



Buildout Reduction Program Citizens' Committee (BRPCC)

REGULAR MEETING
Monday, August 14, 2017 - 10:00 AM
2850 Burton Drive Cambria CA 93428

AGENDA

- A. CALL TO ORDER
- B. ESTABLISH QUORUM
- C. CHAIRMAN'S REPORT
- 1. PUBLIC COMMENT**

Members of the public may now address the Committee on any item of interest within the jurisdiction of the Committee but not on its agenda today. In compliance with the Brown Act, the Committee cannot discuss or act on items not on the agenda. Each speaker has up to three minutes. Speaker slips (available at the entry) should be submitted to the District Clerk.
- 2. REGULAR BUSINESS**
 - A. Consideration to Approve the Minutes from the Regular Meeting held on July 24, 2017
 - B. Discussion and Consideration of Proposal by Deryl Robinson
 - C. Discussion and Update of the Buildout Reduction Report
 - D. Discussion Regarding the Estimated Cost of Maintenance of Acquired Undeveloped Properties
- 3. FUTURE AGENDA ITEMS**
- 4. ADJOURN**



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(BRPCC)

REGULAR MEETING

Monday, July 24, 2017 - 10:00 AM
2850 Burton Drive Cambria CA 93428

MINUTES

A. CALL TO ORDER

Chairman Siegler called the meeting to order at 10:00 a.m.

B. ESTABLISH QUORUM

A quorum was established.

Committee Members Present:

Ted Siegler, Crosby Swartz, Laura Swartz, Jerry McKinnon, Allison Groves, Cindy Steidel

Bob Sfarzo arrived at 10:51 a.m.

Committee Members Absent:

Mark Rochefort, Mel McColloch, Greg Hunter

CCSD Staff Present:

Haley Dodson, Confidential Administrative Assistant

C. CHAIRMAN'S REPORT

Chairman Siegler reported that he'll be presenting at the CCSD Regular Board Meeting on July 27, 2017, and he emailed a document to the committee with his presentation to the Board of Directors. He would like feedback from the committee.

Committee Member Laura Swartz stated they can't open the presentation attachment in the email.

Committee Member Groves suggested having Haley Dodson send all documentation to the BRPCC. Chairman Siegler agreed.

1. PUBLIC COMMENT

None.

Committee Comments:

Committee Member Laura Swartz recommends starting TDC's from square foot number one as a funding source for the Buildout Reduction Program. Chairman Siegler stated it's a County Ordinance and it's not in our jurisdiction. Chairman Siegler suggests raising the issue with the County or attending the NCAC meeting at Rabobank on August 16, 2017.

Public Comment:
Mary Webb

2. REGULAR BUSINESS

A. Consideration to Approve the Minutes from the Regular Meeting held on July 10, 2017

Committee Member Crosby Swartz stated that Mike Rice is mentioned as making public comment throughout the meeting minutes, but it was Mike Lyons.

Committee Member Crosby Swartz motioned to approve the minutes as amended.

Committee Member Groves seconded the motion.

Motion was approved unanimously.

B. Discussion and Consideration of Proposal by Deryl Robinson Chairman Siegler

read the following proposal from Deryl Robinson:

1. First and foremost, the existing CCSD water wait list (WWL) has to be honored. Any water service commitments have to come off that list. That is something that UnLOC will insist upon.
2. Find opportunities where there is a WWL lot adjacent to multiple non-waitlisted lots. Acquire all the lots, remap them into one parcel, and resell.
3. Acquire any group of non-waitlisted lots, remap them into one parcel. Acquire any WWL lot. Move the wait list number to the new parcel, retiring the donor lot. Resell the new lot with the WWL number.
4. Enhance the language in the WWL positions that come with these lots to make it a more solid commitment for future water service.
5. Make sure any other development obstacles on the new lots are cleared, such as protected trees in the way of building, etc.
6. Work with the county to make sure the new parcels are certified and entitlements are fully vested.
7. Make the new lots large, estate sized properties that qualify to have large homes built on them per the current approved planning standards.
8. Obviously, the best opportunity to do this and make money would be to buy the WWL lots now, before the moratorium is lifted. So I would get on it ASAP and buy up all the available WWL numbers.

