

Northern California Association of Home Builders

February 15, 2005

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**HUMBOLDT COUNTY
PLANNING DIVISION**

Mr. Thomas Herman, Chairman
Planning Commission
County of Humboldt
825 Fifth Street, Room 111
Eureka, California 95501

Subject: General Plan Update, Group 1 Draft Documents
Chapters 1, 2, and 3.

Dear Chairman Herman and Members of the Commission:

We are here tonight to comment on a draft document that we feel is in and of itself, out of context because it is being presented for your consideration out of order. We feel it is premature for the Board and staff to ask you to discuss Plan policy, principles, amendments, goals, and plan administration without knowing first hand what condition our existing roads, drainage facilities, water and sewer infrastructure are in, and where we stand overall within the county with respect to the conditions and future plans of our many communities and special districts. How prudent is it to rush into changing a plan without the forethought of its affects on the circumstances on the ground? It is not possible for the County to accurately foresee future development potential or issues when they don't know where they currently stand.

We know that drafting efforts of the Infrastructure and Public Facilities Elements are getting underway, and will hopefully be complete by the fall of 2007. However, we find it unfortunate that in its efforts on this evenings documents and others scheduled for the near future, that in the name of time, the County is pushing ahead with the Plan now, before the Infrastructure and Public Facilities Elements are completed, when it would be more circumspect to wait for the most crucial elements before continuing with the remainder of the plan.

In its haste, and at great costs to its residents and to itself, the County is effectively setting itself up to have to go back and correct the errors and oversights that will be committed all in the name of getting the Plan done **now!** **WHY**, when we are **so close** to having substantiated information from the Infrastructure and Public Facilities Elements, can't the Plan process be put on hold until this crucial information is available for you to consider, helping you make better decisions for our future?

We would like to see the County focus on a General Plan that considers and reflects the County in its entirety, and what its residents want for their own future. With these comments, our goal is to ensure the County is doing everything in their power to provide land for affordable housing to persons from *every* income level, and to protect property rights in the future for our residents, for agriculture, timber, and for all business interests of Humboldt County. Thank you for the opportunity to speak and for the opportunity to present our comments for your consideration.

For the NCHB,



Julie Williams, Advocate
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Part 1 – Setting: General Comments:

Page 1-1, Paragraph 3

“Humboldt County typically leads the state in timber production.” This could be purported more accurately: Humboldt County is one of the top 5 timber producing counties in the State.

Page 1-1, Paragraph 4, sentence 2:

“Humboldt Bay...serving as the port and *center of commerce*,...” We are proud of our port, and recognize the opportunities it provides the County now and will hopefully continue to provide in the future. However, this portion of the statement is inaccurate due to the omission of all of the commerce that takes place in our county in its entirety. The statement overlooks all of the large and small commercial businesses, industry and manufacturing, agriculture, timber production and tourism trade operations located throughout our County, in the coastal areas and inland portions of the County.

Page 1-1, Paragraph 4, sentence 4:

“Extensive bottom lands and flood plains of *Humboldt Bay and the Eel River delta* support the County’s dairy industry.” This sentence omits all of the other dairy lands in active production in our large county that make up the local dairy industry and has for many years. Please mention all of the dairy producing areas; this information is readily available through the County’s own Agricultural Extension Service or through the Farm Bureau.

Page 1-1, Paragraph 6:

“*The natural resources*...” We would like “rural character” added to this sentence.

Chapter 1. Introduction: page 1-2 General Comments:

1. The General Plan that guides development in the County should encompass the County in its entirety, and should not be predicated on staff meeting its “fair share housing goals” alone. It should incorporate providing land for housing for those of all income levels and for a prosperous County.

If, as is stated in the first sentence of this section, the County General Plan is the comprehensive guide for the long term growth and development of the county, and the County is intent on seeing to that goal, why is the need for housing, a growth rate goal statement of 2% or better (to allow for catching up on our critical housing supply

shortage) within the plan period, job creation and the preservation of property rights **not** clearly enumerated in this section?

