

General Plan 2020
Interest Group Committee Meeting Minutes
May 14, 2002
Revised May 28, 2002

Interest Group Committee:

Al Stehly	Farm Bureau
Alexandra Elias	American Planning Association
Allison Rolfe	National Wildlife Federation (<i>Note: unauthorized alternate at this meeting</i>)
Bonnie Gendron	Back Country Coalition
Carolyn Chase	Coalition for Transportation Choices
Dan Silver	Endangered Habitats League
Diane Coombs	Citizen Coordinate for Century 3
Eric Bowlby	Sierra Club
Eric Bruvold	SD Regional Economic Development Corporation
Greg Lambron	Helix Land Company
Jim Whalen	Alliance for Habitat Conservation
Karen Messer	Buena Vista Audubon Society
Liz Higgins	SD Association of Realtors
Phil Pryde	San Diego Audubon
Terry Barker	American Society of Landscape Architects
Thure Stedt	Save Our Land Values

Public at Large:

Brent McDonald	Caltrans
Charlene Ayers	
Devore Smith	Sierra Club
Dutch Van Dierendonck	Ramona CPG
Ernest Barrera	San Diego County Herald
Lynne Baker	EHL
Parke Troutman	UCSD
Paul B. Etzel	SDSU/Astronomy Dept.
Scott Molloy	Molloy Engineering & Analysis

County Staff:

Karen Scarborough (DPLU, group facilitator)
Gary Pryor (DPLU)
Ivan Holler (DPLU)
Aaron Barling (DPLU)
Jason Chan (DPLU)
Tom Harron (County Counsel)

Agenda Item I: Logistics –

- a) Minutes for April 30, 2002
- Scarborough: Changes or additions to the minutes of meeting 4/30/02. Bowlby poses question for Gary Pryor regarding DPLU's actions for 1DU/40ac east of the County Water Authority Line. Bowlby mentions Interest Group agreed on another designation, and should be in the minutes. Also, Bowlby proposes that MSCP's advances into the unincorporated areas should be added. Motion to approve minutes additions. **Motion passes 13-0-2**
 - ❖ **Correction made at the May 28th meeting:** Bowlby had reiterated his concerns over revisions he had asked to be made to the April 30th minutes. He felt his comments were not reflected correctly. He felt the discussion regarding 40 acre lot sizes east of the CWA line should have been noted, as well as, the conversation between Adams and Silver regarding MSCP (as recorded).
- b) Non-agenda Items
- Silver passes copies of Santa Clara Hillside Ordinance and cluster policies.
 - Barling hands out map copies of prime soils from the last General Plan amendment.
 - Scarborough discusses alternates and proxies from the Interest Group; if someone is absent then they must notify Scarborough of alternates. She strongly encourages members not being absent for the sake of consistency within the Interest Group.
 - Doyle and Chase are absent, suggestions that group proceed to Noise Element.

Agenda Item II: Draft Revisions to Goals and Policies –

Noise Goal

- Stedt asks for clarification on objectionable noise. Proposed "obnoxious" for replacement. Pryor proposes taking out objectionable. Proposal for "excessive and/or unsafe." **Motion passes 14-1.**

Policies A, B, C

- Policy A,B,C. Pryor explains Policy C as a machine shop located near a residential area as a non-compatible use.
- Barker asks if similar noise standards apply to schools and hospitals. Pryor replies that it is a performance standard that goes into the ordinance at a later date. Debate over adding Policy D to the Noise Goal.
- Stehly asks how one establishes noise standards for agriculture use, e.g. spraying, baling hay need to be done at different times of the day. Pryor replies agriculture has extenuating circumstances that are inherent in the industry, any standards will need to take that into account. Some standards may even be exempt, because of the nature of the activity. But staff can use discretion in land use proximity to agricultural areas. Gendron mentions sand trucks that create a noise disturbance in a community. Pryor replies that we can limit noise from roads by regulating travel times, but noise pollution attached to a land use can be controlled by permits.
- Bowlby mentions the right to farm ordinance, and would like to see designated agriculture areas. Stehly says the ordinance is a predecessor to current operations, but doesn't give anybody the freedom to make disturbing amounts of noise. Messer motions approval of A-C. **Motion passes 15-0.** D will not be addressed at this time.

