



MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2015-120

MEETING: March 17, 2015

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: Extension of Reporting Period for ZA 2014-078

RECOMMENDATION AND JUSTIFICATION:

Approve Extending the Planning Commission Reporting Period for Reconsideration of Zoning Ordinance Amendment No. 2014-078 from 91 Days to 133 Days.

Planning Department staff recommends the Board of Supervisors extend the required reporting period for the Planning Commission's review of amended text for Zoning Amendment (ZA) No. 2014-078 from ninety-one (91) days to one hundred and thirty three (133) days. This will enable the Planning Commission to complete their public hearing process; staff will schedule and notice a public hearing for the Board of Supervisors by or before 4/28/15 (a Board public hearing is tentatively scheduled for 4/14/15).

The Board of Supervisors established the 91-day reporting period for the Agricultural Advisory Committee (AAC) and Planning Commission's reconsideration of ZA No. 2014-078 at their meeting on 12/16/14. This reporting period ends on 3/17/15.

The AAC met and made a recommendation at their meeting on 1/22/15. Based on the AAC's recommendation, the staff report packet required considerable modification to include two options for the Planning Commission's consideration.

The Planning Commission conducted a noticed public hearing on 3/6/15. This hearing was continued to 3/20/15 due to technical issues associated with the County's e-mail system as the Commission was unable to consider e-mail input submitted within 18 hours of the hearing. Therefore it was not possible for the Commission to make their recommendation to the Board by the 3/17/15 deadline.

An extension of the reporting period is required pursuant to California Government Code (GC) Section 65857 (Planning and Zoning Law).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

6/24/14: Board of Supervisors adopted Resolution No. 2014-306 initiating amendments to Mariposa County Code Title 17 (ZA No. 2014-078).

11/25/14: Board of Supervisors adopted a resolution, waived the first reading and

introduced an ordinance approving ZA No. 2014-078.

12/16/14: Board of Supervisors rescinded action taken on 11/25/14 and referred the amendments (including amended text)

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:


Do not extend the reporting period. Pursuant to GC Section 65857:

"...Failure of the planning commission to report within forty (40) days after the reference, or such longer period as may be designated by the legislative body, shall be deemed to be approval of the proposed modification."

The Board may also choose to extend the reporting period for a longer time period.

CAO RECOMMENDATION

Requested Action Recommended



Mary Hoatson, CAO 3/12/2015

RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: John Carrier, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier