

**General Plan 2020  
Interest Group Committee Meeting Minutes  
May 27, 2003**

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**Interest Group Committee:**

Eric Larson	Farm Bureau
Bruce Tabb	Environmental Development
Dan Silver	Endangered Habitats League ( <i>Note: Proxy for SD Coalition for Transportation Choices</i> )
Dave Shibley	Save Our Land Values
Eric Bowlby	Sierra Club
Greg Lambron	Helix Land Company
Jim Whalen	Alliance for Habitat Conservation
Karen Messer	Buena Vista Audubon Society
Lynne Baker	Citizen Coordinate for Century 3
Liz Higgins	SD Association of Realtors
Matt Adams	Building Industry Association
Mike Stepner	SD Regional Economic Development Corp.
Mike Thometz	Back Country Coalition
Alison Rolfe	SD Audubon Society

**Public at Large:**

Brent McDonald	Caltrans
Carol Leone	
Charlene Ayers	
Dutch Van Dierendonck	Ramona CPG
Mary Allison	USDRIC/EDPDA
Paul Gebert	SD County Water Authority
Paul Ulrich	Crestview Properties
Ruth Potter	
Suzanne McKenna	SDAR
Todd Galarneau	McMillin Companies
Tracy Morgan-Hollingworth	E SD County Association of Realtors

**County Staff:**

Karen Scarborough (DPLU, group facilitator)  
Gary Pryor (DPLU)  
Ivan Holler (DPLU)  
LeAnn Carmichael (DPLU)  
Stephanie Gaines (DPLU)  
Tom Harron (County Counsel)

## Agenda Item I: Logistics –

- a) No meeting minutes to review this week
- b) BOS Hearing update
  - Most present were at the hearing, which included a staff report, with testimony broken into general comments and public testimony by community.
  - Comments on the hearing:
    - **Bowlby** asked whether has staff has reconciled the differences between the I.G. and Steering Committee draft Goals and Policies, and when it will be available?
    - **Scarborough** commented on Equity Mechanisms – will start when done with Open Space Subdivision
    - **Holler** commented the Board waived the 9:00 AM Rule
    - **Thometz** asked if rural limit lines were pushed further, **Holler** commented we would look at it again with the Steering Committee
    - **Carmichael** commented – not closed in Framework
    - **Thometz** – MUP's as part of GP2020, problem with public testimony
    - **Baker** – the presentation was on point, question were anticipated
  - Discussion on date for next meeting:
    - **Scarborough** – Move date to June 24, start
    - **Larson** – will the June 17 I.G. agenda look at direction?
    - **Tabb** – will PDR/TDR's be a part of the EIR?
    - **Harron** – Question is whether it will cause environmental impact, contemplate units being built
    - **Tabb** – to what extent are we vulnerable?
    - **Pryor** – If the GP is set at base densities, it is stand alone program
    - Discussion ensued on date – no date set

## Agenda Item II: Open Space Subdivision –

- **Scarborough** – would like to get through Open Space Subdivision today
- **Shibley** – Matrix acceptable without 2 columns. Environmental concerns, density based zoning, maximum lot size, provides no nexus to the environmental concerns – wants to create matrix without “%” column. Also, wants staff to respond – do we accommodate community character or “perception”.
- **Holler** responded to lot size vs. community character, more effective way to propose subdivision with smaller lots and larger blocks of open space. There are a number of ways to ensure community character, not solely on lot size.
- **Lambron** - Why is this not done on all projects, decouple lot size. Part of MSCP process – doing it anyway.
- **Scarborough** – No minimum lot size
- **Holler** - Decoupling is fundamental issue, next step with minimum lot sizes.
- **Scarborough** - This is not part of BOS package, part of zoning ordinance “whole package” – we are way ahead.
- **Baker** – existing ordinance or policy with 40% set aside?
- **Carmichael** - yes
- **Baker** – Plan residential development, want O/S of all kinds. **Shibley** commented, you will get that.
- **Higgins** – voluntary/mandatory – issues to address – can't support, creates larger subdivisions, excludes smaller ones
- **Pryor** – could be mandatory – doesn't have to. (40%) when decoupled lots – policy issue. If “this” moves forward, it will as an option - closer to yield as applied to the land.
- **Scarborough** – come to closure on mandatory vs. non-mandatory issue.
- **Shibley** – What about environmental constraints?
- **Pryor** – Spring Valley is a suburb. Semi –Rural/Rural lands – use community character as subjective assessment (e.g. roads –width, curb and gutter, etc.)
- **Shibley** – wants flexibility - Specifically:

