RECOMMENDED ACTION AND JUSTIFICATION: State law and County requirements direct the Planning Commission and the Board of Supervisors to review progress made during the past year (2007) 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 2008 amendments to the General Plan.

BACKGROUND AND HISTORY OF BOARD ACTIONS: The Board of Supervisors adopted the General Plan in December, 2006. The plan has been in effect during calendar year 2007. The 2008 Annual Report (the first such annual review since the adoption of the General Plan) summarizes progress made on implementation during 2007, and it proposes priorities and a schedule for considering General Plan Amendments for 2008.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: Failure to complete action on the Annual Report would put the County out of compliance with State law and with the requirements of the Mariposa County General Plan.

Financial Impact? ( ) Yes (x) No Current FY Cost: $  Annual Recurring Cost: $
Budgeted In Current FY? (x) Yes ( ) No ( ) Partially Funded
Amount in Budget: $  
Additional Funding Needed: $  

List Attachments, number pages consecutively

1. Staff report from Kris Schenk, Mariposa Planning Director
2. Board of Supervisors' Resolution No. 07-102
3. General Plan: Table 5-1 Planning Areas and Area Plan Status
4. Short-Term Implementation Measures from the General Plan EIR Mitigation Monitoring and Reporting Program (MMRP)
5. General Plan Appendix C, Future Considerations
6. Government Code Sections 65400 and 65583
7. Public comments letter
8. Planning Commission minutes from March 7, 2008
10. Resolution Establishing the 2008 Schedule of General Plan Amendments

The foregoing instrument is a correct copy of the original on file in this office.
Revised Dec. 2002
MARIPOSA COUNTY RESOLUTION NO. 08-128

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ESTABLISHING A SCHEDULE OF DATES EXPECTED FOR PUBLIC HEARINGS TO CONSIDER 2008 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 December 18, 2006; 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 March 21, 2008; and

WHEREAS, actual meeting dates in the Schedule of 2008 General Plan Amendments (Exhibit A) are approximate, and advisory, and will be finally established as public hearing dates 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, land use diagrams or Area Plans.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby adopts this Resolution and the Schedule included in Exhibit A as the schedule of dates expected to consider Mariposa County General Plan Amendments in 2008.

ON MOTION BY Supervisor Bibby, seconded by Supervisor Pickard, this resolution is duly passed and adopted this 1st day of April, 2008 by the following vote:
AYES:  ABORN, TURPIN, BIBBY, FRITZ, PICKARD

NOES:  NONE

ABSENT:  NONE

ABSTAIN:  NONE

Lyfe Turpin, Chair
Mariposa County Board of Supervisors

ATTEST:

Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM:

Thomas P. Guarino
County Counsel
# EXHIBIT A
Schedule of 2008 General Plan Amendments

<table>
<thead>
<tr>
<th>Round</th>
<th>Applications</th>
<th>Application Deadline</th>
<th>P. C. Public Hearing</th>
<th>B.S. Public Hearing</th>
</tr>
</thead>
<tbody>
<tr>
<td>One (publicly sponsored)</td>
<td>Review of 2008 Annual Report</td>
<td>n/a</td>
<td>March 7</td>
<td>April 1</td>
</tr>
<tr>
<td>Two (private or public)</td>
<td>Yosemite West Special Plan, and other completed applications by April 4</td>
<td>April 4</td>
<td>May 16</td>
<td>June 10*</td>
</tr>
<tr>
<td>Three (private or public)</td>
<td>Catheys Valley Community Plan, and other completed applications by June 6</td>
<td>June 6</td>
<td>July 18</td>
<td>August 12*</td>
</tr>
<tr>
<td>Four (private or public)</td>
<td>Other applications submitted and completed by September 5</td>
<td>September 5</td>
<td>October 17</td>
<td>November 18*</td>
</tr>
</tbody>
</table>

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

Note: The 2009 General Plan Annual Review process may begin in late 2008, in order that applications for General Plan Amendments can be considered and adopted in early 2009.
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: KRW SCHENK, Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Consider Public Comments on the 2008 General Plan Annual Report; Direct that the 2008 Annual Report be filed with the State Office of Planning and Research (OPR) and the Department of Housing and Community Development (HDC); and Adopt a Resolution Establishing the 2008 Schedule of General Plan Amendments

RESOLUTION 08-128

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on April 1, 2008

ACTION AND VOTE:

2:06 p.m. The Board reconvened and Chair Turpin advised that he attended the swearing-in ceremony for the new deputies at the Sheriff’s Office.

The public hearing to establishing the Mariposa County Tourism Business Improvement District was opened and continued until after the following matter.

Kris Schenk, Planning Director;
Consider Public Comments on the 2008 General Plan Annual Report; Direct that the 2008 Annual Report be filed with the State Office of Planning and Research (OPR) and the Department of Housing and Community Development (HDC); and Adopt a Resolution Establishing the 2008 Schedule of General Plan Amendments

BOARD ACTION: Kris Schenk advised that this matter was noticed as a public hearing; and he presented the staff report. He noted that this is the first report on the new General Plan that was adopted in December 2006, and the report covers calendar year 2007 and is required by State law. Sarah Williams, Deputy Planning Director, reviewed the Mondo property in Bear Valley and advised of boundary issues with the Bear Valley planning area and asked for clarification of the Board’s intent in regard to this property. Staff responded to questions from the Board on this matter.

Input from the public on the Mondo property issue was provided by the following:

Don Starchman, Starchman & Bryant Law Offices, stated this matter was brought forward several times during the General Plan process and he was assured that it was a mapping error and would be taken care of. He referred to the Board’s previous direction on March 20, 2007, and stated he does not feel that this should require a General Plan amendment to make the correction.

Kris Schenk advised that a correction was made for 45-acres; but they could not find reference for including the 411 +/- acres in the Bear Valley Plan. The problem with the mapping was with the lines in the
GIS system; and there was a policy adopted in the General Plan of being able to divide parcels of more than 40-acres into different land use classifications.

Staff responded to questions from the Board relative to the completion dates for the implementation measures; relative to addressing the issue of allowing a third residence on larger parcels, five-acre/cluster zoning, and going from three to five rooms for Bed and Breakfast operations.