2. The statement “...*extensive public outreach and participation program was conducted in developing this plan*” is a mis-representation of the on-going process of this plan update. We agree that guiding principles that illustrate a future vision for the County are a good thing. The public input process thus far in this plan is lacking the one thing it purports to contain: public input! This is a General Plan Update. By law, this process is to include the public of the Plan area in its entirety.

Input and comments made by all interests over time in the County’s communities have not been referenced or incorporated in the list of ‘guiding principles’. Open general public comment has been very limited; draft documents are withheld via County Counsel’s advice – effectively shutting the door to any opportunity for open discussions on local planning issues.

3. Reference to the “Critical Choices Report” being used as a ‘guide’ for the workplan of the update deeply concerns us. The need for housing, a growth rate goal statement of 2% or better (again, to allow for catching up on our critical housing supply shortage) within the plan period, job creation and the preservation of property rights is **not** in the Critical Choices Report; why would the County rely on such a document for the local ‘constitution’ that is supposed to be focusing on future community **development**?

Page 1-2, Purposes, Bullet 1

“Identify...*economic and social goals and policies* as they relate to land use and development.” The terms ‘economic’ and ‘social goals’ should be removed from this sentence. We recognize the County would like to see its residents be as happy and successful as possible. The purpose statement should read that the County will make certain there are adequate lands available for housing for those residents of all incomes. The County has no business interfering with either financial matters or social matters of the private lives of its residents.

Page 1-2, Purposes... Bullet 2

“Provide a basis for local government decision making, including decisions on development approvals and exactions.” This sentence assumes that decisions on development approvals and exactions are made only by the government.

The purpose of any General Plan is to provide guidance **not only** for an Administrative decision made by the Planning Director. The Plan is supposed to help planning staff complete a thorough, neutral review and analysis of all applications presented to the department for consideration at a public hearing for legislative and adjudicatory decision making by the Planning Commission and by the Board of Supervisors. Further, the Plan is supposed to provide guidance to the public land owners in their design concepts and application presentation in the first place.

Page 1-2, Purposes... Bullet 4

Mention is made here to "*the ground rules*". We would like to see the terms *ground rules* removed, and instead use the phrase '**standards** to be applied equally across the board' here. Our local County code and California land use and development law includes the equitable use of variances, planned unit development overlays and exception requests as mechanisms for those projects desiring modification of standards for special consideration, along with requirements for justification for the request. They work.

Page 1-2, Purposes... Bullet 5

"Establishes a *basis for subsequent planning efforts...preparations of specific plans, redevelopment plans,...*" First, without circulation, infrastructure and public facilities elements, any and all 'subsequent planning efforts' will likely be based on inaccurate theory. Without circulation, infrastructure and public facilities elements to go from, there is no valid confirmed information from which to start: how can you know where to go if you don't know where you are to start with?

Second, any planning references to redevelopment should be eliminated from the General Plan document as the redevelopment agency and plan no longer exist.

Page 1-2, last paragraph, second sentence

"...consolidates *the Coastal Area Plans and most of the individual Community Plans...*

We have some concerns with this concept. Some of the Community Plans were hastily written due to limitations on grant funding. Some are antiquated and are not consistent with the current Framework Plan of the current General Plan or are no longer applicable to circumstances in those community areas. To rely on such incomplete out of date Plans would be a mistake; it would compound their overall shortcomings and cause many future problems for the Board of Supervisors by not providing a comprehensive format, and by compromising consistency between all current Plan documents as is mandated by state law. The Plan should facilitate community driven changes to their "Community Plans", and thus to the General Plan.

Of utmost concern is the idea of consolidating the Local Coastal Area Plans with the inland Plan. The regulations and restrictions of the Coastal Zone are more stringent than those applicable to the inland portions of the County and we would take issue with the "blanket approach" of application of Coastal regulations for the entire County. Further, this may introduce the encroachment of the Coastal Commission "jurisdiction" outside of the coastal zone, in areas of the County where it and they do not belong.

