

Community Action Project
PO Box 2633,
Murphys, CA 95247
telephone: (209) 728-0710
email: CAP@goldrush.com
www.CalaverasCAP.com

CAP/CPC Newsletter

Community Action Project / Calaveras Planning Coalition

September, 2009 / Issue 19

In This Issue

Agriculture & Forestry Element to be in General Plan..... page 1

New Planning Director Visits Coalition page 2

Valley Springs Community Plan Meetingpage 2

PLUS! Updates on Housing Element, Trinitas, Sierra Nevada Alliance's big Annual Meeting



Calaveras Planning Coalition Members

- Calaveras Child Care Council
- Central Sierra Environmental Resource Center
- Citizens for San Andreas
- CAP
- Ebbetts Pass Forest Watch
- FOCUS
- Foothill Conservancy
- Keep It Rural, Calaveras
- Mountain Ranch Community Club
- Murphys Homeowners Protection Alliance
- MyValleySprings.com
- Paloma Community Group
- Wallace Citizens Serving Residents

Associate Members

- Frank Meyer

New Calaveras General Plan Will Have Agriculture & Forestry Element

At its July 14, 2009 meeting the Calaveras County Board of Supervisors, with Supervisor Tom Tryon absent, voted to do three things that might have an important impact on the critical General Plan update now underway for the County. The Supervisors:

1. Approved the addition of a separate Agriculture and Forestry Element to the General Plan
2. Approved using the submitted draft as a Base Document for the final element
3. Directed Planning Department staff to continue working with the Ag Coalition to produce the final element

Coalition Building

You might not have heard of the Agriculture Coalition in Calaveras County, but its been around for over five years. It was this Coalition – the Farm Bureau, the Cattlemen's Association, the Calaveras Winegrape Alliance, and CalaverasGrown – that came together at the invitation of the UC Davis Cooperative Extension and the Ag Commissioner in 2003 to be a unified voice for Agriculture in Calaveras County.

The Ag Coalition's first order of business was to work together to revise the County's agricultural zoning code, as it was then inconsistent, lacked definitions, caused confusion, and contributed to conflict between agriculture and the County's burgeoning residential population. And on October 3, 2005 the Supervisors voted 4 to 1, with Supervisor Callaway the lone 'no' vote, to adopt new agriculture zoning regulations and definitions.

During the process of revising the agricultural zoning, it became abundantly clear to the Ag Coalition that the General Plan would need an Agriculture Element. So in 2007 the Agriculture Coalition again went to work.

Bob Garamendi, who was instrumental in both forming the Ag Coalition and in forging consensus within it, says that the lessons learned during the Ag zoning process were key to the successful process that produced the draft Ag & Forestry Element.

"We did a lot more outreach (this time). We learned how important it is to communicate and to listen. It was absolutely key."

The Agriculture Coalition reached out to the County's diverse groups and explained the need for an Agriculture & Forestry Element in the General Plan. The Ag Coalition also reached out to individuals and other stakeholders who might not belong to one group or another, and from this entire process emerged the current draft of the Element. The Agriculture Coalition met with the Calaveras Planning Coalition twice.

Planning Coalition Support

The Calaveras Planning Coalition agreed to support the Agriculture Coalition and voiced its support at the Supervisor's meeting July 14. Ebbetts Pass Forest Watch had expressed support for the Agriculture & Forestry Element previously.

Tom Infusino, facilitator of the Planning Coalition, spoke to the Supervisors after Al Segalla, a constant

Continued on page 3

Valley Springs Community Plan Takes a Big Step

by Ward La Valley

The effort to update the old and inadequate Valley Springs Community Plan took another significant step forward August 27th as more than 150 people participated in a community meeting geared towards determining the geographic boundaries of the planning effort.

The meeting was hosted by the Calaveras Council of Governments (CCOG), the regional transportation planning agency, who received funding for the community plan project through a Caltrans Community-Based Transportation Planning Grant. The community plan project partners include the CCOG, the Local Government Commission, MyValleySprings.com, and Calaveras County. EDAW, Inc. is heading the design team for the community-driven planning process.

The meeting was highlighted by a process whereby citizens, each given a small wireless input device, could indicate their preferences instantaneously for the various alternatives presented at the meeting. After clicking their "vote" participants could then immediately see the results on a large screen, complete with color bar graphs.

