



# MARIPOSA COUNTY

Planning • 209-966-5151



## RESOLUTION - ACTION REQUESTED 2019-721

MEETING: December 17, 2019  
TO: The Board of Supervisors  
FROM: Sarah Williams, Planning Director  
RE: Amend Catheys Valley Community Planning Advisory Committee By-Laws

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### RECOMMENDATION AND JUSTIFICATION:

Approve amendments to the Catheys Valley Community Planning Advisory Committee (CVCPAC) By-Laws to eliminate CVCPAC authority to review projects on lands within the Agriculture/Working Landscape (AWL) Land Use Classification within the boundaries of the Catheys Valley Community Plan (CVCP).

The Board of Supervisors directed Planning to process this amendment to Article II (Purposes of Committee) at their meeting on November 26, 2019.

### BACKGROUND AND HISTORY OF BOARD ACTIONS:

**December 4, 2012:** The Board of Supervisors approved the CVCP via Resolution No. 2012-593. The AWL Land Use Classification in the CVCP references the General Plan, as the Board of Supervisors directed that the policies for agriculture lands within the CVCP be exactly the same as the policies for agriculture lands in the Mariposa County General Plan.

**March 8, 2016:** The Board of Supervisors approved the CVCPAC by-laws via Resolution No. 2016-112.

**November 26, 2019:** The Board of Supervisors considered the CVCPAC's recommendation to initiate amendments to the CVCP, including significant plan area boundary amendments and text amendments. The Board of Supervisors directed Planning staff to process amendments to the committee's by-laws, as an alternative to the recommended plan area boundary amendments.

The Board's action on November 26, 2019 also included direction to Planning staff to process amendments to CVCP text that defines the types of businesses that would be appropriate in the Community Commercial Land Use Classification. That aspect of the Board's direction to staff will be processed separately at a future date.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

**Alternative:** Make other modifications to the draft amended by-laws

**Negative action:** Do not approve amendments to the CVCPAC By-Laws. The CVCPAC would retain authority to review discretionary projects on lands within the

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AWL Land Use within the boundaries of the CVCP.

**ATTACHMENTS:**

**191217 DRAFT Amended CVCPAC By-Laws (DOC)**

**RESULT: ADOPTED BY CONSENT VOTE [UNANIMOUS]**

**MOVER:** Marshall Long, District III Supervisor

**SECONDER:** Merlin Jones, District II Supervisor

**AYES:** Smallcombe, Jones, Long, Cann, Menetrey

# Catheys Valley Community Planning Advisory Committee

## By-Laws

### Article I Name of Organization

**Section 1:** The name of this organization shall be the Catheys Valley Community Planning Advisory Committee (hereinafter referred to as “the Committee”), as authorized by Section 2.50.100C of the Mariposa County Code and Resolution No. 2003-438.

### Article II Purposes of the Committee

**Section 1:** The Committee has the following purposes:

- (a) to prepare and recommend a Community Plan,
- (b) to prepare and recommend applicable implementation regulations – such as zoning and design review – for the Plan to be adopted by the Board of Supervisors, and
- (c) to make recommendations to the Planning Commission and the Board of Supervisors as follows:
  - i. Discretionary and legislative projects and significant design review projects on lands within the Community Commercial Land Use classification,
  - ii. Discretionary and legislative projects on lands within the Community Residential Land Use, and
  - iii. Discretionary and legislative projects on lands within the Residential Land Use classifications.
- (d) The Committee shall have no authority or role in reviewing any projects on lands within the Agriculture/Working Landscape Land Use classification.

**Section 2:** The mission of the Committee is to represent the views and interests of the Catheys Valley Planning Area in a credible, conscientious, and fair manner.

### Article III Members

**Section 1:** Membership on the Committee shall consist of nine (9) voting members appointed by the Board of Supervisors. The members of the Committee shall be comprised of members who shall be from one of the following groups:

- a) Property owners within the Catheys Valley Planning Area, or
- b) Owners of businesses located within the Catheys Valley Planning Area, or
- c) Employees of businesses located within the Catheys Valley Planning Area, or
- d) Electors registered to vote within the Catheys Valley Planning Area, or
- e) Residents of the Catheys Valley Planning Area.

**Section 2:** Ex-officio non-voting members appointed by the Board of Supervisors may include but are not limited to:

- a) the Board of Supervisors member from the Supervisorial District which includes Catheys Valley;
- b) the Planning Commissioner and the Parks and Recreation Commissioner from the Supervisorial District which includes Catheys Valley; and
- c) a representative from any of the following: California Department of Forestry and Fire Protection (CalFire), Mariposa County Fire Department, Mariposa County Public Works Department, and Mariposa County Planning Department.

Attendance of an ex-officio member may be requested in advance of any meeting of the committee.

**Section 3:** Committee members shall be appointed to staggered two-year terms and may be reappointed by the Board of Supervisors without term limitations. All terms shall expire upon the last day of February of the appropriate year. Committee members' terms shall be governed by Mariposa County Code, Section 2.50.100.C.

