

General Plan 2020
Interest Group Committee Meeting Minutes
November 5, 2002
Revised December 17, 2002

Interest Group Committee:

Al Stehly	Farm Bureau
Bonnie Gendron	Back Country Coalition
Carolyn Chase	Coalition for Transportation Choices
Dan Silver	Endangered Habitats League
David Younkman	National Wildlife Federation
Diane Coombs	Citizen Coordinate for Century 3
Eric Bowlby	Sierra Club
Jim Esposito	Environmental Development (<i>note: unauthorized alternate</i>)
Jim Whalen	Alliance for Habitat Conservation
Lee Vance	Building Industry Association
Liz Higgins	SD Association of Realtors
Lynne Baker	Buena Vista Audubon Society
Mike Stepner	SD Regional Economic Development Corp.
Phil Pryde	SD Audubon Society
Scott Thomas	American Institute of Architects
Terry Barker	American Society of Landscape Architects
Thure Stedt	Save Our Land Values

Public at Large:

Brent McDonald	Caltrans
Carol Leone	
Charlene Ayers	
Dave Shibley	
Dutch Van Dierendonck	
Jan Van Dierendonck	
Jeanne Pagett	
Jerry Winter	
Mary Allison	USDRIC
Mike Thometz	MERIT
Ron Pennock	ECCC
Susan Scanlan	Flinn Springs
Scott Molloy	

County Staff:

Karen Scarborough (DPLU, group facilitator)
LeAnn Carmichael (DPLU)
Michelle Yip (DPLU)
Dixie Switzer (DPLU)
Dahvia Locke-Rubinstein (DPLU)
Robert Asher (DPLU)
Thomas Oberbauer (DPLU)

Non-Agenda Items –

- a) Next Interest Group Meeting
 - Due to a conflict with an MSCP meeting on the next scheduled meeting day, the next Interest Group meeting will be held on Monday, November 18th on the 7th floor.
- b) Steering Committee/Interest Group Joint Meeting
 - Next meeting is tentatively scheduled for November 12th at DPLU from 4 – 6 pm. Jamul/Dulzura, Pala-Pauma, and Lakeside will be discussed.
 - Brief update on last meeting – Carmichael stated that a lot of the communities were concerned that we were discussing more global issues than just the communities that were invited. Staff reassured them that we did stick to those communities present and was given the opportunity to hear concerns directly from community members. Silver stated that Ramona and Valley Center appeared they would be able to support the map with some modifications, as they were more concerned with technical problems like traffic, sewer infrastructure, and the TDR program. Bonsall, on the other hand, saw more map related problems. Added that all three groups were favorably disposed to our general concept – towns, greenbelts, and that sort of regime – and were more favorably disposed to clustering than had thought.
- c) Tools Update
 - Stehly stated that the subcommittee has requested that staff up the priority on “tools” by writing a white paper to be circulated for comments and create a timeline. Suggested several issues to discuss in the white paper – permanency and structure for transfer of money. Deadline set for beginning of February. Carmichael agreed that staff does need to get started on the framework.
 - **Motion:** Stehly moved to up staff priority on the TDR concept by creating a white paper to broaden the discussion and dialogue. Requested that staff come up with a timeline to do all that is proposed by the next Interest Group meeting. Whalen seconded the motion. Motion passed unanimously.

Agenda Item I: Logistics –

- a) Minutes for October 22, 2002
 - **Motion:** No changes made. Bowlby moved to approve. Whalen seconded. Motion passed 12 – 0 – 4 (Pryde, Stepner, Coombs, and Esposito).

Agenda Item II: Resource Standards –

- a) Floodways
 - Referring to the handout, under the Interest Group column, this is a just a proposal from staff and the group has not taken a position on this yet. The proposal is still to have no encroachment into the floodway, which in essence, is defined as what carries a 10-year storm. We looked at the categories (Village/Village Core, Semi-Rural, and Rural Lands) as having a varying standard – rural area would have no encroachment and no yield reduction because of the already low density; semi-rural would have a 50% yield reduction, which would allow the density in there and be able to move it off those resources to be in a clustering situation; and we went with the Steering Committee recommendation on the village/village core with 100% yield reduction as it is an area that already has enough density and clustering would only increase the density on the remaining acreage.
 - Carmichael stated that at the general plan level, you cannot get site specific as there are a lot of areas that are not mapped – floodplain and slope – at this level so our standards are there to look at a particular site. If this were a highly constrained site, our floodplain and slope map may not have mapped it so we did not change the density so standards are put in place to react to what is going on, on the site.
 - Pryde stated that a 10-year floodway can easily be exceeded this winter and asked why we are not working with a 100-year floodway. Carmichael responded that we have a 10-year floodway and a