Guiding Principles: page 1-3 , 1-4 General Comments:

1. Specifically, a general plan is made up of: goals, objectives, principles, policies, standards and implementation measures. According to the Governor's office of Planning and research general plan guideline publication, general plan principles are: 'An assumption, fundamental rule or doctrine guiding general plan policies, proposals, standards and implementation measures. Principles are based on community values, generally accepted planning doctrine, current technology and the general plan's objectives. In practice, principles underlie the process of developing the plan but *seldom need to be explicitly stated in the plan itself.*'

Not only does this document explicitly state the county's idea of guiding principles, they include mandatory enforcement language to them. There is no legal requirement to do so. The 'guiding principles' are overly broad, not implementable or quantifiable. Therefore, in those principles that remain from our list below, we would like to see the word "*must*" removed, and be replaced with the word "*should*".

2. Again, reference is made to the enumerated principles being a result of "*the public process*" leading up to the development of this plan, to "guide the drafting of the goals and policies in the Plan". We cannot emphasize this point enough: these 'principles' are merely a depiction of non-balanced input by but one position of interest that supports a no-growth Plan.

3. The language in this document states that these principles "will" be used as criteria for approving future plan amendments. **We strongly disagree.** Government Code Section 65358 (a) allows General Plan Amendment petitions if supported by the Board of Supervisors based on the finding of public interest as is currently practiced in our County.

The language therein has not been changed by the legislature. A General Plan Amendment is the one mechanism in place that allows and applicant to petition and apply to have the Plan designations for his or her property changed through a rather rigorous review and regulatory laden process. We do not support the proposed changes as they will severely affect property rights in this County.

Further, should the language of these principles not be adopted, the language infers that the principle will still survive as plan amendment criteria nonetheless. That is improper process outside of the mandates of state law – the County can't do that!

We would like the Plan Amendment criteria to remain as it exists in the current Framework Plan. We do not support the proposal of using the 'guiding principles' as criteria for plan amendments because they are overly broad, not implementable or quantifiable. Keep the findings language from the existing Framework Plan – (only remove reference to the Framework Plan as that term is going away) it is mindful of

human error, changes in policy and politics, and most of all, it is quantifiable and enforceable, and it works. Don't fix something that is not broken!

Pursuant to Section 1452 of the existing current General Plan, ~~of the Framework Plan, Volume 1~~, Plan Amendments may only be initiated by the Board of Supervisors based on a recommendation by Resolution of the Planning Commission or requested by members of the public. Section 1452.2 of the Framework Plan establishes findings, any one of which may be grounds for considering a plan amendment. Specifically, the findings are:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the Plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

4. We accept that those properties in the Coastal Zone may have to go to the Coastal Commission for a separate review and permit process. That is a given, legislated, separate process.

Guiding Principles: Page 1-3, and 1-4, Items 1. through 12. :

1. Remove the word 'must', replace with *should*, remove the word 'preserve' and replace it with the word *retain*, and add the word *rural* in front of the word Humboldt, add the word *County* and end the sentence.

2. Remove the word 'must', replace with *should*, remove the phrase 'the current scarcity of affordable' and after 'housing', finish the sentence with the phrase *for all income levels* and end the sentence.

3. Delete the first version of "Principle number 3". There are too many unknowns, undefined and undetermined terms of art in this version. Again, first, without circulation, infrastructure and public facilities elements, any and all 'subsequent planning efforts' will likely be based on inaccurate theory. There is no valid confirmed information from which to start.

As for the mention of conversion of resource lands and open space, see discussion in item 10 on page 7 below. Any vacant land can be considered open space; this term does not belong anywhere in this plan without a specific definition.