The public portion of the hearing was opened and there was no additional public input. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the status of being able to make corrections for the Mondo property; as to whether there is a definition for viewsheds; relative to the status of submitting the document for Wawona to the Park Service; and clarification of reference to Attachment “E” in the staff report. (M)Bibby, (S)Pickard, direction was given for consideration of any changes that should be made on the Mondo property; Res. 08-128 was adopted establishing a schedule of dates expected for public hearings to consider 2008 amendments to the Mariposa County General Plan; and direction was given for the 2008 Annual Report, along with supporting documentation which is currently being prepared by the Human Services Department, to be provided to the Office of Planning and Research and the Department of Housing and Community Development. The motion was amended, agreeable with the maker and second, to include the issue of allowing a third residence on larger parcels to the list of items for future consideration. Ayes: Unanimous. The hearing was closed.

Cc: File
2008 ANNUAL REPORT ON THE MARIPOSA COUNTY GENERAL PLAN

Introduction and Background

California State laws and the adopted Mariposa County General Plan require that a report be prepared each year regarding the General Plan. The annual report is reviewed and approved by the Planning Commission and the Board of Supervisors following duly noticed public hearings. Following consideration by the Planning Commission and action by the Board of Supervisors, the General Plan Annual Report is submitted to the Office of Planning and Research and the Department of Housing and Community Development.

This 2008 Annual Report contains a review of the General Plan policies, programs and implementation measures that were addressed during the 2007 calendar year. It also describes planning activities that are in process or anticipated in 2008 and subsequent years to achieve consistency between General Plan policies and County development regulations. The 2008 Annual Report on the General Plan was reviewed by the Planning Commission on March 21, 2008 and recommended for approval (see Attachment 9.) Included with the annual report is a proposed schedule for the consideration of General Plan Amendments during the remainder of 2008 (Attachment 10.)

The Mariposa County General Plan was adopted by the Board of Supervisors on December 18, 2006. The underlying goals and policies of the General Plan were developed during a six-year-long public planning process featuring community workshops, preliminary drafts of policy documents, planning fairs, focused working sessions, public outreach efforts, revised drafts, and a final round of public hearings. The accompanying programmatic Environmental Impact Report (EIR) for the General Plan was prepared, revised and circulated twice. Certification of the Final EIR was not challenged legally, and the adopted General Plan and EIR mitigation measures have been in effect during the entire 2007 calendar year. Printed, CD and on-line access to the adopted General Plan has been available to the public since early January, 2007.

The General Plan replaced a previous General Plan that had been in existence for the preceding 25 years. That document, along with four Town Specific Plans adopted during the 1980’s, established a prescriptive, zoning-based framework for land use and development decisions in Mariposa County between 1981 and 2006. The new General Plan is a broadly-based policy document consisting of sixteen elements, with goals, standards and implementation measures designed to guide the future growth and development of Mariposa County, while preserving and enhancing the rural character of the County’s natural resources and communities. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis. It is not intended to
remain static over a 20-year planning horizon. Rather, it needs to evolve as a seamless, internally consistent structure of goals and objectives, with some portions of the plan always being implemented, others being updated, and older portions being amended as appropriate. Changes to the General Plan may be made as many as four times each year. A major assessment and the accompanying revisions to the General Plan should occur every five years.

The General Plan consists of four volumes, as follows:

- **Volume I** --- The 16 Chapters of the General Plan, containing basic County information, issue statements and guiding principles, along with land use, natural resources and service delivery policies and provisions. There are also Appendices, with a Glossary of planning terms and a list of matters for future consideration. Volume I includes a Countywide map, referred to as the Land Use Diagram.

- **Volume II** --- The location for the adopted Area Plans that provide specific guidelines and requirements that apply to Mariposa County’s towns, small communities and special planning areas. Eventually this section will contain 16 completed geographic area plans and maps, each prepared by an advisory committee of local residents appointed for that purpose, reviewed by the Planning Commission, and subsequently adopted by the Board of Supervisors.

- **Volume III** --- Known as Technical Background Reports, this section contains detailed descriptions and underlying data about the County, its communities, local history, public services, and natural resources and characteristics. This database of background information was used to support the preparation of the General Plan.

- **Volume IV** --- The programmatic Environmental Impact Report (EIR) prepared simultaneously with the goals and policies of the General Plan. This volume serves as the environmental foundation for land use planning and development decisions and findings during the lifetime of the General Plan. A number of implementation measures were incorporated into the General Plan in order to comply with the analysis and CEQA findings of the General Plan EIR.

**Amendments to the General Plan Made in 2007**

A number of minor technical changes were made to the General Plan during its first year. These changes corrected errata that had crept into the documents during final production, pagination errors, and typographic mistakes overlooked during the final editing process. There were also a couple of boundary line designations that had not been correctly entered into the Geographic Information System (GIS) Land Use Diagram parcel layers, although the Board of Supervisors had directed that those boundary line changes be made during their final deliberations in 2006.

Resolution No. 2007-102 from March 20, 2007 directing those technical corrections to the General Plan text and land use diagrams is included as Attachment 1 to this Annual Report. In Resolution 2007-102 the Board corrected a 45-acre portion of the Mondo property, located on the northern end of the Bear Valley Community Planning Area, to be included as Residential within the Planning Area boundary. However, a letter from the
Mondo property agents (Don Starchman and Anita Starchman Bryant, Attachment 7) questions this boundary line. They believe that the Board originally gave direction in 2006 for an additional 411 acres, zoned Mountain General, to be designated Natural Resource rather than Agriculture/Working Landscape on the Land Use Diagram. The Board should review this situation and resolve the boundary line issue for the Mondo property.

Mariposa County established a schedule of dates in 2007 at which amendments to the General Plan could be considered. However the only public hearing date at which changes were made to the General Plan or to the Land Use Diagram occurred on March 20, 2007, as noted above. Consequently no significant amendments to the General Plan took place in 2007.

During 2007 there were amendments to the Mariposa Town Plan (to allow limited purpose drive-through windows), and to the Wawona Town Specific Plan (to clarify the regulations applying to the Seventh Day Adventists’ Camp Wawona property), but these Area Plan amendments did not require an amendment to the Countywide General Plan. No other private requests for General Plan Amendments were requested or approved during 2007. However there still are “active” General Plan and Zoning Application requests that are waiting for additional information prior to processing, which may result in General Plan Amendments in 2008 (such as the Midpines Bible Church.)

