



CALAVERAS COUNTY BOARD OF SUPERVISORS AGENDA SUBMITTAL

Short Name/Subject Valley Springs Community Plan & General Plan Amendment	Board Meeting Date September 22, 2020	Agenda Number 35
Dept: Planning Contact: Peter Maurer Preparer: Peter Maurer Phone: (209) 754-6394	Supervisory District Number District 1	Regular Agenda
Published Notice Required? Yes Public Hearing Required? Yes		Estimated Time: 45 Minutes
Type of Document? Resolution PowerPoint Presentation Included? No Budget Transfer Included (Must be signed by Auditor)? No Complete Agreement Required? No Position Allocation Change? No		

RECOMMENDATION:

Adopt a resolution amending the General Plan to add a Valley Springs section and policies and other amendments to the Community Planning Element.

DISCUSSION/SUMMARY:

On November 12, 2019 the Board of Supervisors adopted the Calaveras County General Plan. The Plan included a Community Planning Element that contains a description of and policies relating to several of the unique communities in the County. This element also provides for the opportunity to add communities for which descriptions and policies had not been completed by the time that the County was ready to adopt the General Plan as a whole. Two communities that were identified as those whose citizens desired to be included were Valley Springs and Copperopolis. Many hours of staff and citizen effort had been previously spent on developing policy language in the form of separate community plans. At a study session in January, 2020, the Board of Supervisors identified a number of priorities for General Plan implementation. High amongst those priorities were completing plan policies for Valley Springs.

Development of plan policies for Valley Springs goes back many years. In 2008 the Calaveras Council of Governments (CCOG) received a Caltrans grant to develop a plan for Valley Springs. A draft plan was developed with much community input, but not without controversy. The planning area included the Rancho Calaveras community, and an alternative plan was developed by a group of citizens that did not agree with the content and direction of the CCOG plan. Both planning efforts were ultimately shelved as the Planning Department focused on completion of the county-wide General Plan. In 2014 the Board of Supervisors provided direction to the Planning Department to complete the General Plan update without including community plans. This direction was reversed in 2015, with revised direction to include the District 2 communities, and any other community plans that had had sufficient work completed to be incorporated into the General Plan without significant delays.

While the Planning Commission conducted hearings on the Draft General Plan in 2015 and 2016, staff worked to refine and revise the community plans that were ready to be incorporated into the plan. Hearings on the Community Planning Element were conducted in late 2016.

As staff and the Planning Commission neared the completion of those hearings, citizens from Valley Springs approached staff with a proposal to combine the two previously developed plan alternatives. Staff agreed to consider this, and after review with citizens representing the CCOG plan, developed a draft that was scheduled to be heard by the Planning Commission in January, 2017. This draft, however, was pulled from the calendar, and the General Plan was adopted without including Valley Springs.

Earlier this year, staff reactivated finalizing the Valley Springs area policies, based on the Board direction in January. A two-month window was provided to solicit comments from the community during May and June. Final edits to the draft plan were then made by staff. On August 27, 2020 the Planning Commission reviewed the draft plan, essentially going line by line through the policies and editing them. Citizen input was provided by a representative from the organization MyValleySprings.com. No other public participated in the hearing, although a number of letters were submitted prior to the hearing to both the Planning Commission and the Board of Supervisors supporting adoption of the plan.

The policies included in this amendment supplement all of the other policies contained in the General Plan and are not intended to be a substitute for any of them. The land use map is not proposed to be amended, so there is no change in density or intensity of development.

In addition to adding the Valley Springs section to the element, the Planning Commission recommended two other minor modifications to the general provisions of the Community Planning Element. These are to add Policy CP 1.4 which is intended to explain how these policies are applied, and to replace the Land Use Designation Legend with an updated one that shows the Community Area Boundaries more clearly. The new policy reads as follows:

CP 1.4 Policies contained in this element for each community plan shall apply to those areas within the respective Community Area Boundary as depicted on the Land Use Map.

An Environmental Impact Report was prepared for the General Plan and certified when the Board adopted the plan in November, 2019 (State Clearinghouse #2017012043). A number of impacts were found to be significant, and while mitigation measures were added to the plan to reduce those impacts, many were found to still be significant and unavoidable as a result of implementing the plan. The Draft and Final EIR may be viewed or downloaded at: <https://planning.calaverasgov.us/General-Plan#gsc.tab=0>. Copies of the EIR are also available at the Planning Department for review or purchase.

