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### 3. BROOKTRAILS TOWNSHIP DEVELOPMENT

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#### 3.1 HISTORICAL PERSPECTIVE

This section of the Plan provides an overview of the original concept of Brooktrails as a residential community, including both planned and actual growth and development of the community in order to provide a perspective on the environmental and land use implications of growth in the future.

Brooktrails area property has historically been used for a wide range of land uses. In the 1880s, the Township area was occupied by the Northwestern Lumber Company. As logging operations were completed, the land was sold to the Diamond D Ranch and served as a dude ranch. In the 1960s a developer proposed to convert the lands into a planned development and began subdividing the land. The Brooktrails Company Ltd., of Beverly Hills and New York, acquired the land in 1967.

Ultimately, the land was subdivided into 6,605 lots ranging in size from one-sixth acre (7,260 square feet) to 230 acres. The development was intended to be primarily for second homes; it was conceived as a "Vacation Village" resort of part time residents with an expected occupancy of 25 percent at buildout. This "second home" intent is acknowledged in the Housing Element of the *Mendocino County General Plan* (General Plan page I-64), although it is not consistent with current fact, since most of the homes are occupied by year-around permanent residents.<sup>1</sup>

In a December 17, 1969 article in the *New York Times*, Brooktrails was noted as being the first community in the United States to blend a 4 square-mile redwood and mixed-

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1. There is an average maximum of 25 residents that pay their water bill for more than one month at a time and take extended vacations. There is no evidence of a larger number of seasonal residents. Source: Mr. Paul Williams, Manager, Brooktrails Community Services District.

growth forest conservation park with a contiguous, fully improved residential area. The term coined for this residential area built in a forest was *hyleopolis*.

The term *hyleopolis* essentially refers to the fact that Brooktrails functions as an urban-to-forest interface: it is a suburban development within a contiguous wooded park. *Hyleopolis* also refers to the character of the urban-forest interface where protection of the forest is paramount. That was the objective in Brooktrails from the beginning, and is the purpose of Ordinance No. 63, adopted by the Township Community Services District Board of Directors on June 23, 1988.

The original dedication of the forest "greenbelt" was for any use permitted to a resort improvement district. County zoning is consistent with this interpretation of the range of potential uses, designating that property for "Public Facilities". Ordinance No. 63 narrowed the use of the property by creating "Brooktrails Redwood Park" and including all of that "greenbelt" property within it. The Ordinance states that the Park constitutes much of the watershed of the Township, and as such is a facility incidental to the water system of the Township. The Ordinance further states that the primary public purpose of the Park is to protect, conserve, and manage trees, other vegetation and wildlife in order to retain and create a natural environment readily available for the enjoyment of property owners and residents of the Township. The Ordinance provides for a master plan for the Park which controls the uses of the property.

### **3.2 TOWNSHIP CHARACTERISTICS**

This section of the Plan establishes current conditions with respect to the number of existing lots within the Township, number of improved (developed) residential lots, and other development characteristics of the Township. An Existing Conditions Map (Figure 3-1), has been prepared and is included on the following page. The Existing Conditions Map indicates the Specific Plan study area, Highest Risk Constraint areas as derived from an Environmental Assessment previously prepared for the Township (EIP Associates, *Environmental Assessment*, Fall 1993), the existing lotting pattern and developed residential lots as of February, 1995. The Highest Risk Constraints areas are

broken down by category; for example, slopes 40 percent and greater, riparian corridor, dam failure inundation zone and other features as shown on the map.

Based on site investigations, a review of technical reports, a review of District records regarding existing development, and discussions with District General Manager Mr. Paul Williams, the following statistical data regarding the Township is provided in Table 3-1 (refer to the footnotes below for data sources).

### **3.3 TOWNSHIP PLANNING AND REGULATION**

Comprehensive planning and regulation of private land use is normally limited to cities and counties in California. Unlike a city, the Township is not the exclusive provider of local governmental services within its boundaries. The County is the general-purpose local government for the area. But Mendocino County, as with other counties in the State, is financially unable to provide municipal services for the community. The County created the Brooktrails Resort Improvement District at the time the Township subdivisions were approved in order to provide municipal services, a role the Township inherited.

The latent authority for Resort Improvement Districts to exercise planning authority was deleted by the legislature. However, the Township derived its authority to exercise a full range of municipal purposes and powers from the reorganization of the Resort Improvement District to a Community Services District in 1975. That reorganization was in response to the legislative limitation on Resort Improvement Districts and allows the Township the powers to supply water, dispose of sewage and storm water, provide fire protection, provide parks and streets, and provide and maintain other public facilities and improvements as necessary.

