



SAN BENITO COUNTY GENERAL PLAN ADVISORY COMMITTEE

Tim Foley Jim West Eric Brunnemann Damon Felice Jessica French Robert Gatto Vicki Montoya Joan Moore Jason Noble Antonio Ortega George Rajkovich David Roemer Jan Saxton Franz Schneider Tom Tobias

County Administration Building – Board of Supervisor Chambers, 481 Fourth Street, Hollister, California

MINUTES DECEMBER 10, 2009

PRESENT: Foley, Felice, Gatto, Montoya, Noble, Saxton, Tobias

ABSENT: West, Brunnemann, French, Moore, Ortega, Rajkovich, Roemer, Schneider

STAFF: Director of Planning (DoP) Art Henriques, Assistant Director of Planning (ADoP) Byron Turner, Deputy County Counsel (DCC) Shirley Murphy, Associate Planner (AP) Michael Kelly

Chair Foley called the regular meeting to order at 6:08 p.m. Mr. Foley noted that a committee of the whole, and not a quorum, was present and that the meeting was not duly open.

PUBLIC COMMENT

Janet Brians (747 Shore Road) stated concern about whether full EIRs would be performed on certain projects and that plans not be allowed to “slide” through the permitting system to approval.

DISCUSSION

1. Minutes of October 29, 2009

No vote was taken on agenda item 1, the minutes of the Committee meeting of October 29, 2009, because a quorum was not present.

DoP Henriques noted Mr. Schneider's absence as a result of illness, and Chair Foley noted that Mr. Brunnemann was absent as a result of inclement weather in South County.

2. Update on Draft Background Report Work, General Plan Budget, and Schedule

DoP Henriques introduced Larry Mintier and Dan Amsden from Mintier Harnish, the consulting firm assisting in General Plan Update (GPU) Phase Two. They gave a presentation on the Phase Two process, the tasks that would be performed in the remainder of the process, and criteria for including private proposals in the General Plan Update. Amsden gave the Committee an update on the process.

Ms. Saxton asked whether Amsden has read the existing General Plan and stated that it's hard to know what the consultant does in the background. Amsden said he had read the General Plan and that the consulting firm helps to bring the old plan up to date to refer to new issues.

Chair Foley asked about changes in the consultant's contract, especially the reduction of plan alternatives from three to two. Mr. Foley and Ms. Saxton both expressed concern and interest in the reduction of alternatives and in the depth of alternatives studied. DoP Henriques provided some explanation, and Amsden elaborated further, suggesting that he would send examples of alternatives for the Committee's review.

DoP Henriques then spoke about cost-saving measures and possible consultants for components of the Update. Henriques mentioned the Housing Element and its December 16 public hearing, and Saxton requested that the Committee see the Housing Element.

Amsden then spoke on tasks for 2010, including those to take place during Committee meetings. He said the first meeting in 2010 would focus on opportunities and challenges, three meetings would involve plan alternatives, three

meetings would involve goals and policies (with the existing General Plan as a starting point with changed policies to reflect changed needs).

3. Review of Draft Criteria for Considering Private Proposals During the General Plan Update

The consultants' discussion continued as Mintier began speaking about the criteria. A discussion took place on how deep of a discussion should take place on the criteria, particularly given the lack of a quorum. DoP Henriques said the broad idea of criteria could be discussed, and Chair Foley suggested looking at the "broad picture."

Mintier talked of why the Update should consider private proposals, as projects continue during the Update and stopping them does not work. If private proposals are included, including them during the plan alternatives step is more productive than at other steps, he said. No "boilerplate" method exists to screen projects, he added, and the Committee would not give thumbs-up or -down to specific projects. Discussion by the Committee followed on whether specific projects are already being considered outside the Committee for the Update, on the cost and/or benefit to the County resulting from projects' tiering off the GPU's environmental impact report (EIR), and on whether project inclusion amounts to preferential treatment or recognition of reality. Mintier responded that the Update process informs which land uses correspond to which County parcels, and private-project criteria helps in consideration of what individuals want and gives individuals a chance to request inclusion—though individuals will not get a "free ride," as later they will still need County approval for projects, and the County will have a choice of plan alternatives that determines land uses for each parcel. Should no criteria be developed, individuals would request inclusion during the alternatives step, complicating the process.

Ms. Saxton suggested that considering private projects favored landowners who want their land uses changed, while Mr. Tobias felt the criteria could be designed to prevent automatic approval of projects. Mintier confirmed to Mr. Gatto that the criteria would qualify projects for discussion of inclusion (not for inclusion itself) and stated that projects included in the GPU would still require their own environmental reviews while using the GPU's program-level EIR as the basis for "global" impacts. Discussion took place on how this affects project proponents' entitlement costs, on whether this involves preferential treatment, and on how the GPU process would use the criteria. DoP Henriques referred the Committee to a message written by Mr. Schneider (absent this evening) questioning the sequencing of steps in the Update, particularly with respect to discussing land use prior to discussing overall goals. Mr. Foley, Mintier, and Henriques then discussed the letter.

4. 2010 Regular Meeting Schedule and Work Program Items

A quorum was not present, and the Committee therefore did not act on this item. Instead, DoP Henriques and the Committee members discussed their availability for the next meeting.

The meeting was adjourned at 7:40 p.m.

Minutes prepared by Michael Kelly, Associate Planner. Attest: Art Henriques, Director of Planning.