

# KINGS COUNTY GENERAL PLAN ADVISORY COMMITTEE MINUTES

## CITY MEMBERS

Dennis Tristao - Chair  
Garry Curtis  
Judith Horn- Alternate

## PUBLIC MEMBERS

Mark Pohle  
Bob Lewis  
Glenn Estes

Vacant- City/Public Alternate

## COUNTY MEMBERS

Joe Neves  
Jim Gregory

## DISTRICT MEMBERS

Ronnie Silva  
James Lohry  
Louie Rodrigues - Alternate

## COMMERCIAL MEMBERS

Jim Olivas  
Jeff Stivers  
John Bolze - Alternate

## COMMUNITY MEMBERS

Alicia Jacobo  
Doyle Davis  
Vacant - Alternate

## AGRICULTURAL MEMBERS

Michael Miya  
Craig Pedersen - Vice Chair  
Charles Meyer - Alternate  
Roger McVay - Alternate

## KINGS COUNTY

PLANNING AGENCY STAFF: Greg Gatzka (559) 582-3211 ext. 2682, Jeremy Kinney (559) 582-3211 ext. 2673

**CALL TO ORDER:** The Kings County General Plan Advisory Committee (KCGPAC) meeting was called to order by Chairman Tristao at 6:32 p.m., on August 21, 2008. The KCGPAC meeting was held in the Multi-Purpose Room, Kings County Government Center, 1400 W. Lacey Blvd., Hanford, California.

Roll call of members was conducted by Mr. Gatzka, and a quorum of appointed Committee members were in attendance.

## APPOINT COMMITTEE MEMBERS:

Mr. Gatzka informed the Committee that Charles Meyer will be filling in for the Agricultural Member Craig Pedersen. Mr. Gatzka informed the Committee that John Bolze will be filling in for the Commercial Member Jim Olivas who will be arriving later in the evening. Jim Olivas arrived at 6:37 and the only action taken without his presence was the approval of the July 17, 2008 minutes.

**COMMITTEE MEMBERS PRESENT:** Joe Neves, Jim Gregory, Dennis Tristao, Garry Curtis, James Lohry, Michael Miya, Jim Olivas, Jeff Stivers, Mark Pohle, Bob Lewis, Glenn Estes

**COMMITTEE ALTERNATES PRESENT:** John Bolze, Judith Horn, Charles Meyer

**COMMITTEE MEMBERS ABSENT:** Alicia Jacobo, Doyle Davis, Ronnie J. Silva, Craig Pedersen,

**COMMITTEE ALTERNATES ABSENT:** Louie Rodrigues, Roger McVay

**STAFF PRESENT:** Bill Zumwalt, Greg Gatzka, Jeremy Kinney, Marcum Caldwell

**VISITORS PRESENT:** Chris Lehn, Roman Benitez, Brian Leahy, Scott Spear, Daniel O'Connell, Holly King, Alene Taylor, Dan Fadenrecht

## UNSCHEDULED COMMENTS:

A. None.

## APPROVAL OF MINUTES:

A motion was made and seconded (Curtis, Lohry) to approve the minutes of the July 17, 2008 KCGPAC minutes. The motion carried unanimously with two abstentions.

## CORRESPONDENCE:

A. None

## OLD BUSINESS

**Re-Entry Facility Update-** Rebecca Campbell Administrative Analyst did not attend the meeting to give an update of the re-entry facility. Mr. Gatzka showed a map of the three sites that had been submitted for consideration of a re-entry facility site. Mr. Curtis asked when the state will make a decision on a site. Mr. Zumwalt indicated that it will be addressed at the next Board meeting.

## OLD BUSINESS

**A. Kings County Blueprint Preferred Growth Scenario.** Chris Lehn Project Manager for the Kings County Blueprint briefed the Committee on the Blueprint planning efforts and the three preferred growth scenarios of Economic Development/Transportation, Agricultural Preservation and Increase of Density. Ms. Lehn stated that these three preferred growth scenarios were derived from numerous public workshops which have subsequently been modeled into a Kings County Blueprint Preferred Growth Scenario. Chairman Tristao asked if the General Plan update was through year 2030 and the Blueprint planning efforts were through year 2050. Ms. Lehn said yes and stated that all eight county Blueprint regional planning documents will be “quilted together” by January 2009. Mr. Gatzka stated that the boundaries defined within the Blueprint process demonstrate that the County has more than enough room inside of its newly developed Blueprint Urban Growth Boundaries to accommodate a doubling of population size by 2050 even if development continues at the status quo level of development. Chairman Tristao asked if the Community Plans were included within the Blueprint scenario. Mr. Gatzka responded that the land use data from the community plans was input into the Blueprint model.

