</del> work with the cities to ensure fiscal impacts associated with new development are mutually mitigated across jurisdictional boundaries.	Prog, IM1	<b>M</b>
				<b>COMMENTS: 8-12-10:</b> C. Smith – how do you enforce an "agreement"? Deputy County Counsel Ruth –the Commission may want to revise to "the county shall work with" instead of entering into an agreement. All agreed to changes.		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P8. Infrastructure and Services Capacity.</b> In coordination with service providers, the County shall periodically monitor the capacities of infrastructure and services in relation to existing and planned demand.	Prog, IM24, IM27,	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P9. Capacity of Facilities and Land Use Decisions.</b> The County shall evaluate the capacity and sizing of road and drainage facilities and coordinate with water and wastewater service providers to determine adequacy for proposed land uses and discretionary development. The density, timing, and design of new development shall be consistent with service capacity.	QJ, Min, S1-2, IM1-2, IM26-27 	<b>R</b>



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				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P10. Infrastructure and Service Inadequacies.</b> The County shall coordinate with service providers to proactively identify areas of the County where existing infrastructure and service inadequacies limit development rights otherwise permitted in this Plan.	Prog, S2, IM1-2, IM26-27	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P11. Consolidation and Cost Sharing.</b> Support consolidations or cost sharing to reduce service delivery costs, including costs related to administration, staff training, insurance, purchasing, and vehicle maintenance.	Prog, IM19, IM25	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P12. State and Federal Advocacy.</b> Coordinate with local service provider's efforts to influence legislation or regulations to achieve outcomes consistent with the goals and policies of this Plan.	Prog, IM11	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P13. District Boundaries.</b> Spheres of Influence and Community Plans. District boundaries, spheres of influence, municipal service reviews, and community plans shall be mutually compatible and support the orderly development and timing of infrastructure and services.	S4-5, IM1, IM22	<b>R</b>
				<b>COMMENTS:</b>		
			<b>D</b>	<b>2622.1.</b> Spheres of Influence and community plans shall be mutually compatible and supportive of one another for all applicable areas.		<b>D</b>
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P14. Changes in District Boundaries.</b> Support the adjustment of service district or city boundaries to eliminate service area gaps, align district boundaries with already served	Prog, S4-5, IM1, IM22	<b>M</b>

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				areas, consolidate districts, <del>or</del> improve service delivery, <u>or to address an existing or impending threat to the public health or safety of the residents of the affected territory, consistent with this Plan.</u>		
A	B	C	A	<b>New policy #3: 8-26-10</b> <b>IS-PX. Out of Area Service to Address Threats to Public Health.</b> Encourage the Humboldt LAFCo to amend its policies and procedures to allow local agencies to provide new or extended services outside jurisdictional boundaries and outside spheres of influence to respond to existing or impending threats to the public health or safety, consistent with Government Code 56133, without the requirement to execute an annexation agreement.		New policy R Straw Vote 7-0
				<b>COMMENTS: 8-19-10:</b> During the review of IS-P19, Commissioner Emad inquired about policies to improve existing infrastructure and commented on existing failing infrastructure in outlying areas. Commissioner Faust pointed out that those areas did not have services providers. Chairman Smith commented that the Commission should keep Commissioner Emad's points about improvement to existing inadequate infrastructure in mind. It was requested that staff come back with possible polices for improving existing inadequate infrastructure in regards to health and safety. Conversation ensued regarding suggested policies and implementation measures. Assistant County Counsel Carolyn Ruth stated staff would work on the discussed new polices and present them to the Commission at a future meeting. <b>8-26-10:</b> Staff proposed revised language for IS-P14 and a new policy, IS-PX to address these issues. The Commission reviewed the revised wording for IS-P14 and new policy language of IS-PX and voted unanimously to support the changes/addition.		
A	B			<b>IS-P15. Road and Drainage System Funding Sources.</b> The County shall develop funding mechanisms and sources to support the construction and maintenance of road and drainage facilities consistent with the policies and standards of the Circulation and Water Resources elements.	Prog, IM3-8, IM11-15	R
				<b>COMMENTS:</b>		
A	B			<b>IS-P16. Drainage and Flood Control.</b> The County shall develop and maintain a countywide drainage and flood control plan to guide capital improvements and maintenance and serve as a basis for long-term sustainable funding mechanisms.	Prog, IM13	R


