

Amador County Recorder
Kimberly L. Grady
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REQD BY BOARD OF SUPERVISORS
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Recording requested by:
BOARD OF SUPERVISORS
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BOARD OF SUPERVISORS

**BEFORE THE BOARD OF SUPERVISORS OF THE
COUNTY OF AMADOR, STATE OF CALIFORNIA**

IN THE MATTER OF:

RESOLUTION ADOPTING THE AMADOR COUNTY)
GENERAL PLAN UPDATE AND ITS) RESOLUTION NO. 16-116
IMPLEMENTATION PLAN (SCH NO. 2009072089))

WHEREAS the County of Amador (County) in 2006, initiated action to amend the Amador County General Plan pursuant to Government Code § 65300 et seq.; and

WHEREAS during the administrative proceedings for the General Plan Update (proposed project), various names have been used to refer to the General Plan amendment under review, including "Draft General Plan," "Draft General Plan Update," "Final General Plan Update", "Final General Plan Update," or simply "General Plan." All of these terms describe the General Plan Update that is the subject of this resolution; and

WHEREAS the Board of Supervisors of Amador County, pursuant to Government Code §65300 et seq., must adopt a comprehensive, long term General Plan for the physical development of the County; and

WHEREAS the General Plan Update addresses six of the seven mandatory general plan elements: land use, circulation, open space, conservation, safety, and noise (Government Code § 65302). The seventh mandatory element, the Housing Element, is required to be updated every five years and is following a separate schedule; and

WHEREAS the General Plan Update also includes optional economic development and governance elements; and

WHEREAS the County has prepared, as a General Plan attachment and separate document, an Implementation Plan describing the programs the County intends to use to achieve General Plan goals and policies; and

WHEREAS, prior to consideration at this Board hearing, the County sought out and incorporated public input throughout the preparation of the General Plan Update through extensive outreach and participation efforts. These efforts included information booths at the Italian Picnic and Amador County Fair in 2006; five Open Houses in September 2006 in Plymouth, Mace Meadows, Pine Grove, Ione, and Jackson; five public workshops between June and September, 2008; 27 General Plan Advisory Committee (GPAC) meetings from July 2006 through April 2008; and 16 Joint Panel Meetings beginning in October, 2008 and ending in July 2011, two of which were scoping sessions in August, 2009; and

WHEREAS in compliance with SB 18 of 2005 (Government Code § 65352.3) letters were sent to those Tribes on the Native American Heritage Center's list of contacts on September 25, 2005, April 4, 2006, December 1, 2006 and July 1, 2008, and no formal consultation resulted; and

WHEREAS, the Draft General Plan and its associated Draft Environmental Impact Report (EIR) were released on October 31, 2014 for review by public agencies, organizations, and members of the public; and

WHEREAS on December 2, 2014 and January 20, 2015, the Board and Planning Commission held two joint public meetings on the Draft EIR and Draft General Plan; and

WHEREAS the County provided the California Department of Forestry and Fire Protection a copy of the draft Safety Element for preliminary review on April 12, 2016, met to review those recommendations on May 19, 2016, and subsequently made changes to the Safety Element based on those recommendations; and

WHEREAS the County published a proposed Final Plan and posted it on its website on June 21, 2016; and

WHEREAS the proposed General Plan Update was submitted to the following agencies for review as required by Government Code § 65352:

- (1) Cities or counties within or abutting Amador County, and any special district which may be significantly affected as determined by the planning agency : El Dorado County, Sacramento County, San Joaquin County, Calaveras County, Alpine County, City of Plymouth, City of Sutter Creek, City of Ione, City of Jackson, City of Amador City, Amador Fire Protection District, Kirkwood Meadow Public Utility District, Lockwood Fire Protection District, Sutter Creek Fire Protection District, Jackson Valley Fire Protection District, Jackson Fire Department, Jackson Valley Irrigation District, River Pines Public Utility District, Drytown County Water District, Fiddletown Community Services District, Pine Acres Community Services District, Pine Grove Community Services District, Township #2 Public Cemetery District, Ione Memorial District, Ranch House Estates Community Services District, Volcano

Community Services District, Rabb Park Community Services District, Ridgewood Acres Community Services District, Sunset Heights Community Services District, East Bay Municipal Utility District, Amador Air District, Amador Resource Conservation District;