3. Remove the word 'must', replace with *should*, remove the word 'ensure' and replace it with the phrase *encourage*, remove the phrase 'efficient use' and add the phrase *development in areas currently served by public*, in front of the phrase water and sewer services and end that sentence. We would like the following added: *The property rights of owners of all property in the County will be respected and observed. In those cases wherein owners of rural lands desire to develop their lands, and provided that the proposed project meets existing zoning and plan standards, standards of the Public Works Department Land Use Division, and existing building code requirements, owners*

will be encouraged to keep development to low density residential to maintain a rural character.

4. This item needs to be deleted. This principle as it is timed and written is premature. It is an overly broad statement of ideas for concepts and theory to be included in the General Plan. The County should not even begin to consider any plan for infrastructure financing without the needed thorough analysis including justification without the Infrastructure and Public Facilities Elements.

5. This item needs to be deleted. The approach of the language in this item distorts the business climate in Humboldt County. The County should be encouraging the private sector to provide job opportunities through the construction industry as well jobs in non-residential use types: commercial, professional, medical, industrial, and the like through the imposition of fewer costly regulations. The county should not be in the business of picking winners and losers among the businesses in Humboldt County. It is the County Planning Department's responsibility to provide a level playing field and nothing more. We do not support including the Economic Development Department and any of their economic development strategies in the General Plan; that Department and their scope and purview should stand on its own for the benefit of the non-profit community.

6. Delete the first version of "Principle number 6". If the County wants to protect the timber industry they can do so: leave the regulations to those that already have jurisdiction in the resource areas. This item is duplicative of existing laws on the books in California that encourage environmentally sensitive timber harvesting: the Forest Practice Rules (FPRs) and the Forest Practice Act (FPA). Virtually all timber operations conducted in the state that are approved by CDF and other state agencies (via the THP or NTMP process) are designed and implemented such that the operations will not have a significant adverse impact on the environment. With respect to adding standards to patent parcel development; the recognition of patent parcels as legally separate parcels has been ruled in the affirmative by the local court and up to the Supreme Court. The County cannot regulate patent parcels any differently than any other legally created parcels.

6. Remove the word 'must', replace with *should*, and after the word 'protection', end the sentence.

7. Delete the first version of "Principle number 7."

7. Remove the phrase 'must include', replace it with the phrase *should encourage*, after the word 'protections' add: *as determined by the following federal, state, county, and local standards of the following agencies as applicable as referral agencies for specific project proposals: U.S. Fish and Wildlife Service, Bureau of Land Management, National Forest Service, California Fish and Game Department, State Department of Forestry and Fire Protection, State Parks and Recreation Department, State Water Quality Control Board, State Water Resources Department, local Fire Districts, County Department of Public Health Environmental Health Division, North Coast Information Center, the Wiyot and other pertinent Tribes.*

This item is duplicative of existing laws on the books in California that encourage environmentally sensitive Development. As can be seen above, many agencies and jurisdictions are already charged with the oversight of environmental interests that have all but shut down many of our resource based industries. Further, each and every project must be subject to a thorough neutral environmental California Environmental Quality Act review by local Planning staff, and that document is forwarded onto the State Clearinghouse to invite input from interests outside the area.

8. Remove the word 'must', replace with *should*, remove the word actionable and replace that with the following statement: *implemented equally for all projects*. The plan should be practical but it also should be honored. If a zoning and Plan designation allow for development of a parcel, that owner should be able to go in without a lot of hassle to the building department, and apply for and receive a building permit. Actionable? That term is vague and ambiguous. There is no definition provided; in what context is this word meant?

9. Remove the word 'must', replace with *should*, then delete the rest of the proposed language and replace it with: *be consistent with and implement the Permit Streamlining Act of California, Government Code Sections 65920-65964 for all projects across the board*. Staff needs to STOP making promises about streamlining permits, simplifying permits, consistency with the Plan etc. and should start implementing and following existing General Plan policies, and follow the State statute they should be following in their application processing practices: the Permit Streamlining Act (Govt. Code §§ 65920-65964).

10. Add the word Plan in front of the word 'alternatives', then remove the word 'must', replace with *should*, remove the word 'superior' and replace with *conscientious* and after the word 'would', then after that add the phrase *discourage*, remove the phrase 'result in the least' and add *in conversions of resource lands*.