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				<b>COMMENTS:</b>								
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P17. Law Enforcement.</b> The County shall continue to monitor law enforcement needs and coverage. New development shall pay its proportionate share of law enforcement costs.							Prog, IM2-7, IM16	<b>R Split vote 4-3</b>
<b>Vote Tally:</b>				<b>Alt A/B/C 4-3</b>	Kreb yes	Gearheart yes	Faust yes	Smith no	Emad no	Nelson yes	Mayo no	
<b>Commission Comments: August 12, 2010</b>				C. Smith – this just seems too complicated for the needs of this county and level of development, especially for law enforcement – this should be a county budgeted item – opposed								
				C. Mayo – opposed Proportional may then be expected for impacts for that use (example – new computers that serve everyone, not just the development)								
				D. Girard – you need to maintain a plan for the use of those funds as you collect them and you must reimburse if you don't use. Mayo – still not comfortable with this – opposed.								
				C. Krebs – Is there a study that shows what these proportional costs are? D. Girard – it would be a part of the impact study. Krebs – I support								
				C. Emad – what is the definition of development – homes 5 miles out of town – is that development? Or is it only applied to subdivision in town? C. Girard – up to the Board to decide, they can assess on ministerial and/or discretionary projects. That detail is usually a part of the analysis itself – left general now because you need more data to know what development and improvement you are talking about. C. Emad – I'm opposed								
				C. Gearheart – I support								
				C. Nelson – I support								
				<b>8-19-10: Commissioner Faust</b> weighed in on IS-P17 due to his absence and he was in support.								
	<b>B</b>			<b>IS-P18. Expanded Fire Protection Services.</b> Encourage the expansion of existing special district boundaries, or the formation of a County Service Area with agreements to fund							Prog, IM22; S4-5	<b>M</b>




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				contract fire services, as a means to provide fire protection services to areas outside of fire district boundaries.								
<b>A</b>				<b>IS-P18. Expanded Fire Protection Services.</b> Require the expansion of existing special district boundaries, or the formation of a County Service Area with agreements to fund contract fire services, to ensure the provision of fire protection services to existing and proposed development outside of fire district boundaries.						QJ, Min, S4-5, IM17-18, IM22 	<b>D</b>	
<b>Vote Tally: 6-1</b>				<b>Alt B 6</b>	<b>Alt A 1</b>	Kreb <b>B</b>	Gearheart <b>B</b>	Faust <b>A</b>	Smith <b>B</b>	Emad <b>B</b>	Nelson <b>B</b>	Mayo <b>B</b>
<b>Commission Comments: August 19, 2010</b>				C. Faust- this should be a requirement, I support the wording in Alternative A								
				C. Emad- this policy along with S4 for Alternative A is a quasi moratorium(bad recipe); I support Alternative B								
				C. Nelson-can someone contract for services? [yes] Director Girard stated that countywide service area is an option. I support Alternative B.								
				C. Smith – I agree w staff recommendation for Alternative B.								
				C. Krebs - I support Alternative B - we have the Fire chiefs recommendations and we ought to follow them.								
				C. Mayo I agree w staff recommendation for Alternative B								
				C. Gearheart - I agree w staff recommendation for Alternative B								
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P19. Water and Wastewater System Capital Improvement Programs.</b> Support the efforts of service providers to develop and maintain capital improvement programs for construction of water and wastewater systems.						Prog, IM1	<b>R</b>	
				<b>COMMENTS: 8-19-10: See Discussion for IS-P19 under IS-P14 above.</b>								
<b>A</b>	<b>B</b>			<b>IS-P20. On-Site Sewage Disposal Requirements.</b> Maintain regulations governing construction and maintenance of on-site sewage disposal systems to protect health and safety and to reflect changes in state law and advances in treatment technologies.						Prog, Leg, 	<b>R</b>	
				<b>COMMENTS:</b>								
<b>A</b>	<b>B</b>			<b>IS-P21. Parks and Recreation Service in Urban Development Areas.</b> Encourage and support special districts to provide neighborhood parks and recreation services within						Iss	<b>R</b>	