- (2) Unified school district with the area: Amador County Unified School District;
- (3) The local Agency Formation Commission: Amador Local Agency Formation Commission;
- (4) Areawide planning agency whose operations may be significantly affected as determined by the planning agency: Amador County Transportation Commission
- (5) A federal agency if its operations or lands within its jurisdiction may be significantly affected: U.S. Forest Service, Bureau of Land Management;
- (6) All branches of the U.S. Armed Forces providing a California mailing address to OPR: U.S. Air Force, U.S. Army, U.S. Navy, U.S. Marine Corps;
- (7) Public water system as defined in Health and Safety Code § 116275, with 3,000 or more service connections, that serves water to customers within the area: Amador Water Agency;
- (8) California Native American tribes with traditional lands located within the county: Buena Vista Rancheria of Me-wuk Indians, Calaveras Band of Mi-wuks, Ione Band of Miwok Indians, Jackson Rancheria Band of Miwuk Indians, Wilton Rancheria, Washoe Tribe of Nevada and California, and Ione Band of Indians;
- (9) The Central Valley Flood Protection Board; and

WHEREAS on June 22, 2016, pursuant to Government Code § 65302.5, the proposed General Plan Update was submitted to the California Department of Conservation – Geological Survey Division, the Board of Forestry and Fire Protection, Amador Fire Protection District, Kirkwood Meadow Public Utility District, Lockwood Fire Protection District, Sutter Creek Fire Protection District, Jackson Valley Fire Protection District, and Jackson Fire Department; and

WHEREAS in addition to these required notifications, notification of the proposed General Plan Update was also provided to: Amador County Airport Land Use Commission, California Department of Forestry and Fire Protection, Amador Regional Sanitation Authority, Pacific Gas and Electric, AT&T, LIFT, ARC, Child Care Council, Volcano Telephone Company, California Division of Aeronautics, California Department of Transportation, California Highway Patrol, Department of Water Resources, U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, Amador Dry Creek Watershed Council, Upper Mokelumne River Watershed Council, Central Sierra Resource Conservation and Development Council, Pine Grove Youth Conservation Camp, Farm Bureau, American Legion Ambulance, ComCast, California Air Resources Board, Office of the Attorney General, Amador Land Trust, Sierra Nevada Conservancy, Sutter Amador Hospital, Mule Creek State Prison, , Chamber of Commerce, Amador Tuolumne Community Action Agency, Commission on Aging, Amador County Public Works and Transportation, Amador County Environmental Health Department,

Amador County Health and Human Services, Amador County Airport, Amador County General Services Agency, Amador Transit, Amador County Sheriff's Office, Amador County Agricultural Department, Amador County Recreation Agency; and

WHEREAS the Planning Commission held a duly noticed public hearing on July 19, 2016 to consider whether to recommend that the Board adopt the proposed Final General Plan after certifying the Final EIR pursuant to California Environmental Quality Act (CEQA) Guidelines § 15090 and adopting CEQA Findings, a Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Program (MMRP). At this hearing the Planning Commission reviewed public comments on the General Plan, staff responses to those comments, and Errata to the FEIR, General Plan, and Implementation Plan; and

WHEREAS the Planning Commission continued the recommendation item described in the previous paragraph to its August 23, 2016 meeting. At this meeting the Planning Commission reviewed additional public comments on the General Plan, staff responses to those comments, and revised Errata to the General Plan; and

WHEREAS the Planning Commission at its August 23, 2016 meeting recommended that the Board adopt the proposed Final General Plan with Errata, after certifying the Final EIR pursuant to CEQA Guidelines § 15090 and adopting CEQA Findings, a Statement of Overriding Considerations, and the MMRP; and

WHEREAS pursuant to Government Code § 65302.5(b), on August 23, 2016 the Board of Forestry and Fire Protection submitted additional recommendations for the Safety Element, and staff has proposed Safety Element errata for Board consideration that incorporate these recommendations; and

WHEREAS the Board held a duly noticed public hearing on October 4, 2016, at which via separate resolution it certified the Final EIR and adopted CEQA Findings, a Statement of Overriding Considerations, and the MMRP; and

WHEREAS at the October 4, 2016 public hearing, the Board then considered whether to adopt the proposed Final General Plan. The notice for this public hearing met the requirements of Government Code §§ 65355, 65090, 65091 and 65092. At this hearing the Board considered the record before the Planning Commission and the Planning Commission's recommendations, and reviewed additional public comments on the General Plan, staff responses to those comments, revised Errata to the General Plan; and

