



# COUNTY OF HUMBOLDT

For the meeting of: November 5, 2012

Date: October 29, 2012  
 To: Board of Supervisors  
 From: Martha Spencer, Interim Director, Planning and Building Department  
 Subject: Continued Board Review of the Planning Commission Approved Draft General Plan, in particular, Chapter 5, Community Infrastructure and Services, Chapter 7, Circulation, and Chapter 9, Economic Development

**RECOMMENDATIONS:**

That the Board of Supervisors:

1. Open the public hearing and receive a staff report.
2. Receive public comments.
3. Continue the public comment period to 6:00 p.m.
4. Continue deliberation and straw voting on the goals, policies, standards and implementation measures of Chapter 5, Community Infrastructure and Services Element.
5. Begin deliberation and straw voting on Chapter 7 (Circulation) and Chapter 9, (Economic Development).
6. Allow a dinner break and resume the meeting at 6:00 pm.
7. Continuation of public comments.
8. Close public comments.
9. Continue deliberation and straw votes on Chapters 5, 7 and 9 of the Draft General Plan.
10. Continue the public hearing to November 8, 2012.

Prepared by \_\_\_\_\_  
 Martha Spencer, Interim Director, Planning and Building

CAO Approval \_\_\_\_\_

**REVIEW:**

Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

\_\_\_\_\_ Consent  
 \_\_\_\_\_ Departmental  
**XX** \_\_\_\_\_ Public Hearing  
 \_\_\_\_\_ Other \_\_\_\_\_

**PREVIOUS ACTION/REFERRAL:**

Board Order No. H-2, D-1, C-1, L-1, C-1, C-1, L-3, C-1, C-1, C-1, C-1 and C-1

Meeting of: June 12, June 18, June 25, July 10, July 16, July 23, July 24, August 13, September 10, September 17, October 1 and October 15, 2012

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor \_\_\_\_\_ Seconded by Supervisor \_\_\_\_\_

Ayes \_\_\_\_\_  
 Nays \_\_\_\_\_  
 Abstain \_\_\_\_\_  
 Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

**Kathy Hayes, Clerk of the Board**

### SOURCE OF FUNDING:

The cost of preparing this staff report was borne by the General Fund through the Planning and Building Department – Advance Planning Division's FY 2012-2013 budget and the General Plan user fees.

### DISCUSSION:

At the October 15, 2012 meeting, the Board continued deliberation on Chapter 5, the Infrastructure Element. During the Board meeting of October 1<sup>st</sup>, there was concern that the Infrastructure Element, as an optional element (not required by state law), was duplicative and unnecessary. Staff was directed to prepare recommendations for possible re-location of the policies and corresponding standards and implementation measures found in the Infrastructure Element to other chapters in the Draft Plan (this was included as Attachment A of the October 15<sup>th</sup> Board report). Staff also indicated in the body of the report, the policy suites that could be eliminated as part of the move due to redundancy and/or duplication in other sections of the Draft Plan. The Board then elected to review the Element policy by policy and deferred the decision of elimination of the Element (or relocation of the remaining policies) until the comprehensive review was completed.

The Board provided straw votes on the following policies (see Attachment A for tally of the Board's straw votes):

- IS-G1. Adequate Infrastructure and Services
- IS-G2. Sustainable Funding
- IS-G3. Interagency Coordination
- IS-P2. Prioritization
- IS-P3. Public infrastructure and Services Standards
- IS-P6. Fair Share Cost Allocation
- IS-P8. Infrastructure and Services Capacity
- IS-P9. Capacity of Facilities and Land Use Decisions
- IS-P10. Infrastructure and Service Inadequacies
- IS-P11. Consolidation and Cost Sharing
- IS-P12. State and Federal Advocacy
- IS-P13. District Boundaries, Spheres of Influence, and Community Plans
- IS-P14. Changes in District Boundaries
- IS-PX. Out of Area Service to Address Threats to Public Health
- IS-P15. Road and Drainage System Funding Sources
- IS-P16. Drainage and Flood Control
- IS-P17. Law Enforcement
- IS-P18. Expanded Fire Protection Services
- IS-P19. Water and Wastewater System Capital Improvement Programs
- IS-P20. On-Site Sewage Disposal Requirements
- IS-P21. Parks and Recreation Service in Urban Development Areas
- IS-P22. Park Dedications Held in Perpetuity