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				Urban Development Areas.		
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P22. Park Dedications Held in Perpetuity.</b> Parklands shall be dedicated and held in perpetuity and protected against diversion to <b>both</b> non-recreational purposes and conflicts with adjacent land uses.	Prog, 	<b>M</b> <b>STRAW VOTE</b> <b>5-2</b>
				<b>COMMENTS: 8-19-10 Commissioner Faust</b> suggested the addition of the word “both”. <b>Commissioners Kreb, Gearheart, Faust, Nelson</b> and <b>Emad</b> were in support with the minor wording revisions. <b>Chairman Smith</b> and <b>Commissioner Mayo</b> were not in support.		
<b>A</b>	<b>B</b>			<b>IS-P23. Private Recreation Facilities.</b> The development of private sector recreation facilities shall be encouraged but shall not be a substitute for public park requirements.	QJ, Min, S8, IM28-29	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P24. Joint Use Facilities.</b> Encourage the utilization of schools, especially in rural areas, as community centers for activities such as public meetings, continuing education, recreation, and cultural events. Joint public-private development of recreation facilities shall be encouraged.	Iss, Prog	<b>R</b>
				<b>COMMENTS:</b>		
			<b>D</b>	<b>4820.2.</b> The County should encourage joint (shared) school facilities and educational programs between school districts and other public agencies.		<b>D</b>
<b>A</b>	<b>B</b>			<b>IS-P25. Street Lighting.</b> Street lighting shall be required <del>based on the need when necessary</del> to improve public safety and <u>facilitate</u> nighttime travel. Lighting systems shall direct light to prescribed areas at prescribed illumination levels and minimize the trespass of light on neighboring properties and glare to the night sky.	QJ, Min, S10, IM30-31 	<b>R</b>

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					Recommended grammatical changes.	
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P26. County Facilities.</b> Proposed County capital projects and facilities with land use implications valued in excess of <del>\$100</del> <u>500</u> ,000 shall be analyzed for consistency with this Plan and applicable city general plans.	Prog Recommended edit to Alt B	<b>R</b>
				<b>COMMENTS:</b>		
			<b>D</b>	<b>4920.1.</b> All future projects and facilities proposed by any agency of County government shall be reviewed for consistency with this General Plan or with applicable city General Plans.		<b>D</b>
			<b>D</b>	<b>4920.2.</b> County facilities should be sited and designed for present use and expected future expansion.		<b>D</b>
			<b>D</b>	<b>4920.3.</b> County facilities should be easily accessible and promote citizen use.		<b>D</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-P27. County Library Facilities and Services.</b> Continue to assess needs of the County's residents and expand library facilities and services as necessary. New development shall pay its proportionate share of library facility costs.	Iss, Prog	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-P28. Location of School Facilities.</b> Plan new school facilities in proximity to neighborhoods with adequate road, pedestrian, and bicycle circulation and access to public water and sewer services. Locate schools outside of land use hazard areas as	QJ, Prog	<b>R</b>

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				defined in the Safety Element of this Plan.		
				<b>COMMENTS:</b>		
			<b>D</b>	<b>4820.1.</b> The County should work closely with local educational institutions to study alternatives to new facility construction or facility siting.		<b>D</b>
			<b>D</b>	<b>4820.3.</b> School sites shall not be located in areas exposed to hazards.		<b>D</b>
			<b>D</b>	<b>4820.4.</b> Encourage new school facilities to locate near public parks or recreational facilities.		<b>D</b>
			<b>D</b>	<b>4820.5.</b> School sites should be located in areas provided with public water and sewer services, or where adequate on-site systems can be established.		<b>D</b>
<b>A</b>	<b>B</b>			<b>IS-P29. Conversion of School Facilities.</b> Conversion of closed school sites and facilities to other uses shall be <del>consistent</del> <b>compatible</b> with existing or planned land uses of adjacent areas and involve affected residents in the decision-making process.	QJ, Min 	<b>M</b>
				<b>COMMENTS: 8-19-10: Chairman Smith</b> thought the word "consistent" should be changed to "compatible". <b>County Counsel Carolyn Ruth</b> agreed. Unanimous support with the suggested change to "compatible" (straw vote 7/0).		
<b>A</b>	<b>B</b>			<b>New policy #1</b> <b>IS-PX. Building Permit Referrals.</b> Provide building permit referrals to the appropriate local fire chief for new buildings within the fire related district boundary and/or the identified response area.		<b>New policy R Straw Vote 7-0</b>
				<b>COMMENTS: 8-12-10:</b> The Commission requested that staff consult with the Fire Chiefs regarding the draft policies regarding fire service in Chapter 5. On Tuesday August 3 <sup>rd</sup> , Planning staff representatives were invited to a meeting at the Arcata Fire Department Headquarters to discuss concerns regarding fire related policies and standards. Meeting attendees included Fire Chiefs and officers from the Arcata Fire Protection District, Humboldt No. 1 Fire Protection District, Miranda Community Services District, Redway Fire Protection District, CAL FIRE, and the LAFCo Executive Officer. This meeting resulted in		