The authority of the Township to regulate private land use was based upon subdivision Covenants, Conditions and Restrictions (CC&Rs). The CC&Rs affecting most of the

**TABLE 3.1  
Township Characteristics**

1. Total number of existing residential lots (includes merged lots):	6,188	6,068	<sup>1</sup>
2. Total number of <u>improved</u> (built) residential lots (includes merged lots):	1,150	1,392	<sup>2</sup>
3. Total number of <u>unimproved</u> (unbuilt) residential lots (includes merged lots):	5,038	4,676	<sup>3</sup>
4. Average annual multiple residential lot ownership rate (buyer secures more than one lot):		11%	<sup>4</sup>
5. Number of residential lots in high constraint area:		985	<sup>5</sup>
6. Number of <u>improved</u> (built) residential lots in high constraint area:		157	<sup>6</sup>
7. Number of <u>unimproved</u> (unbuilt) residential lots in high constraint area:		828	<sup>7</sup>
8. Average annual water consumption:		220 gpd	<sup>8</sup>
		per SFR	

Footnotes:

1) Derived as follows - 6,605 total lots minus the following:

Public Facility (Greenbelt)	371	
Public Facility (Upper Nine)	3	
Public Facility (Golf Course)	3	
Public Facility (Community Center)	2	
Public Facility (Fire)	2	
Public Facility (Water)	20	
Lodge	5	
Timber Preserve	3	
Forest Land	8	
Reduction from lot merger	120	
<b>Total</b>	<b>417</b>	<b>537</b>

Source: Brooktrails TCSD, Breakdown within the Brooktrails Township CSD, December 31, 1995.

Total residential lots (6,068) includes C-1 (Limited Commercial District) zoned lots for which single-family detached units are a permitted use (146 lots total).

- 2) Includes 13 improved lots (residential) on C-1 (Limited Commercial District) zoned parcels.
- 3) Includes C-1 (Limited Commercial district) zoned lots for which single-family detached units are a permitted use.
- 4) Confirmed by Paul Williams, former General Manager, through Planner Nancy Dankin, memo of 11/11/94.  
Also, Memo to Brooktrails TCSD Board of Directors from Paul A. Williams dated 08/25/94.
- 5) Source, EIP Assoc. Lot count based on overlay with High Constraint Area Map, October 12, 1994, supplemented with additional field inspections in November 1994, with revisions made to the High Constraint Area Map in December 1994, based on the additional field inspections. Lot count includes Commercial zoning designations because residential land uses are permitted under the C-1 (Limited Commercial District) zoning designation.
- 6) Includes five developed lots in the C-1 District
- 7) Includes lots in the C-1 District because residential is a permitted use.
- 8) Source: Brooks and Vogel, *Management Plan Update for Brooktrails Township Community Services District* November 1993, page 3-1.

Brooktrails Township parcels (excludes the golf course and Cobb area), expired on June 30, 1994. Prior to the expiration of the CC&Rs, the Mendocino County Board of Supervisors adopted Ordinance No. 3885 establishing a Development Review Board consisting of the District Board of Directors, responsible for development review of all new construction in the District, and further acting as an appeals board for discretionary appeals from decisions of an Architectural Review Commission appointed by the Board of Directors.<sup>2</sup> General standards for the exterior design of structures, landscape preservation, relationship between structures and site, building materials and colors and parking and circulation were included. The actual *Interim Site Development Standards* adopted by the Board on April 19, 1994 (Resolution 1994-16), were included in Ordinance No. 3885 by reference. Ordinance No. 3885 remains in effect. The Specific Plan carries over and contains community design standards in Chapter 10, *Community Design*, which will be periodically amended if and as necessary through a formalized process of five-year Specific Plan updates.

### 3.4 IMPLICATIONS OF GROWTH

In the future, with an increased population base, Brooktrails Township will face new issues and challenges. Some of these include:

- How can the Township maintain its rural character and be an attractive environment for families and individuals?
- How can the Township secure protection for and ensure the enhancement of its environmental resources?
- How can the Township strengthen its productive relationships with neighboring communities and jurisdictions?
- How can the Township ensure that community services and facilities remain on line to supply the necessary demand for service? 5) How can the Township consistently promote public safety?

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2. Ordinance No. 3885 specifically excluded the Spring Creek and Sylvandale subdivisions from development review by the Board.

- How can the Township avoid future traffic congestion so that residents can circulate freely within and through the community, all consistent with the *Preliminary Overall Goals and Objectives*?

Continued residential development in Brooktrails will intensify land use within the Township. Land use patterns would be expected to remain essentially unchanged, generally consistent with the existing zoning and lotting pattern, subject of course to zoning amendments as discussed further in this Plan. For example, further development will result in an increase in the number of homes built on existing parcels. However, as stated previously, Brooktrails was originally conceived as a 25 percent occupancy second-home, recreational community. Full buildout did not necessarily mean full occupancy at any one time and was not expected when Brooktrails was originally conceived. As such, buildout under current conditions of occupancy would involve much greater year-around use than was originally planned for.