The Board requested staff return with additional information on the following policies (which are discussed in greater detail below):

- IS-P1. Coordination with Service Providers
- IS-P4. Requirements for Discretionary Development
- IS-P5. Fiscal Impact Assessment
- IS-P7. Mitigation of Cross-jurisdictional Impacts

The Board proposes to finish deliberation on the remainder of the Infrastructure Element (starting with IS-P23) and then begin deliberation on the following policies for Chapters 7 and 9 during the November 5<sup>th</sup> meeting:

### **Chapter 7, Circulation**

- C-G2. Balanced Transportation Opportunities
- C-P1. Orderly Development
- C-P2. Consideration of Land Uses in Transportation Decision Making
- C-P3. Consideration of Transportation Impacts in Land Use Decision Making
- C-P4. Mitigation Measures
- C-P11. Roadway Functional Classifications
- C-P14. Efficiency and Capacity
- C-P23. Public Transit Service
- C-P34. Bicycle Facilities
- C-P35. Development of Railroad Right-of-Ways for Bicycles and Pedestrians
- C-P42. Re-establishing Regional Rail Service
- C-S3. Traffic Thresholds of Significance
- C-IM5. Roadway System Construction
- C-IM6. Coordination with the Division of Environmental Health
- C-IM10. U.S. Highway 101 Safety Corridor Improvements

### **Chapter 9, Economic**

- ED-P6. Large Format Retail
- ED-S2. Large Format Retail
- ED-IM7. Large Format Retail

## **Outstanding Issues**

### **1. IS-P1. Coordination with Service Providers**

The Board recommended elimination of *IS-P1, Coordination with Service Providers*, as it is somewhat duplicative of *G-P15, Water Service Provider Coordination* found in the Governance chapter (Chapter 3). The Board was concerned; however, that G-P15 does not completely address the coordination issues outlined in IS-P1. IS-P1 involves cooperation with service providers to address infrastructure service needs consistent with the Draft Plan. G-P15 speaks to coordination regarding updates to their urban water management plans. Cooperation is active and differs from participating in long-range planning efforts. Urban water management plans are only prepared by the largest and most sophisticated service providers in the county (i.e. HCSD and MCSD), and may not speak to the day to day needs of some of the smaller service districts.

The two versions of this policy currently read:

#### **Planning Commission Version – Infrastructure Element policy:**

**IS-P1. Coordination with Service Providers.** The County shall work cooperatively with service providers to identify needs, secure funding, and implement infrastructure and public service projects consistent with this Plan.

#### **Planning Commission Version – Governance Chapter policy:**

**G-P15. Water Service Provider Coordination.** Coordinate with water service providers on water supply and demand in their respective areas, and participate in the five-year updates of urban water management plans.

Staff recommends a modified version to read as follows:

**G-P15. ~~Water Service Provider Coordination.~~** ~~Coordinate with water service providers and work cooperatively where appropriate to identify infrastructure and public service needs, help to secure funding to implement essential infrastructure and service projects on water supply and demand in their respective areas, and participate in the five-year updates of urban water management plans~~ long-range planning efforts consistent with this Plan.

## 2. IS-P4. Requirements for Discretionary Development

Staff explained to the Board that this policy was intended to only apply to projects that require discretionary review, similar to a Conditional Use Permit approved by the Planning Commission. It was not intended to apply to single family residences that are considered a principally permitted use in a zone. However, in some cases, a single family residence may be considered a principally permitted use in a zoning district but may be required to obtain a Coastal Development Permit (CDP) in the Coastal Zone. A CDP is considered a discretionary permit. The Board requested that staff revise IS-P4 to ensure that single family home construction in the Coastal Zone is not subject to this policy.

The Draft Plan currently reads:

### Planning Commission Version

**IS-P4. Requirements for Discretionary Development.** 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; or
- C. Adequacy will be obtained over a finite time period through the implementation of a defined capital improvement or service development plan; or

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.