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				<p>proposed changes to Standard IS-S4 and wording for a new policy regarding building permit referrals to fire chiefs as well as other suggestions. Planning staff made revisions Standards IS-S4 and IS-S5 and developed two new policies based on input and comments received at the meeting: new policy #1 IS-PX, Building Permit Referrals; and, new policy #2 IS-PX, Fire Service Impacts from New Development. The fire chiefs submitted correspondence supporting the revisions.</p> <p><b>8-19-10:</b> Unanimous support (7/0)</p>		
A	B			<p><b>New policy #2:</b>  <b>IS-PX. Fire Service Impacts from New Development.</b> During review of discretionary permits within fire related district boundaries or identified response areas, utilize recommendations from the appropriate local fire chief as feasible mitigation measures to reduce impacts to emergency response and fire suppression services from new development.</p>		New policy R Straw Vote 7-0
				<p><b>COMMENTS: 8-12-10: See Discussion above for "New Policy #1".</b></p> <p><b>8-19-10:</b> Unanimous support (7/0)</p>		
		C	D	<p><b>4820.6.</b> Conversion of closed school sites and facilities to other uses should be consistent with existing or planned land uses of adjacent areas.</p>		D
				<p><b>5.5 Standards</b></p>		
A	B			<p><b>IS-S1. Adequate Public Infrastructure and Services Ordinance.</b> Adequate public infrastructure and services standards shall be used to determine the level of infrastructure and services necessary for new development. Standards shall be specified by ordinance for County provided services, including roads, bicycle and pedestrian facilities, drainage, law enforcement, on-site wastewater disposal and recreation. Standards for non-County services, including public transportation, water, public wastewater, emergency services and fire, shall be referenced and based on applicable service provider criteria. County standards shall be consistent with Plan policies and, to the extent practical, generally accepted levels of service. Standards for non-County services <del>shall</del> <u>should</u> be consistent with levels of service adopted by local service providers and, to the extent practical,</p>	 Recommended edit To Alt B	R

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				generally accepted levels of service.		
				<b>COMMENTS: 8-19-10</b> Commissioner Faust questioned why the "shall" had been changed to "should. Conversation ensued regarding the imposed conditions regarding provision of services and enforcement. Unanimous support as modified by staff 7/0.		
A	B	C		<b>IS-S2. Service Inadequacies and Development Limitations.</b> The County shall request that water and wastewater service providers submit formal notice approved by their governing body of any newly identified capacity limitations within Urban Development Areas that have the potential to result in a development moratorium or other limitation of development rights otherwise permitted by this Plan. The County shall take appropriate actions as necessary to reflect new capacity limitations in land use and permitting decisions and communications to the public.		R
				<b>COMMENTS:</b>		
A	B	C		<b>IS-S3. Infrastructure Project CEQA and NEPA Land Use Consistency Determinations.</b> Policies of this Plan which avoid or mitigate environmental effects shall be considered by CEQA lead agencies and federal agencies conducting NEPA evaluations in the evaluation of the environmental impacts of proposed infrastructure projects. Policy conflicts should be considered potentially significant land use impacts pursuant to California Public Resources Code 21083 and Code of Federal Regulations Title 40, Part 6.		R
				<b>COMMENTS:</b>		
	B			<b>IS-S4. Subdivisions Outside of Fire District Boundaries.</b> <del>Prohibit industrial, commercial or residential subdivisions unless the County finds that the Subdivisions outside of fire district boundaries proposed subdivision is located within the boundaries of a fire related district, or the subdivision approval is shall be conditioned upon one of the following to:</del> <b>A1.</b> <del>If the project site is not located within the boundaries of a fire related district, approval shall be conditioned upon the annexation to or form a an existing adjacent fire-related district or annexation to, or formation of, a county service area established to</del>	 Recommended new wording for Alt B	<b>M Straw Vote: 4-2-1</b>