At issue were six different geographic footprints that would constitute the area to be covered by the Valley Springs Community Plan. Each of the alternatives were explained by representatives from EDAW, and there were frequent question and answer periods. For more information on the boundary alternatives and the community components that formed the basis of their dimensions, visit the COG's website at http://www.calacog.org/docs/VS_docs_maps/VS_Community_Meeting_Presentation_8-27-09_v5.pdf. The maps of the various alternatives begin on page 51.

One issue seemed to dominate the question of the planning footprint, and that was whether the area known as Rancho Calaveras, a large residential area south of the center of Valley Springs, should be included in the planning effort. A vocal group of Rancho Calaveras citizens, who may or may not speak for the majority of Rancho residents, consistently indicated

their dislike of Option C, the only option that would include them in the Valley Springs community plan. Their chief concern seemed to be that the policies of the Rancho Calaveras Special Plan would be abrogated by the new Valley Springs Community Plan, and that residents of Rancho would see tax increases. In response, CCOG staff and representatives of EDAW informed the citizens that only the Board of Supervisors could change the policies of the Rancho Calaveras Special Plan, and that taxes could not be raised on Rancho Calaveras without a vote of the people.

According to the statistics generated by the feedback technology, 96% of the people "clicking" indicated they lived in Calaveras County. Over 75% indicated they had lived in the County over six years, and over half indicated they had lived in the County over 10 years. Fully a third of those "clicking" indicated that they had not previously attended a public meeting on the Valley Springs planning effort. Over a third indicated they lived in Rancho Calaveras.

When the time came to "vote" on which of the six alternative footprints the citizens preferred, Option C received 46%, far more than the next preferred alternative, Option B, which received 17%. Option B would include the town center of Valley Springs plus the area known as La Contenta, which is primarily an upscale golf course / residential community adjacent to Valley Springs to the South. In a runoff pitting just Option C against Option B, Option C was the narrow winner, 53% to 47%.

In a runoff between Option C and Option E, the smallest alternative footprint that would include only the Valley Springs town center and is home to the least number of residents, Option C was the clear favorite, 57% to 41%.

While there were sharp differences of opinion on the boundary alternatives, the meeting was judged to be highly successful by organizers. A substantial number of persons attending seemed to be genuinely open-minded and interested in taking part in the process. To be sure, special interests were in attendance, but they were not successful in derailing this latest step in the community-based, citizens-led planning effort now firmly underway in Valley Springs.

George White Pays Visit to Planning Coalition

by John Trinkl, CAP Co-chair

George White brings more than 20 years of planning and community development experience to his new post as director of the Planning Department in Calaveras. White was previously an Assistant Planning Director in Petaluma and assumed his new position in Calaveras on June 1.

White was invited to an informal "brown bag" meeting of the Calaveras Planning Coalition on August 24 and addressed the group on a number of issues.

Regarding the question of why he took this job, he said it was his next logical move from Assistant Planning Director to Planning Director. He said he took the job after a lot of soul searching; and added that he knows the Calaveras area: he has in-laws in Amador County.

Prior to his coming, the Planning and Building Departments had been together in one county agency, the Community Development Agency (CDA). But after months of controversy, the Board of Supervisors voted in May to disband the CDA and to restore the county's Planning and Building departments back to their separate status. About the reversion to separate departments, White said that he was concerned about making sure there is coordination between Planning and Building on code compliance. He added that there was a bi-weekly meeting of Department Heads to work on coordination of planning and development.

On the status of the General Plan process, White said that currently the Planning Department is concentrating on the Housing Element. He said that the rest of the General Plan update is "on target, on schedule, and within budget", but for now the Planning Department is working to meet state requirements regarding the Housing Element.

He said that one of many constraints on the County in the General Plan update process is that the position of General Plan Coordinator is currently vacant and not budgeted. He added that a General Plan Coordinator will be needed for not only for General Plan preparation but also for implementation.

continued on page 4

Agriculture Element (continued)

critic of government, questioned the need for an Agriculture Element in the General Plan in the first place.

“I just have one question,” Segalla said. “Why do we need this?”

Replying “That’s my cue,” Infusino stepped to the podium and listed a number of reasons why it was important to have an Agriculture Element.

First, said Infusino, agriculture produces over \$20 million in products in Calaveras County, meaning agriculture is still the backbone of Calaveras County’s economy. In addition, agriculture constitutes a net economic benefit to the County, unlike many previous residential and commercial development projects that have not.