WHEREAS, the General Plan Update consists of the Amador County Final General Plan document dated July 2016 and Errata to the General Plan, meets all applicable Government Code and other statutory requirements, and incorporates mitigation measures that were adopted in the CEQA Findings (see CEQA Guidelines §15091(a)(1)); and

WHEREAS the Board has decided to act on the Planning Commission's August 23, 2016 recommendation to approve the General Plan Update, and has proposed no substantial modifications to the General Plan Update version that was previously considered by the Planning Commission; and

WHEREAS the Implementation Plan (a separate document that is not a formal component of the General Plan) consists of the Amador County Final Implementation Plan dated July 2016 and Errata to the Implementation Plan; and

WHEREAS the Implementation Plan is a guide to implementation and not a formal part of the General Plan, except that implementation programs that are also adopted mitigation measures are incorporated into the General Plan (see CEQA Guidelines § 15126.4(a)(2)).

NOW THEREFORE BE IT RESOLVED that the above recitals are true and correct, and are incorporated fully by this reference; and

BE IT FURTHER RESOLVED that the General Plan Update adopted in this resolution is essential for the preservation of public health, safety, and general welfare and is in compliance with all applicable procedures required by state law and the County; and

BE IT FURTHER RESOLVED that pursuant to Government Code § 65302.5(b), the Board has considered Board of Forestry and Fire Protection's recommendations for the Safety Element, and proposes to incorporate them into the Safety Element; and

BE IT FURTHER RESOLVED that the Board adopts the General Plan Update, which includes Errata to the General Plan dated September 21, 2016 and additional Errata added October 4, 2016. The General Plan Update (Exhibit 1) is herein incorporated by reference; and

BE IT FURTHER RESOLVED that the General Plan Update Elements comprise an integrated, internally consistent, and compatible statement of policies in compliance with Government Code § 65300.5; and

BE IT FURTHER RESOLVED the Housing Element adopted on July 14, 2015 is internally consistent and compatible with the General Plan Update; and

BE IT FURTHER RESOLVED that the Board adopts, as a separate document that is not a formal component of the General Plan, the Implementation Plan, which includes Errata to the Implementation Plan dated September 21, 2016. The Implementation Plan (Exhibit 2) is herein incorporated by reference.

The foregoing resolution was duly passed and adopted by the Board of Supervisors of the County of Amador at a regular meeting thereof, held on the 4th day of October 2016, by the following vote:

AYES: John Plasse, Louis D. Boitano, Richard M. Forster and Brian Oneto

NOES: Lynn A. Morgan

ABSENT: None



John Plasse, Chairman, Board of Supervisors

ATTEST:

JENNIFER BURNS, Clerk of the

Board of Supervisors, Amador County,

California



Clerk

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

State of California
County of Amador)

On October 4, 2016, before me, Jennifer Burns, Clerk of the Board of Supervisors Personally appeared John Plasse, Chairman of the Board of Supervisors, who proved to me on the basis of satisfactory evidence to be the person (s) whose name (s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/he/their authorized capacity (ies), and that by his/her/their signature (s) on the instrument the person (s), or the entity upon behalf of which the person (s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Jennifer Burns



END OF DOCUMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

ACKNOWLEDGMENT

State of California
County of Amador)

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I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Jennifer Burns



END OF DOCUMENT

EXHIBIT 1

AMADOR COUNTY GENERAL PLAN

Exhibit 1 referenced in Resolution No. 16-116, which consists of the General Plan Update, including the Errata to the General Plan dated September 21, 2016 and additional Errata dated October 4, 2016, as adopted by the Board of Supervisors on October 4, 2016, is on file and publicly available at the Amador County Planning Department.

EXHIBIT 2

AMADOR COUNTY IMPLEMENTATION PLAN

Exhibit 2 referenced in Resolution No. 16-116, which consists of the Implementation Plan, including the Errata to the Implementation Plan dated September 21, 2016, as adopted by the Board of Supervisors on October 4, 2016, is on file and publicly available at the Amador County Planning Department.

END OF DOCUMENT

Resolution No. 16-116

Exhibit 1 – General Plan and Errata

and

Exhibit 2 - Implementation Plan and Errata
can be found in the General Plan Update file

in the General Files

and in the G:drive

(G:BOS/WPFILES/General Plan/2016)