Chairman Siegler stated the committee will discuss his proposal at the next meeting.

C. Discussion and Update of the Buildout Reduction Report

Chairman Siegler and the committee discussed the draft report and made changes.

Committee Member Steidel passed out the "Draft Stakeholders and Beneficiaries" document (attached).

Committee Member Crosby Swartz passed out the "Draft Organizational Options-BRP document" (attached) and stated the underlined areas in the document represent changes or additions since the last meeting. He stated he's waiting to hear back from Airlin on the County Wait List. Karen Knoll has volunteered to answer questions in Airlin's absence.

Public Comment:

Mary Webb

Bob Sfarzo arrived at 10:51 a.m.

Committee Member Laura Swartz would like to address in the report if new commercial builders will have to pay mitigation fees.

D. Discussion Regarding the Estimated Cost of Maintenance of Acquired Undeveloped Properties

Chairman Siegler stated that Committee Member Hunter met with Jerry Gruber and Carlos Mendoza about the estimated cost of maintenance. The cost of maintenance could be up to \$500,000 per year.

3. FUTURE AGENDA ITEMS

Chairman Siegler asked the committee to finalize their reports and email them to him by August 7, 2017.

4. ADJOURN

Committee Member Crosby Swartz motioned to adjourn the meeting.

Committee Member Laura Swartz seconded the motion.

The committee unanimously agreed to adjourn the meeting at 11:57 a.m.

The next BRPCC meeting will be on Monday, August 14, 2017 at 10:00 a.m.

* Organizational Structures to Acquire and Manage Undeveloped Properties

The CCSD is the lead agency for the 2008 Water Master Plan and the current Sustainable Water Facility Project. In accordance with Mitigation Measure PHG-1 the CCSD has the ultimate responsibility to ensure funding and administration to retire and maintain buildable parcels as required by the Buildout Reduction Program. It is recommended the CCSD activate it's power to acquire and maintain property as mitigation for a district project in accordance with Govt Codes 6100 to 61250.

The CCSD is currently managing the Lot Merger Program. Under this program, the CCSD publicizes the benefits of merging lots, provides assistance to the property owner to submit the required documents to the county, and provides partial reimbursement for the county processing fees. It is recommended that the Lot Merger Program be continued.

CCSD Municipal Code Section 8.04.100 requires that when a water meter or water wait list position is transferred from one parcel to another, the sending parcel is retired by recording a deed restriction, and the receiving parcels are merged. It is recommended that this requirement be continued. The specific wording of the required deed restriction should be reviewed to ensure the intent of the BRP is achieved.

An essential part of the BRP is the purchase and retirement of buildable parcels from property owners who voluntarily offer parcels for sale. The administrative tasks related to this part of the BRP are substantial. They include arranging and managing the funding for the program, promotion of the program to owners of vacant parcels, negotiation of the terms of each sale, investigation of ownership and title issues and other documentation required, and recordation of the required deed restriction. An annual inspection and report is recommended to document compliance with all deed restrictions.

The CCSD could delegate parts of the BRP administrative tasks to other organizations. The execution of the property purchase process could be contracted to a local land conservation organization. These organizations have experience in contacting potential sellers, appraisal and negotiation, and recording documentation of sale and deed restrictions to retire and conserve purchased parcels.

The cost and management requirements necessary to maintain the retired parcels would be proportional to the maintenance of existing CCSD owned open space properties, adjusted for the added parcels. It is recommended that a maintenance advisory board be established to provide forest management expertise and oversight. The CCSD PROS Commission could be tasked with this function. Another alternative would be to approach the Friends of the Fiscalini Ranch Preserve Board to provide assistance with this function.