But Infusino also stressed other benefits that preserving agriculture in Calaveras County represented. Agriculture contributes to groundwater recharge and water filtration from storm run-off, preservation of wildlife habitat and oak woodlands, carbon sequestration, soil conservation, and a reduction in air pollution. Agriculture also provides valuable fire breaks in addition to the open space and scenic beauty that is at the heart of the County’s tourism industry. Infusino also mentioned the respect for the County’s history and culture, and personal character development, as important values towards which preservation of agricultural resources will contribute. He added that in his experience, community leaders from the agricultural community have provided the most balanced and effective leadership in the Sierra foothills.

Addressing the specific question posed by Mr. Segalla, Infusino said that there are good reasons for the Supervisors to adopt a separate Agriculture & Forestry Element as part of the General Plan update

First, having mitigation requirements codified “programmatically” will allow developers to understand from the beginning what will be required of them should they seek to convert agricultural lands to development. Not only would this reduce the administrative overhead on the County Planning agencies, not mentioned by Infusino were the added benefits of changing the current “case-

by-case” approach that has led many to believe the County has not always treated development applications equally and according to law.

Secondly, Infusino mentioned that an Agriculture & Forestry element in the General Plan will allow “boilerplate” ways to mitigate the impacts of agricultural land conversion, thereby facilitating the County issuing so-called “mitigated negative declarations” (of substantial impacts) and processing applications in a more timely manner.

Infusino concluded by telling the Supervisors that the Calaveras Planning Coalition supported inclusion of an Agriculture and Forestry Element in the General Plan, that the Planning Coalition supported the Agriculture Coalition’s submitted draft with the understanding that it could be changed, and encouraged the Board of Supervisors to endorse the “open and public processes” of the Agriculture Coalition that produced the draft.

What Does the Agriculture & Forestry Element Actually Say?

The current (May 20, 2009) draft of the Agriculture & Forestry Element does a number of things. First, it expands the responsibilities of the County’s Agricultural Advisory Committee to include advising the Board of Supervisors on land use issues.

Currently, according to the draft Element, the Advisory Committee is a County standing committee charged with “reviewing applications for agricultural preserves, divisions of agricultural preserves, and yearly production on agricultural preserves”, and advising the Supervisors on these matters. The Committee also advises on “policy changes concerning the implementation and oversight of the Williamson Act program.”

The proposed Ag & Forestry Element of the General Plan would have the Committee “assisting in the identification of Agricultural Lands to be designated under the General Plan as well as (advise on) setback standards, fencing standards for adjoining incompatible uses, and uses dealing with Agricultural mitigation.” Under the proposed Ag Element the Committee “may also be utilized when questions arise as to the compatibility or effect of a proposed discretionary

use on Agricultural Lands and/or Agricultural Operations.”

In addition, among other things the current draft of the Ag & Forestry Element:

1. Establishes criteria for identification of Agricultural Lands and establishes minimum parcel sizes for Agriculturally zoned lands
2. Proposed development shall not “intensify conflicts”, “create an island effect wherein Agricultural Lands are located between the project site and incompatible land uses”, and “will not significantly reduce or destroy the buffering effect of existing large parcel sizes adjoining Agricultural Lands”.
3. Encourages in-fill development within Community Plan areas by “streamlining the permitting process associated with higher density and in-fill development”
4. Seeks to “maintain healthy sustainable forests”; establishes various limits on parcel sizes on lands zoned as Timber Production Zones or General Forestry zones, and establishes a minimum 200 foot setback on parcels adjoining lands identified as timber production lands
5. Promotes Agri-Tourism
6. Calls for compliance with Greenhouse Gas reductions as set forth in AB 32
7. Establishes Guidelines for evaluating and mitigating the effects on Agriculture as a result of future Zoning Changes and General Plan Amendments; calls for a 2 to 1 ratio of such lands converted from Agriculture (2 additional Ag Acres for every 1 Ag acre re-zoned or re-designated for development).
8. Establishes methods of mitigation, including Transfer of Development Rights (TDRs) and Mitigation Credit Banking

The Supervisors Have Their Say

After Chairman Russ Thomas closed the public hearing, Supervisor Wilensky said he believed the Agriculture Coalition’s draft was “viable and well thought out” and was a “good basis for discussion.”

Wilensky then made a motion that

continued on page 4

Agriculture Element (continued)

was in three parts. First, he moved that the Board agree to adopt a separate Agriculture and Forestry Element in the General Plan. Second, he moved that the Board direct Planning staff to use the draft as a “base document” for the Agriculture and Forestry Element. Third, he moved that the Board direct Planning staff to continue to work with the Agriculture Coalition to produce a final draft.

Planning Director George White told the Supervisors that no additional costs were associated with adopting a separate Agriculture & Forestry element into the General Plan and integrating it with the rest of the General Plan.