First, only 1,000 acres since 1977 have been rezoned out of TPZ which were approved by the Planning Commission and the Board of Supervisors for development purposes. It should be noted that many of these acres have yet to be developed and are still growing trees. A perfect example is Green Diamond's non-TPZ acres (approximately 250 acres) east of Walnut Drive. Government acquisitions have taken 78,616 acres out of production since 1977. Acquisition of forestlands by institutional investors is not taking place in California like the rest of the nation because of the high cost of regulation.

Second, with respect to conversions; this sentence assumes that when a Certificate of Compliance (CC) is issued, or a Lot Line Adjustment (LLA) is approved, or subdivision is approved, this somehow equates to a "conversion" of the lands affected to a use other than timber production. Secondly, simply due to population growth some forest land in Humboldt County will be converted. Humboldt County has a responsibility to provide for such increases in population and, inevitably due to the preponderance of TPZ land in Humboldt County, some of this forest land will be converted to non-forest uses.

11. Add the word *Plan* before the word alternatives, remove the word 'must', replace with *should*, after the word available add the following phrase: *for a wide range of housing for all income types* and end the sentence there.

The County wants to supply land – **now** is the time to do it. Open up the discussion to name the type of lands that are acceptable for housing for all income levels – is it going to be sub-standard AG, sub-standard TPZ? Is it going to be land within 30 miles of established communities? Which lands will it be? With respect to the reference to economic development, please see discussion in item 5, above.

12. Remove the word 'must', replace with *should*, and remove the word 'relevant'. The word relevant is too subjective. Other than that, we could not agree more with this statement.

Staff Analysis and Alternatives, page 1-5 through page 1-8 General Comments:

1. There needs to be clarification on this section. The General Plan that guides development in the County should encompass the County in its entirety, and should not be predicated on staff meeting its "fair share housing goals" alone. It should incorporate providing land for housing for those of all income levels and for a prosperous County.

The Plan Alternatives Comparison Charts layout is confusing. The reference columns under the Plan Alternative headers almost always refer to all three sketch plan alternatives as sources for the principle statements in the center column. Common sense dictates one alphabetical reference per principle as a source; but because all three sketch plans are the almost exactly the same (with different unit number allowances), we would like to eliminate these columns to the left of the principle language.

2. A discussion follows that includes a statement that the "guiding principles herein are based on those that were *approved* by the Planning Commission and by the Board of Supervisors at the end of the Sketch Plan Alternative review". The language of 'approval' of any one sketch plan is misleading and should be removed. It is our understanding that no formal approval of any of the three Sketch Plans ever occurred; only a vote of confidence on a preferred alternative took place (at that time Sketch Plan B was chosen as the "Preferred Alternative"). It is also our understanding that having chosen a preferred alternative, the County did not close the door on further discussion of ideas outside the 'sketch plan' concepts regarding future anticipated growth levels or location.

3. It would be appropriate for an illustration of the background behind the concept of the Sketch Plans as simply as possible. For example: "Sketch Plan A" was the most restrictive that would limit population growth in the County to the County's Regional Housing Needs to 6,000 units over the 20 year life of the Plan, "Sketch Plan B" would allow a more moderate growth level of between 6,000 to 12,000 units over the 20 year life of the Plan, and "Sketch Plan C" would illustrate the most generous growth rate of 18,000 units over the 20 year life of the Plan.

4. When we first read the text, we saw language explaining that the text of this section will “fall out of the final version of the General Plan when it is adopted”, that the ‘guiding principles’ are repeated here for the readers assistance in the review process. Why put text in a draft of the Plan if it is not intended to remain in the Plan?

5. If it is staff’s charge to come up with three (or more) different plan alternatives for principles, sketch plan alternatives, etc., they should be different.