100-year floodplain; the RPO defines a floodway as what is needed to carry a 10-year storm. She added that we are not proposing to change the RPO definition of floodway and floodplain. The discrepancy in definition is noted.

- Stedt stated that we should be looking at how to make the general plan as simple and accessible as possible; proposed to have no density reductions, believes that 1 du/4 ac should represent 1 du/4 ac with no exceptions.
- Younkman asked how this works with the “takings” issue; asked if it is a taking if the whole lot is in the floodway. Carmichael replied that it would be a taking by regulation.
- Baker stated what she is hearing from professional planners and staff is that these tools provide them the ability to react to a particular site to tailor the amount of homes to the actual conditions of the site. If we want transparency, then we need to map everything in the county out and then get down to a level that we normally do not do at a general plan level because it is project specific.
- Whalen stated that if we are decoupling lot size from density, the impacts can be avoided with no penalty so that would be a lot simpler than coming up with a formula.
- Barker was wondering about incentives and if staff was looking at the difference between the 100% and 50% as incentive. Carmichael replied that it could be used as an incentive in both the floodways and floodplains; if you completely avoid the resource, it could be used as an incentive to clustering.
- Bowlby disagreed with the concept of no reduction in floodway areas because these floodways are areas where a lot of wetlands occur, which is a very small amount of land to begin with and a lot of endangered species rely on. Thinks removing the number of people and amount of development encroachment from the edge is important. Added that it is also important for water resources.
 - ❖ **Correction made on December 17, 2002:** *Bowlby added the following to read:* Bowlby disagreed with the concept of no yield reduction...a lot of endangered species rely on these areas. Thinks removing the number of people and amount of development encroachment from the edge is important; edge effects such as lighting, human intrusion, pets, and noise.
- Coombs stated that not all floodways have biological resources but they still serve many valuable functions. Referring back to Pryde’s concern with definition, thinks the 10-year is far too limited in terms of a definition.
- Stedt stated that we are not talking about disrupting the functions of the floodways but there is no need to make this process more complex today by including complex density reduction formulas; we need to assign the appropriate density.
- Silver stated that he believes there is this presumption on the builders’ side that if you avoid the scenario resource, then that is all you have to avoid, however you lose the other resources in the process, therefore not avoiding very successfully. Asked if we have the ability to effectively decouple the lot size from density so not sure how you can balance these two arguments.
- Bowlby mentioned the need for clustering standards. Asked what is on the list for public infrastructure. Carmichael stated that RPO defines it as any structure or an improvement necessary for the provision of public services (i.e. water, sewer, roads) which must be located in a particular location to serve its purpose and to which, no less environmentally damaging location, alignment, or non-structural alternative exists.
- Chase asked why we would be putting village/village core in the floodway. Carmichael replied that not all floodways are mapped so there could be that possibility. Whalen added that we could have a situation where they are there.

c) Biological Mitigation

- Carmichael mentioned that our purview for the discussion on mitigation ratios for biological habitat is outside MSCP areas; the ratios for the areas within MSCP are set and are already in ordinance. Once the North County MSCP is done, they will have their mitigation ratios set for that area and as far as what we do for the mitigation ratios for GP2020, they will no longer apply as the MSCP mitigation ratios will apply. So our ratios for GP2020 can be seen as a holding area waiting for future MSCP areas to come into play.
- Oberbauer explained where they are in the North County MSCP. They have been working with a group of independent science advisors to evaluate the modeling process that came out of the existing MSCP. With that modeling process, they made some modifications and put together a

habitat evaluation model. The other model that the science advisors recommended they utilize is called the sites model; this model took the information from the habitat evaluation model and carried it further to help them identify pre-approved mitigation areas, these are areas that the wildlife agencies have delineated where mitigation should be focused. They are not at the point at looking at the mitigation ratios for the North County area. For the existing MSCP, the mitigation ratios came out of a negotiation process working with an interest group and the wildlife agencies. They anticipate that those would be the guidelines and basis for the creation of mitigation ratios for the North County area but since they are not at that point yet, they have not looked at specific ratios for the different vegetation to determine whether they would be changing any of those or not. One area that would likely change is non-native grasslands because they are finding that in the northern areas, they may be more valuable than what was assumed.

