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Virginia Bass, Chair
Humboldt County Board of Supervisors
825 - 5th Street, Room 111
Eureka, California 95501

Re: General Plan Update/Circulation Element

Dear Chair Bass and Supervisors:

After careful review of the Circulation Element, the Humboldt Association of Realtors® comments that if adopted as drafted now, the Element will add significant expense to the cost of new, market rate housing and will add to the decline of housing affordability. The Planning Commission draft you have before you is not well balanced in this respect.

Of particular concern is the introduction of "Complete Streets" theory to this Element. There is a major question of applicability, i.e. how should "Complete Streets" be scaled for a rural county? Please see detailed discussion in the attachment.

Other concerns related to health impact issues, development impact fees, aging infrastructure and General Plan process problems are also addressed in the attachment.

We appreciate your consideration of our comments and look forward to continued participation in the General Plan Update.

Sincerely,

Victoria Copeland
Victoria Copeland, Co-chair
General Plan Subcommittee

Debbie Provolt
Debbie Provolt, Co-chair
General Plan Subcommittee

Attachment

cc: Philip Smith-Hanes, CAO
Martha Spencer, Interim Planning Director
Tom Hofweber, Supervising Planner
Michael Richardson, Supervising Planner



Humboldt Association of REALTORS®

ATTACHMENT

Circulation Element

“Complete Streets”

As described in planning staff’s “Supplemental Report #1” (see 10/1/12 staff report), the Circulation Element was revised in response to 2010 state legislation entitled “The California Complete Streets Act” (Assembly Bill 1358, actually passed in 2008 per the state’s Office of Planning and Research). As stated in “Report #1”, “the Planning Commission made significant changes to the proposed policies and standards, often recommending wording from the Complete Streets Working Group”. This has produced a General Plan element with a significant, negative impact on housing affordability.

The planning staff report makes several references to the state’s Office of Planning and Research (OPR) document entitled “Update of the General Plan Guidelines: Complete Streets and the Circulation Element”. OPR states the guidelines “update...meets the requirements of Assembly Bill 1358”.¹

The Association has also reviewed this guidelines update and, although it is not cited by county planning staff, OPR states that application of the “Complete Streets Act” will vary depending on whether you are in an urban, suburban or rural community:

*“The planning, design, construction and operation of a multimodal transportation network will be different for each community. Complete streets will look different in rural, suburban, or urban communities”.*² [italics added]

This is stated in AB1358 itself which directs that the Circulation Element be modified “in a manner that *is suitable to* the rural, suburban, or urban context of the general plan.”³ [italics added]

*“A key factor in creating a successful multimodal transportation network is making sure the planning objectives, policies, and standards reflect the rural, suburban, and/or urban context of a community within the planning area. Rural, suburban, and urban areas have different growth and development patterns and therefore face different opportunities and challenges when designing a multimodal transportation network.”*⁴ [italics added]

1. “Update of the General Plan Guidelines: Complete Streets and the Circulation Element”, December 15, 2010, Governor’s Office of Planning and Research (OPR), page 1.

2. *ibid*

3. AB1358 bill text, Legislative counsel’s digest, (1).

4. “Update of the General Plan Guidelines: Complete Streets and the Circulation Element”, December 15, 2010, Governor’s Office of Planning and Research (OPR), page 11.

Application of "Complete Streets" is a matter of degree and scale. Flexibility is necessary depending on what type of area you are in, i.e. urban, suburban or rural. It appears the current Circulation Element draft, heavily influenced by the Complete Streets Working Group, may be using boiler plate language from some urban area. Humboldt is not an urban area, it is rural. There is room to scale back the Circulation Element because, as cited above; OPR states "complete streets will look different in rural...communities" and AB1358 states that the Circulation Element should be modified "in a manner that is suitable to" rural areas, such as Humboldt. This rural aspect is noted particularly by OPR, "a rural jurisdiction may require wide shoulders to accommodate pedestrian, bicycle, or equestrian travel."⁵

The Association urges that the Board direct planning staff to revise the Circulation Element in order to reflect a scaled down application/implementation of "Complete Streets" as described by OPR and AB1358. The County should have a rural version of "Complete Streets".

