

WHAT IS A GENERAL PLAN?

California law requires that each county and city in the state develop and adopt a General Plan. The General Plan consists of a statement of development policies and includes a diagram or diagrams and text setting forth objectives, principles standards, and plan proposals. It is a comprehensive long-term plan for the physical development of the county or city. In this sense, it is a "blueprint" for development.

The General Plan must contain seven (7) state-mandated elements. It may also contain any other elements that the legislative body of the county or city wishes to adopt. The seven (7) mandated elements are: Land Use, Open Space, Conservation, Housing, Circulation, Noise, and Safety. The General Plan may be adopted in any form deemed appropriate or convenient by the legislative body of the county or city, including the combining of elements. The Madera County General Plan consists of the seven (7) mandated elements.

By law, the legislative body of the county or city can amend any mandatory element of the General Plan only four (4) times a year. Accordingly, the Planning Department staff schedules four (4) "windows" per year to consider amendments to the General Plan.

WHAT ARE THE SUBMITTAL REQUIREMENTS FOR A General Plan AMENDMENT?

Applications for a General Plan Amendment may be obtained online, at the Planning Department counter, or mailed upon request. Submittal requirements include the payment of filing fees, authorization of the property owner, a site plan, and operational statement.

The California Environmental Quality Act (CEQA) requires that an environmental evaluation be prepared for some types of projects. The environmental evaluation can take the form of a Negative Declaration, a Mitigated Negative Declaration, or an Environmental Impact Report. General Plan amendments require environmental evaluation. Technical reports such as biological reports, traffic studies, archaeological reports and groundwater studies may also be required when an environmental evaluation is performed.

WHAT IS THE PROCESS THE General Plan AMENDMENT APPLICATION GOES THROUGH?

After the General Plan amendment application is accepted as complete, work begins on determining the appropriate type of environmental document for the project. Information is sent to various local, state, federal, and private agencies asking for their comments. The application is also scheduled for review by the Environmental Committee.

Upon receipt of those comments, an Initial Study is performed and the environmental document is prepared. On completion of the environmental document, the request is set for public hearing before the Madera County Planning Commission.

Completed applications will be set for a public hearing before the Planning Commission and the Board of Supervisors. The Planning Commission meets the first Tuesday (excluding holidays) of every month, and the meetings begin at 6:00 p.m. When the Planning Commission concludes its hearing, a recommendation is made, and the amendment request is scheduled for a hearing before the Board of Supervisors.

Property owners within 300 feet of the site are notified of each hearing by mail, and the proposal is advertised in the locally circulated newspaper. Prior to the hearing, a staff report is prepared that contains information regarding any proposed use, an analysis of the project's potential relationship with surrounding properties and uses, and a recommendation. Applicants are strongly encouraged to question anything that is unclear or confusing. Copies of the staff report are normally available one (1) week prior to the public hearing.

HOW LONG DOES THE PROCESS TAKE?

In cases where an environmental evaluation is required, a committee of various staff members from county agencies will perform the review at an informal meeting (Environmental Committee). Applicants will be contacted and invited to participate. A typical amendment will require approximately three to four months to process from the time the application is completed. If a Negative Declaration is required, processing time will be five (5) to six (6) months, and if an Environmental Impact Report is necessary, applicants should allow ten (10) to twelve (12) months.

AFTER THE PROJECT IS APPROVED, WHAT FOLLOWS?

Unless there are special conditions attached to a project, the approval of a General Plan amendment is generally effective thirty (30) days after the decision of the Board of Supervisors. Approval of a General Plan amendment does not, however, immediately entitle an applicant to a building permit or other type of permit. There may be other ordinances or permit requirements that must be complied with before the applicant can do what is necessary to complete the project. Before permits can be obtained, the applicant will have to demonstrate that any conditions of approval which must be satisfied prior to further implementation of the project have been satisfied.

Staff is available to answer any questions you may have regarding the Madera County General Plan and the amendment process. Please telephone (559) 675-7821 if the Department can be of assistance.