



Catrina
Christensen/ClerkRec/COSLO

04/10/2009 10:02 AM

To Susan Baker/BOS/COSLO@Wings

cc

bcc

Subject Fw: Some WRAC Comments on April 14 item C-3: the Framework for Planning Amendments

Catrina Christensen
Division Supervisor
(805) 781-5225

----- Forwarded by Catrina Christensen/ClerkRec/COSLO on 04/10/2009 10:01 AM -----



James
Lopes/Planning/COSLO

04/10/2009 08:43 AM

To Catrina Christensen/ClerkRec/COSLO@Wings

cc

Subject Fw: Some WRAC Comments on April 14 item C-3: the Framework for Planning Amendments

Catrina,
Would you please distribute the attachment to the Board for item C-3, April 14 Board hearing?

Thanks,
Jamie

James F. Lopes, AICP
Planner III

Department of Planning and Building
County of San Luis Obispo
976 Osos St., Room 300
San Luis Obispo, CA 93408
ph. 805/781-5975
fax 805/781-5624
email: jlopes@co.slo.ca.us

----- Forwarded by James Lopes/Planning/COSLO on 04/10/2009 08:41 AM -----



Michael Winn
<mwwinn@sbcglobal.net>

04/10/2009 07:11 AM

Please respond to
mwwinn@sbcglobal.net

To "Lopes, James" <jlopes@co.slo.ca.us>

cc

Subject Some WRAC Comments on April 14 item C-3: the Framework for Planning Amendments

James,

Thank you for your suggestions yesterday. The document is long, and I did not have the hours necessary to find every place in which an issue was embedded, so your assurances that comments would be applied wherever appropriate was much appreciated.

Please distribute this attached document to the Supervisors and others for their consideration before Tuesday's meeting. As you can see, we did not have time to bring the document back to our membership for a vote, but I believe it is consistent with their views. They have received copies and may speak also on Tuesday.

Cordially,

Mike Winn

----- Original Message -----

Date: Fri, 10 Apr 2009 07:04:12 -0700

From: Michael Winn <mwwinn@sbcglobal.net>

To: Cranor, Sylas <scrantor@co.slo.ca.us>, Benedix, Dean <dbenedix@co.slo.ca.us>

Subject: Some WRAC Comments on the Framework Amendments

Sylas,

Please distribute the attached document to the members and alternates for the WRAC.

It is the results of our subcommittee meeting and working over the proposed amendments to the Framework for Planning, which are an effort to incorporate "smart growth" into our planning.

The cover note should explain to the members/alts that this must be distributed today to the supervisors in advance of their Tuesday meeting and thus there was insufficient time to bring it back to the entire membership for a vote.

We will make it clear that no vote was taken, though we do believe it is consistent with the views often expressed in the WRAC.

They are welcome to attend the Board of Supervisors meeting Tuesday, April 14, and share their views then. (The item is agendaized for early afternoon.)

Cordially,

Mike Winn



090414 Concerns re Framework GPA.doc

Some WRAC Concerns about the Amendments to the Framework for Planning to Incorporate “Smart Growth” Principles

(Comments keyed to agenda item C-3 on the BoS meeting of April 14, 2009)

N.B. The issues noted below are found in many places and appendices but are listed here once. We rely on the assurances of County Planning staff that they will be considered in all places where applicable.

1- This is a General Plan Amendment and thus is subject to County Ordinance §3090 re Nipomo and its related Mesa.

2- Although it may be argued that the “Principles” in this GPA have no environmental impacts, the “Policies” and especially the “Strategies” have environmental impacts that must be mitigated.

3- p. 66 E. Major Issues
Surely water is a “Major Issue”. Why is it not included here?
(Both water supply and waste water impacts are critical issues.)

4- p. 68 Strategic Growth Definition for SLO County
This is a weak definition: A “focus” is not enforceable.
--What happens if “sustainable resources” are not available?
--Which “resources” would halt implementation of these policies if they were not available?

5- p. 69

Principle 1:

What does "Protect agricultural land and resources" mean?

Does "resources" refer to agricultural resources or resources in general?

--If these are agricultural resources, what of the others? Where are they (especially water) in this document?

--If these resources are meant to include all critical resources, what about water, riparian habitats, viewsheds etc.? (Air and energy are covered elsewhere.)

- a. This needs clarifying, e.g., "Protect essential natural resources, including agricultural land."
- b. Some listing of resources to be protected would be important if clarity is desired.

6- p. 69

Why was old Policy #3 deleted?

