



Draft

SAN BENITO COUNTY PLANNING COMMISSION

Eduardo Navarro
District No. 1

Valerie Egland
District No. 2

Robert Eggers
District No. 3

Robert Gibson
District No. 4

Robert Rodriguez
District No. 5

County Administration Building - Board of Supervisors Chambers, 481 Fourth Street, Hollister, California

REGULAR MEETING MINUTES October 16, 2019 6:00 PM

6:00 PM ~ CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

All Commissioners Present: Chair Robert J. Rodriguez, Vice-Chair Valerie Egland, Robert Gibson, Eduardo Navarro, Robert Eggers.

Staff Present: Principal Planner, Darryl Boyd; Permit Technician, Anita Gutierrez, Deputy County Counsel Joel Ellinwood, Assistant Planner Richard Felsing, and Assistant Planner Arielle Goodspeed.

PLANNING COMMISSIONER ANNOUNCEMENTS

Commissioner Egland reported about attending Morgan Hill Planning Commission meeting regarding the proposal for a tech park construction within the City. In the hearing it became apparent that the developer was in fact creating more of a distribution center warehouse and the number of truck parking spaces. There was an outrage from the public due to low density residential zoning that the tech park was being located on. Commissioner Egland commented on how it was eye-opening to see the City of Morgan Hill process to comparatively to the County of San Benito, and the relationship of the issue of jobs to our neighbors and the trickle down affect it can have.

DEPARTMENT ANNOUNCEMENTS

Principal Planner Darryl Boyd announced Taven Kinison Brown return from medical leave would be tomorrow.

PUBLIC COMMENT

None

CONSENT AGENDA

1. Acknowledgement of public hearing
2. Acknowledgement of certificate of posting
3. Adoption of Action Minutes
 - a. Draft Meeting Minutes from March 20, 2019
 - b. Draft Meeting Minutes from June 19, 2019
 - c. Draft Meeting Minutes from July 17, 2019
 - d. Draft Meeting Minutes from August 21, 2019
 - e. Draft Meeting Minutes from September 18, 2019

The Commission acknowledged the certificate of posting and public hearing and adoption of action minutes was motioned to accept minutes by Commissioner Egland and Commissioner Eggers seconded the motion and it was carried 5-0.

REGULAR AGENDA

1. DRAFT Airport Land Use Compatibility Plan for Frazier Lake Airpark

Project Manager Veronica Lezama and Aviation Consultant Walter Windus presented the draft updated Airport Land Use Compatibility Plan and PowerPoint slides.

6:26 Commissioner Navarro asked about what kind of feedback had been provided during the public comment period so far.

6:27 Project Manager Veronica Lezama responded that at this time no public comment had been recorded at this time.

6:28 Commissioner Gibson asked how many acres were affected by the expansion of the safety zones.

6:29 Aviation Consultant Walter Windus responded it was approximately 50 acres less in the airport influence area. The change in safety zones outside airport property in the east section, the net increase is approximately 56 acres primary but not exclusively to the airport turning zones, and widening the outer safety zone. In the case of the southwest end the net increase is approximately 42 acres.

6:31 Commissioner Rodriguez asked if a resident wanted to build within one of the safety zones and it was inconsistent if they could still build.

6:31 Aviation Consultant Walter Windus responded if an applicant brought a project that was not consistent with the airport safety plan, they have the opportunity to bring it before the Board of Supervisors and with a majority vote could have their project approved by the Board of Supervisors. He would caution the applicant to take this route as they would be subjecting themselves to a safety concern. There is a concern that if you deviate too far from the airport land use plan it can open yourselves up to be vulnerable to a lawsuit.

6:33 Commissioner Rodriguez then asked about the airport land use plan not allowing roads to be put within the safety zones.

6:34 Aviation Consultant Walter Windus responded that there is no restriction to putting roads or highways within the safety zones, and this is due to the mobility of cars to maneuver out of the way of a crashing airplane.

6:42 Commissioner Gibson asked if there were any specific concerns addressed from the property owners within the blue, green, and red areas and their thoughts on the restrictions.

6:43 Aviation Consultant Walter Windus responded that property owners were noticed of the changes and most of the properties surrounding were serving agricultural purposes and opportunity for development would be limited that were not really being affected and that to the north.

6:44 Commissioner Gibson asked about the ten property owners that were met with over the summer.

6:44 Project Manager Veronica Lezama responded that when they met with these ten property owners over the summer the property owners accessor parcel numbers were collected and that most comments were to the effect of how the plan could potentially affect their property. There were not any concerns documented. However, all questions collected were documented and this could be shared with the commission.

6:45 Commissioner Rodriguez commented that it would have been nice for those comments to be presented

6:45 Project Manager Veronica Lezama responded that this outreach was not part of the public comment period, but done as an extra outreach measure. Also, that they are happy to share these property owners comments with the planning commission.

6:45 Commissioner Gibson asked if the ALUC heard these comments.

6:45 Project Manager Veronica Lezama responded that they were not specific comments on the document or policy it was mostly about learning about the plan, knowing about its potential impacts, provided information regarding their specific plans for the future of their property, and since it didn't raise any red flags for these property owners they did not feel that it was necessary to include. Since this plan effects people's property rights, the extra steps of public outreach were taken; including one hour one-on one meetings with the property owners.

6:51 Public Comment was opened. There was no public comment and it was closed.

6:51 Deputy County Counsel Joel Ellinwood commented that a Resolution was prepared, but is not needed. This item is solely an information item for consideration from the Planning Commission. There is a proposed negative declaration under CEQA, if you felt that there was potential for significant impact from the adoption of the Airport Land Use Compatibility Plan, then if the Commission would like they could submit formal comments and then decide if you need to prepare a letter signed by the chair to submit these formal comments for review. If you have no comment there is no action necessary.

