

Submitted 2/4

Debbie Provolt

From: Girard, Kirk <KGirard@co.humboldt.ca.us>
Sent: Monday, March 21, 2011 9:37 AM
To: Debbie Provolt
Cc: Spencer, Martha; Hofweber, Tom
Subject: RE: Open Space Ch 10.2, CO_P1X Transfer of Development Rights

Hi Debbie,

Thanks for your interest. I've embedded my answers in your e-mail below. If you would like general background information on Transfer of Development Rights programs you can go to this link:

<ftp://ftp.wi.gov/DOA/public/comprehensiveplans/ImplementationToolkit/Documents/TDR.pdf>

If you have any follow up questions feel free to contact Martha or me.

Kirk

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-----Original Message-----

From: Debbie Provolt [<mailto:DProvolt@hltco.com>]
Sent: Sunday, March 20, 2011 5:55 PM
To: Girard, Kirk
Subject: Open Space Ch 10.2, CO_P1X Transfer of Development Rights

Kirk,

Thank you for talking to me during the break about the TRD policy which the Planning Commission approved last Thursday night. I would like to make sure I understood you correctly, and I have a couple of additional questions. If I state anything incorrectly, please correct me.

I asked you what threshold of development would trigger the need to purchase development rights from an owner of resource lands. Your answer was that to build a principally permitted structure would not trigger this requirement, but a division of land would.

Yes, as the policy is currently written it would only apply to the subdivision of land.

I asked what size of subdivision would trigger that, and your answer was that even a split into 2 lots would trigger it.

The policy does not specify the size of the subdivision that would trigger the requirement. The threshold size would likely be determined by ordinance if the policy were ultimately adopted by the Board. The Board could also request more detail in the General Plan policy, standards or implementation measures.

I think you told me that adoption by the Board of this policy would essentially strip the right to subdivide land. Did I understand you correctly?

It would make the right contingent upon purchasing development rights from designated open space areas.

It did not occur to me until later to ask what part of the County would be affected by this policy. Reading the policy now, it looks to me like it would affect all land in all urban development area's. Is that correct?

The target open space areas and the receiving urban growth areas are not specified in the policy. These areas would likely be determined through an ordinance process.

The policy also states that subdivision rights would have to be transferred from "high value open space and resource lands". Does this mean that rights can only be transferred from certain open space and resource lands, not from any open space and resource land which has subdivision rights? If so, have these high value sites been identified?

Yes, only specific sites would qualify and no, they have not been identified.

Another question is, if a person is creating a 10 lot subdivision, would he have to transfer rights from one or more high value sites totalling the right to create 10 lots? Would it be sufficient to purchase development rights from a single high value site, even if that site only had a right to a single split?

The number of development rights that would have to be purchased from open space areas to gain a development rights in urban areas would likely be determined through an ordinance process.

Would parcels which are ultimately rezoned for multi-family be required to purchase development rights, or would that be treated the same as building a single home since the multi family housing would be principally permitted?

This program would only apply to new subdivisions. The type of subdivision that would be affected and possible exemptions from the program would likely be determined by ordinance.

I think you told the Commission that staff did not support this policy during the discussion, is that correct?

That's correct. The staff does not support this policy. We don't believe there is sufficient demand for development in urban areas to justify a requirement to purchase subdivision rights. We also believe the volume of transfers would be too low to justify program administrative costs.

Thank you for helping me to understand this policy.

Debbie Provolt