What we are seeing in this document are explanations of why the alternatives are so vastly different. As a result, we anticipated there to actually be vast differences between the alternatives. What we are reading in the alternative language itself however, are edits and omissions of the same concepts with differing levels of restrictive language added.

We were hoping to see discussion of the type of lands that are acceptable for housing for all income levels and other development that has, thus far, been avoided by staff. Now is the time to discuss the pros and cons of the County doing what it says it will do as the second “Guiding Principle” in the new General Plan.

The pertinent portion of principle 2 reads: “*The plan must provide sufficient developable commercial, industrial, and residential land,...*”

We would like the discussion of real alternatives going to take place now, in this General Plan update. Will the land to be supplied be sub-standard AG, sub-standard TPZ? Is it going to be land within 30 miles of established communities?

6. Any language discussing environmental impacts is premature. To include an overview of the CEQA process to be done later on in the Plan update process would be appropriate. The discussion about the preliminary environmental impact (CEQA) analysis is based on concepts only at this point, not having an accurate starting point for the Plan update without the Infrastructure, Public Facilities and Circulation elements completed first.

7. Here again, we also re-iterate our comments on whether the language in this document states that these principles “will” be used as criteria for approving future plan amendments. We strongly disagree. Government Code Section 65358 (a) allows General Plan Amendment petitions if supported by the Board of Supervisors based on the finding of public interest as is currently practiced in our County.

The language therein has not been changed by the legislature. A General Plan Amendment is the one mechanism in place that allows and applicant to petition and apply to have the Plan designations for his or her property changed through a rather rigorous review and regulatory laden process. We do not support the proposed changes as they will severely affect property rights in this County.

Further, should the language of these principles not be adopted, the language infers that the principle will still survive as plan amendment criteria nonetheless. That is improper process outside of the mandates of state law – the County can’t do that!

We would like the Plan Amendment criteria to remain as it exists in the current Framework Plan.. We do not support the proposal of using the ‘guiding principles’ as criteria for plan amendments because they are overly broad, not implementable or quantifiable. Keep the findings language from the existing Framework Plan – (only remove reference to the Framework Plan as that term is going away) it is mindful of human error, changes in policy and politics, and most of all, it is quantifiable and enforceable, and it works. Don’t fix something that is not broken!

Pursuant to Section 1452 of the existing current General Plan, ~~of the Framework Plan, Volume 1,~~ Plan Amendments may only be initiated by the Board of Supervisors based on a recommendation by Resolution of the Planning Commission or requested by members of the public. Section 1452.2 of the Framework Plan establishes findings, any one of which may be grounds for considering a plan amendment. Specifically, the findings are:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the Plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

NCHB Table Edits: NOTE: For clarity’s sake, our edits and votes in the tables below exclude the alternative source columns to the left side of the tables. For your convenience, as some of the language in this table is repetitive of language on pages 1-3 and 1-4 earlier in the County document, we have added a column to the table that refers to NCHB comment page number for our discussion points and explanation of our modifications.

Principle Tables, pages 1-7	Remarks	R,D,M	NCHB page #
1. The plan must should work to preserve retain the unique rural character of Humboldt County. and the quality of life we enjoy.		M	5
2. The plan must should provide sufficient developable commercial, industrial, and residential land, and policies to address the current scarcity of affordable housing for all income levels. and prevent scarcity under a range of population growth scenarios.		M	5
3. The plan must ensure efficient use of water and sewer services and focus development in these areas and discourage low density residential conversion of resource lands and open space.		D	5
3. The plan must should ensure encourage development in areas efficient use of currently served by public water and sewer services. The property rights of owners of all property in the County will be respected and observed. In those cases wherein owners of rural lands desire to develop their lands, and provided that the proposed project meets existing zoning and plan standards, standards of the Public Works Department Land Use Division, and existing building code requirements, owners will be encouraged to keep development to low density residential to maintain a rural character.		M	5