**Section 4:** Committee members shall provide advance notice to the Chair if they are unable to attend a meeting. The Chair shall determine if the absence is excused or un-excused. If a member fails to attend two consecutive meetings without a valid excuse for those absences, the Chair shall refer the matter to the County Supervisor of District III with a recommendation as to whether the member should remain on the Committee.

#### **Article IV Officers**

**Section 1:** Officers of the Committee shall consist of the Chair, the Vice-Chair, and the Secretary; to serve one year terms or until the successor of each is appointed and qualified.

**Section 2:** The Chair shall preside at all meetings of the Committee and shall perform all duties necessary or incidental to the office, including approval of the agenda topics for all such meetings.

**Section 3:** The Chair (or designee) shall represent the Committee at other public meetings and community events. The Chair shall only provide such representation based upon action taken by the Committee at a regularly scheduled meeting of the Committee in which a quorum was present.

**Section 4:** The Vice-Chair is Chair in the absence or inability of the Chair to act. The Secretary is Chair in the absence or inability of both the Chair and Vice-Chair to act.

**Section 5:** The Secretary shall prepare draft minutes of the meetings. The Secretary shall provide draft meeting minutes to the Planning Department within one week after the meeting. The Secretary shall provide final (approved) meeting minutes to the Planning Department within one week of approval.

**Section 6:** The Committee may request that the Planning Director (or the Planning Director's designee) serve as Secretary, provided that the Planning Director has staff and resources available for the purpose of preparing brief minutes. The Planning Director (or designee) shall be responsible for posting and distributing the agenda and agenda packets. The Planning Director (or the Planning Director's designee) is responsible for recording the meeting and the archival storage of the audio.

**Section 6:** At the first scheduled meeting of each year, the Committee shall elect officers. Members will assume office immediately at that time.

### **Article V Ad-Hoc Study Committees**

**Section 1:** At its discretion, and by a majority vote, the Committee may appoint members of the Committee to study specific items as determined by the Committee. The membership of any ad-hoc study committee may not comprise a quorum of the Committee.

**Section 2:** Ad-Hoc Study Committees may make recommendations and submit them to the Committee for review and possible action.

**Section 3:** Ad-Hoc Study Committees may include participants who are not Committee members, but whose participation is deemed valuable to the subject being studied.

### **Article VI Meetings**

**Section 1:** All meetings of the Committee are open to the public. Members of the public may bring matters to the attention of the Committee, express opinions and request action. No action will be taken on items not on the agenda. Meetings of the Committee shall be subject to the provisions of the California Open Meeting Law (Brown Act) and shall be conducted in accordance with Robert's Rules of Order.

**Section 2:** Meetings shall be held at the call of the Chair or at the request of the majority of the Committee members. The Committee may consider an annual schedule of meetings for the coming year at its final meeting of the calendar year. If regular monthly meetings are not needed, meetings may be scheduled on an as-needed basis. Scheduling of "as-needed" meetings shall be coordinated by the Planning Director (or designee) and the Chair.

**Section 3:** Notice of Committee meetings shall be posted and published not less than fourteen (14) days prior to the date of the meeting at the following locations:

- a) The Planning Department internet site,
- b) The Mariposa County Government Center,
- c) The Catheys Valley Post Office,
- d) The meeting location, and
- e) Publication shall occur in a newspaper of general circulation

The Planning Director may supplement required notifications in any manner deemed appropriate for the content of the proposed agenda.

**Section 4:** An agenda shall be posted at the meeting location at least 72 hours prior to any regular meeting by the Chair (or designee).

**Section 5:** A quorum for a duly held meeting and for action on any item shall consist of a majority of the voting Committee members.

**Section 6:** At the discretion of the Chair, or upon request of a Committee member, public input on matters being considered by the Committee may be time-limited in order to allow for participation from all members of the public present who would like to speak, or for adequate deliberation by the Committee before making a decision.

**Section 7:** Every decision made by a majority of the members present at a duly held meeting, at which a quorum is present, shall be regarded as a decision of the entire Committee.

**Section 8:** An item on the agenda may, unless otherwise provided by ordinance, be continued to the next scheduled or to a subsequent meeting of the Committee, the date, time, and location to be specified. A regular meeting will be adjourned when all of the agenda items have been discussed.

## **Article VII Correspondence**

**Section 1:** All correspondence received by any Committee member regarding matters being considered by the Committee shall be forwarded to the Chair for distribution to all Committee members.

**Section 2:** Upon receipt of any correspondence directed to the activities or responsibilities of the Committee, the Chair shall place the correspondence on the agenda of the next regularly scheduled meeting, time permitting, for discussion by the Committee.

**Section 3:** The Chair (or designee) shall reply to any correspondence, or refer the correspondence to the Mariposa County Planning Commission or Board of Supervisors, based upon action taken by the Committee at a meeting in which a quorum is present.

## **Article VIII Amendments**

**Section 1:** These by-laws and any amendments to these by-laws may be approved only at a regular meeting of the Committee.

**Section 2:** These by-laws and any amendment approved by the Committee will be submitted to the Board of Supervisors for review and final approval.