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	<p><del>provide fire protection services, and the establishment of appropriate funding mechanisms provide funding to ensure that the district has adequate capacity to provide services, or</del>  <b>B2.</b> <del>If the project site is not located within the boundaries of a fire related district and if condition A-1 is not feasible, approval shall be conditioned upon the establishment of an adequate ongoing funding source and the execution of a fire protection agreement with an appropriate local fire service provider.</del> <u>with LAFCO approval, as appropriate, or</u>  <b>E3.</b> <u>record acknowledgment of no available emergency response and fire suppression services and implement required mitigations.</u></p>								
<b>A</b>	<p><b>IS-S4. Subdivisions Outside of Fire District Boundaries.</b> <u>Subdivisions outside of fire district boundaries. Residential development</u> shall be conditioned to annex to or form a fire-related district or county service area and provide funding to ensure that the district has adequate capacity to provide services.</p>								
<p><b>Vote Tally:</b> 4-2-1</p>	<p><b>Alt B</b> 4</p>	<p><b>Alt A</b> 0</p>	<p>Kreb Yes</p>	<p>Gearheart Yes</p>	<p>Faust Partial support</p>	<p>Smith Yes</p>	<p>Emad No</p>	<p>Nelson Yes</p>	<p>Mayo No</p>
<p><b>Commission Comments:</b></p>	<p><b>Comments: 8-19-10: See Discussion under New Policy 1 above.</b>  <b>Commissioners Smith</b> supported S4 with the revised language "or" recommended by HAR and supported by the Fire Chiefs.  <b>Commissioners Mayo and Emad</b> did not support S4 as a standard/  <b>Commissioners Nelson, Kreb and Gearheart</b> supported S4 with the revised language as per supplemental 1.  <b>Commissioner Faust</b> supported the Fire Chiefs recommendations in respect to options 1 and 2 but did not support option 3.</p>								
<b>B</b>	<p><b>I-S5. Other Development Outside of Fire District Boundaries.</b> New industrial, commercial, and residential development, excluding subdivisions pursuant to the Subdivision Map Act, <del>not located within outside of fire district the boundaries of a fire protection district</del> shall be responsible <u>at the time of issuance of the building permit prior to permit approval,</u> to obtain, from <u>a an appropriate local</u> fire service provider <del>emergency response and fire suppression service by contract or written agreement</del> <u>acknowledgement of the available emergency response and fire suppression services and recommended mitigations, from a fire service provider.</u> Permitted development shall be required <u>to and record a notice and</u></p>							 Recommended new wording for Alt B	<p><b>M</b>  <b>Straw Vote:</b>  <b>5-2</b></p>

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				<p><del>acknowledgement</del> that the development is not within a fire protection district and an adequate level of service is not a permanent responsibility of a fire protection <del>agency of the agreement.</del></p> <p><u>If written acknowledgement indicates that no service is available or no acknowledgement is received the following shall apply:</u></p> <ul style="list-style-type: none"> <li>▪ <u>For building permits a note shall be placed on the permit indicating that no emergency response and fire suppression services are available.</u></li> <li>▪ <u>For discretionary permits findings shall be made that no service is available and the project shall be conditioned to record acknowledgment of no available emergency response and fire suppression services.</u></li> </ul>								
A				<p><b>I-S5. <u>Other Development Outside of Fire District Boundaries.</u></b> New residential, commercial and industrial development, outside of fire district boundaries shall be responsible at the time of issuance of the building permit to obtain emergency response and fire suppression service by contract from a fire service provider and record a notice and acknowledgement of the contract.</p>								
<b>Vote Tally: 5-2</b>				<b>Alt B 5</b>	<b>Alt A 0</b>	Kreb yes	Gearheart yes	Faust yes *	Smith yes	Emad No	Nelson yes	Mayo No
<b>Commission Comments: 8-19-10</b>				<p><b>Commissioners Gearheart, Krebs, Nelson and Smith</b> supported the final proposed language in supplemental 1.</p> <p><b>Commissioners Emad and Mayo</b> did not support S5.</p> <p><b>*Commissioner Faust</b> supported S5, the final proposed language in supplemental 1, as long as it only applied to existing legal lots.</p>								
A	B	C		<p><b>IS-S6. Water and Wastewater Service Commitment for Proposed Development Projects.</b> Discretionary development served by public water and/or wastewater service shall receive written service commitments from the appropriate district or agency prior to receiving final approval from the County.</p>								R
				<p><b>COMMENTS:</b></p>								
A	B	C		<p><b>IS-S7. Dedication or In-lieu Fee Requirements.</b> Require all new residential development to offer to dedicate land or pay a parkland dedication in-lieu fee for public parks sufficient to achieve park standards contained in the General Plan.</p>								R



Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/Implementation	Position R,M,D
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-S8. Parkland Dedication.</b> As new development is approved, ensure that the combined amount of Humboldt County and local park land provided by a special district authorized to provide parks and recreation services meets minimum recreation standards.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-S9. Services and Location of Parks.</b> Park sites within Urban Development Areas, <del>except for park sites established for that are not dedicated to</del> the protection of open space and wildlife/habitat values, should be provided with adequate water, sewer, law enforcement, and fire protection services and located in predominantly residential areas accessible by foot, bicycle, and automobile. <del>The terrain of park sites within Urban Development Areas should be suitable to accommodate both active and passive recreational activities.</del>	Recommended new wording for Alt B	<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-S10. Street Lighting.</b> Where development is required to install streetlights, they shall be designed to block upward transmission of light, avoid light trespass, and achieve design illumination in prescribed areas with limited scatter.		<b>R</b>
				<b>COMMENTS:</b>		
				<b>5.6 Implementation Measures</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM1. Coordination with Service Providers.</b> Coordinate with special districts, cities, LAFCO, and other local service providers by reviewing and commenting on capital improvement plans, proposed spheres of influence, municipal service reviews, annexations, and changes in organization. Enter into formal cooperative relationships when appropriate to plan, fund, and implement infrastructure and service delivery		<b>R</b>

Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/ Implementation	Position R,M,D
				projects.		
				<b>COMMENTS:</b>		
			<b>D</b>	<b>2622.3.</b> The Planning Department shall coordinate with LAFCo to improve information on public service availability, capacity and needs, demographics, and development patterns.		<b>D</b>
<b>A</b>	<b>B</b>			<b>IS-IM2. Adequate Public Infrastructure and Services Standards.</b> Develop and adopt an ordinance establishing adequate public infrastructure and services standards.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>8-19-10: Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>			<b>IS-IM3. Comprehensive Fiscal Impact Study.</b> Prepare and regularly update a comprehensive fiscal impact study that quantifies the relationship between new development and the need for additional public facilities and services.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>			<b>IS-IM4. Impact Fees for New Development:</b> Establish and periodically update a development impact fee program based on a comprehensive development fiscal impact study and other similar studies.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>			<b>IS-IM5. Fiscal Impact Assessment.</b> Prepare guidelines for the preparation and evaluation of fiscal impact assessments for large scale discretionary projects. Establish threshold criteria to identify applicable large-scale projects.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM6. Mello Roos Community Facilities Districts/Special Assessment District Formation</b>		<b>R</b>

Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/ Implementation	Position R,M,D
				<b>Procedures.</b> Prepare local goals and policies concerning the use of the Mello Roos Community Facilities Act of 1982 (pursuant to California Government Code Sections 55312.7 and 53345.8) and include special assessment district financing program policies, as appropriate.		
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM7. Community Facilities Districts/Assessment Districts.</b> Facilitate the development of Mello Roos Community Facilities Districts or special assessments districts, as appropriate, in new development areas where current funding will not support adequate infrastructure or service standards.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>			<b>IS-IM8. Infrastructure and Services Funding Sources.</b> Establish funding sources for public facilities and services including impact fees, tax increment financing, special taxes, special assessments, user fees, and grant funding.		<b>R</b>
				<b>COMMENTS: 8-12-10: Commissioners Nelson, Emad, Smith, Faust, Gearheart and Kreb</b> were in support as written. <b>Commissioner Mayo</b> was not in support (6/1).		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM9. Reimbursement.</b> Develop the ability to enter into voluntary reimbursement agreements to reimburse developers over time as subsequent development is approved for expenditures in excess of the developer's fair share costs.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM10. State and Federal Legislation, Appropriations, and Grant and Loan Programs.</b> The County shall actively advocate for state and federal legislation, appropriations, and grant and loan programs that increase funding for community infrastructure.		<b>R</b>

Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/Implementation	Position R,M,D
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM11. State and Federal Advocacy.</b> Maintain a list of legislative and regulatory priorities that include infrastructure and service issues and advocate actions that benefit the County and local service providers.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM12. Other Roadway Funding Mechanisms.</b> The County shall pursue other funding mechanisms to augment development impact fees to meet roadway and drainage improvement needs, such as reimbursement agreements, debt financing, voter-approved taxes, assessment districts, and state and federal grants.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM13. Drainage and Flood Control Plan.</b> Prepare a countywide Drainage and Flood Control Plan that inventories existing facilities, prioritizes needs, and provides a basis for funding mechanisms for capital improvements and maintenance.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM14. Storm Drainage Impact Fees.</b> Establish impact fees for off-site costs clearly and rationally connected to and resulting from new development. Fee shall include escalation clauses and should be based on the County Storm Drainage Master Plan and Capital Improvement Plan.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM15. Other Storm Drainage Funding Mechanisms.</b> Establish other funding mechanisms, as appropriate, to augment developer and/or mitigation fees to construct and maintain storm drainage improvements, which may include reimbursement agreements, debt		<b>R</b>

Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/ Implementation	Position R, M, D
				financing, voter-approved taxes, and assessment districts. Actively support and seek state and federal funding, such as infrastructure banks, to improve and enhance storm drainage and flood control facilities.		
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM16. Sheriff's Office Funding Sources.</b> Periodically assess the adequacy of existing Sheriff's Office funding sources and seek to identify, develop, and maintain sustainable funding sources to maintain Sheriff's Office levels of service, including increased operational fees, development fees, new taxes, or special assessments.		<b>R Split Vote 4-3</b>
				<b>COMMENTS: 8-19-10: Chairman Smith</b> did not want the funding of the Sherriff's Department put on new development. <b>Commissioners Kreb, Faust, Gearheart and Nelson</b> were in support. <b>Commissioners Smith, Emad, and Mayo</b> were not in support.		
<b>A</b>	<b>B</b>			<b>IS-IM17. Fire Protection Special Assessments.</b> Support the development of fire district special assessments and special taxes to fund fire protection services.		<b>M</b>
				<b>COMMENTS: Commissioner Smith</b> –recommended a modification be made to “provide tech support” Unanimous support with clarified language (7/0)		
<b>A</b>	<b>B</b>			<b>IS-IM18. Fire Impact Fees.</b> Support and promote the development of capital improvement programs by fire protection service providers that can be used to establish development impact fees. Develop documents to facilitate the development of impact fees, such as a methodology for establishing fee amounts and standard agreements between fire-related districts and the County.		<b>M?</b>
				<b>COMMENTS: 8-19-10: Staff</b> clarified that the intent of the Measure was to assist with capital improvement programs and that the programs could be used for the implementation of impact fees. The capital improvement program was a piece of paper, a plan, and not actual payments. Conversation ensued regarding capital improvement programs. <b>Director Girard</b> suggested changing the word “programs” to “plans”. <b>County Counsel Carolyn Ruth</b> supported the change as long as it coincided with the Government code. <b>Straw vote</b> Unanimous support (7/0). Staff to clarify with Government Code that the policy can be re-		

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				written to say capital improvement "plan" instead of "program".		
A	B	C		<b>IS-IM19. Pooled Costs/Shared Resources for Fire Districts.</b> In consultation with the Humboldt County Fire Chief's Association, develop programs for special districts to reduce operating costs.		R
				<b>COMMENTS: 8-19-10: Chairman Smith</b> questioned whether Community Development Services should be involved in regards to the measure and the <b>Director</b> responded that they were involved due to grant funding. <b>Commissioner Kreb</b> stated that this is being done currently and has made it cheaper for small districts to operate. Unanimous support as written (7/0).		
A	B			<b>IS-IM20. Fire Protection Levels of Service.</b> Support the development of a level of service standards by the Humboldt County Fire Chief's Association.		R
				<b>COMMENTS:</b>		
A	B			<b>IS-IM21. Standards of Fire Protection Response.</b> Encourage fire districts to prepare Standards of Coverage Studies and address substandard conditions. These studies may include: establishment of baseline conditions, risk assessment, level of service standards and objectives, critical task capability assessment, reliability assessment, and policy recommendations.		R
				<b>COMMENTS:</b>		
A	B			<b>IS-IM22. County Service Area-Fire Protection.</b> In close coordination with fire-related districts, non-agency fire departments, and CAL FIRE, establish County Service Areas and adequate ongoing fire protection funding sources in areas with developed and developable land that cannot be served by existing fire-related districts and where new districts cannot feasibly be established. Utilize fire protection service agreements with existing fire service providers, where appropriate. Utilize County Service Areas to augment the level of service and capacity of existing fire service providers, where appropriate.		R

