

FROM THE PLANNING COMMISSION MINUTES OF SEPTEMBER 22, 2011

11. WORKSHOP

General Plan Workshop; Review and receive public comment on the project description for the Targeted General Plan Amendment and comprehensive Zoning Ordinance Update components, as directed by the Board of Supervisors on July 25, 2011 (See Board Agenda Items 1 & 2, Legistar File #11-0356.) Planning Commission to provide a recommendation to the Board on potential policy and land use map amendments and Zoning Ordinance components that address issues raised in the General Plan Five-Year Review; relating to housing for moderate-income families, creation of jobs, retention of sales tax revenue, and maintaining the agriculture and natural resource-based industries. [*Contact: Peter Maurer*] [*continued from 9/8/11 meeting*]

Peter Maurer summarized the workshop conducted at the last meeting focused on the Targeted General Plan Amendment.

Shawna Purvines distributed a revised Attachment #1 which incorporated the Commission's recommendations from the last meeting and would be forwarded to the Board of Supervisors for the workshop on September 26, 2011. Commissioner Pratt made comments on items #16 & #22.

Mr. Maurer provided an overview on the Zoning Ordinance Update and went through the identified issues as shown in Attachment #2 of the Staff Report. He provided status information on Tahoe and indicated that the Meyers area was a concern. Commissioner Tolhurst felt that Fallen Leaf Lake area also needs to be closely reviewed.

EDAC conducted a presentation and discussion took place immediately after each identified subject. Listed below are the identified subjects, the presenters, and Commission/public comments:

- Ag Issues (Valerie Zentner)
 - Commissioner Pratt:
 - Right to Farm comments; and
 - Ag Support Services.
 - Commissioner Tolhurst:
 - Ranch Marketing possibilities; and
 - Needs to be analyzed further to determine if it should be included.
 - Noah Briel:
 - Rural Commercial zone would be a “fail safe” for those uses that were not included at the time of adoption.
 - Michael Ranelli:
 - Process is very impressive with the County and public working together and public input encouraged throughout;
 - Residential Ag: Supports separating the uses between residential and ag; and
 - Need to have an “Opt-in” which would still allow creative zones but not unintentionally exclude other uses.

- Rural Lands (Linnea Marengo)
 - Commissioner Pratt:
 - RL minimum acreage should be 10 acres because RE-10 should not be a zone located in the countryside.
 - Kathye Russell:
 - RL should be a 10 acre minimum as it is a working scape and RE is more gentrified.
 - Noah Briel:
 - Have become a retirement community; and
 - Rural lands have fewer restrictions than ag lands.
- Tourism (Laurel Brent-Bumb)
 - Discussion with Commission on TOT collection and distribution.

[Clerk's Note: Meeting recessed for lunch and Commissioner Tolhurst did not return.]

- Home Occupation Ordinance (Kim Beal)
 - County Counsel provided clarification on CC&Rs and how they interact with County Ordinances.
 - Commissioner Pratt:
 - Struggles with business on property vs home occupation and feels more delineation is needed.
 - Noah Briel:
 - Natural eliminator is that owner lives on-site.
 - Linnea Marengo:
 - RL needs home occupations just as much as the other zones;
 - Need to direct sales to rural commerce; and
 - Suggest keeping business license fees low to encourage home occupations.
 - Valerie Zentner:
 - Home Occupation delineation in rural setting is outdoors and urban setting is indoors and agrees it needs to be more defined.
- TPZ (Cedric Twight)
 - Commissioner Pratt:
 - Wants to see specifics of surrounding counties and how they handle TPZ with residences.
 - Kathye Russell:
 - Supports need for analysis; and
 - Commented on private property owner's rights.
 - Laurel Brent-Bumb/Sustainable Forest Coalition:
 - Encourages study to look at property rights and to have residences by right on properties that are at least 160 acres.
 - Juli Jensen/Ag Commissioner:
 - Ag Commission reviewed this twice and by a unanimous vote, the Commission is not in support of residency by right on TPZ land, wants to maintain current criteria, and they are not opposed to a caretaker's cabin; and

- Humboldt County has a “residency by right”, which they are currently in the process of eliminating.
- Bill Buckley:
 - Feels that TPZ land is being discriminated and property rights are not being respected.
- Low Density Residential (Kathye Russell)
- Industrial (Gordon Hill/Mike Turner)
 - Valerie Zentner/EDC Farm Bureau:
 - Comments on wastewater.
- Commercial/MUD (Mike Turner/Noah Briel)
 - Valerie Zentner:
 - Provides options for Rural Centers.
 - Kim Beal:
 - Commented on slide that showed “vertical only”.
 - Lindell Price:
 - Walkability to services is important as the public ages.

County Counsel Paula Frantz stated that the Commission would not be able to provide a recommendation on the TPZ issue as there were only three Commissioners present and Chair Heflin would have to recuse himself due to a conflict of interest as he owns TPZ land.

Jim Brunello spoke on Issue #7 and “safe harbor” plans. Requested that it be considered in the EIR review.

Mr. Maurer re-capped the discussion and the next steps needed. The Commission went through each issue identified in Attachment #2 and made the following comments:

- Issue #1: ok
- Issue #2: continue to refine list
- Issue #3: provide a range of alternatives
- Issue #4: ok
- Issue #5: continue to work with range of alternatives; different standards based on size/location of parcel
- Issue #6: no action
- Issue #7: include for analysis
- Issue #8: no action
- Issue #9: include
- Issue #10: maps need to be redefined
- Issue #11: some refinements
- Issue #12: need to accurately identify what is out there
- Issue #13: ok

More discussion ensued between the Commission and staff regarding the minimum acreage requirement for RL lands.