4. The plan must include actionable plans for infrastructure financing and construction.		D	6
5. The plan must support the County's economic development strategy and work to retain and create living wage job opportunities.		D	6
6. The plan must contain long-term agriculture and timber land protections such as increased restrictions on resource land subdivisions and patent parcel development.		D	6
6. The plan must should contain long-term agriculture and timber land protections.		M	6
7. The plan must include unambiguous natural resource protections; especially for open space, water resources, water quality, scenic beauty and salmonids.		D	6
7. The plan must should encourage include natural resource protections. The plan should encourage include natural resource protections as determined by the following federal, state, county, and local standards of the following agencies as applicable as referral agencies for specific project proposals: U.S. Fish and Wildlife Service, Bureau of Land Management, National Forest Service, California Fish and Game Department, State Department of Forestry and Fire Protection, State Parks and Recreation Department, State Water Quality Control Board, State Water Resources Department, local Fire Districts, County Department of Public Health Environmental Health Division, North Coast Information Center, the Wiyot and other pertinent Tribes.		M	6
8. The plan must should be practical and actionable implemented across the board equitably for all projects.		M	7
9. The plan must should be consistent with and implement the Permit Streamlining Act of California, Government Code Sections 65920-65964 for all projects across the board. provide a clear state ment of County land use values and policies to provide clarity in the County's permit processing system and to simplify review of projects that are consistent with the General Plan.		M	7
Principles Guiding the Alternatives Table, page 1-8	Remarks	R,D,M	
10. A reasonable range of Plan alternatives must should include an environmentally superior conscientious alternative that would discourage result in the least conversions of resource lands to development.		M	7
11. A reasonable range of Plan alternatives must should include an alternative that would result in a greater supply of land available for a wide range of affordable housing for all income types and economic development.		M	7
12. Development of the proposed project and Plan alternatives must should involve stakeholders and be supported with accurate and relevant data.		M	8
13. Promote development of walkable communities that meet daily needs, offer a healthy lifestyle, and reduce the need for automobile trips.		D	12

14. Promote design concepts and development patterns which increase affordable housing opportunities convenient to workplaces, and assist in balancing jobs and housing.		D	12
15. The Plan must promote sustainable development.		D	12

Alternative Principles: Page 1-6, Items 13. through 15. :

13. Delete this alternative principle. Communities may express their desires to encourage people to walk, ride bikes or horses versus to drive to a destination. It is **not** up to a General Plan or any City or County to dictate whether or not its residents may or may not drive vehicles, or to decide whose life style is healthy or not, and how far each day one may travel to meet their “daily needs”.

The language in this statement is reminiscent of antiquated concepts re-named principles set forth by a group that met in the Yosemite Valley years ago. While the language may be politically popular to use because it advances no-growth ideologies, it also reflects standards of social engineering also practiced historically that we think should be kept out of any General Plan.

14. Delete this alternative principle. We agree that not only would it be nice to live close to where one is employed, it would be great to be able to afford any home of one’s preference; that is not always possible. How would the County enforce this expressed desire? With respect to the phrase ‘balancing jobs and housing’, just how would the county propose to do that?

The recruiting of companies to our area is almost non-existent because there is no place to house employees. Those of two incomes that come to the area have a difficult time staying here because both people cannot find good jobs. Please refer back to our general comments on pages 8 and 9 above, number 4, that suggests the county supply additional lands for development.

15. Delete this alternative principle. The language is overly broad and lacks one important component: a definition.

Existing Framework Plan language on page 1-8: Delete this language reference. This language is antiquated and out of context; it expresses a community desire and not an enforceable policy or standard.

Chapter 2. Public Guide to the General Plan:

2.1 Plan Organization, Part 2, Building Communities – page 1-9.

We are concerned that the State mandated Housing Element is proposed to be separated from the General Plan and is apparently not going to be revised in this current update process. The housing element sunset date is close to coinciding with the time this plan

update will be complete; and the element should incorporate information from the soon to be completed Infrastructure and Public Facilities Element. We would like to see the Housing Element updated along with the General Plan for consistency's sake.