Plan Alternative				Chapter 5 Community Infrastructure and Service	Staff Remarks/Implementation	Position R,M,D
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM23. Fire Protection Municipal Service Review.</b> Support the preparation of a comprehensive countywide fire protection municipal service review by the Humboldt LAFCO to determine the best approaches to improving levels of service countywide and expand service to areas outside existing fire-related district boundaries.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>	<b>C</b>		<b>IS-IM24. Monitor Infrastructure and Services Capacity.</b> Utilize wastewater treatment plant annual reports (prepared pursuant to federal NPDES permits), water system annual inspection reports (as prepared by California Department of Public Health, Drinking Water Program), and close coordination with water and wastewater providers to monitor the capacities of infrastructure and services to ensure that growth does not exceed acceptable levels of service.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM25. Organization of Water and Wastewater Providers.</b> Assist in the establishment of an organization of local water agencies, such as an association or authority, to improve water quality, service capacity, and level of service of all water and wastewater services providers.		<b>R</b>
				<b>COMMENTS:</b>		
<b>A</b>	<b>B</b>			<b>IS-IM26. Sizing of Water and Wastewater Systems.</b> Provide this Plan and land inventory data to service providers for system planning, facility sizing, and CEQA evaluations of land use consistency.		<b>R</b>
				<b>COMMENTS:</b>		

Plan Alternative			Chapter 5 Community Infrastructure and Service	Staff Remarks/Implementation	Position R,M,D
A	B	C	<p><b>IS-IM27. Coordination with Water and Wastewater Service Providers.</b> Utilize the review of capital improvement plans, referrals, "will serve" letters, and project review meetings, as appropriate, to coordinate with water and wastewater service providers and ensure that necessary infrastructure planning and funding mechanisms are in place to support existing, planned, and proposed development.</p>		R
			<p><b>COMMENTS:</b></p>		
A	B	C	<p><b>IS-IM28. Use of Parkland and Fees.</b> The County shall develop a schedule for the use of land and fees collected under parkland dedication provisions, including mechanisms for tracking the expenditure of funds for a five-year period in coordination with special districts providing parks and recreation.</p>		R
			<p><b>COMMENTS:</b></p>		
A	B		<p><b>IS-IM29. Parks and Recreation.</b> Prepare parks and recreation standards for new development that differentiate between urban and rural settings; specify acreage of park land per 1,000 residents; and specify land dedication, in-lieu fee, or other mechanisms to make park and recreation improvements and criteria for establishing Mello Roos Community Facilities Districts or special assessment to ensure adequate funding for operation and maintenance.</p>		R
			<p><b>COMMENTS:</b></p>		
A	B		<p><b>IS-IM30. Street Lighting.</b> Prepare street lighting standards for new development that differentiate between urban and rural settings and that specify when streetlights are required based on intersection type and functional classification. Establish lighting design criteria, considering AASHTO and International Dark-Sky Association guidelines.</p>		R
			<p><b>COMMENTS:</b></p>		
A	B		<p><b>IS-IM31. Expand Lighting Services.</b> Require that development within an Urban</p>		D



Plan Alternative	Chapter 5 Community Infrastructure and Service	Staff Remarks/Implementation	Position R,M,D
	Development Area be annexed to County street lighting districts if nearby, whether or not the project site is contiguous with current district boundaries.		
	<p><b>COMMENTS: 8-19-10: Staff</b> explained the intent of the measure was to ensure installation of lighting into annexed areas. <b>County Counsel Carolyn Ruth</b> clarified that the measure could be a Condition of Approval. Conversation ensued regarding which agency or party held jurisdiction over the expansion of lighting. <b>Director Girard</b> explained that there were some areas in the County that the lighting districts didn't have jurisdiction and in those areas this policy would dedicate lighting to the County system. Conversation continued regarding expansion of lighting.</p> <p><b>Bob Bronkall, Public Works</b> spoke about urban light pollution and lighting styles. He explained that those variations could be utilized by the Commission as implementation measures. He explained that the Commission would still have quite a bit of flexibility.</p> <p><b>Director Girard</b> pointed out that IS-P25 dealt with lighting.</p> <p><u>Straw vote</u>                      Unanimous support to eliminate IS-IM31 (7/0)</p>		