DEPARTMENT: Board BY: Bob Pickard PHONE: 966-3222

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No_X___)

Authorize the Chairman of the Board of Supervisors to sign Letter of Opposition to SB 1521, which would require the Office of Planning and Research to develop a state model zoning ordinance that emphasizes land use policies that are economically, socially, and environmentally sustainable and that promotes specified concepts, and to make the ordinance available to cities and counties by January 1, 2004. It would require the office to review the ordinance and its use and implementation at least once every 5 years. This bill would require that any city or county that adopts and implements an ordinance that is deemed to be the same as or substantially comparable to the above described ordinance receive priority eligibility in the award of competitive grants for infrastructure, commercial or industrial development, or other economic development.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

If this bill is not opposed and is enacted, it would undermine statutory authority over local land use policy and decisions.
Mariposa County
Board of Supervisors

District 1......................PATTI A. REILLY
District 2......................DOUG BALMAIN
District 3................ROBERT C. STEWART
District 4................GARRY R. PARKER
District 5..................BOB PICKARD

April 30, 2002

The Honorable Sheila Kuehl
California State Senator
State Capitol, Room 4032
Sacramento, CA 95814

Re: Oppose SB 1521 (Kuehl)

Dear Senator Kuehl:

I regret to inform you that the Mariposa County Board of Supervisors is opposed to SB 1521. If enacted, this bill would undermine statutory authority over local land use policy and decisions. Mariposa County is currently in the process of updating its General Plan. This has been a major investment and a very inclusive process with numerous workshops and other fully open and transparent process meetings. The Board of Supervisors has prioritized scoping comments from approximately 500 of our 6,000 households and condensed them into 200 General Plan issues. Our Board believes that this process successfully determines what land use policies and goals should be in place for the next twenty years.

The Mariposa County Board of Supervisors is also opposed to the concept of a “state model zoning ordinance” as an instrument local jurisdictions would be required to adopt. Mariposa County believes the State best serves its citizens proposing cohesive statewide policy not local implementation such as zoning. The State could serve its cities and counties by proposing cohesive and consistent land use policy rather than imposing a zoning ordinance that may or may not even be applicable through out the various regions in California. Requiring State agencies to implement cross-agency consistent policies would go far to support effective, efficient, and intelligent local land use decisions.

Unless amended, our Board remains opposed to this bill. We hope you will incorporate the recommended voluntary use of the State’s model within general plan policy rather than zoning ordinances. Unless and until all State agencies are required to implement cross-agency consistent policies promoting smart growth, we would recommend dropping the competitive preference for State grants and other similar awards.

Sincerely,

Robert C. Stewart
Chairman

cc: Senator Chuck Poochigian
    Assembly Member Dave Cogdill
    Mariposa County Board of Supervisors
    Brent Harrington, RCRC