**B. Agricultural Preservation Program.** Mr. Gatzka briefed the Committee on the Draft Grant proposal to the state for funds to develop an Agricultural Preservation Program. He informed the committee that the date of August 21, 2008 on the front page of the Agricultural Preservation Program was a holding date and had no relation to a submittal date for the Planning/Policy Grant. Mr. Gatzka informed the committee that Scott Spears and Dan O’Connell from the Sequoia Riverlands Trust and Holly King from the Great Valley Center are available to answer more detailed questions about establishing agricultural easements. regarding the Agricultural Preservation Program. Mr. Gatzka gave a brief summary of the Agricultural Preservation Program proposal, explaining that the LAFCO reduced spheres of influence laid the foundation for an agricultural mitigation strategy. Mr. Gatzka continued that a priority GIS agricultural tool was developed to key areas of

agricultural significance to the County that is based on numerous inputs including crop types from the Department of Water Resources economic valuations, NRCS Soil Data, Important Farmland Mapping and Monitoring Classifications, proximity to Lemoore Naval Air Station as well as other factors. Mr. Gatzka explained that the Agricultural Preservation Program proposal is proposed to be placed within the Resource Conservation Element of the 2009 Kings County General Plan Update.

Scott Spear, Chairman of the Board for Sequoia Riverlands Trust, stated that their region covers Fresno, Kings, Tulare and Kern Counties. Mr. Spear presented the agricultural conservation easement as a tool for farmland preservation. Daniel O'Connell the Farmland Conservation Director stated that Kings County is the only County in the South San Joaquin Valley asking how agricultural preservation can be integrated with the Blueprint process. Ms. King from the Great Valley Center discussed some of the financial aspects of agricultural conservation easements including 1031 exchanges, estate planning and I.R.S. interpretations. Mr. Gregory asked what differentiates a conservation easement from an agricultural easement. Ms. King stated that the agricultural easement was for productive land and that the common meaning of a conservation easement refers to a land preservation tool used for protected and endangered species however an agricultural easement is a type of conservation easement. Mr. Miya asked how a Williamson Act Contract differs from an agricultural conservation easement. Ms. King replied that they are very similar but an agricultural conservation easement restricts the development rights of a property in perpetuity where a Williamson Act Contract is for a rolling 10 year period.

Mr. Benitez, Senior Community Planner and Liaison Officer for the Lemoore Naval Air Station, clarified that the Department of Defense supports a plan to prevent encroachment on the Lemoore Naval Air Station but the Lemoore Naval Air Station does not directly fund those plans. Mr. Gregory asked if Sequoia Riverlands Trust would oversee easements and would that remove the Board of Supervisors function. Mr. Spear replied that the Sequoia Riverlands Trust would only hold the easement which relates to the development rights of the farmland, all other rights relating to farmland would still be at the discretion of the landowner. Mr. Gregory asked how San Joaquin County's easement program was working because the County itself solely holds the agricultural conservation easements. Ms. King stated that the Sierra Club had additional funds and was able to hire two staff persons to work full time to help administer the easement program within that area. Ms. King added that the City of Davis requires itself to be a co-holder of easements which requires the landowner to do all of the monitoring which gives them more control.