The Land Conservancy of San Luis Obispo has managed a land conservation program in the Lodge Hill area for many years using funds from the sale of Transfer Development Credits authorized by the County. This program could be expanded to cover other areas in Cambria. The pace of parcel acquisition under this program is limited by available funding, but could be accelerated by a new negotiated funding agreement with the CCSD. The Land Conservancy transfers ownership of the conserved parcels to the CCSD, who becomes responsible for routine maintenance. This program pursues tax deductible parcel donations and land conservation grants, in addition to purchases using funds from the sale of Transfer Development Credits.

Another organizational option is to establish an independent Open Space District to acquire and maintain retired parcels. An Open Space District is a governmental agency, with powers similar to a Community Service District but with a single purpose and board expertise. Establishment of an Open Space District is recommended by the North Coast Area Plan as follows.

Encourage establishment of a Park or Open Space District to purchase small substandard lots in Cambria in order to reduce overall buildout and the corresponding need for costly new services and infrastructure (p 1-4).

An Open Space District should be formed through a cooperative effort between the County, the

community of Cambria and others to begin purchasing small and substandard lots (p 4-17).

As one component of a larger build-out reduction program, the County, CCSD, the community of Cambria, and other stakeholders should work together to establish an Open Space District to begin purchasing and maintaining many of the small and substandard lots in Cambria (p 6-10).

Open Space Districts are formed by voter initiative in accordance with California Public Resources Code Sections 5500 - 5595. A petition of 10% of resident voters is required to place the proposed district on the ballot. A majority vote is required to establish an Open Space District. A 2/3 vote is required for typical district funding. LAFCO approval is required for open space district formation.

The Open Space District's sole purpose is acquisition and maintenance of undeveloped parcels for the benefit of the community and to satisfy Mitigation Measure PHG-1. As an independent organization, the OSD directors and manager do not have conflicting responsibilities competing for time and funding. Funding for the Open Space District is similar to the funding described for the CCSD managed Buildout Reduction Program. A Joint Powers Agreement defines the division of responsibilities between the CCSD and the OSD for funding, administration and parcel maintenance.

When the parcel acquisition goals of the Buildout Reduction Program have been achieved, the Open Space District will continue to manage and maintain CCSD owned open space properties.

DRAFT Stakeholders #2

Buildout Reduction Program Stakeholders and Beneficiaries

Cambria is a unique community that has a desirable combination of stunning land and ocean vistas, plentiful habitat and mindful conservation of those attributes. Although not always easy, the community strives to protect and maintain these elements while recognizing the consequence for its residents and business community. There is a strong common interest in addressing the issues which often evolve when considering buildout reduction, not the least of which is to resolve controversies the community has struggled with for years.

Establishing a Buildout Reduction Program for Cambria requires the commitment from a wide range of stakeholders with varying needs. Success in acceptance of any new program requires identification of shared values among those affected. Building community engagement and seeking diverse stakeholder commitment requires identification of economic, social, environmental and safety concerns.

The committee has identified three groups of stakeholders/beneficiaries of the Buildout Reduction Program:

- (1) **Existing Residents and Businesses**, including homeowners, renters and retail space owners. Lot retirements will provide additional open space, enhance fire mitigation and ensure habitat preservation. Open space will ensure the retention of Cambria's rural charm and enhance property values.
- (2) **Wait List Position Holders**, property owners who can develop properties because of the community's commitment to limit growth.
- (3) **Tourism**, both as an internal and external effect, where the community of Cambria will maintain its look and feel for everyone's appreciation. Tourism attraction is a fundamental element to the vitality of our community.

While a participatory process creates social capital with the community, complexities and external limitations on implementation can create challenges for balanced fairness. Executing the purchase and retirement of properties will require that the community stakeholders and beneficiaries share in the financial burden. There is no silver bullet to address the financial need. Therefore, multiple phases and contributors are considered for achieving the BRP goal of property retirement. It is worthwhile to recognize these circumstances early in communication to stakeholders and to emphasize the shared burden. Everyone is a stakeholder in some form; no singular body will bear the incumbrance entirely. However, resulting benefits of the program are a more systemic and will be enjoyed broadly. Land retirement, and establishment of open space, will sustain the small-town character and quality of life valued by all residents and those who visit.