Within Brooktrails, environmental conditions overlap with quality of life issues many residents have referred to in the past, including at the Community Congress held in October, 1994, and as explained in the *Community Vision Focus Group Report*, June, 1994. In addition, environmental factors play a key role in terms of the physical ability to construct residences in areas of steep slopes or in areas that are difficult to construct in because of other factors such as wetlands which are protected by law, unstable slopes which pose risk to property and life, or where other conditions of environmental concern exist such as the preservation of natural resources (habitat, mixed woodland forest) within the Township.

The potential environmental impacts resulting from an increased population base at Brooktrails would include increased traffic and the ability of the existing road system to accommodate increased traffic and congestion. There is also the potential for changes in air quality because of increased vehicle use, home heating, home cooling and wood burning emissions. Changes in noise levels could occur because of increases in traffic and human occupation. The alteration of existing visual conditions and effects on

community character resulting from growth and increased density would be expected. There could be potentially increased susceptibility to earth slides because of increased grading, constructing on steep slopes or constructing within unstable land areas. Potential changes in wildlife habitat because of forest and habitat removal to make way for construction, and potential increased sedimentation in streams and changes in water quality because of erosion and deposition of hazardous materials would also be expected.

With increased growth, there is also a direct correlation in increased demand on public services and utility systems, as well as the need for constructing new infrastructure (i.e., roads, water supply and treatment facilities, wastewater disposal facilities), and maintaining those systems. The growth inducement from constructing utility systems is to be considered with any amount of new development. These conditions and factors are considered in the EIR prepared for this Specific Plan.

This Specific Plan places emphasis on the development of a sociable, environmentally-planned residential community which is responsive to the stewardship of the natural forest ecosystem, consistent with the Vision Statement. Every Specific Plan has its own level of specificity that is in large measure a function of the size of the Specific Plan area, the number of property owners and jurisdictional entities involved and the time it will take for buildout according to the Specific Plan. For the size and complexity of the Township, this Plan is fairly specific -- setting forth in well defined terms not only the type, location and intensity of land uses, but also the desired character of the place to be created at buildout in the future.

The organization of the Township and the overall physical framework for development, as well as the scale and treatment of streets and open spaces had been laid out as a "Vacation Village" prior to preparation of this Plan as explained previously (see Section 3.1, *Historical Perspective*). However, this Plan details the concept of the Township as a year-around residential community and sets forth the goals and objectives governing community development, consistent with the *Vision Statement*. This Plan is not intended to be a rigid framework, but provides flexibility to respond to changes over time that are consistent with the Plan goals and policies. A Specific Plan may be updated at periodic

intervals, for example every five years if warranted, to reflect changes in community standards, rate of Township growth, use of natural and man-made resources, and general community concerns regarding quality of life issues.

### 3.5 TOWNSHIP BUILDOUT DETERMINANTS

As noted previously, the available water supply plays a critical role in determining buildout potential of the Township. Additionally, environmental limitations and the desire of community residents to preserve and protect existing environmental resources as expressed in the *Goals and Objectives* also play a critical role in determining buildout potential.

Other factors enter into consideration as to what the ultimate size and population of the Township would be most desirable. These include:

- Quality of life issues as perceived by Township residents;
- Traffic and the ability of the existing street network to support increased traffic as a result of growth within the Township;
- The various provisions of the Mendocino County General Plan respecting the supply of housing, land use, and public health and safety;
- Relationship of the Township to the Spring Creek and Sylvandale subdivisions;
- Existing environmental conditions that may or may not restrict development potential such as steep slopes, unstable slopes, hydrologic features; and sensitive habitat.<sup>3</sup>

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3. Toward this end, it should be noted that an Environmental Assessment was prepared for the TCSD in 1993. (EIP Associates, *Environmental Assessment, Brooktrails Township Community Services District*, Fall 1993.) The Environmental Assessment served as a preliminary step toward development of the Specific Plan. The information contained in the Environmental Assessment serves as background material that assisted in preparation of the Specific Plan. The purpose of the Environmental Assessment was to map and describe existing conditions within the Township by environmental issue area (i.e., Hydrology, Vegetation and Wildlife, Slopes, Geology, etc.), in the effort to assist in identifying environmental opportunities and constraints for future development. However, the findings of the Environmental Assessment are not intended to substitute or cancel the need for detailed site specific or project specific analysis under proposals for new development.