- ❖ **Addition made on December 17, 2002:** Pryde stated that he had asked for Oberbauer's comments on the viability of native and non-native grasslands. Tape was reviewed: Pryde had asked whether it was true or not true that birds and other wildlife that breed in grasslands are not very particular about whether it is native or non-native. Oberbauer responded that the non-native grasslands on the map are dominated by wild oats and other types of species of grasses, as well as, components that are frequently of native species that may not be grassland. So animals do not really care whether they are native or non-native grasses. This applies to the Grasshopper Sparrow as well.
- Whalen stated that a departure from existing standards would be a negative. Does not see any basis for evaluation of starting on ratios and does not see how it would work to do a different BMO for a geographically distinct area. Asher replied that the key thing is to get a condition of coverage and since they are not there yet, they are just anticipating that that might happen.
- Younkman asked why the ratios are different inside and outside the MSCP. Asher replied that the BMO was basically set up to implement the MSCP and as a two tier approach, depending on where the project mitigates, there are lower ratios outside of the site. The purpose of the BMO is to encourage mitigation.
- Stedt asked what non-native grassland was. Oberbauer replied that it is defined by Fish and Wildlife as anything that is not disturbed, dominated by annuals, and not agricultural land but may include grazing land.
- Silver stated his perspective was that the ratios were a trial; felt they did not work in the following ways: 1) native grassland, 2) coastal sage scrub, and 3) allocation of on-site credit.
 - ❖ **Addition made on December 17, 2002:** Bowlby requested the tapes be reviewed for poignant elements from Silver's comment: Silver stated his perspective was that the ratios were a trial and in his view, they had a bit of a checkered history in how they arrived, where they were, and what went into it but they got there in a certain way that was a bit arbitrary. Felt they did not work in the following ways: 1) the way it was mentioned for non-native grasslands, 2) coastal sage scrub – generally, the most common mitigation for coastal sage scrub is 1 to 1, which he thinks is too low, and losing 50% of it is simply too sensitive a habitat for that to happen, and 3) allocation of on-site credit.
- Scarborough stated that the Board did not ask this group to modify ratios in MSCP nor the ratios in the North County MSCP so we are looking at areas outside of MSCP in east county, which is interim until an MSCP is implemented.
- Oberbauer mentioned that the only reason they would be changing grassland ratio is to get coverage for species, otherwise the basis for the ratios are already set.
- Coombs asked about the relationship between CEQA and MSCP at a project or general plan level. Asher responded that RPO was originally created to provide guidance for a number of issues. MSCP adopted the BMO to replace the biological section of RPO and is implemented through the CEQA process.
- Asher suggested that people look at their website for annual reports. They have done some recent studies to check on how they are doing and by looking at the pre-approved mitigation areas, they had a goal of 75% preservation and found out that they are achieving a much higher ratio so it does show that the process is working. Mentioned that they are developing management plans as they acquire land and have put together an agreement plan for developing area specific management directives.

