

MARIPOSA COUNTY

Planning · 209-966-5151



RESOLUTION - ACTION REQUESTED 2021-154

MEETING: March 23, 2021
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: 2020 General Plan Annual Report (County Project No. 2021-015)

RECOMMENDATION AND JUSTIFICATION:

PUBLIC HEARING: Consider Public Comments and Adopt a Resolution Accepting the 2020 General Plan Annual Report, Directing that the 2020 Annual Report be Filed with the State Office of Planning and Research (OPR) and the Department of Housing and Community Development (HCD), Establishing the 2021 Schedule of General Plan Amendments, and finding that the actions are exempt from environmental review. This action is recommended by the Planning Commission.

State law and County requirements direct the Planning Commission and the Board of Supervisors to review progress made during the past year (2020) in accomplishing the policies and implementation measures of the General Plan. The Annual Report must be submitted to two designated State agencies, OPR and HCD. The Board also needs to establish a schedule of times for considering proposed 2021 amendments to the General Plan.

As a result of the Board's review and recommendations, amendments to the action portion of the attached draft Board resolution may be necessary.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors adopted the General Plan in December of 2006. A number of minor amendments to the General Plan have been approved by the Board since 2006. The 2020 General Plan Annual Report summarizes progress made on implementation during 2020, and it proposes priorities and a schedule for considering General Plan amendments for 2021.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Failure to complete action on the General Plan Annual Report would put the County out of compliance with State law and with the requirements of the Mariposa County General Plan. Jurisdictions that are out of compliance may lose their ability to apply and obtain certain grants.

FINANCIAL IMPACT:

Resolution - Action Requested 2021-154

None

ATTACHMENTS:

2020 General Plan Annual Report (PDF)

Attachment 1 Housing-Annual Progress Report (PDF)

Attachment 2 Strategic Implementation Work Plan Task List (PDF)

General Plan Implementation Measures (PDF)

Draft Resolution (PDF)

Draft Notice of Exemption (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Miles Menetrey, District V Supervisor

SECONDER: Rosemarie Smallcombe, District I Supervisor

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

MARIPOSA COUNTY RESOLUTION NO. 21-154

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ACCEPTING THE 2020 GENERAL PLAN ANNUAL REPORT AND ESTABLISHING A SCHEDULE OF DATES EXPECTED FOR PUBLIC HEARINGS TO CONSIDER 2021 AMENDMENTS TO THE MARIPOSA COUNTY GENERAL PLAN

WHEREAS, the laws of the State of California require Mariposa County to adopt and maintain a General Plan to guide the long-term development of the County, pursuant to Government Code Section 65300 et seq.; and

WHEREAS, after six years of public workshops, policy drafts, plan revisions and final public hearings, the Board of Supervisors did adopt the Mariposa County General Plan on 18th day of December 2006; and

WHEREAS, State Government Code Section 65400(a)(2) requires that an annual report be prepared on the progress in the implementation of the General Plan, and the progress the County is making with regard to meeting its share of regional housing needs; and

WHEREAS, comments from all County Departments were requested with respect to their involvement in the implementation of the General Plan; and

WHEREAS, a duly noticed Planning Commission public hearing on the 2020 General Plan Annual Report was scheduled for the 26th day of February 2020; and

WHEREAS, the Planning Commission did hold a public hearing and workshop and considered the information provided by County Departments and in the public record, including the 2020 General Plan Annual Report; and

WHEREAS, Planning Commission adopted Resolution 2021-006, recommending that the Board of Supervisors accept the 2020 General Plan Annual Report and forward it to State Agencies; and

WHEREAS, General Plan policy 4-3a establishes that General Plan amendments shall be scheduled on a regular basis every year; and

WHEREAS, Implementation Measure 4-3a (1) and State law limit the times at which the adopted General Plan can be amended to no more than 4 times per year; and

WHEREAS, Implementation Measure 4-3a (2) provides that one of the four General Plan Amendment hearings shall be held for the use of the Board of Supervisors to adopt updates and modifications to the General Plan that are generated during the Annual Review; and

WHEREAS, the Planning Commission has reviewed this schedule and the Annual Report and recommended approval of the Schedule for General Plan Amendments on the 26th day of February 2021; and

WHEREAS, actual meeting dates in the Schedule of 2020 General Plan Amendments (Exhibit A) are approximated, and advisory, and will be established as public hearing dates when they are officially noticed and advertised; and

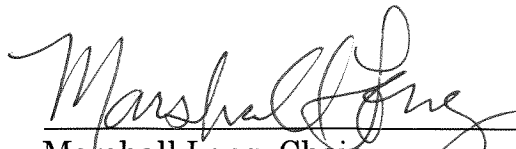
WHEREAS, it is in the public interest to have an adopted schedule of expected hearing dates to inform applicants, staff, advisory bodies and the public of the times at which they may expect to see changes considered to General Plan policies, and use diagrams or Area Plans.

NOW THEREFORE BE IT RESOLVED THAT the Board of Supervisors hereby adopts this Resolution accepting the 2020 General Plan Annual Report, and the Schedule included in Exhibit A as the schedule of dates expected to consider Mariposa County General Plan Amendments in 2021. The Board of Supervisors finds these actions to be categorically exempt from environmental review pursuant to the California Environmental Quality Act (CEQA) Guidelines, Section 15306.

BE IT FINALLY RESOLVED THAT the Board of Supervisors hereby directs the Planning Director to file the 2020 General Plan Annual Report to the Department of Housing and Community Development and the State Office of Planning and Research.