### 3.6 ALTERNATIVE DEVELOPMENT SCENARIOS

Up to and throughout preparation of this Plan, the Township Board of Directors has embraced a planning process which involved the public in helping to develop a new vision and plan for the future of the community. Prior to January 1995, members of the community had participated in two Community Congress meetings. The first community congress was held on October 9, 1993. Principal topics discussed at the all-day meeting included Township environmental resources, development and planning for the future. The second community congress was held on October 22, 1994. Principal topics discussed included community planning, activities undertaken by the Community Vision Focus Group, infrastructure costs and issues to be addressed in the Specific Plan. A Focus Group was formed to develop a vision for the community from a sign-up sheet which was circulated at the first Community Congress, and a Specific Plan Advisory Committee was formed by installing all comers who requested to be included. In addition, a Bay Area Focus Group meeting was held and a community survey of issues of concern to all lot owners and residents was conducted. The Board also has kept members of the public apprised of the planning process through regular newsletter. Members of the public have also shared their views at Board meetings and have submitted substantial correspondence to the Board of Directors.

In January of 1995, the Township Board of Directors initiated the process of forming a Specific Plan Advisory Committee consisting of Brooktrails property owners. In working with the Advisory Committee, the first step was to prepare and present for review a series of potential growth scenarios for Brooktrails Township, up to and including Township buildout as originally envisioned when Brooktrails was established. Five Alternative Development Scenarios were developed and presented for review and discussion, together with the criteria and considerations documenting the origin of each Scenario. The Scenarios included the following, and are presented in Appendix A of this Specific Plan, *Alternative Development Scenarios*.

- Fixed Growth Scenario #1: 2,000 Units (no Specific Plan project)
- Low Growth Scenario #2: 2,500 Units
- Medium Growth Scenario #3: 3,500 to 4,000 Units
- Medium-High Growth Scenario #4: 5,000 Units
- High Growth Scenario #5: 6,000 Units

The ultimate objective was for the Advisory Committee and Township Board of Directors to agree on a series of Development Scenarios for testing in terms of environmental practicality, consistency with the *Preliminary Goals and Objectives* as adopted by the Township Board of Directors, consistency with the provisions of the *Mendocino County General Plan*, and to assess each Scenario for economic feasibility.

Meetings involving the consultants and Advisory Committee members were held on the evenings of April 19 and April 26, 1995. The purpose of these meetings was for the consultants to present the Alternative Development Scenarios as developed to date and related information to the Advisory Committee, and record comments from the Advisory Committee Members regarding the Alternative Development Scenarios and related matters. As a result of these two meetings, the Committee provided recommendations regarding each of the various Alternative Development Scenarios, and adjustments were made accordingly.

Following the April 19 and April 26, 1995 Advisory Committee meetings, the Alternative Development Scenarios were presented to the Board of Directors for consideration on the evening of May 9, 1995 at the Brooktrails Community Center.

After presentation of the Alternative Development Scenarios, the Board approved the Development Scenarios, with modifications as recommended by the Advisory Committee, for feasibility testing, with the objective of selecting one community size for preparing the *Brooktrails Township Specific Plan*.

In a report prepared for the Township entitled *Alternative Development Scenarios and Feasibility Analysis*, July, 1995, it was concluded that Scenario #3B at 4,000 units would appear to provide an optimum balance between the need for environmental protection and the economic costs of expanding infrastructure and/or limiting growth. However, at the Board of Directors meeting held on August 8, 1995, the Advisory Committee voted for Scenario #4 as the preferred alternative at 5,000 units.

Several important criteria were pointed out regarding selection of a Development Scenario for preparing the Specific Plan.

- One of the key considerations, as reflected in the Vision Statement, is that the selected Development Scenario for preparing the Specific Plan would need to account for: "*...what the environment can sustainably support, while keeping within our prudent financial ability.*"
- From purely an environmental standpoint, of all the development options (excluding the Fixed Growth Scenario at 2,000 units), Low Growth Scenario #2 at 2,500 units would appear to be the environmentally superior alternative.
- The Vision Statement on the other hand, may point to a somewhat higher growth scenario (more than 2,500 units), as being the optimum community size based on economic reasons.
- The economic feasibility analysis for the Alternative Development Scenarios indicated that growth below 3,000 to 3,500 units would not be feasible.
- Scenario #3B would accomplish the following:
  - *Best offset infrastructure costs by a reduced level of development rights acquisition costs.*
  - *Create less appearance of an urban community than higher growth levels.*
  - *Allow for construction of the smallest size water reservoir.*
  - *Provide the optimum balance between the need for environmental protection and the costs of expanding infrastructure and limiting growth.*

Accordingly, at the September 12, 1995 meeting, by a four-to-one vote, Scenario #3B was selected by the Board as the Development Scenario on which to focus preparation of the Specific Plan.