b) Floodplains

- Carmichael stated that there are other things (such as biology, existence of wetlands, habitat issues) that cause the standard in RPO on floodplain fill to not be achieved. In essence, the current practice is to truly try to avoid the floodplains or to put the uses in there that would be compatible with the floodplain if there are no biological issues. The Steering Committee proposed that we preserve 100% and they wanted to recognize that that may result in a taking so they wanted to provide a provision that would not put us into the taking position. Their standard was 100% of that land area of the floodplain not be included in the calculation for the resultant density or the yield. We thought that at the semi-rural and rural densities, a yield reduction would probably not be necessary – you could just do the clustering to avoid the resource and still maintain your yield. Because of the higher densities in the village and village core, you may have to look at having a yield reduction or you may be going up too much and have to deal with community character. We felt that uses should still be allowed as long as they are not impacting biological resources, which could include agriculture, recreation, a trail, or other; no permanent structures.
- Stedt stated that there is simply no nexus here between the density reduction approach here and the general plan process we have been involved in and recommend that we not do that. We are at the macro scale and have the ability to simplify the process.
- Pryde suggested amending the wording under “encroachment” for *Village/Village Core* to 25% from the edge of the natural floodplain because in some areas, particularly in village/village core, there may have already been encroachment and fill in floodplains and does not want to see an additional 25% from that.
- Looking at the goals and policies, Bowlby stated that we need to get a grasp on the word *significant* and get the word *cumulative* in.
- Pryde asked if 25% encroachment meant both sides or total floodway. Carmichael replied that we did not clarify that and acknowledged that we need to.
- Esposito asked how much permeability are we talking about; most of the water on the spread area is going to evaporate. Carmichael responded that the reason we are exempting Borrego is because of sheet flow since the entire valley is in a floodplain so that has a different standard of sheet flow; this is more of a riverine standard.

d) Wetlands

- Carmichael stated that the existing standard is no grading, filling, construction, or placement of structures in wetlands and in essence, there is no net loss. The Steering Committee said no net loss of wetland acreage, function, or value, which is really what we are proposing for all categories (village/village core, semi-rural, and rural lands). The question really becomes the yield reduction – we do have some village/village core that do end up having wetlands located in them, i.e. Ramona with their vernal pools in their downtown. Our proposal in the village/village core, where the densities are higher, is to have a yield reduction because you do not have enough leeway to go up in many cases and to increase the units outside of that area because you are already at a higher density. The semi-rural, is a 50% reduction and none in the rural areas because at such a low density, they can easily be avoided.
- Bowlby distributed a handout that addressed allowable uses in wetlands, which include public service infrastructure that is essential and minimizes impacts. Thinks that we need to draw a clear line of what is and what is not allowed in wetlands with the exception of essential public service utilities and have a definition of that in order to prevent misinterpretation.
 - ❖ **Correction made on December 17, 2002:** Bowlby corrected his statement to read: Bowlby distributed a handout that addressed allowable uses in wetlands, which would be limited to public service infrastructure that cannot avoid impacts.
- Baker stated that there is a shortage of housing at the multi-family level so we may not want a yield reduction in the village/village core.
- Stepner stated that the formulas for yield reduction are arbitrary and do not get us to where we want to go but rather complicate matters. Thinks they should not apply here.
- Bowlby stated that the population goes up if we eliminate the yield reduction and the map is already 10,000 greater than the 660,000 population number we were targeting at the beginning of this process.

- Silver stated that if we were to “eliminate” the yield reductions, we may have to re-visit some of the densities in the semi-rural and rural.

e) Steep Slopes

- Silver stated that there are a couple of approaches: 1) Staff’s approach – sets standards for slope in terms of encroachment into the slope and 2) Base development area approach – figure out how much land is going to be available for a development footprint. With the base development area approach, you know where you are going to develop and everyone would have a sense of what is meant by avoidance. Feels this sort of foundation would be much easier to deal with biology, floodplains, etc. if you knew how much of the site would be set aside to develop. Stedt stated that he does not disagree with having this kind of approach and would be willing to discuss the amount of land set aside.

Agenda Item III: Process –

- Carmichael stated that general discussions in the past have been by place (rural lands, etc.) rather than categorized by bio, slope, etc. Suggested we think of them by place and decide what we want for those areas rather than looking at them as separate categories.
- Coombs asked for a presentation by County Counsel on recently passed legislation.

Agenda Item IV: Public Comments –

- Brent McDonald stated that he did not understand why there is a yield reduction in the village/village core area since we want densities in those areas.
- Rick Landavazo stated that it is important to recognize the open space on the edge; noticed discussion of increasing density in the town center of Valley Center, which affects the community plan and stated the need for reducing corresponding densities, coupled with increased densities in the town center.
- Dutch Van Dierendonck mentioned the discussion on clustering at the recent Steering Committee meeting. Stated the need to address infrastructure before doing anything and mentioned the possibility of a moratorium if the plan does go through without addressing infrastructure.
- Troy Murphree (via email) stated the Sweetwater Authority would like to ensure that flood plains, floodways and wetlands are protected to the maximum extent possible.