- Add leach fields and septic (in footnote)
- 5K or less sq ft lots – general subdivision
- 3500 sq ft suggest without lot lines
- **Pryor** – Don't set minimum lot size too small – in zone ordinance. Leaves flexibility – (5000k) Decouple – 3-4 units, technically a rezone with site plan review.
- **Scarborough** - Column's- add/subtract. Asked if **Shibley's** done?
- **Shibley** – Wants to make a motion
- **Silver** – “Big picture issues” attempt to design better system.
  - Can site more effectively
  - Ag over long term (habitat, etc.)
  - Do we want to do this or not? Unless we have max lot size column –“range” won't happen
  - O/S is permanent
  - Will support numbers in columns
- **Tabb** – as relates – mandatory or not? Agrees with **Silver**. Has options – from development side – sees benefits in this.
- **Adams** – this will produce more units. Don't think we'll hit pop target by 2020. A sincere attempt at flexibility. **Scarborough** asked “would your industry move 90% of time?” **Adams** replied 95% - only for subdivisions – not major or minor, 5 lots is major. **Pryor** commented, “minimum lot size must be met” (parcel maps too). **Adams** stated the building industry supports – but wants it to be voluntary
- **Scarborough** – “incentive based” (not mandatory or voluntary).
- **Shibley** – Duplicity, staff vs. interest group. Will get more density than we used to. **Tabb** responded, “intent is to change that.” “Big windfall” is false. 1 remainder parcel per sub division. Buy land in entirety – not to have remainder parcels. **Silver** – baseline is different – “shipping & handling” (lots lost in progress)
- **Scarborough** – ID # 40 –32 (lost 8) proposed NO yield reduction – more likely to get “all units”
- **Shibley** – exist GP and RPO - will get 20 units
- **Higgins** – Down zone in backcountry mandates maximum of 1-1/2 acres – is this taking?
- **Harron** – No, reducing yield is not a taking (taking deals with economic feasibility) amend GP –
- **Higgins** – “least environ sensitive” – steep slopes – parcel with 10 units may be “worst case” ...define “least case”. **Pryor** responded, set list of criteria. “RPO” – we do it today.
- **Larson** – Volunteering – Sub divisions “traditional”, what about Ag sub divisions – not looking for incentives. **Scarborough** asked, “Is there a problem (for farmers) as it is written?” Larson – incentives will mean nothing to a farmer, will need Ag land. **Messer** – Clarify with Eric Larson. **Larson** – How do we create farms? – Supports if voluntary
- **Bowlby** – Concerned about amount of growth in unincorporated areas, voluntary vs. incentive based. **Tabb** – will get reduced if you don't meet it. **Bowlby** – qualifying for no yield reduction if you meet 90% O/S
- **Silver** – Larson's point – not thinking of Ag Sub division
  - Should be tailored to that need
  - Case x case basis – shift for flexibility.
- **Messer** – intention – Range of Flexibility
  - Efficiency for builders & infrastructure costs
  - Preserves functioning ecosystem
  - Address farm issues
  - If voluntary – will have same sub-divisions
- **Baker** – Surprised on emphasis – voluntary – community's concerned about issue. **Shibley** – think environmental side – “Given”
- **Messer** – Foot printing is important – concern on minimums & maximums
- **Scarborough** – Focus on point, is there a benefit or negative
- **Pryor** – Discretionary – Against market conditions.
  - Bigger than minimum -eats up O/S
  - “Mandate” – won't be suitable for some areas
  - Pro's & Con's - “policy issue”
  - Yield taken – Bracket/range – “max lot size” every time, leads to bigger roads, etc. **Tabb** – Not range #s

- **Stepner** – Lot Size? **Pryor** responded, “density goes down”. **Tabb** – Without maximum - will have problems & defeat the purpose. **Pryor** – “Supports max”. **Higgins** – Supports if voluntary – public drives the market
- **Scarborough** – Adoption towards map
  - Steering committee
  - Long way to go
  - Leave as is (discussion purpose), or?
  