Public Facilities Goal

- Scarborough reads staff recommendation; Coombs notes that public facilities and services have not been "timely" and would like to make these services concurrent with new development. Coombs asks why DPLU has taken out "timely" in staff recommendation. Pryor responds that multiple projects might stretch the supply of services, and it may be better to use an impact fee approach instead of timely provision. Whalen comments "coordinated" is sufficient to imply timely provision of services. Pryde counters that "coordinated" is insufficient. Gendron mentions that impact fees are not enough to mitigate the impacts of new development. Bowlby supports keeping "timely provision" and asks why "public" services is used when the expense for certain

services is not fairly shared. Pryor replies that “public” means providing for the public good whereas a private good such as a park only serves the privileged; e.g. the gated community surrounding the park. Pryor states that the deficiency in services is not a result of untimeliness but rather the method of figuring out the fair share, because there has not been a reliable system since future land use was not predictable. Another factor is the 2% threshold of significance, where there is inaccurate prediction of facilities capacity, such as roads. Land Use Distribution can predict where the growth will occur and plan public facilities and services accordingly, but is very difficult to do that today.

- Stedt notes a paradigm between developers and what they bring to a community. Developers often can bring negative things like sprawl and pollution, but they often also bring public goods like roads, sewers, and even open space. He suggests ways developers can contribute more for the public.
- Barker finds A-1:4 regards roads and sewers and supports leaving out “timely provision” if “shall be phased” is retained.
- Pryor wants goals to be predictable, such as road expansion and widening. He suggests oversizing sewers, since such pipes cannot be widened and expanded.
- Suggestion to take out word “for” and add “including.”
- Messer asks Pryor how 2% threshold will change in the General Plan. 2% is used commonly by the City of San Diego to measure significance. Messer asks if wildlife and natural habitat are public facilities and proposes adding “agriculture and/or natural open space and habitat preservation and enhancement” as policy A-10.
- Stedt claims “phased” needs to be concurrent with development, but is not always possible. Pryor says phased is yet to be defined, and can be a fair share project, and may fall in the ordinance or the specific financial mechanism. He adds an example of a 5 year County Improvement Program, and the new development will pay for anything beyond that. Some of it will be ordinance language that will be crafted during this process. Suggestion to take off the first policies off the table temporarily since the policies are not consistent with the goals.
- Bowlby asks if there was a motion on making wildlife habitat a public facility; no motion was made. Bowlby would like to hear Dutch van Dierendonck’s opinion on “timely provision” for input from at steering committee representative; Dierendonck replies we have been phasing for the last twenty years and Ramona’s schools are insufficient because the money is not there. Whalen does not support “timely provision.” Whalen directs question at Counsel regarding how much the General Plan should mention services it does not provide. Harron replies that the County can address services like water that will be directed to the appropriate agency. He continues and states that if one levies grossly disproportionate exactions it can become a taking. Flexibility is important to have as many tools as possible. Scarborough questions if the General Plan should state explicit goals. Harron supports broad statement goals.
- Stedt wants to change to “adequate public facilities should be provided to meet current and future needs.” Whalen adds “and services.”
- Barker questions if “adequate” implies time and asks for response from staff. Pryor replies that the current situation is a result from years of unpredictable land use and pattern. It is the responsibility of the government and not the developer. We need to find ways to afford such facilities that are in short supply. Pryor states that “adequate” does address timeliness, because it is sized and timed right for the needs. Pryor does not support “current.” Bowlby proposes replacing “provision” with should provide, and using stronger language to protect the quality of life. Stedt asks Pryor is the current language is workable- Pryor agrees it is. Chase sees no reason to change goals, but proposes that they be strengthened. Chase states insufficient services are the number one problem in all the planning group meetings she has witnessed. Chase insists that smart growth principles should prevent deficiencies in services.
- Whalen supports using the words efficient and economical, and does not support using “shall.” Coombs states that shalls and shoulds should be in the policy statements. Bowlby wants the word “timely” in the statement. Stedt wants to keep “current and future” to give a timeframe. Scarborough mentions use of “public services” encompasses anything that might not be mentioned in text. Debate over where to place “timely.” Decision to state “Adequate, efficient, economical, coordinated, and timely provision of facilities and services to meet current and future needs.” **Vote passes 14-1.**