Health Impacts of the Circulation Element

Consider the language of policy "**C-P8: Coordination Between County Agencies.** County Public Works, Health and Human Services, and Community Development Services departments shall coordinate with each other to ensure that encourage uniform implementation of circulation policies." [Incomplete sentence, underline and strikeout by planning staff.] This policy appears to have been written with the 2008 "Health Impact Assessment" (HIA) report in mind. The report was presented to the Planning Commission by former Public Health Officer Ann Lindsey.

The Association believes that the HIA, which seems to advocate that an urban setting is more healthy than a rural setting, should not be used as a planning tool for Humboldt County. It is nonsensical to imply, as the report seems to infer, that a rural lifestyle is unhealthy.

Certainly we support healthy life styles, but point out that it is a matter of personal choice. Whether someone walks, bikes, drives or sits on the couch is their own decision, no matter what government attempts to legislate.

We agree with the Planning Commission majority vote and planning staff's recommendations to delete **C-IM6** (the associated Implementation Measure to C-P8). In addition to the argument above about the role of the General Plan in public health, measures such as C-IM6 can become overly prescriptive regulation. We believe this drives up the cost of housing. The Association supports efforts to create all types of affordable housing. HAR continues to advocate for the availability of a variety of housing types and for the rights of those who choose a healthy rural lifestyle over urban living.

5. *ibid*

Impact Fees

Impact fees are considered again in this element. The Association opposes impact fees for the following reasons:

- Impact fees are passed on to homebuyers which raises already high housing costs. Consequently, the introduction of impact fees strikes the housing affordability issue hard. We advocate the County pursue all other sources of funding to help defray the costs of infrastructure improvements before adopting such fees.
- There is also the problem of how small scale projects will be burdened with the exactions being proposed. Projects in this county are small due to a small market size, therefore, economies of scale are not available to mitigate the high costs of infrastructure improvements. Exactions become larger percentages of home prices.
- There is also a timing issue. Residential build-outs and absorption rates are relatively slow in the county. This makes it difficult to secure amortized infrastructure financing because repayment will be slower.
- Impact fees should be considered as a last resort.

In the context of the Circulation Element, the issue concerns who will pay for infrastructure improvements related to new development. We advocate the County pursue all other sources of funding to help defray the costs of such improvements before adopting impact fees. Grants can be one such source. (This is identified in the Infrastructure Element under IS-IM8).

An example of such grant funding was provided at the October 21, 2010 Planning Commission meeting by county Public Works engineer Bob Bronkall: installation of sidewalks along School Road in McKinleyville.

Aging Infrastructure

The Association recommends that Circulation Element goals, policies, standards and implementation measures should be written which address the aging and deteriorating roads in the County. We have heard the Public Works Department cite (2010) there is some \$200 million in deferred road maintenance. The Element should now address how to begin funding this deferred cost. We also advocate that overall, in this General Plan update, core infrastructure, i.e. roads, water and sewer, should be given highest priority. Financial and staffing constraints means that time and effort spent on multimodal systems (bicycle, bus, pedestrian, etc.) will have to be limited. We suggest the element should include a new, additional policy which states that core infrastructure in need of upgrade takes precedence in all funding processes and other circulation planning considerations.

Other Comments on General Plan

1. On the county's website *planupdate.org*, as of 10/31/12, General Plan public comments to the Board of Supervisor are not being posted. The public is not able to review this information.

2. On *planupdate.org*, General Plan public comments made to the Planning Commission are not current. The Planning Commission met on the General Plan through April, 2012. Public comments continued through that date. As of 10/31/12, the latest comments posted are dated November, 2011.
3. The Planning Commission's voting charts on the Land Use Maps cannot be found on the *planupdate.org* site. These voting charts list the parcels which had changes made, the reasons for the changes and they list owners objections and requests. We understand from planning staff that the Planning Commission minutes are to serve as the final answer. However, these minutes are summary and not detailed enough for some land owners to understand what happened.
4. As to the Land Use Maps themselves, it is not clear if those that are posted on the county's GIS website are the preliminary maps which the Planning Commission deliberated on or if they are maps showing Planning Commission recommendations.