- **Silver** – Maximum size column – default or leave out and get density. Can go either way. One point to make clear: O/S is “lot”, dedicated, not a backyard.
  - **Adams** – “PG problems” mandatory/voluntary. **Pryor** – Range – in code – department faced with range - “will get max”. Density based plan supported by EIR (not increasing density). **Adams** – “Community Character” argument only one left – can design compatible product.
  - **Tabb** – Suggests taking max out under “Rural”. **Pryor** – Not as much a problem, **Pryor** – P/below min lot size, rezone for clustering. **Adams** = min lot size & % of O/S “will not get hit” with unit loss for slopes. “Won’t get penalized with this list”. **Shibley** - Change position – use maximum footprint in rural lands.
    - Voluntary
    - Subject to cluster - RPO (still)
  - **Messer** – Be comfortable with lot size, not footprint
  - **Baker** – RPO /BMO & Watershed (new) – which is least environmentally sensitive
    - Semi rural range
    - Incentives in rural areas
  - **Whalen** - “Reduce NIMBY factor” – loss old way – no max # of lots – Acre’s/density=units
    - Motion - 4 bullets at end – go away
  - **Silver** – 2<sup>nd</sup> motion as new way of business-
    - Eliminate column – O/S is lot
    - Bullet # 1 – confusing. Does not recommend including septic
    - GAP – bullet #4 – split difference
    - Second – Clarify – “not” voluntary
  - **Holler** – Can’t do that. Elimination of slope yield reduction – other constraints will remain. **Whalen** – Keep element of discretion process alive? E.g. 100 keep, factors = 87 still home 13 units “residual density”? Last bullet will motivate larger lot size eg: 5000k pad on 4 acre lot vs. 5000k pad on 2 or lot, 100% as remainder parcel, not ½. **Silver** – Gap is easily do-able to achieve densities. **Messer** – Help in community is 50/50 split. Incentivize for the lots – more stringent on the footprints. Semi rural = lots, rural = footprints. **Shibley** – Don’t think discussion of footprints is done, suggest “voluntary” – across the board and discuss each footnote separately
  - **Rolfe** – higher intensity use next to wetlands? **Tabb** – not specifically – least environmentally sensitive. **Holler** - least environmentally sensitive – not specific (Bruce right response)
  - **Bowlby** – list of uses
    - Wants list of definitions
    - Passive recreation –
    - No list – golf doesn’t qualify?
    - Buffers included, (yes), addition to incentive
    - List of utilities? Could be clarified-
      - Pump station
      - Elect lines
      - Underground cable
      - Gas/water
    - Has motion gone through bullets?
  - **Whalen** – reiterate motion – (Carmichael writes on easel)
    - Take footnotes off table, “for now”
    - Mandatory in Rural Lands & no yield reduction
    - 1du/20 ac – change footprint to 5 ac<sup>2</sup>
    - Semi-rural voluntary with no yield reduction

- Remove max lot size
- **Shibley** – 2<sup>nd</sup> with modification
- **Silver** – Motion mandatory, top 3 (per Gary) goes away. Yield reductions go away (b/c mandatory) will "rebuttable presumption". **Harron** – if something is forced to remove units, otherwise would get units e.g. violation of Federal law
  - COUNTY Law
  - State law ← Example of list
  - Building code
- **Silver** – Keep footnotes in, 3<sup>rd</sup> & 4<sup>th</sup> bullet same, separate area for Ag.
- **Higgins** – won't support "mandatory" small property owner – don't develop – "freedom"
- **Shibley** – only support if we take maximum lot column out / or voluntary. Motion from Jim only on chart. Motion Jim **Whalen**. **Silver** countered. **Larson** – bring back to look at Ag "exception" e.g.: farm worker housing. Beat up by it before. Want lots of farms, not 1 farm.
- **Scarborough** – Ag can be by right
- **Whalen** – talk to "rebuttable presumption" – keep footnotes out -all voluntary
- **Messer** – E's consider utilities & O/S
  - Not able to support 5 acre with brush clearing (starts at structure not edge)
  - "Do agree" on some (vote on those) do those today.
- **Whalen** – maintain 2 acres. **Silver** – doesn't see benefit of it. **Messer** – need continuous footprint (notes in). Incentive: top 3 categories & existing Ag, maintain in rural.
- **Bowlby** – Need max lot size? (No, footprint). **Stepner** – want alternatives laid out & brought back
- **Scarborough** – don't want to push for vote (7-8). **Baker** – consensus/ hands? **Scarborough** – no
- **Silver** – take advantage of O/S – get yield reductions
- **Whalen** – don't want mandatory at all in Semi-Rural. Few choices – Community w/always have a say. **Adams** – industry position - govt. mandates. **Silver** – fine – make it voluntary, incentivize above "10", footprints revised as previously discussed. **Shibley** – must be voluntary. **Whalen** – (review new proposal) Compromise. **Higgins** – cannot support. **Messer** – not getting "unbroken landscapes" "Big issue"
- **Scarborough** – 2:45 called for time
- **Larson** – clean water enforcement

#### Agenda Item IV: Process –

- No process items were discussed

#### Agenda Item V: Public Comments –

- No public comment was taken due to time.