

AGENDA ITEM NO.



COUNTY OF HUMBOLDT

For the meeting of: March 25, 2013

Date: March 19, 2013

To: Board of Supervisors

From: Kevin Hamblin, Director of Planning and Building *Kell*

Subject: Continued Board Review of the Planning Commission Approved Draft General Plan: Chapter 5, the Infrastructure Element

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing and receive a staff report.
2. Receive public comments.
3. Close public comments.
4. Continue deliberation on Chapter 5 (Infrastructure).
5. Continue the public hearing to April 8, 2013.

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.

Prepared by *Michael Richardson*
 Michael Richardson, Senior Planner

CAO Approval _____

REVIEW:	Auditor _____	County Counsel _____	Personnel _____	Risk Manager _____	Other _____
---------	---------------	----------------------	-----------------	--------------------	-------------

TYPE OF ITEM:

Consent

Departmental

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, C-1, C-1, C-1, C-1, C-1 and C-1, C-1, C-1, C-1, C-1

Meeting of: June 12th, 18th & 25th; July 10th, 16th, 23rd & 24th; August 13th; September 10th & 17th; October 1st & 15th; November 5th & 8th; December 3rd & 17th, 2012; January 14 and 28th; February 11. and March 11, 2013

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

DISCUSSION:

At the March 11, 2013 meeting, the Board finished review of the Noise Element (Chapter 13) of the Planning Commission Approved Draft General Plan, and continued review of the Infrastructure & Services Element (Chapter 5).

Table 1 below summarizes the votes from the Board of Supervisor's 3-11-13 meeting. The straw-voted language follows the table.

There was also a suggestion by Supervisor Fennel to include Figure 1-1 from the Framework Plan in the introduction to the GPU; this suggestion has not yet been straw-voted by the Board. Figure 1-1 from the Framework Plan is shown in Attachment A.

Table 1. Summary of Board of Supervisor's Deliberations 3-11-13		
Element	Outcome	Straw Vote (Yes:No)
Noise		
N-S8	Modify PC version:	5:0
N-S11	Delete	5:0
N-IM5	Retain PC version	5:0
Infrastructure		
IS-G1	Adopt Ad Hoc Recommendation	5:0
IS-G2	Retain PC version	5:0
IS-G3	Retain PC version	5:0
G-P15 (IS-P1)	Adopt Ad Hoc Option 1; Keep as IS-P1	5:0
IS-P2	Delete	4:1 (ML no)
IS-P3	Modified Ad Hoc Option 2; delete B, C, and E; split D into 2 bullets	4:1 (ML no)
IS-P4	Ad Hoc Option 2	4:1 (ML no)
IS-P5	Delete last part of last sentence: "through changes in project design..." in Board Modified version and adopt that.	5:0
IS-P6	Adopt Ad Hoc Option 2 (delete)	4:1 (ML no)
IS-P7	Adopt modified BOS version	5:0
IS-P8	Adopt modified BOS version	5:0
IS-P9	In PC draft replace "and coordinate" with "in coordination" and delete the last sentence: "The density, timing..."	5:0
IS-P10	Delete and add "and service limitations" to IS-P1	5:0
IS-P11	Eliminate as suggested	5:0
IS-P12	Adopt as written	5:0

NOISE ELEMENT

5-0 straw vote for the following modified Standard N-S8

N-S8 Short-term Noise Performance Standards (Lmax). The following noise standards, unless otherwise specifically indicated, shall apply to all property within their assigned noise zones and such standards shall constitute the maximum permissible noise level within the respective zones.