General Plan Implementation

A fundamental purpose of the General Plan Annual Report is to assess progress that has been made, as well as steps that are being taken, to accomplish the goals and objectives of the General Plan. Implementation of the General Plan may occur through any of the following categories of actions:

- Addressing and completing specific Implementation Measures as listed in the various Chapters of the General Plan;
- Preparing and adopting new County programs, regulations and ordinances that carry out the policies and provisions of the General Plan;
- Amending pre-existing County regulations, resolutions and ordinances that are not consistent with the current General Plan. Title 16 (the subdivision regulations) and Title 17 (the zoning code) are two sections of the County Code frequently recognized as requiring changes and updates to achieve consistency with the General Plan;
- Preparing and adopting new Area Plans (or expanding existing town planning areas) to better serve the Mariposa County communities listed in Table 5-1 of the General Plan. (See the Area Plan Status table in Attachment 3 of this report);
- Considering public and private amendments to the General Plan on a regularly scheduled, publicly noticed basis.

Mariposa County, like other California local jurisdictions, must be able to demonstrate that it is making reasonable progress toward bringing its regulations, ordinances, plans and programs into compliance with the provisions of its adopted General Plan. Discretionary land use decisions must also be based upon findings of conformance with the General Plan.
Complete consistency of land use regulations with the General Plan necessarily occurs over a period of years. Progress in any year depends upon County priorities, resources allocated, the availability of experienced staff, and the complexity of the implementation tasks.

The General Plan itself identifies a multiple-year timeline for accomplishing full implementation of the measures in the General Plan. The plan's original 20-year planning horizon is segregated into three general time frames: the short-term planning period (years 1 to 5); the intermediate-term planning period (years 6 to 10); and the long-term planning period (years 11 to 20). Depending on their relative priorities, implementation measures proceed along an orderly path, from longer term to nearer term to completion. The Board of Supervisors, in its adoption of the General Plan on December 18, 2006, approved a Mitigation Monitoring and Reporting Program which establishes a temporal framework for addressing the County's responsibilities under California law for implementation of the General Plan. Within this broad, 20-year time frame for dealing with all mitigation measures and programs, it is the immediate or short-term planning priorities with which the Annual Report is most concerned.

**General Plan Implementation Priorities in Progress (2007 and 2008)**

The following implementation programs are major planning priorities which the Mariposa County Board of Supervisors has directed staff to pursue since the adoption of the General Plan. Accomplishment of these priorities will result in the implementation of significant, long-standing policies required by the General Plan:

1) **COMPREHENSIVE ROAD STANDARDS LEADING TO THE CREATION OF DEVELOPMENT IMPACT FEES**

Mariposa County road standards changed with the adoption of the current General Plan. Policies in Chapter 9 now require that County "Roads shall have adequate capacity to serve respective road needs" and that "The County shall define the capacity of all roads." The definition of "adequate capacity" explicitly includes width, and it requires the calculation of existing traffic and proposed project traffic increases.

In August, 2007, the Board of Supervisors approved a consulting contract with Hauge Brueck Associates to develop comprehensive road standards for Mariposa County. Public consideration of a draft of the proposed comprehensive road standards is expected to occur in the spring of 2008.

The Public Works Director recommended revised **minimum** County road standards to comply with the General Plan standards, and these were adopted by the Board of Supervisors in September, 2007 as amendments to the County Road Improvement and Circulation Policy (Chart A). The importance of adopting reasonable and defensible road standards for all County roads is underscored by: 1) the long-standing problem of what standards (road width, road surfaces, grades, and other roadway improvements) are necessary to safely accommodate future development and increasing volumes of traffic; and 2) the need to finalize the nexus and fair share calculations for the Capital Improvements Program (CIP) and Impact Fees Study, under contract to Dan Smith and Associates, which will provide a mechanism for the financing and construction of local and collector roads as the County approves new development in the future. The
completion and adoption of this study is a critically important implementation program of the General Plan.

The Planning and Public Works Departments, with the assistance of the two planning and traffic engineering consulting firms, have been working to complete the analysis of County road standards during 2008. The CIP/ Development Impact Fees Study is scheduled for completion in early 2009, following adoption of comprehensive road standards.

2) AGRICULTURAL AND NATURE TOURISM

Agriculture is a sufficiently important component of the economy and rural character of Mariposa County that it was given its own element, Chapter 10, of the General Plan. Implementation measure 10-5a(1) states: “Accommodate agritourism uses through changes in Agricultural zones.” Strategies for encouraging agritourism and other adaptive uses of agricultural properties are likewise incorporated within the County’s adopted Economic Vitality Strategy and Chapter 6 (Economic Development) of the General Plan.

In October and November, 2007, the Board of Supervisors embarked upon a major effort to define agritourism uses and the criteria that will be used to approve agricultural and “ecotourism” activities in appropriate locations throughout Mariposa County. A planning consultant has been hired to prepare recommendations for the County; and two well publicized and attended public workshops, on January 26 and March 1, 2008, were held to engage public stakeholders in the agritourism issues. The recommendations from the workshops are scheduled to be considered by the Board of Supervisors on April 2, 2008. The Board will provide direction to the staff and consultant regarding the preparation of criteria and zoning regulations to be used to approve agritourism and adaptive, visitor-related land uses on agricultural properties. The public hearings to consider and adopt the implementing zoning regulations will take place later in 2008.

3) WILLIAMSON ACT CONTRACT REVISIONS

During the preparation and adoption of the General Plan, considerable attention was given to the status of Mariposa County’s policies and practices associated with its Land Conservation Act (LCA) contracted properties, commonly known as Williamson Act lands. Implementation Measure 10-2a(3) states: “Standards shall be developed for issuance of development permits for substandard sized parcels under Williamson Act contract.” Contracts in place prior to 1997 contain the language that “multiple parcels should be merged” to create conforming parcels, although merging parcels has been considered optional and never required. Since 1997, newer contracts do not allow the recognition of substandard parcels during the 20-year tenure of the contracts. Williamson Act contracts entered into before 1997 do not have this provision. The adopted General Plan places “a great emphasis on ensuring that substandard agricultural parcels are not recognized through the certificate of compliance process during the tenure of the new contract and that the sale of substandard contract parcels does not create premature expectations of residential development” (pp. 10-4,5 of Chapter 10).
In November, 2005, the Board of Supervisors adopted a resolution initiating an amendment to the policies that implement the Williamson Act, to establish uniform standards throughout the County, and to improve the reporting and enforcement of contract provisions. An updated database of existing Williamson Act contracts and contracted parcels was compiled by the Planning Department and the Assessor’s Office in 2006 and 2007. A position in the Planning Department has been authorized by the Board to undertake the further tasks of revising Mariposa County's Williamson Act policies and requirements and notifying LCA contract holders. Following action to classify and fill this position, which is expected later in the spring of 2008, this major program for implementation of Chapter 10 agricultural policies will be undertaken.