ON MOTION BY Supervisor Menetrey, seconded by Supervisor Smallcombe; this resolution is duly passed and adopted this 23rd day of March, 2021 by the following vote:

AYES: SMALLOMBE, SWEENEY, LONG, FORSYTHE, MENETREY
NOES: NONE



Marshall Long, Chair
Mariposa County Board of Supervisors

ATTEST:


René LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM:



Steven W. Dahlem
County Counsel

EXHIBIT A

Schedule of 2021 General Plan Amendments

	Applications	Application Deadline	Planning Commission Public Hearing	Board of Supervisors Public Hearing
	Review of 2020 Annual Report	n/a	February 26, 2021	To be determined
One - (private or public)	Applications submitted and completed by February 1, 2021	February 1	February 12	March 2
Two - (private or public)	Other applications submitted and completed by August 30, 2019	August 30	November 12*	December 14*
Three - (private or public)	Other applications submitted	TBD as necessary*	*	*
Four - (private or public)	Other applications submitted	TBD as necessary*	*	*

*Public hearing dates are not definite until they have been noticed and advertised.

MARIPOSA COUNTY NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FROM: Mariposa County
Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

Project Title: 2020 General Plan Annual Report (County Project No. 2021-015)

Project Location: Countywide

Description of Project: 2020 General Plan Annual Report (County Project No. 2021-015)

The 2020 Annual Report contains a review of the General Plan policies, programs and implementation measures that were addressed during the 2020 calendar year. It also describes planning activities that are in process or anticipated in 2021 through 2023 and subsequent years to achieve full consistency between General Plan policies and County development regulations.

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person/Agency Carrying Out Project: County of Mariposa

Exempt Status: Class 6 Categorical Exemption [Section 15306]

Reasons Why Project is Exempt: the Annual Report, does not create or alter policy; it is simply a reporting document. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

Lead Agency Contact Person: Alvaro Arias, Deputy Director

Phone Number: (209) 966-5151

Sarah Williams
Planning Director

Date

**MARIPOSA COUNTY
NOTICE OF EXEMPTION**

FILED

MAR 26 2021

**KEITH M. WILLIAMS
MARIPOSA COUNTY CLERK**

Karen M. Williams
KAREN M. WILLIAMS

**TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338**

**FROM: Mariposa County
Board of Supervisors
P.O. Box 784
Mariposa, CA 95338**

Project Title: 2020 General Plan Annual Report (County Project No. 2021-015)

Project Location: Countywide

Description of Project: 2020 General Plan Annual Report (County Project No. 2021-015)

The 2020 Annual Report contains a review of the General Plan policies, programs and implementation measures that were addressed during the 2020 calendar year. It also describes planning activities that are in process or anticipated in 2021 through 2023 and subsequent years to achieve full consistency between General Plan policies and County development regulations.

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person/Agency Carrying Out Project: County of Mariposa

Exempt Status: Class 6 Categorical Exemption [Section 15306]

Reasons Why Project is Exempt: The Annual Report, does not create or alter policy; it is simply a reporting document. The content is provided for informational purposes only, and is exempt from the requirements of the California Environmental Quality Act (CEQA) per Guidelines Section 15306.

Lead Agency Contact Person: Alvaro Arias, Deputy Director

Phone Number: (209) 966-5151



Sarah Williams
Planning Director

3/23/2021

Date



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

Print **Start Over** **Save**

RECEIPT NUMBER:
 22 — 03/26/2021 — 010
 STATE CLEARINGHOUSE NUMBER (If applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY Mariposa County Board of Supervisors	LEAD AGENCY EMAIL aarias@mariposacounty.org	DATE 03/26/2021
COUNTY/STATE AGENCY OF FILING Mariposa		DOCUMENT NUMBER 2021-015

PROJECT TITLE

2020 General Plan Annual Report (County Project No. 2021-15)

PROJECT APPLICANT NAME Mariposa County Board of Supervisors	PROJECT APPLICANT EMAIL aarias@mariposacounty.org	PHONE NUMBER (209) 966-5151
PROJECT APPLICANT ADDRESS PO Box 784	CITY Mariposa	STATE CA
		ZIP CODE 95338

PROJECT APPLICANT (Check appropriate box)

- Local Public Agency
 School District
 Other Special District
 State Agency
 Private Entity

CHECK APPLICABLE FEES:

- | | | | |
|---|------------|----|------|
| <input type="checkbox"/> Environmental Impact Report (EIR) | \$3,445.25 | \$ | 0.00 |
| <input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND) | \$2,480.25 | \$ | 0.00 |
| <input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW | \$1,171.25 | \$ | 0.00 |

- Exempt from fee
 Notice of Exemption (attach)
 CDFW No Effect Determination (attach)
 Fee previously paid (attach previously issued cash receipt copy)

- | | | | |
|---|----------|----|------|
| <input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only) | \$850.00 | \$ | 0.00 |
| <input checked="" type="checkbox"/> County documentary handling fee | | \$ | 0.00 |
| <input type="checkbox"/> Other | | \$ | |

PAYMENT METHOD:

- Cash
 Credit
 Check
 Other
 TOTAL RECEIVED
 \$ 0.00

SIGNATURE X Karen M Herman <small>Digitally signed by Karen M Herman Date: 2021.03.26 11:10:16 -07'00'</small>	AGENCY OF FILING PRINTED NAME AND TITLE Karen M. Herman, Deputy County Clerk, County of Mariposa
--	--



State of California - Department of Fish and Wildlife
2021 ENVIRONMENTAL FILING FEE CASH RECEIPT
 DFW 753.5a (REV. 01/01/21) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- Issue cash receipt to project applicant.
- Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a No Effect Determination signed by CDFW, also:

- Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- Issue cash receipt to project applicant.
- Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
 Accounting Services Branch
 P.O. Box 944209
 Sacramento, California 94244-2090