(SHORT-TERM NOISE STANDARDS (Lmax))

<u>Zoning Designation</u>	<u>Day (maximum)</u> <u>6:00 a.m. to 10:00 p.m.</u> <u>dBA</u>	<u>Night (maximum)</u> <u>10:00 p.m. to 6:00 a.m.</u> <u>dBA</u>
MG, MC, AE, TPZ, TC, GS , AG, FP , FR, MH	80	70
CN, MB, ML, RRA, CG, CR C-1, C-2, C-3,	75	65
RM, R-3, R-4	65	60
RS, R-1, R-2, NR	65	60

Exceptions. The Short Term Noise levels shown in the above table shall not apply to the following uses such as, but not limited to:

1. Portable generator use in areas served by public electricity when electrical service is interrupted during emergencies as determined by the Planning Director.
2. Temporary events in conformance with an approved Conditional Use Permit.
3. Use of chainsaws for cutting firewood and power equipment used for landscape maintenance when accessory to permitted on-site uses.
4. Heavy equipment and power tools used during construction of permitted structures when conforming to the terms of the approved permit.
5. Emergency vehicles.

Protocol for measuring exceedences:

1. Calibrate and establish reference for sound meter:
Decibel measurement made shall be based on a reference sound pressure of 0.0002 microbars as measured with a sound level meter using the "A" weighted network.
2. Determine ambient background noise levels:
Ambient noise without the noise source in operation shall be observed at 15 second intervals for a period of 15 minutes, measured along the property line in a direct line between the noise source and the nearest receptor. The lowest reading is interpreted as the ambient noise level of that sampling point. If this reading is above the standard set for the noise zone, steps must be taken to determine the source or sources of the intruding high-level noise followed by appropriate control action before continuing the survey. If the reading is equal to or below the standard, the survey can proceed.

3. Measure for exceedences:

With the noise source in operation, record the instantaneous response at 15 second intervals for a 15 minute period. Or, for a noise source of less than 15 minutes, record the instantaneous response at 15 second intervals for the time the noise source is in operation. The lowest response level recorded while the noise source is in operation is interpreted as the intruding noise level. Compare the intruding noise levels with the standard. If the noise level generated from the noise source exceeds the standard, the noise source is generating noise levels in excess of the allowable standards set for the noise zone.

5-0 straw vote to delete N-S11:

~~**N-S11. Industrial Performance Standards.** Add the Industrial Performance Standards currently contained in the County Coastal Zoning Code to the Inland Zoning Code as well.~~

5-0 straw vote to adopt N-IM1:

N-IM5 Adoption of Performance Standards. Adopt Industrial Performance Standards Countywide.

INFRASTRUCTURE ELEMENT

5-0 straw vote to adopt modified IS-G1:

IS-G1. Adequate Infrastructure and Services. Well maintained public infrastructure and services supporting existing and future development ~~with an ability to expand to satisfy the needs of new development.~~

5-0 straw vote to adopt IS-G2:

IS-G2. Sustainable Funding. Adequate and sustainable revenue sources for capital improvements and maintenance of infrastructure and services.

Note: It was suggested that the discussion on IS-IM4 to consider language recommended by the ad-hoc group: The County may only consider impact fees for roads after determining if it is viable.

5-0 straw vote to adopt IS-G3:

IS-G3. Interagency Coordination. Coordinated planning, prioritization, funding, and implementation of infrastructure and public service projects across jurisdictional boundaries.

5-0 straw vote to adopt modified IS-P1 (also later voted to combine with IS-P10):

IS-P1. Coordination with Service Providers. The County shall work cooperatively with cities and service providers to proactively identify needs and areas of the County where existing infrastructure and service inadequacies limit development rights otherwise permitted in this Plan, secure funding, and implement infrastructure and public service projects consistent with this Plan and capital improvement plans.

4-1 straw vote to delete IS-P2:

~~**IS-P2. Prioritization.** 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.~~

4-1 straw vote to modify IS-P3:

IS-P3. Public infrastructure and Services Standards. 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
- E. rank priorities.; and
~~Set goals for levels of service for funding purposes.~~

4-1 straw vote to modify IS-P4:

IS-P4. Requirements for Discretionary Development. The adequacy of public infrastructure and services for discretionary development greater than a single family residence and/or secondary residential unit or minor subdivision, shall be assessed relative to service standards adopted by the Board of Supervisors, local service providers, and state and federal agencies. Such ~~d~~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
- 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.

5-0 straw vote to modify IS-P5:

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.

4-1 straw vote to delete IS-P6:

~~**IS-P6. Fair Share Cost Allocation.** New development shall pay the proportional cost of providing infrastructure and services needed to serve the development.~~

5-0 straw vote to adopt modified IS-P7:

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.

5-0 straw vote to retain IS-P8:

IS-P8. Infrastructure and Services Capacity. In coordination with service providers, the County shall periodically monitor the capacities of infrastructure and services in relation to existing and planned demand.

5-0 straw vote to modify IS-P9:

IS-P9. Capacity of Facilities and Land Use Decisions. The County shall evaluate the capacity and sizing of road and drainage facilities and ~~coordinate~~ in coordination 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.

5-0 straw vote to delete IS-P10 and combine it into IS-P1:

~~**IS-P10. Infrastructure and Service Inadequacies.** 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.~~

5-0 straw vote to delete IS-P11:

~~**IS-P11. Consolidation and Cost Sharing.** Support consolidations or cost sharing to reduce service delivery costs, including costs related to administration, staff training, insurance, purchasing, and vehicle maintenance.~~

5-0 straw vote to adopt IS-P12:

IS-P12. State and Federal Advocacy. Coordinate with local service provider's efforts to influence legislation or regulations to achieve outcomes consistent with the goals and policies of this Plan.

Continued Review of the Draft Plan:

Along with the recommendations for the Infrastructure Element, the GPU Ad Hoc Working Group provided the Board with recommendations on Chapter 14, the Safety Element. Your Board could choose to "move" this item forward for deliberation, or return to your deliberation of the Land Use Element (which has been partially reviewed and last discussed in November, 2012). The GPU Ad Hoc Working Group has expressed an interest in reviewing the Land Use Element, and to date, has not submitted recommended revisions for this Chapter. In order to allow the GPU Ad Hoc Working Group time to review and comment on the Land Use Element, your Board could continue this meeting to the next scheduled Board meeting of March 25th and discuss any remaining issues for the Infrastructure Element, and then begin deliberation on the Safety Element.

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: Figure 1-1 of the Framework Plan

Attachment A

Figure 1-1 of the Framework Plan

Figure 1-1
RELATION OF GENERAL PLAN ORGANIZATION
TO STATE-MANDATED GENERAL PLAN ELEMENTS

The following matrix indicates the relation between the sections of the County's General Plan and the State-mandated General Plan elements. The dots in the matrix indicate the sections of the General Plan where primary or secondary treatment is given to each of the State-mandated General Plan elements. In some instances, individual policies relating to each of the mandated elements may also be found in other sections of the Plan.

Relation of General Plan Organization to State-Mandated General Plan Elements ● = primary treatment ○ = secondary treatment

<u>Sections of the General Plan:</u> <u>VOLUME I</u>	State-Mandated General Plan Elements	Land Use	Circulation	Housing	Conservation	Open Space	Seismic Safety	Noise	Scenic Highway	Safety	Timber
Chapter 2											
Population 2200		○		○							
Economics 2300		○		○							
Housing 2400		○		●							
Rural Land Use 2500		●	○	○	○	●	○			○	●
Urban Land Use 2600		●	○	○	○	●	○	○		○	○
Chapter 3											
Hazards 3200					●	●	●	●		●	
Water Resources 3300					●	●					
Biological Resources 3400					●	●					
Cultural Resources 3500		○				●			●		

<u>Sections of the General Plan:</u> <u>VOLUME I</u>	State-Mandated General Plan Elements	Land Use	Circulation	Housing	Conservation	Open Space	Seismic Safety	Noise	Scenic Highway	Safety	Timber
Chapter 4											
Circulation 4200		○	●					○	●	○	
Trails 4300			●			●					
Parks & Recreation 4400		○	○			●					
Public Water Facilities 4500			○							○	
Wastewater Facilities 4520		○	○							○	
Solid Waste Management 4600		○	○							○	
Fire Protection 4700			○							○	
Education 4800		○	○				○			○	
County Government Facilities 4900		○	○								
VOLUME II - AREA PLANS											
Community Plans		●	●	●	●	●	●	●	●	●	●
Local Coastal Plans		○	○	○	●	●	●		○	○	○
Background materials		●	●	●	●	●	●	●	●	●	●