Surely "smart growth" is motivated by a need to "preserve open spaces, scenic public views, and sensitive and important plant and wildlife habitats".

[Or was it deleted here because Principle 1 refers only to agricultural resources? See comment #5.]

7- p. 69

Why was old Policy #11 deleted?

Surely "provid[ing] an environmentally sustainable rate of orderly development within the planned capacities of resources and services" is a critical component of "smart growth".

If "strategic growth" is not to be conditioned by the availability of sustainable resources, what is its purpose?

8- p. 70

Policy #14

This Policy essentially says: “Give highest priority to avoid or mitigate environmental impacts ... where feasible.” But then it implies that, if a project will damage the environment in such a manner it cannot be adequately mitigated, it may go ahead anyway.

This Policy would undermine sustainable water supplies and riparian habitats. It needs to state when and what impacts would be of such a nature that a proposed project could not go ahead.

9- p. 74

Implementing Strategy #14

This does not provide adequate assurance of adequate sustainable water resources.

- A. 1. CSDs and CSAs could generally provide supportable assurances that groundwater resources will be adequate and groundwater quality not damaged.
2. PUC-regulated water companies are based on a business model, which can underestimate the potential for aquifer damage.
3. Mutual water companies are broadly of two types:
 - a. The small original concept systems (4-5 homes with a shared well): These are not a problem.
 - b. Large unregulated systems that are quite expansive: These constitute a growing environmental threat.
- B. The Resource Management Survey is in flux. Some areas of the county are not adequately surveyed or analyzed.

E.g., the Paso Robles groundwater basin needs to have “management areas” mapped for LoS designations.

10- p. 74

Principle #2, Implementing Strategy #15

This encourages changing minimum parcel sizes, e.g., possibly changing minimum parcels sizes for RSF from the current 6,000 sq. ft. to 5,000 sq. ft.

Such a GPA, if passed countywide, would either need an EIR to analyze water supply impacts for all known RSF-zoned parcels and those anticipated to be zoned RSF in the county, with the mitigations the County would be prepared to employ—or, a clear mapping of which areas are stressed for water and not subject to such an increase in water demand.

11-

p. 87, ... Public Service Consideration

The designation of Urban Service Lines is clear in concept but is over 20 years out of date in some parts of the county. (Urban services are generally restricted within URLs and VRLs, but USLs are ignored.)

Does the County propose to update the USLs countywide, area by area on some schedule, or continue to ignore them?

Or would you consider eliminating them? At least in Nipomo, they constitute an obviously unnecessary layer of complexity. (The Nipomo CSD has many water service and sewer lines outside of the USL.)

12-

p. 90 Note

The definition of “density” is missing a key word.

“‘Density’ as used by planners refers to the AVERAGE number of units per acre of land.”

13- pp. 90 ff. LAFCo

This section refers to orderly growth and LAFCo's role in it, but will the County devise some method of controlling the unregulated growth currently fed by some mutual water companies?

Will the County limit or regulate the expansion of mutual water companies?

countywide?

where groundwater is under stress?

where groundwater is adjudicated?

Will the County support State legislation to give LAFCo oversight over the expansion of existing mutual water companies?

When an application is made for a new well, will the County Public Health Department check to see if the water supply in the desired area is sufficient?

14- p. 86 ALL 10 "criteria shall be addressed"?

#1: What if LAFCo gives a "two-fer" (expands the Sol and approves the annexation)?

#5: What if the agricultural land on which urban expansion is being considered is not "productive" because it has been taken out of production voluntarily? Is agricultural potential on non-prime soils (grazing, dry farming, vineyards, ...) grounds for rejecting an application for conversion to residential use?

What if the land is zoned Agriculture but is no longer capable of being farmed or ranched?

#6: Will water supplies for parks (O&M, not just land) be funded as a condition of development approval? Currently, “smart growth” in this respect is dysfunctional in most parts of the county.

Note: Quimby fees, as currently being administered, are not providing “smart growth” mitigation for increased densities. The fees are helpful, but we need “real parks for real kids”.

15-

pp. 104 ff. Guidelines Land Use Category Amendments

The Planning Commission and BoS “may consider ... the following items” according to p. 104. Buried in item #10 on p. 105 is a statement that growth is allowed if water supply and sewerage ARE PLANNED..

CEQA does not allow GPA approval based on plans alone, because even the best of plans can change. These resources must be implemented as a condition of development, not planned or anticipated “within the horizon year of the applicable plan area”.