6:53 Commissioner Rodriguez stated that no comments or action necessary per the Planning Commission.

PUBLIC HEARING

None

DISCUSSION

1. Commissioner Gibson has requested the Planning Commission discuss his requests for a presentation to the Commission and Commission representation at upcoming conferences. The entire Commission should have an opportunity for input on these requests and decide on the appropriateness, desired outcomes, importance, cost vs. benefit, who should attend, ect. It would be useful for the Commission to discuss why you think each of these is important or relevant to the Commission's work. Staff has provided additional information about available budget and the process for request and reimbursement, ect. The requested items include:

- a. Presentation to the Commission from the Central Coast Broadband Consortium

Commissioner Gibson commented that this limits our ability to attract large tech companies to the area, because we don't have the structures in place to provide bandwidth and was informed by John Freeman from San Juan that they meet monthly telepathically with people from all over the area. There was a discussion in a previous Planning Commission meeting that it would cost the County 10 million to get the infrastructure needed. Commissioner Gibson believes that Planning Commission needs to take a serious look at the county investing, and what needs to be done to accomplish the task.

Darryl Boyd responded that if Planning Commissioner is interested planning staff would look into this and get it put onto a future Planning Commission meeting and keep Planning Commission informed of the progress.

- b. Commission attendance at the Monterey Bay Economic Partnership "State of the Region" to be held in Monterey on Friday, 10/25/2019 from 8:00-5:30. Ticket cost is \$149.00 plus \$3.97 fee.

The Resource Management Agency (RMA) bought two tickets for the Planning Commission.

Commissioner Gibson commented that both he and Commissioner Egland had already purchased tickets to this event and that the two tickets bought by RMA could go to one of the other Commissioners.

Commissioner Navarro, Rodriguez, and Eggers all have previous commitments and could not attend.

Commissioner Rodriguez suggested the two extra tickets be provided back to planning staff.

Principal Planner Darryl Boyd commented that he would refer back to RMA Director Harry Mavrogenes on distributing the tickets to planning staff.

- c. Commission attendance at the CA Economic Summit to be held in Fresno on Thursday and Friday, 11/7/19 and 11/8/19. Online registration is currently closed, however there is a waitlist available. Tickets cost is \$250 per day or \$500 for both days plus any overnight or per diem expenses.
- RMA administrative staffs have provided the following information regarding conference attendance.
 - Attendance at conferences needs to be approved by RMA Director (Harry). The only the Board approval is necessary is if the travel is out-of-state.
 - Commissioners attending conferences need to work with administrative staff on the payments and reimbursements.
 - Commissioners will need to provide an agenda of the conference that includes scheduled sessions, dates, and times.
 - Whenever possible, the County would prefer to be invoiced for conference fees.
 - Knowing this isn't always possible, the second best option is to have enough lead-time that staff can request a check from the Auditor's office.
 - As for travel expenses, it is best if Commissioners work with administrative staff.
 - The County uses a pseudo per diem process for meal expenses. Of note, one day travel is paid on actual meal expenses and receipts are required. For overnight travel per diem amounts are used.

Commissioner Gibson commented it would be \$250 for the ticket, plus

an overnight stay, he was interested in attending that Friday, and he wanted to see if other Commissioners would be interested in going.

Principal Planner Daryl Boyd commented that the registration is currently closed; there is a waitlist that we could work with RMA get on if there were any Planning Commissioners interested in attending.

Commissioner Eggers commented that he could potentially attend that Thursday, but not that Friday.

Commissioner Gibson commented that there was interest for both him and Commissioner Egland for the Friday attendance.

Principal Planner Darryl Boyd commented that he would take it back to RMA Director Harry Mavrogenes for potential funding opportunities and to put interested Commissioners on the waitlist. In addition, Boyd reviewed information provided by RMA administrative staff regarding conference calls.

- d. Those Commissioners who attended the recent APA conference may want to share their experiences and newly acquired knowledge.

Commissioner Egland commented about notes and pictures taken. There were discussion about the different bills had been signed. Most of the items Reeves had been talking about were included in these different presentations. There was a pleather of discussion and information provided at the conference including private wells, mobile homes, takings law, short-term rentals by the , streamlining of multi-housing approvals, character of an area as not being substantive to critique a permit.

Commissioner Gibson comments about the multitude of legislation the Governor has signed or vetoed. SB 330 was a major discussion; have yet to get determination if this applies to San Benito County regarding Agricultural preservation. He is waiting to hear back from County Counsel, California HCD, and Assembly member Reeves Office for confirmation. Other legislation that was discussed included; AB 1763 granted density bonus for affordable housing, AB1485 to streamline multi-family housing, AB1482 transparency for a developers checklist on fees, handful of bills regarding streamlining ADU's, water supply should not dictate growth, discussion of General Plan practices for jurisdictions and timeline to update zoning to reflect General Plans, Single Family Housing is the way of the past and to start encouraging developers to build multi-family housing, and cannabis in Santa Barbara is allowed outdoors and property owners using CEQA to battle this.

Commissioner Egland added that Caltrans did a nice presentation regarding safe-routes to schools, active transportation, complete streets, and their slogan for first and last mile regarding bicycle infrastructure.

Commissioner Gibson added that both he and Commissioner Eglund went to different seminars to capture more information. Also, per a discussion with Principal Planner Darryl Boyd, it is in the process for all Planning Commissioners to be provided APA memberships to have access on all information.

Principal Planner Darryl Boyd responded that he would confirm that all Planning Commissioners are provided APA membership and have access to APA resources.

ADJOURN at 7:11

Minutes prepared by Assistant Planner, Arielle Goodspeed