Mr. Bolze asked what potential benefit could be derived from encumbering farmland in an agricultural conservation easement. Mr. Spears replied that easements have numerous tax benefits and each one will be different. Ms. King stated that there are tremendous economic benefits from farming and the critical mass of farming operations is a huge revenue generator, including equipment sales, processing plants and other ancillary operations. Mr. Bolze asked whether farmers within the secondary sphere would gain any advantage if the Agricultural Preservation Program was implemented. Mr. Gatzka replied that the proposed policies would direct easements to targeted areas. Chairman Tristao stated that 90 percent of land within Kings County is either under a Williamson Act or Farmland Security Zone and he asked how many other counties have a 90 percent participation rate. Mr. Leahy responded that Santa Barbara County has approximately 80 to 90 percent of their eligible farmland in a Williamson Act or Farmland Security Zone. Mr. Leahy added that it is estimated that by 2040 approximately one quarter of all prime farmland within the San

Joaquin Valley will be converted to urban use and the cities of Davis and Dixon are using agricultural conservation easements to create a food-belt to preserve their identity. Chairman Tristao stated that the County is struggling for services and the County does not have a large enough population base to get funding. Mr. Leahy responded that the Department of Conservation does not take a no growth position but does stress the importance of a land ethic. Mr. Leahy added that the Williamson Act has been an excellent tool for farmland preservation. Chairman Tristao stated that the subvention funds are a great preservation tool but will the state look to this Agricultural Preservation Program and think that the subvention funds are no longer necessary.

Committee members asked about immigration issues, water constraints, agricultural greenbelts and the potential limitations of agricultural conservation easements adjacent to urban areas. Ms. King responded that immigration is a big concern and it is a related but separate issue, she added that many landowners expressed a willingness to put their land in a conservation easement if they had guaranteed water availability. Chairman Tristao asked if all conversion of farmland to other uses beyond the Blueprint Urban Growth boundary would trigger the 5:1 mitigation. Mr. Gatzka stated that we are still seeking input to define what uses would require mitigation, but that any uses allowed under Agricultural Zoning would be left alone.

Mr. Zumwalt stated that the Zoning Ordinance would need to be updated in order to change the game preserve which has been used exclusively for open space preservation. Mr. Olivas asked what the relationship was between the implementation and the approval of the Agricultural Preservation Program and if the Sequoia Riverlands Trust was helping draft the grant application. Mr. Gatzka replied that we are partnering with them for the grant application and we must have a non-profit partner to hold easements. Mr. Zumwalt stated that before we can apply for the grant we must have the Board of Supervisors approval. Mr. Olivas asked if the policies must be approved to receive the grant. Mr. Leahy stated that the monies would go to help the County develop policies to help preserve farmland. Mr. Zumwalt stated that the state gave Kings County \$250,000 to go towards updating the Dairy Element. Mr. Olivas stated that you should go forward with the grant regardless.

Chairman Tristao stated that there is an assumption that these policies will be adopted and the grant will cover implementation activities. Mr. Gatzka stated that is the intent of the proposal. Chairman Tristao stated that his concern is that we will approve of the currently proposed program. Mr. Zumwalt stated that we don't know what the program looks like and we need the grant to develop an Agricultural Preservation Program. Mr. Miya read a letter from the Kings County Farm Bureau which was in opposition to the proposed Agricultural Preservation Program. Mr. Olivas stated that this issue involves property rights and we should continue discussing it at future meetings. Mr. Zumwalt stated that the grant application is to continue studying the issues surrounding agricultural preservation within the County of Kings.

A motion was made to move forward and apply for the grant application (Lohry, Gregory) but motion did not come to a vote until more discussion of the program took place. Chairman Tristao stated that cities will be tied to this issue and there needs to be further outreach. Supervisor Taylor stated that this is a planning grant not an implementation grant. Chairman Tristao stated that there are numerous stakeholders involved and the Agricultural Plan presents disturbing concepts and the plan presents above and beyond mitigation. The motion to continue with the application for the grant came to a motion. The vote tally was

eight noes and three ayes with one abstention. A motion was made to readdress the issue at the following meeting (Olivas, Miya). The motion passed unanimously with two abstentions.

**C. Home Garden Community Plan.** None of the Home Garden Community Plan was presented due to a lack of time. The Home Garden Community Plan is scheduled for the September 18th meeting of the Kings County General Plan Advisory Committee.

## **MISCELLANEOUS**

**A. MEMBER COMMENTS:** None.

**B. STAFF COMMENTS:** None.

**ADJOURNMENT** – A motion was made to adjourn the meeting and the meeting was adjourned at 8:42p.m.

**A. Next regularly scheduled meeting to be held on September 18, 2008, at 6:30 p.m.**

Respectfully submitted,

Gregory R. Gatzka, Deputy Planning Director