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To Humboldt County Planning Commission

4-19-2007

My comments are related to the Energy element.

We all know that Humboldt county needs to have affordable housing. Many of the provision alternatives in the energy element will increase the cost both of new construction and the cost of re-sales and also the cost of rental housing and commercial rental property as well. Other provisions hinder the rights of property owners in the future development of their property. I am glad to see that staff has recommended that many of these provisions not be adopted, but much of the community comment is in support of these provisions, and therefore I felt that my comments to these provisions is necessary.

Section E-P13 supports revitalization of and reinvestment in existing core areas. It states that "Rehabilitation and revitalization of older existing buildings shall be favored over replacement when doing so would conserve energy resources." No consideration is given to the suitability of the existing structure to the needs of the landowner. If an owner requests permits to demolish a structure and replace it with a structure suitable to his needs, would his request be denied under this provision? The language "shall be favored" is very vague and subject to interpretation by staff. This language is also omitted from the information in the voting chart

Section E-P15 requires businesses in new developments to submit a transportation management plan that addresses energy conservation measures such as connectivity to alternative transportation modes: preferential parking for carpools, vanpools, motorcycles, mopeds, and bicycles; shuttle services; alternative fueling stations; transit passes; bike lockers; and locker room facilities. New businesses face an uphill battle getting started. To increase the cost of start-up of their new business in this manner discourages any business from selecting Humboldt County to locate in. It also discourages existing business from moving into a newer, or larger facility to expand their business. We need to encourage new business to locate here and existing business to expand here to create more jobs which are desperately needed.

Section E-IM48 reads "Preserve Resource Options Update the Project Independence Report to identify the land use issues that could prohibit or facilitate the development of renewable energy and distributed energy generation facilities. Identify the necessary steps to preserve these resource options, including utility easements, rights of way and land set-asides." The Project Independence Report is not attached to the element, and no information is given to be able to find it, so that is a bit difficult to comment on. I do not know what is meant by land set asides, or how those would be compensated. This sentence is also not included in the voting chart for this section, although it does seem a potential problem to owners whose land may need to be "set aside".

Section E-IM34 requires that Property sellers or property managers SHALL provide current energy audits and historical energy use data to prospective buyers prior to closing, exchange, or transfer of ownership; to lessees prior to leasing; and to occupants prior to a change in use, service or license. I have been given estimates of \$10,000 or more for these energy audits. This cost would have to be added to the cost of any of these transactions. The requirement appears to apply to every sale of any structure, as well as to every new tenant who occupies any building. It is an absurd burden to place on owners and tenants. The requirement is made at every transfer, so the same energy audit would be required of the same structure repeatedly on every transfer, regardless of the number of times it is transferred. Is there any logical reason to repeat this expense at every transfer during the life of this general plan? I must also note that this part of the text is missing from the voting chart. I understand that the voting chart is supposed to be a summary, but prior to this element the voting chart has not left out anything important from the text, and in most cases recites the text in full. Staff should be directed not to leave out such important language in the voting chart, as it is very deceptive.

Section E-P44 requires water-saving plumbing and landscaping devices in new developments, plumbing related remodels, OR UPON CHANGE OF OWNERSHIP. This also raises the cost of housing by increasing the cost of re-sales. Who is going to police these point of sale and lease requirements?

Section E-S2 and Section E-IM21 require that improvements be situated on lots in a manner which will not cast a shadow on adjacent improvements on the shortest day of the year. This is difficult to do on the very small lots which are being encouraged and required in new developments throughout the county. It is difficult to do both, unless we build our homes underground.

Clear permitting procedures should be the standard on which the planning department operates. This has been demanded and begged for by many residents and developers for years, and I believe it has even been demanded by the board of supervisors. Sections E-IM36(p) and E-IM49 both offer clear permitting procedures as INCENTIVES. They should be standard procedure, not incentives. I also notice that there are two sections labeled I-M36(p), one on page 11 and one on page 41. The one in the voting chart seems to be a combination of the two. It is very confusing.

This is not a mandatory element. The provisions I have mentioned are not helpful to the development of the county, in fact they are very counter productive. They increase the cost of both new and existing housing as well as rental housing. Many other provisions of this element are confusing and ambiguous, and above all, not necessary. I encourage you to reject most of the provisions of this element, and I suggest that you not rely on the voting chart at all.