Staff recommends a modified version to read as follows:

**IS-P4. Requirements for Discretionary Development.** The adequacy of public infrastructure and services for discretionary development greater than a single family residence and/or second unit shall be assessed relative to service standards adopted by the Board of Supervisors, local service providers, and state and federal agencies. Such 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; or
- C. Adequacy will be obtained over a finite time period through the implementation of a defined capital improvement or service development plan; or

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.

### 3. IS-P5. Fiscal Impact Assessment

There was concern from the Board over the ambiguity of this policy and when the preparation of a Fiscal Impact Assessment would be necessary. The Board requested that staff return with possible revisions to IS-P5 that would limit the need for a Fiscal Impact Assessment to larger projects that require the preparation of an Environmental Impact Report (EIR) only.

The Draft Plan currently reads:

#### Planning Commission Version

**IS-P5. Fiscal Impact Assessment.** 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.

Staff recommends a modified version to read as follows:

**IS-P5. Fiscal Impact Assessment.** The ~~economic~~ fiscal impacts of discretionary development (i.e. projects that require the preparation of an Environmental Impact Report that may have significant impacts 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.

### 4. IS-P7. Mitigation of Cross-jurisdictional Impacts

The Board was concerned that the term “mutually mitigated” contained in the language of IS-P7 was confusing to the layperson and requested that this policy be simplified or clarified.

The PC recommended policy language currently reads:

#### Planning Commission Version

**IS-P7. Mitigation of Cross-jurisdictional Impacts.** The County shall ~~enter into reciprocal agreements-~~ work with the cities to ensure fiscal impacts associated with new development are mutually mitigated across jurisdictional boundaries.

Staff recommends the following revision:

**IS-P7. Mitigation of Cross-jurisdictional Impacts.** The County shall work with the cities to ensure ~~fiscal~~ impacts associated with new development are ~~mutually~~ mitigated for each affected jurisdiction. across jurisdictional boundaries.

#### Continued Review of the Draft Plan:

The Board recommended continued deliberation and straw voting on Chapter 5 (Infrastructure), Chapter 7 (Circulation) and Chapter 9, (Economic Development on the approved Key Issues “short list” (with the allowance for discussion of all items in Chapter 5 if need be) for the November 5<sup>th</sup> Board meeting. Following deliberation of these chapters, the Board requested to

return to deliberation and straw voting of the remainder of the Chapter 4, the Land Use Element, starting with the two remaining Urban Lands policies (UL-P4 and P12) and then moving to the outstanding policy discussion of Section 4.5, Agricultural Resources. A revised schedule with the Key Issues "short list" items is found in Attachment B.

During the September 17, 2012, the Board directed staff to prepare a Supplemental Report #1 for all of Chapter 4. This Supplemental Report #1 is found as Attachment C and a Board Worksheet with staff recommended policy changes for the "short list" items for the remainder of Chapters 4 as Attachment D (this was previously distributed for the August 13<sup>th</sup> Board meeting).

Today's meeting is scheduled to extend into the evening to allow for increased public participation. The item is scheduled to begin at 1:30 in the afternoon and allows for a dinner break from 4:30 to 6:00, with an anticipated ending time of 9:00pm. The Board anticipates taking public comments in the afternoon session, and then continuing the public comments for the evening session for those that were not able to provide comments during the afternoon session. It is anticipated that the Circulation Element will be discussed during the evening portion of the meeting.

#### FINANCIAL IMPACT:

Awarded grants, General Plan user fees, and the General Fund contribution to the Advanced Planning Division has paid for the costs of the General Plan Update Program to date.

This project fits into the County's Strategic Framework in several ways.

- The project is consistent with the Mission Statement; the General Plan Update will serve the needs and concerns of the community, and enhance their quality of life. It provides a framework for strategically pursuing a broad range of services provided by the County and other agencies, and guiding new development toward the goals presented in the Plan.
- The General Plan Update supports the self reliance of the community by clarifying County policy and regulations in a broad number of subject areas, and presenting them in a format that is easy to understand and available on the internet.
- The General Plan Update will safeguard the public trust by establishing clear County policy and regulations guiding new development.
- The proposed implementation measures of the General Plan Update ensure its sustainability over time.
- The General Plan Update increases the transparency, accessibility, and accountability of the services provided by the County by establishing clear roles and procedures, using language that is easy to understand and available on the internet. The General Plan Update promotes interjurisdictional and regional cooperation.
- The General Plan Update is intended to be "an effective voice for our community in areas outside traditional mandates". The General Plan Update includes provisions for public involvement that extend far beyond the requirements of state law. Public involvement encouraged by the General Plan Update will include discussions of natural resource and the County's economic future. The General Plan Update also intends to engage new partners through its implementation measures.