4) TITLE 17 ZONING REVISIONS

Numerous portions of Title 17, the Zoning Ordinance of the Mariposa County Code, need revisions and amendments in order to incorporate the standards and criteria called for in the General Plan. Although revisions for the zoning standards dealing with roads and agriculture have been given the highest priority in 2007 and 2008, additional zoning amendments will be addressed in 2008 and 2009, as soon as resources and staff workloads allow. Zoning consistency programs on the short-term planning horizon include the following activities:

- Developing standards and guidelines to implement the concept of clustering development parcels, described on page 5-13 of the General Plan and referenced in Implementation Measure 5-9a(1). Clustering would mean that a 5-acre zone district might contain a 2 1/4-acre parcel balanced by a 7 1/4-acre parcel, instead of two 5-acre parcels. This flexibility would be permissible based upon a demonstration of better site design and improved public benefits resulting from a clustered development proposal. Of course any parcels so created that are larger than the minimum zoning size could not be subdivided again in the future.

- A “bed and breakfast inn” is defined in the General Plan as including “a limited number of guest bedrooms not exceeding five. 34” The footnote, page A-6, points out that zoning regulations may further limit the number of bedrooms. The proposed amendment to Title 17 for consistency with the General Plan would increase the number of bedrooms in bed and breakfast inns allowed by zoning regulations from three to five, except where an adopted Area Plan would otherwise restrict that number.

- Defining “thresholds within which uses are complementary to the concept of rural character as defined by the General Plan” (Implementation Measure 5-1a(3)). This analysis would be done in conjunction with policies in Chapter 11 of the General Plan, such as Implementation Measure 11-1a(3) to “Develop flexible site development and clustering to conserve designated scenic routes, views and viewsheds.” Zoning and development regulations would then incorporate design guidelines and performance criteria to ensure that new development would be given clear standards to help protect and enhance rural character. A logical outgrowth of this General Plan conformance program would be the enactment of cell tower regulations for scenic and highly visible portions of Mariposa County.

- Goal 5-2 of the General Plan mandates orderly growth: development must occur commensurate with the expansion of available services in patterns that avoid sprawl. This entails the consideration and adoption of “siting criteria
to ensure development occurs close to available public services"; prevents "isolated commercial development or "leapfrog" type development"; and avoids "premature urbanization of the Planning Study Areas." (excerpted from Implementation Measures 5-2a(1), (2) and (3).) A work program to create standards and guidelines for orderly growth in the town planning areas and planning study areas should follow on the heels of the five-year Municipal Services Review (MSR) study, which was prepared during 2007 and will be pending before the Local Agency Formation Commission (LACo) on April 22, 2008.

- Establishing "appropriate siting and development standards for recreation and resort uses within the County" (Implementation Measure 5-4c(1). See also L.M. 5-4c(2).) This zoning consistency program is intended to provide criteria and direction for landowners to develop regional tourism facilities under the categories of Rural Economic Resort and Rural Economic Recreation. Expansion and diversification of the County's visitor-serving economy is an important theme of the General Plan (see page 6-3), which encourages appropriate locations and standards for visitor destination resorts.

There are an impressive number of other implementing programs that will need to be addressed in the short-term planning period (the next five years) in order to achieve compliance between the County's development regulations and the General Plan. A complete listing of the short-term catalog of necessary implementation tasks has been created from the adopted Mitigation Monitoring and Reporting Program and appears in Attachment 4 of this Annual Report. Staff will edit and update this five-year listing in future annual reports as zoning and development consistency actions are accomplished and further consistency projects become feasible.

Area Plans in Preparation (2007 and 2008)

Progress toward implementation of the General Plan occurs whenever a new Area Plan is prepared and adopted, when an existing Area Plan is amended, or when the planning for a Planning Study Area takes place. At full implementation of the General Plan, sixteen geographically-distinct Area Plans are envisioned for Mariposa County's local communities; and the Yosemite National Park's General Management Plan represents a separate federal planning area of its own. The overall status and timing of the planning programs for each of the Area Plans is shown in Attachment 3, Table 5-1 of the General Plan.

The Mariposa County Area Plans fall within the following descriptions, depending upon the scope and intensity of the land uses represented within the plan:

- Town Planning Area: All residential, commercial, industrial, job-center, recreation, and public uses, as defined in the General Plan, are consistent with the purpose of a town planning area. In the case of pre-existing adopted town plans, the planning documents may be known as a Town Specific Plan (such as Fish Camp.)

- Community Planning Area: Single-family residential, rural commercial, recreation/resort-oriented, small business, and public are the land uses consistent
with the purpose of a community planning area. Multi-family residential uses with more than two attached dwelling units per structure and industrial uses are not consistent land uses within community planning areas; live-work commercial/residential uses are acceptable. Greeley Hill and Bootjack are examples of Community planning areas.

- Special Planning Area: Some small locales (including Foresta and Buck Meadows) in the County do not face the full scope of issues and land uses warranting a full-scale town plan or community plan. The purpose of a special plan is to address the specific issues of local importance for the planning area. Consistent uses will be defined within the special plan.

The following draft Area Plans have been involved in a public review process at the present time, during 2007 and 2008:

1) YOSEMITE WEST SPECIAL PLAN

The Yosemite West Planning Advisory Committee has been working on their Area Plan for approximately eight years. The Planning Commission recommended approval of the Yosemite West Special Plan (YWSP) in 2006, prior to the adoption of the General Plan. Since that time the Yosemite West plan has been on hold: a) pending the adoption of the General Plan, which enabled a “Special Plan” to be defined; and b) allowing time to edit and reformat the plan for consistency with the final adopted General Plan. The draft final document is being circulated and the Board of Supervisors is scheduled to consider the YWSP in April, 2008. Following any changes directed by the Board, the final YWSP will be scheduled for adoption in 2008.

