

# **Springs Specific Plan**

## A Public Disclosure Misfire

### **SUMMARY**

Sonoma County has undertaken a Springs Specific Plan (SSP, or the Plan) to guide future development along the Sonoma County Highway 12 corridor. The planning process, begun in 2012 by elected officials as well as county and state agencies, has solicited public involvement through multiple public meetings.

In April 2019, the Sonoma County Civil Grand Jury (Grand Jury) received a citizen complaint outlining how the Donald Street neighborhood, comprising 35% of the total SSP area, was insufficiently notified of the existence of the Plan. In addition, the complaint described the considerable impact of the Plan upon the residents, from traffic and parking concerns to fire safety.

The Grand Jury analyzed the SSP along with the complaint and decided to conduct a limited investigation. Our investigation aims to answer one question: Did Sonoma County follow Metropolitan Transportation Commission (MTC) guidelines relating to public disclosure and soliciting input from affected individuals? We did not investigate nor offer any findings relating to the content of the Plan itself.

The Grand Jury concludes that the County failed to follow MTC guidelines and that the Donald Street neighborhood was in the dark for four years while the County and the rest of the Springs' residents engaged in community workshops and meetings. We found that the County's public disclosures from 2012 to early 2017 were insufficient to alert a civically engaged citizen that their neighborhood could be affected in a significant manner.

The Grand Jury recommends that the County take action to rectify the lack of notice by:

- offering an official apology
- engaging with the Donald Street residents regarding their concerns
- attempting to accommodate those concerns
- considering the severance of the Donald Street region from the SSP

### **FINDINGS**

The Sonoma County Civil Grand Jury determined that:

- F1. A resident of Donald Street, using reasonable diligence, would have had difficulty finding out that their neighborhood was part of a large rezoning planning process.

- F2. The boundaries of the Springs Specific Plan (SSP) area, intended by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments to be within a street or two of a rural transportation corridor – Highway 12 in this case – does not logically encompass a neighborhood as far removed as the Donald Street area.
- F3. Planners should have recognized that the Donald Street neighborhood was not represented in any of the public meetings. The groups tasked to work on the SSP, such as the Community Advisory Team (CAT), Municipal Advisory Committee (MAC), the Sonoma Alliance, and others also failed in this regard.
- F4. Because the Donald Street residents reasonably assumed they were not part of “The Springs,” and notifications did not mention Donald Street’s involvement in the SSP, their distress and surprise upon learning of the rezoning of parcels in the neighborhood is understandable.
- F5. Citizens’ trust in their government was tested at many points in the handling of the SSP, leaving the Donald Street residents feeling marginalized and unheard by their County government.
- F6. The Donald Street residents were caught off guard in the requested meeting on March 6, 2019; they felt they were misled by a County official as to its purpose.
- F7. By not proactively engaging with the Donald Street neighborhood, the County did not live up to its best practices as explicitly set out in MTC Resolution No. 4035.
- F8. No public disclosure laws were broken.
- F9. It is important for County planning officials to disseminate information about development plans in a timely manner in order to uphold residents’ confidence in the fairness of the development process.

## **RECOMMENDATIONS**

The Sonoma County Civil Grand Jury recommends that:

- R1. Permit Sonoma offer Donald Street residents an official apology for their missteps by July 1, 2020. (F1,F2,F3,F4,F6,F7)
- R2. Permit Sonoma hold substantive discussions with the Donald Street residents regarding their principal concerns regarding the SSP by July 1, 2020, or before finalizing the SSP, whichever comes first. (F1,F2,F3,F4)

- R3. Permit Sonoma respond to the principal concerns expressed by Donald Street neighborhood with an explanation as to why they can or cannot accommodate the requests of the Donald Street neighborhood residents by July 1, 2020. (F4,F5,F6,F7)
- R4. The Grand Jury does not dictate policy, however, if accommodations cannot be reached, the Board of Supervisors should consider severing Donald Street from the SSP. (F2,F4,F7)
- R5. Permit Sonoma determine where the procedures used for SSP failed, and adopt revised procedures to avoid a repetition of the oversight, with a copy of the revised procedures sent to the Grand Jury by July 1, 2020. (F1,F2,F3,F6,F8,F9)

The Grand Jury has recommended several dates above prior to the official required response dates. These earlier dates are provided because the approval process is ongoing and time critical.