Policies A – A4

- Policies: “Shall be phased” is used in policies A-A5. Pryor explains phases as a series of steps in which a project is built, and the sequence of facilities that are built. Priority goes to the project that is needed the most. Harron states current language limits flexibility. Harron cites Eastlake as an example of 100% improvements up front, and was not phasing. Whalen gives example of property owners having to pay their money up front, but was not proportionately shared. Motion to state “public facilities should be coordinated with development and phased where appropriate.” Coombs wants to keep “shall” in to keep the strong language in the text. Stedt wants to add “and/or phased where appropriate” for more flexibility. Chase disagrees with increasing flexibility in the text.
- Harron is concerned there will be different treatment for small property owners versus large property owners regarding public facilities coordination.
- Messer requests input from County staff about flexibility for competing concerns from large, partisan land owners. Harron reminds group of the need to conform to the General Plan. Messer insists on the word “shall” and also including impact fees. Harron thinks that fees should go to a trust fund to contribute to infrastructure. Debate follows over using the words “Shall be coordinated with development and phased where appropriate” and “and/or”. Motion to proceed with these specific words. Coombs mentions it is time to proceed with a motion. Discussion over which policies the changes should apply to. Discussion about adding policies to the Public Facilities Goal because certain facilities are missing. Pryor defines roads, water, sewers, parks, and stormwater as public facilities. Coombs states that there are unspecified facilities not adequately mentioned in the Public Facilities definitions e.g. transit and open space. Stedt concurs with Scarborough’s use of shall and is ready to vote for it.
- Bowlby says that “as appropriate” is completely subjective and loopholes will result, therefore he opposes it. Pryde thinks that the word phase gives time discretion to those involved. Chase prefers not attaching these words to just 1-4, but to all of them for uniformity and that all public facilities should be mentioned. Silver proposes changing words to mean one or the other; “Public Facilities should be coordinated with development and/or phased, as appropriate. He likes it because it implies one can do one or the other, or both. Stedt supports Silver.
- Scarborough proposes a vote on the list. Discussion of using words “including, but not limited to” in mentioning different public facilities.
- Discussion of “and/or phased where appropriate.” Agreement with coordinated. Elias is concerned where the comma goes. Stedt wants flexibility in stating that is should be done to one, the other, or both. Messer proposes “coordinated with development, and/or phased.” Scarborough reads the text at present stage, “Public facilities including, but not limited to, shall be coordinated with development and as appropriate, phased. ...Road, water, sewer, transportation.
Vote: 16-0.

Policies A-5 to A-8

- Coombs advises A-5 be kept separate- State law has less flexibility since Wilson’s Administration. Local usually has more flexibility. State law currently restricts locally agencies from changing. Whalen advises changing text of A-5 “new development should provide school facilities pursuant to state law.”
- Messer would like a staff recommendation on A-5,6,7. **Motion seconded.**
- Barker mentions 5-7 have no timeliness for these standards to be implemented and for the developer to follow. Pryor replies that standards are so unrealistic in the old document. But what is out there are clear, feasible standards. Standards will eventually become part of the ordinance.
- Stedt has concerns about an absolute interpretation in written policies- policy A-6 how to implement the parks standard and General Plan compliance. Pryor explains minimum park standards based on population. A typical standard is 1 acre per 1000 population. Park standards will be revised in the future, as there are current standards, but they are unrealistic. Harron explains General Plan versus the implementation ordinances- the General Plan states general goals such as providing facilities for residents, but the implementation is set aside in the ordinances.

- Bowlby asks Pryor if modifications to standards are part of the General Plan or implied to be in the General Plan. Pryor responds that they will be in the Zoning Ordinance and not the General Plan with guidance from the Steering Committee.
- Higgins claims the word parks “system” is vague and asks Pryor for clarification. Pryor replies different park sizes encompass a system, and trails are included in this public park system.
- Scarborough motions to keep/delete “to the extent allowable by state law” in A-5. **Motion fails**, text is retained.
- Barker proposes adding “open space” to A-6, but Pryor refutes, stating open space is not a public facility. Pryor compares the open space debate to the debate for trails. The Board has declared that trails are a public facility, but that does not mean the County takes ownership of it. A similar debate is needed to decide if open space is a public facility.
- Scarborough motions for staff to make a recommendation and to declare “consistent with state law.” **Motion passes** 14-1.
- Silver proposes changes to open space and agricultural terms. Clarification of agriculture as a public facility. Chase proposes adding safety services such as fire and emergency medical to Policy A-8. Coombs notes that there is never adequate fire protection. Stedt wants clarification of adequate service level. Pryor mentions that staff is working with fire districts on service level, finance structure, and department needs. Minimal service level is being defined. Van Dierendonck wants a clear date for quality fire safety. Motion to vote for A-8, with addition of “emergency services” and A-9. **Motion passes** 13-0-1

Agenda Item III: Status and Next Steps –

- Scarborough mentions near completion of revisions of goals and policies, maps in review. Holler says that DPLU are in the progress of working with the communities and presenting the working draft map. Whalen reads excerpt from the Lakeside Planning Group minutes. Discussion regarding future summer schedules.

Agenda Item IV: Public Comments –

- Etzel (SDSU) makes statements regarding light pollution from the Conservation Element. He reads a letter from a homeowner who has neighbors pointing floodlights pointing uphill.
- Coombs announces an invitation to a C3 presentation on Sat. 5/18.