2) CATHEYS VALLEY COMMUNITY PLAN

Preparation of the current Catheys Valley Community Plan (CVCP) began in 2000. This Area Plan, which falls under the definition of a community plan, was also delayed due to a need for completion of the General Plan. A planning consultant, Hauge Brueck Associates, was engaged by the County in 2007 to edit the prior documents for consistency with the General Plan and to prepare the final draft plan and CEQA environmental documents. The draft has now been published, and the Board and Planning Commission are scheduled to consider the draft CVCP at a joint public workshop in April, 2008. Once any final changes to the draft CVCP have been made, the Catheys Valley Community Plan will be set for final consideration and adoption in the fall of 2008.

3) WAWONA TOWN SPECIFIC PLAN

The Wawona Town Planning Advisory Committee (WTPAC) has been preparing drafts of a major amendment to their adopted Town Specific Plan since the late 1990's. During 2007, planning staff helped WTPAC assemble the earlier draft chapters into a revised and updated draft plan. At their most recent meeting in 2007, WTPAC recommended approval of the revised Wawona Town Specific Plan and requested that it be forwarded to the Yosemite National Park planning staff for their comments. Adoption of a plan, or the Specific Plan for the Wawona community, is a more complex process than in some other County areas because it is done under joint jurisdiction with the Park. Further progress on the Wawona Town Specific Plan will await recommendations from the
Yosemite planners. No definite time line has been established for completion of the Wawona Town Specific Plan.

4) OTHER AREA PLANS

Three other Area Plans are identified in Table 5-1 of the General Plan as “pending for approval in (the) short term.” These are the communities of El Portal, Midpines and Lake Don Pedro.

El Portal is also an area planning program which will be done in cooperation with the Park Service staff. The schedule for preparation of the El Portal Town Plan has slipped during recent months due to uncertainties associated with the Merced River Plan. When planning for the El Portal Town area does occur, Yosemite National Park will be the lead planning agency and Mariposa County will participate actively in the joint planning process.

The Midpines community is anxious to undertake an official planning process for their Community Plan. The Midpines Community Planning Advisory Committee (MCPAC), appointed several years ago by the Board of Supervisors, has been meeting frequently in recent months to identify and discuss planning issues and interests for the Midpines area. Following the completion of Mariposa Planning’s current 2008 Area Plan priorities, staff will begin working with the MCPAC on the development of their Community Plan.

The Lake Don Pedro Town Planning Area is the final short-term priority for Area Plans. No County planning process has begun for this area, although the Lake Don Pedro Community Services District (LDPBSD) has been updating its Sphere of Influence (SOI) planning boundaries and its Municipal Services Review (MSR) for adoption by LAFCo. Planning for a portion of the Lake Don Pedro subdivision in Tuolumne County is done by Tuolumne County. Mariposa County LAFCo, however, has jurisdiction for LAFCo services and planning decisions in both Mariposa and Tuolumne County. There have been discussions recently about the prospect of joint planning for the bi-county Lake Don Pedro area, involving citizens appointed by Mariposa and Tuolumne County and with the assistance of the LDP Community Services District. A final decision on timing and on what kind of area planning process will best serve the Lake Don Pedro community is likely to hinge upon the results of these ongoing conversations.

Other General Plan Accomplishments by County Agencies in 2007

The General Plan includes 16 Chapters or Elements. Chapter 5 (Land Use), Chapter 9 (Circulation, Infrastructure and Services), and Chapter 10 (Agriculture) are the elements which contain most of the implementation measures and programs that have been mentioned so far in this Annual Report. However, Chapters 4 through 16 each contain policies and implementation measures that are being addressed by the responsible County departments. A few of the implementing activities and accomplishments of the past year would include:

- 6. Economic Development
Mariposa County has hired an Economic Development Coordinator (Policy 6-1a(1)). Preparation and approval of the Economic Vitality Strategy and Implementation Plan occurred in 2007, which fulfill policy 6-1b of the General Plan. A number of other economic tasks described in Chapter 6 of the General Plan are under way.

- **8. Housing**

The County's Housing Element was prepared in 2003 and adopted in 2004. Although it was published concurrently with the other elements of the General Plan, Chapter 8 predated the other portions of the plan. The Housing Element is unique in terms of its policy and reporting requirements under California statutes, and with regard to the state-supervised schedule by which it is updated and adopted. The current Housing Element will be in effect through 2008 and a revised element will be required in 2009. The Housing Element describes housing programs that are managed by the Housing and Community Development Agency (HCDA) in the Human Services Department. The HCDA continues to implement the housing programs and measures identified in Chapter 8 in the course of its ongoing housing responsibility.

The Housing Element includes policies and reporting requirements with respect to Mariposa County's assigned "fair share" of Regional Housing Needs (RHNA). The allocation of new housing units assigned to Mariposa County, on average, is 216 units annually. Of this figure, 24% are expected to be for very low income households (< $17,313) and 16% allocated for low income households (< $27,700). In a given year, the County should ideally be producing at least 86 new housing units for very low and low income households.

The actual creation of new housing is the responsibility of the private housing sector. The policies in the Housing Element generally call for local agencies to do everything in their power to encourage the production of affordable housing, and to avoid and eliminate constraints to the development of housing. This past year, the Building Department issued 148 permits for new dwelling units, and 2 permits for conversions to permanent dwelling units (while 6 units of existing housing stock were reported as destroyed.) No new multiple-unit structures were built. Of the 150 new housing unit permits issued during 2007, 48 were for mobile homes (32%, rather than 40%, of the yearly total and substantially less than the desired 86 RHNA new units.)

The Planning Commission noted that in September, 2006 the County approved a major subdivision and design review application (Landsmith project) for the construction of five townhouse parcels in the vicinity of the Accuerdo con Dios condominiums on Highway 49 North. Utilizing residential "infill" sites such as this one to accommodate higher density development is consistent with the affordable housing objectives of the General Plan.

The 2007 building statistics reported above suggest that a) a significant slowdown in the local production of new housing is now occurring; b) the increasing cost of "stick built" homes may be increasing the overall proportion of mobile homes in the County's housing stock; and c) the ability of Mariposa County, and California local governments generally, to meet their RHNA housing targets, established during the earlier "boom" years of this decade, will be impaired by prevailing conditions of the housing market.