An addendum to that EIR has been prepared pursuant to Section 15164 of the CEQA Guidelines and is provided as an attachment. This addendum found that the proposed amendment would not create new or expanded impacts, no new information was available that would change the previous findings, and the findings required in CEQA could be made for utilization of an addendum. Pursuant to Section 15164(d) the decision-making body must consider the addendum when making a decision on the project.

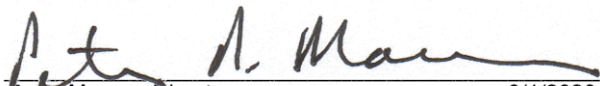
FINANCING:

The cost of preparing the plan amendment has been borne by the Planning Department as a part of its long range planning activities, supported by the General Fund. Much of the work was done in previous years.

ALTERNATIVES:

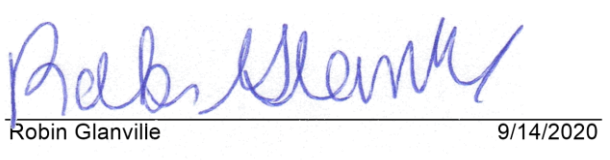
The Board of Supervisors may adopt the General Plan amendment as recommended by the Planning Commission, make amendments to the policies and text of the amendment, or decide not to adopt the amendment.

APPROVED BY:


Peter Maurer, Director 9/1/2020


Albert Alt, County Administrative Officer 9/10/2020


Julie Moss-Lewis, Deputy County Counsel 9/10/2020


Robin Glanville 9/14/2020

BOARD OF SUPERVISORS, COUNTY OF CALAVERAS
STATE OF CALIFORNIA
September 22, 2020

Resolution
No. (ID # 5538)

**A RESOLUTION APPROVING THE ADDENDUM TO THE
EIR FOR THE GENERAL PLAN (SCH# 2017012043) AND
ADOPTING AN AMENDMENT TO THE COMMUNITY
PLANNING ELEMENT OF THE GENERAL PLAN ADDING A
DESCRIPTION AND POLICIES FOR THE VALLEY SPRINGS
COMMUNITY**

WHEREAS, on November 12, 2019, the Calaveras County Board of Supervisors certified the Environmental Impact Report (SCH# 2017012043) and adopted the Calaveras County General Plan; and

WHEREAS, in January 2020, the Calaveras County Board of Supervisors identified priorities for implementing the General Plan, one of which was adopting policies for the Valley Springs community; and

WHEREAS, staff prepared an addendum to the EIR which was considered by the Board of Supervisors; and

WHEREAS, the Planning Commission conducted a public hearing on August 27, 2020 and adopted Resolution 2020-016, recommending that the Board of Supervisors approve the addendum to the EIR and adopt the General Plan Amendment; and

WHEREAS, the Board of Supervisors considered all of the information presented to it, including its Staff Report and public testimony presented in writing and at the meeting.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors of the County of Calaveras 1) approves the addendum to the EIR for the General Plan; and 2) approves Project 2020-036, an amendment to the Community Planning Element of the General Plan to add a description and policies for the Valley Springs Community, based on the following findings:

1. The addendum to the Environmental Impact Report (EIR) for the General Plan (SCH# 2017012043) complies with the requirements of CEQA.

Evidence: Pursuant to Section 15164 of the State CEQA Guidelines, an addendum to a previously certified EIR may be prepared if changes to a project are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred. These conditions are as follows:

(a) *When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*

(1) *Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

The amendment to the General Plan will not involve new significant environmental effect or a substantial increase in the severity of the previously identified effects. The Valley

Springs policies enhance policies in the General Plan that apply county-wide and would further protect environmental resources.

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

No changes in circumstances under which the project was undertaken have occurred. The General Plan was adopted in November, 2019 and little development has occurred since that time. No changes to the land use map have been made.

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

No new significant effects have been identified that was not known or could have been known at the time of certification of the previous EIR.

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

The addendum demonstrates that the significant effects previously examined will not be more severe than shown in the previous EIR.

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

No mitigation measures found not to be feasible in the previous EIR in fact would be feasible and would substantially reduce one or more significant effects on the environment.

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

No mitigation measures considerably different from those analyzed in the previous EIR have been identified that would reduce one or more significant effects on the environment.

2. The proposed amendment is internally consistent with the General Plan.

Evidence: The proposed policies of the community of Valley Springs compliment the policies contained within the other elements of the General Plan. Implementation measures that are applicable county-wide can be utilized to implement the Valley Springs community policies.

Chair

ATTEST

Rebecca Turner, Ex-Officio Clerk
of the Board of Supervisors, County of Calaveras

Deputy Clerk