2.4 Maps – page 1-11.

Within the language of this section, maps are referred to as if they physically exist as hard copies as addenda to this draft document for the Planning Commission and Board to review, in their entirety, as opposed to descriptions of the types of maps that will become available in the future, or as opposed to a few sample maps via a truncated GIS system demonstration presentation at a hearing. We would like to see any decisions for this portion of the Plan wait until those decisions can be made based on substantiated information from the analysis that will be available as a result of the soon to be completed Infrastructure and Public Facilities Element.

The NCHB has stated on previous occasions that we would like to see citable references incorporated for any and all outside source mapping information that either stand alone or are to be used in the interactive GIS system on line. This information is readily available, and if applied, this practice would serve to save the County and Board of Supervisors problems in the future from mis-interpretation of mapping as tools versus mapping as record information.

Interpretation: page 1-12:

The language in this section needs to be re-considered. For the out-bound areas of the County, using the County's regulations, the County currently sets land use by parcel lines in the rural areas on mapping in the department. This is wrong in that many parcels are large and have varying topography. Using the county's regulations, major portions of these parcels would be developable, but because Plan designation lines are established on paper only without consideration given to circumstances on the ground as noted above, decisions are made prematurely without having substantiated information and development is sometimes not permitted.

Relation to Other Documents: page 1-12:

- We have concerns with this concept. Some of the Community Plans were hastily written due to limitations on grant funding. Some are antiquated and are not consistent with the current Framework Plan of the current General Plan or are no longer applicable to circumstances in those community areas. To rely on such incomplete out of date Plans would be a mistake; it would compound their overall shortcomings and cause many future problems for the Board of Supervisors by not providing a comprehensive format, and by compromising consistency between all current Plan documents as is mandated by state law. The Plan should facilitate community driven changes to their "Community Plans", and thus to the General Plan.

- Of utmost concern is the idea of consolidating the Local Coastal Area Plans with the inland Plan. The regulations and restrictions of the Coastal Zone are more stringent than those applicable to the inland portions of the County and we would take issue with the “blanket approach” of application of Coastal regulations for the entire County. Further, this may introduce the encroachment of the Coastal Commission “jurisdiction” outside of the coastal zone, in areas of the County where it and they do not belong.
- We are concerned that the State mandated Housing Element is proposed to be separated from the General Plan and is apparently not going to be revised in this current update process. The housing element sunset date is close to coinciding with the time this plan update will be complete; and the element should incorporate information from the soon to be completed Infrastructure and Public Facilities Element. We would like to see the Housing Element updated along with the General Plan for consistency’s sake.
- We are concerned that the modifications to the Plan through this update affect the existing Zoning Regulations and Subdivision Regulations. The General Plan update workplan did not outline a schedule for the revisions to these very important Ordinances. Once the Plan changes are incorporated, the standards of the existing Zoning Regulations and Subdivision Regulations are rendered moot due to a lack of consistency with the Plan. We would like to see these ordinances update to coincide with the General Plan, Governance Policy, Chapter 3, and ideally, take place after the completion of the Infrastructure and Public Facilities Elements.
- We are also concerned that this Plan update does not allow for the upcoming changes to the Building Code effective January, 2008. Those changes should be incorporated into the Plan update as well, and ideally, after the completion of the Infrastructure and Public Facilities Elements as well.

2.6 Staff Analysis and Alternatives, Pages 1-14 through 1-19:

Again, we saw language explaining that the text of this section will “fall out of the final version of the General Plan when it is adopted”, that the ‘guiding principles’ are repeated here for the readers assistance in the review process. Why put text in a draft of the Plan if it is not intended to remain in the Plan?

Chapter 3. Governance Policy, 3.2 Background, page 1-21:

Second paragraph that begins with the word “Apart...”... the government code citation contains a typographical error; following is the text of Section 65356. The correct citation is G.C. 65358 et seq. The language therein has not been changed by the legislature. A General Plan Amendment is the one mechanism in place that allows and applicant to petition and apply to have the Plan designations for his or her property