- **Conservation and Open Space**
The Planning Commission and staff have been reviewing environmental site surveys and conditioning discretionary development applications to ensure compliance with the policies in Chapter 11 of the General Plan, including Implementation Measures 11-4a(6) and (7). Data is being assembled through the required site surveys that will eventually create a comprehensive map of sensitive vegetation communities and wildlife habitats throughout Mariposa County.

- **14. Historic and Cultural Resources**

Goal 14-1 and subsequent Implementation Measures call for the County to request designation from the State as a Certified Local Government (CLG). CLG designation could be a means of better serving owners of historic properties and providing additional financial resources for the protection of historic structures. Earlier in 2007, the Board of Supervisors took a significant implementation step by authorizing the Planning Department, with the assistance of the Historic Sites and Records Preservation Commission, to initiate the CLG application process.

- **16. Safety**

Among the many programs and implementation measures identified in the Safety Element, there was significant progress in several areas. Fuel reduction programs and fire management practices have reduced the risk of wildland fires in key geographic areas. Progress has been made on master planning for the Mariposa-Yosemite Airport. And the safety of future County residents has been significantly enhanced through the Board of Supervisors' recent adoption of the new Building and Fire Codes.

Ongoing daily activities of many other County departments and agency personnel (although not cited in this Annual Report for reasons of brevity) are continually assisting in the work of addressing and implementing the goals and objectives of the General Plan. Examples of such ongoing programs are the regular activities of the Air Pollution Control District (APCD); operations and improvements at the County Composting Facility; and the continuing planning activities for the extension of the Mariposa Creek Park Walkway.

In August, 2007, the Board of Supervisors approved the purchase of additional real property adjacent to the Sheriff’s existing detention facility. This property acquisition allows for the relocation and expansion of existing law enforcement activities; and in the future it may provide a site for expansion of the jail facility. The effects of acquiring this site for relocation and expansion purposes will enhance the County’s public safety, emergency and public safety responsibilities and facilities, which are objectives consistent with Chapters 9 and 16 of the General Plan.

*Future Amendments to Implement the General Plan*

During the final public workshops and hearings to adopt the General Plan in 2006, a number of recommendations and policies were discussed but not included in the final language of the plan. A number of these suggestions were instead placed in a General Plan appendix section titled: Appendix C, Future Considerations. The list of these considerations is found in Attachment 5 of this Annual Report. This is an appropriate time for Board members, Planning Commissioners, and members of the public to review items in
the appendix, to see whether any of these deferred items might warrant consideration in 2008 as policies or implementation measures in the General Plan.

The Planning Commission recommended that third houses on a parcel (so-called "lateral" subdivisions) should be included for examination in future General Plan annual reviews. This future consideration will be placed in Appendix C.

At this time Mariposa Planning staff has not identified new policy or planning tasks, from this list or elsewhere, that it wishes to add to its present implementation workload. The addition of new General Plan implementation responsibilities would require the completion or deletion of existing assignments.

Proposed Schedule of 2008 General Plan Amendments

Each year a county may amend its General Plan on four separate occasions. There is no limit to the number of changes that it may adopt at any one of these times, nor is there a requirement that a county must amend its General Plan. The first such occasion (Round 1) is reserved for changes that are proposed or sponsored on behalf of the general public by the Planning Commission or the Board of Supervisors. At the other three times of the year, requests from private individuals may also be considered.

At this moment, the Midpines Bible Church (GP/ZA #06-26) is pending for processing as a General Plan Amendment whenever the applicant has completed the necessary environmental studies. Other private amendments may occur later in 2008. Adoption of the Yosemite West Special Plan will constitute an amendment to the General Plan, as will adoption of the Catheys Valley Community Plan. The recommended schedule of dates to consider General Plan amendments in 2008 is found in Attachment E of this Annual Report.

Recommended Actions

Following consideration and public testimony on the 2008 Annual Report on the General Plan, it is recommended that the Board of Supervisors take the following actions:

1. Consider any changes that should be made on behalf of the general public during Round 1 of the General Plan Amendments;

2. Recommend approval of the Resolution and Schedule for 2008 General Plan Amendments in Attachment E;

3. Recommend that copies of the 2008 Annual Report, along with supporting documentation, which is currently being prepared by the Human Services Department, be provided at the earliest opportunity to the Office of Planning and Research and the Department of Housing and Community Development.

Attachments
ATTACHMENT 2
TO:          KRIS SCHENK, Planning Director
FROM:        MARGIE WILLIAMS, Clerk of the Board
SUBJECT:     Adopt a Resolution Correcting Certain Persisting Errors in the Adopted General Plan

RESOLUTION 07-102

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 20, 2007

ACTION AND VOTE:

C) Adopt a Resolution Correcting Certain Persisting Errors in the Adopted General Plan

BOARD ACTION: Discussion was held with Kris Schenk. Supervisor Turpin commented on a problem with a map for the Mondo property.

Input from the public was provided by the following:

Don Starchman, Starchman-Bryant Law Offices, noted that they referred to the Mondo property issue in their letter to the Board dated October 16, 2006; and he advised of their subsequent meeting with Supervisor Turpin and the Planning Director and assurance they received that the problem had been resolved.

(M)Pickard, (S)Turpin, Res. 07-102 was adopted correcting the four errors in the adopted General Plan as recommended; and with direction for staff to bring back any further map corrections to the Board for approval. Kris Schenk apologized for the Mondo property issue, and he advised that they plan to further review the maps and bring back any other corrections. Ayes: Unanimous.

CC: Supervisor Turpin
    File
DEPARTMENT: Planning

BY: Kris Schenk
PHONE: 742-1216

RECOMMENDED ACTION AND JUSTIFICATION: Individuals and staff who have reviewed the new General Plan documents since they were published in January have identified a few instances in which errata persist. Errors and editorial or technical problems should be corrected in order to accurately reflect the actions that the Board of Supervisors intended to take on December 18, 2006 in adopting the General Plan. The attached Resolution will officially correct these particular mistakes.

