



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 JANUARY 21, 2010

PRESENT: Foley, Brunnemann, Gatto, Moore, Noble, Rajkovich, Roemer, Saxton, Schneider, Montoya (arrived 6:06 p.m.), Tobias (arrived 6:30 p.m.)

ABSENT: West, Felice, French, Ortega

STAFF: Assistant Director of Planning (ADoP) Byron Turner, Assistant County Counsel (ACC) Barbara Thompson, Associate Planner (AP) Michael Kelly

Chair Foley called the special meeting to order at 6:01 p.m.

DISCUSSION

1. Minutes

a. October 29, 2009

Mr. Noble moved to approve the minutes, Mr. Roemer seconded, and the motion passed 11–0.

b. December 10, 2009

No action was taken, as a quorum was not present at the December 10 meeting.

2. General Plan Update Document Examples and Background Report

ADoP Turner introduced the item. The document examples, Chair Foley noted, constituted a very large amount of material that, as Mr. Schneider stated, was delivered to the Committee members too late prior to the meeting and should have been delivered at least a week prior to the meeting. Mr. Schneider also noted that, while the examples' formats are standard, the policies within the examples would be useful to review.

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

ADoP Turner introduced the item, speaking of the criteria as a means of considering good ideas, whatever the type and source, for inclusion in the General Plan Update (GPU) as opposed to giving private-project proponents a "free ride" by including their projects in the GPU. Turner also referred to a memo provided to the Committee members answering members' earlier questions on the GPU.

Ms. Moore asked about the environmental impact report (EIR) and how the proposals are regarded during that stage of the GPU. ADoP Turner responded that a cut-off time would be set before which projects could be considered for inclusion in the GPU and after which project proponents would be required to wait for the new General Plan's adoption.

Mr. Gatto asked a question on the memo presented to the Committee and on costs for the EIR, and ADoP Turner responded by describing EIRs for recent years' projects in the County. Ms. Saxton asked about when EIRs are required and who, between County and State, decides whether they are required. ADoP Turner responded that the County decides, that some projects are understood to require an EIR from the start, and that the County doesn't have threshold triggers for requiring EIRs.

Mr. Schneider asked about when a project's environmental document can tier off the General Plan's EIR. ADoP Turner stated that projects must be consistent with the General Plan, and those that are not must involve a General

Plan amendment and cannot tier off the General Plan's EIR. Mr. Schneider and ADoP Turner agreed that considering a project proposal in the GPU would save the applicant the need to apply for an amendment but not, as Turner added, the need to perform other steps, including environmental review.

Mr. Roemer asked about legal hurdles for including private projects in the GPU. ACC Thompson described the timing for accepting projects for consideration and the requisite publicity for the timing. ADoP Turner added that the timing is necessary for clearly defining the project that the EIR would study. Discussion followed on the private-project inclusion's possible costs and/or savings (both to private parties and to the County), on the Committee's role in the inclusion (to define criteria but not apply them to specific projects, to perform "broad-brush" planning).

Discussion then turned to the content of the criteria, including the ideas of distinguishing "ag industrial" from other industrial uses and of considering the conversion of commercial and industrial sites to agriculture where possible. Through this discussion, the Committee decided the revised verbiage for the criteria.

Mr. Noble made a motion, seconded by Mr. Gatto, to establish criteria for residential land uses, and the motion passed 11-0. Mr. Noble made a motion, seconded by Mr. Tobias, to establish criteria for commercial land uses, and the motion passed 11-0. Mr. Noble made a motion, seconded by Mr. Roemer, to establish criteria for industrial land uses, and the motion passed 11-0. Mr. Gatto made a motion, seconded by Ms. Saxton, to establish criteria for other land uses, and the motion passed 11-0. The resulting criteria, as phrased in these four motions, are the following:

- Residential General Plan land use designations
 - On sites that
 - 1. are within an Area of Special Study, or
 - 2. have an available connection to (or "will-serve" letter for) public water and wastewater service providers, or
 - 3a. within the adopted service areas of a public water and wastewater district or a logical expansion of such a district, or
 - 3b. adjacent to built-up areas, such as Ridgemark, Tres Pinos, or Sunnyslope, with public water and wastewater service.
 - On infill sites, or areas of unincorporated County "islands" surrounded by the City of Hollister.
- Commercial General Plan land use designations
 - On sites
 - 1. at an intersection of State highways or arterials, or
 - 2. in locations that can demonstrate a reasonable need for increased commercial zoning due to a particular unmet consumer demand (i.e., hotels, gas stations, truck stops, shopping services).
- Industrial General Plan land use designations
 - On sites that are
 - 1. along State highways, arterials, collectors, or railways and
 - 2. within proximity to existing industrial uses, or
 - 3. in locations that can demonstrate a reasonable need for increased industrial zoning based on unmet demand.
- Other land use designations
 - On built-out areas of Agricultural Productive land that are clearly not suitable for future agricultural uses.
 - On built-out areas of residential, commercial, or industrial land use that do not demonstrate suitability for such uses.

Mr. Tobias arrived during this item's discussion at 6:30 p.m.

4. 2010 Regular Meeting Schedule

Discussion took place on the dates proposed in Staff's memo to the Committee, with members and Staff stating their availability for the stated meetings. Mr. Schneider moved to choose March 4 for the next meeting with March 11 as a preferred alternate date, Mr. Tobias seconded the motion, and the motion passed 11-0.

The meeting was adjourned at 7:10 p.m.

Minutes prepared by Michael Kelly, Associate Planner. Attest: Byron Turner, Assistant Director of Planning.