Supervisor Callaway was the only voice expressing some dissent. While Callaway has spoken before against the inclusion of any but the minimum required elements in the General Plan, on this day she supported the adoption of an Agriculture & Forestry Element in the General Plan (an Agriculture and Forestry Element is not one of the seven required elements). However, Supervisor Callaway said she could not support Wilensky’s second motion adopting the Agriculture Coalition’s draft as the “base document” of the final draft.

All of the other Supervisors present expressed support for Supervisor Wilensky’s three motions, and all three motions were passed.

Updates

Housing Element

The *Concerned Citizens for Housing for All* group, which began its work in January, has now expanded and renamed itself the *Housing Element Stakeholders Committee* and represents a broad spectrum of the community including members of Habitat for Humanity, developers, Catholic Charities, and the Resource Connection. The Committee welcomes participation by anyone committed to decent, affordable housing for working families.

The Committee meets twice a month on Fridays from 9 to 11 am in the Cheesbrough Room at the San Andreas Library. The next meeting Friday, Sept. 18th, will review the just-released Preliminary Public Review Draft Housing Element Background Report

George White (continued)

White said when first came to his new job here he was very surprised that there was a backlog of 200 projects. He attributed part of this problem to the big housing boom in the years before, which overwhelmed County resources. Regarding what the County is doing about applications during the General Plan update, he said that interim guidelines are in effect. He stated that regarding projects in process that it depends on the actual number in process, and since that number is low, it’s “not that bad a problem.” He said that of the 165 projects still pending, only 85 are “real”.

White made a distinction between doing what one has “a right to do” and “the right thing to do.” He added that “doing the right thing in land use is not impossible – that satisfying developers and doing the right thing is possible”.

Updates... (continued)

and related policy documents, available at <http://www.co.calaveras.ca.us/cc/Departments/PlanningDepartment/GeneralPlanUpdate.aspx>.

Also, as part of the Mintier Harnish contract to draft the Housing Element, two County meetings will be held in the coming weeks:

This first is Thursday, September 10, from 1-3 pm and is a “Stakeholders Workshop” (all citizens are invited) in the Sequoia Room at CalWorks. The consultants will discuss and receive feedback from the public on the Background Report and the Preliminary Review Draft.

The second meeting is October 6, from 1-3 pm and is a joint session of the Board of Supervisors and the Planning Commission to discuss the same documents mentioned above. This meeting is at the Board Chambers at the Government Center and will be another opportunity for public comment. For more information please contact Holly Mines, 293-4953.

Trinitas

On August 20, 2009 the Calaveras Planning Commission denied the appeal brought by Trinitas seeking to overturn the Board of Supervisor’s decision to effectively deny the project. Trinitas has said it will appeal this decision to the

Board of Supervisors. No date has been set for the appeal.

On August 26, Judge Thomas Smith ruled in favor of Calaveras County and against Trinitas in Trinitas’ request that the Judge overturn the County’s decision that golf does not fit the County’s definition of ‘agri-tourism’. Despite the County’s decision, golf has continued at Trinitas unabated.

On August 28, Judge Thomas Smith handed down his decision denying a Motion to Intervene by Keep It Rural Calaveras (KIRC) in regards to another court action brought by Trinitas against the County. The Judge made his decision without comment. KIRC is currently considering its options.

SNA Annual Meeting

The Sierra Nevada Alliance will be holding its 16th Annual Conference on October 16-18 at the North Tahoe Conference Center in Kings Beach at Lake Tahoe. For more information about registration and the conference schedule, visit <http://www.SierraNevadaAlliance.org/conference> or call 530.542.4546.

County Board of Supervisors

The Calaveras County Board of Supervisors meets Tuesdays at 9:00 am in the Supervisors Chambers at Government Center, 891 Mountain Ranch Road, San Andreas.

Agendas are available on the County’s website <http://co.calaveras.ca.us/cc/Departments/Supervisors/SupervisorsAgendaMinutes.aspx>

Calaveras Planning Commission

The Calaveras County Planning Commission meets every other Thursday at 9:00 am in the Supervisors Chambers at Government Center, 891 Mountain Ranch Road, San Andreas.

Agendas are available on the County’s website <http://co.calaveras.ca.us/cc/Departments/Supervisors/SupervisorsAgendaMinutes.aspx>

The CAP/CPC Newsletter is produced by the Calaveras County Community Action Project, a project of Ebbetts Pass Forest Watch.

If you would like to be added or removed from our email list, or would like more information, please contact us at cap@goldrush.com.

Thank you.