BACKGROUND AND HISTORY OF BOARD ACTIONS: In the many months of public workshops and hearings leading up to the adoption of the General Plan in December, corrections and editorial improvements to the plan were continually discovered by Planning Commissioners, Board members and many individuals in the public. Evidently a few errors survived, or crept into the General Plan documents during final editing and publication. While none of these changes is substantive in nature, it would be prudent to officially recognize and incorporate them as technical corrections to the General Plan.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION: If the editing and technical issues are not corrected, they may create confusion and problems in the future for users of the General Plan, including staff.

Financial impact? ( ) Yes (x) No  Current FY Cost: $  Annual Recurring Cost: $
Budgeted in Current FY? (x) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ 
Additional Funding Needed: $ 

Source:
Internal Transfer
Unanticipated Revenue  4/5's vote
Transfer Between Funds  4/5's vote
Contingency  4/5's vote
( ) General  ( ) Other

CLERK'S USE ONLY:
Res. No.: 
Vote - Ayes:  
Noes:  
Absent:  

( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date: 
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: Deputy

COUNTY ADMINISTRATIVE OFFICER:
Requested Action: Recommended  
No Opinion
Comments:

CAO: [Signature]

Rewarded Dec. 2002

[Signature]
MARIPOSA COUNTY RESOLUTION NUMBER 07-102

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA CORRECTING CERTAIN PERSISTING ERRORS IN THE ADOPTED 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 Sections 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 December 18, 2006; and

WHEREAS, planning staff has become aware of certain situations in which the final published General Plan volumes do not accurately reflect the actions taken by the Board of Supervisors to adopt the General Plan; and

WHEREAS, the corrections to errata cited in Exhibit A of this Resolution are not substantive changes but instead confirm the original purpose and improve the internal consistency, readability, and technical accuracy of particular aspects of the plan; and

WHEREAS, the corrections listed in Exhibit A do not constitute amendments to the Mariposa County General Plan subject to the provisions of Government Code Sections 65350 et seq.; and

WHEREAS, a public purpose is served by officially recognizing these minor technical changes as part of the public record by means of this Resolution.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby adopts the changes listed in Exhibit A as errors that are to be corrected in the General Plan and directs planning staff to make the necessary corrections to the General plan text and land use diagrams.

ON MOTION BY Supervisor Turpin, seconded by Supervisor Aborn, this resolution is duly passed and adopted this 20th day of March, 2007, by the following vote:

AYES: ABorn, TURPIN, BIBBY, FRITZ, PICKARD

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE
Janet Bibby, Chair
Mariposa County Board of Supervisors

ATTEST:

Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO LEGAL FORM:

Thomas P. Guarino
County Counsel
EXHIBIT A

CORRECTION OF GENERAL PLAN ERRATA (MARCH 20, 2007)

1. Chapters 5 and 7 of the General Plan should each begin with a page numbered 1. In fact, as published, Chapter 5 begins with a page numbered 5-9, and Chapter 7 begins with a page numbered 7-11. The editor of these documents inadvertently omitted a chapter page break from the page numbering sequence. To eliminate confusion for readers of the General Plan, all chapters should be page numbered consistently. Therefore Chapter 5 should be corrected to start with page 5-1; Chapter 7 should be changed to start with page 7-1; and both chapters should continue with consecutive numbering.

2. On page 5-23 (sic) of the published General Plan, the reference to Section “5.2.02N” at the bottom of the page should be removed. That particular section in the plan was renumbered during the final editing of the approved plan. The reference should be corrected to Section “5.1.14”, which can be found on page 5-15 (sic) of the published General Plan.

3. Page 5-13 (sic) of the published General Plan, near the middle of the page, cites California Government Code “65852” as the statutory authority for additional, or second, dwelling units on residential parcels. That reference should be corrected to read “Section 65852.2”.

4. In adopting the final land use diagrams for the General Plan, a rule for boundary line designations was established. Parcels 40 acres or larger in size may be assigned multiple land use designations, in order to reflect underlying zoning and providing that the land use classification lines follow legally defined boundaries (Section 5.03).

The major portion of the Mondo property (parcel # 008-060-003), lying north of the proposed Bear Valley Planning Study Area, is zoned Agriculture. A portion consisting of approximately 45 acres, however, consists of Mountain Home (MH) zoning and a former landfill site. The smaller portion of the Mondo parcel was placed by the Board into the Planning Study Area, although the GIS land use layers, for technical reasons, do not presently reflect that designation. The General Plan designation for this 45-acre Community Planning Area extension should be Residential. The remaining Mondo agricultural acreage should and will remain in the Agriculture/Working Landscape classification.
The Bear Valley interim boundaries should therefore be extended northerly to include the MH and landfill property, and the corrected boundary lines should be shown in the County GIS parcel layers and on the published land use diagrams.
ATTACHMENT 3
### Table 5-1: Planning Areas and Area Plan Status

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Planning Advisory Committee</th>
<th>Area Plan Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bear Valley Community</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Bootjack Community</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Buck Meadows Special</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Catheys Valley Community</td>
<td>Yes</td>
<td>Pending completion in short term</td>
</tr>
<tr>
<td>Coulterville Town</td>
<td>Yes</td>
<td>Adopted</td>
</tr>
<tr>
<td>El Portal Town</td>
<td>Yes</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Fish Camp Town Specific Plan</td>
<td>Yes</td>
<td>Adopted</td>
</tr>
<tr>
<td>Foresta Special</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Greeley Hill Community</td>
<td>Yes</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Horntos Community</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Lake Don Pedro Town</td>
<td>No</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Mariposa Town</td>
<td>No</td>
<td>Adopted</td>
</tr>
<tr>
<td>Midpines Community</td>
<td>Yes</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Mount Bullion Town</td>
<td>No</td>
<td>Not Scheduled</td>
</tr>
<tr>
<td>Wawona Town Specific Plan</td>
<td>Yes</td>
<td>Adopted; Update pending for completion in short term</td>
</tr>
<tr>
<td>Yosemite National Park</td>
<td>N/A</td>
<td>Complete¹</td>
</tr>
<tr>
<td>Yosemite West Special</td>
<td>Yes</td>
<td>Pending for completion in 2007</td>
</tr>
</tbody>
</table>