OTHER AGENCY INVOLVEMENT:

The General Plan Update program has been a multi-year project. Multiple agencies have been involved in the review and preparation of the Planning Commission approved Draft General Plan. The County has been in communication with the Planning Commissioners, County Counsel and the County Administrator's office on the transmittal of these draft documents.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.

ATTACHMENTS:

- Attachment A Staff suggested policy re-location chart for Chapter 5 (Infrastructure Element) with a tally of the Board's straw votes from the October 15<sup>th</sup>, 2012 meeting
- Attachment B Revised Board review schedule
- Attachment C Supplemental Report #1, Land Use Element
- Attachment D Board Worksheet with staff recommended policy changes, remainder of Chapter 4, Land Use Element



# COUNTY OF HUMBOLDT

For the meeting of: November 8, 2012

Date: November 5, 2012  
 To: Board of Supervisors  
 From: Martha Spencer, Interim Director, Planning and Building Department  
 Subject: Continued Board Review of the Planning Commission Approved Draft General Plan, in particular, Chapter 5, Community Infrastructure and Services, Chapter 7, Circulation, Chapter 9, Economic Development and Chapter 4, Land Use

**RECOMMENDATIONS:**

That the Board of Supervisors:

1. Open the public hearing and receive a staff report.
2. Receive public comments.
3. Close public comment.
4. Continue deliberation and straw voting on the goals, policies, standards and implementation measures of Chapter 5, Community Infrastructure and Services Element, if necessary.
5. Continue deliberation and straw voting on Chapter 7 (Circulation) and Chapter 9, (Economic Development), if necessary.
6. Continue deliberation and straw voting on Chapter 4, Land Use Element.
7. Continue the public hearing to December 3, 2012.

**SOURCE OF FUNDING:**

The cost of preparing this staff report was borne by the General Fund through the Planning and Building Department – Advance Planning Division's FY 2012-2013 budget and the General Plan

Prepared by \_\_\_\_\_  
 Martha Spencer, Interim Director, Planning and Building

CAO Approval \_\_\_\_\_

**REVIEW:**

Auditor \_\_\_\_\_ County Counsel \_\_\_\_\_ Personnel \_\_\_\_\_ Risk Manager \_\_\_\_\_ Other \_\_\_\_\_

**TYPE OF ITEM:**

\_\_\_\_\_ Consent  
 \_\_\_\_\_ Departmental  
 XX \_\_\_\_\_ Public Hearing  
 \_\_\_\_\_ Other \_\_\_\_\_

**PREVIOUS ACTION/REFERRAL:**

Board Order No. H-2, D-1, C-1, L-1, C-1, C-1, L-3, C-1, C-1, C-1, C-1 and C-1

Meeting of: June 12, June 18, June 25, July 10, July 16, July 23, July 24, August 13, September 10, September 17, October 1 and October 15, 2012

**BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT**

Upon motion of Supervisor \_\_\_\_\_ Seconded by Supervisor \_\_\_\_\_

Ayes \_\_\_\_\_  
 Nays \_\_\_\_\_  
 Abstain \_\_\_\_\_  
 Absent \_\_\_\_\_

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: \_\_\_\_\_

By: \_\_\_\_\_

**Kathy Hayes, Clerk of the Board**

user fees.

DISCUSSION:

See Discussion included in the November 5, 2012 Board report.

FINANCIAL IMPACT:

Awarded grants, General Plan user fees, and the General Fund contribution to the Advanced Planning Division has paid for the costs of the General Plan Update Program to date.

This project fits into the County's Strategic Framework in several ways.

- The project is consistent with the Mission Statement; the General Plan Update will serve the needs and concerns of the community, and enhance their quality of life. It provides a framework for strategically pursuing a broad range of services provided by the County and other agencies, and guiding new development toward the goals presented in the Plan.
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ALTERNATIVES TO STAFF RECOMMENDATIONS:

Board's discretion.

ATTACHMENTS:

None