Source: Mariposa County, 2006

¹Yosemite National Park has prepared three major updates to its General Management Plan. Of these various plans, the Yosemite Valley Plan and the Merced River Plan have the greatest set of collaborative planning issues within the County.
<table>
<thead>
<tr>
<th>COMPLETION DATE</th>
<th>IMPLEMENTATION MEASURE</th>
<th>IMPLEMENTATION DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2007</td>
<td>4-2a(1)</td>
<td>Mariposa Planning shall review and recommend changes to the General Plan as a part of its annual report on Planning in the County of Mariposa.</td>
</tr>
<tr>
<td>2007</td>
<td>4-2a(2)</td>
<td>Mariposa County's Capital Improvement Program (CIP) shall be consistent with the General Plan.</td>
</tr>
<tr>
<td>2007</td>
<td>4-3a(1)</td>
<td>The Mariposa County Planning Department will report to the Board of Supervisors on the need for General Plan amendments at the beginning of each year. The Board of Supervisors will schedule a meeting to consider, as appropriate, General Plan amendments hearing dates for the public and general use. Per state law, the Board of Supervisors can adopt the General Plan no more than four times per year.</td>
</tr>
<tr>
<td>2007</td>
<td>4-3a(2)</td>
<td>The fourth General Plan amendment hearing shall be held for the use of the Board of Supervisors to adopt updates and modifications to the General Plan as generated by the Annual Review.</td>
</tr>
<tr>
<td>2007</td>
<td>12-4a(2)</td>
<td>The Parks and Recreation Advisory Committee should meet with the School District at least once each fiscal year to learn of school capital facility proposals that may benefit from County participation or partnership.</td>
</tr>
<tr>
<td>2008</td>
<td>5-1a(2)</td>
<td>Land development regulations should respect the diversity of rural lifestyles allowing the right to use one's property.</td>
</tr>
<tr>
<td>2008</td>
<td>5-1a(3)</td>
<td>Land development regulations shall define thresholds within which uses are complementary to the concept of rural character as defined by the General Plan and in regulations associated with the Area Plans.</td>
</tr>
<tr>
<td>2008</td>
<td>5-2a(2)</td>
<td>Establish land development regulations defining permitted uses and establishing standards for close-to-services development.</td>
</tr>
<tr>
<td>2008</td>
<td>5-4b(1)</td>
<td>Zoning shall include provisions to include zoning districts with flexible standards for defining business and industry uses in a changing economy.</td>
</tr>
<tr>
<td>2008</td>
<td>5-4b(2)</td>
<td>Establish provisions to accommodate businesses in the home consistent with the purpose of the land use classifications.</td>
</tr>
<tr>
<td>2008</td>
<td>5-4c(1)</td>
<td>Accommodate appropriate siting and development standards for recreation and resort uses within the County.</td>
</tr>
<tr>
<td>2008</td>
<td>5-4c(2)</td>
<td>Standards shall be included that protect visual character related to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• viewsheds;</td>
</tr>
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<td></td>
<td></td>
<td>• structure design, landscaping and scenic environment;</td>
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<td></td>
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<td>• landform grading;</td>
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<td></td>
<td></td>
<td>• site development; and</td>
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<td></td>
<td></td>
<td>• lighting.</td>
</tr>
<tr>
<td>COMPLETION DATE</td>
<td>IMPLEMENTATION MEASURE</td>
<td>IMPLEMENTATION DESCRIPTION</td>
</tr>
<tr>
<td>-----------------</td>
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</tr>
<tr>
<td>2008</td>
<td>5-5a(1)</td>
<td>The Land Use element shall identify lands within which the economic uses for the production, extraction, or harvesting of food, fiber, timber, and minerals shall be the primary purpose.</td>
</tr>
<tr>
<td>2008</td>
<td>5-6a(1)</td>
<td>The Land Use element shall identify lands within which the management of natural resources shall be the primary purpose.</td>
</tr>
<tr>
<td>2008</td>
<td>5-8a(1)</td>
<td>The Board of Supervisors shall initiate discussions with representatives from public agencies to establish a formal collaborative cooperation and planning process.</td>
</tr>
<tr>
<td>2008</td>
<td>5-9a(1)</td>
<td>Outside Planning Areas, the maximum allowable density for residential development shall be one dwelling unit per five acres.</td>
</tr>
<tr>
<td>2008</td>
<td>5-10a(1)</td>
<td>Require that infrastructure for new subdivisions meet the General Plan’s requirements for ready to build parcels.</td>
</tr>
<tr>
<td>2008</td>
<td>5-11a(1)</td>
<td>No implementation of the General Plan shall be enacted to force the amortization, closure, and relocation of any legally existing nonconformity except signs and/or billboards and major transient rental management activities in the rural portions of Yosemite West.</td>
</tr>
<tr>
<td>2008</td>
<td>5-12a(1)</td>
<td>Use the Timber Preserve zoning district within the Agricultural/Working Landscape and Natural Resource Land use classifications to limit development in areas of identified potential timber resources.</td>
</tr>
<tr>
<td>2008</td>
<td>9-7a(3)</td>
<td>The County will cooperate with the MUSD, to the extent feasible and permitted by state law, to explore methods for securing adequate funding of new school facilities, which may include the development of local funding mechanisms as well as the utilization of state funds when available. For any project or subdivision where the MUSD determines that adequate school facilities are not available to serve the proposed development, the County will work with the MUSD in securing project-sponsored mitigation to the extent permitted by state law.</td>
</tr>
</tbody>
</table>

**SHORT-TERM 2012**

<p>| 2012            | 4-1a(1)                 | The Board of Supervisors will develop a resolution to implement the policy regarding third party agency responses. |
| 2012            | 5-1a(1)                 | Rural character for each of the planning areas is to be defined by Area Plans. |
| 2012            | 6-1b(1)                 | The Board of Supervisors should adopt an ongoing Economic Development Strategic Plan, including an assessment of assets, definition of target markets, specific implementation activities, assigned responsibilities, measurable objectives, and metrics to measure progress. The plan should contain provisions for destination resorts and hotel facility development. |
| 2012            | 6-1b(2)                 | On an annual basis, the Board of Supervisors shall review accomplishments of Economic Development Strategic Plan. |</p>
<table>
<thead>
<tr>
<th>COMPLETION DATE</th>
<th>IMPLEMENTATION MEASURE</th>
<th>IMPLEMENTATION DESCRIPTION</th>
</tr>
</thead>
</table>
| 2012            | 9-1a(2)                 | In order to facilitate provision of needed long-range (2015-2025) improvements to state highways serving Mariposa County, and particularly to those state routes where projected capacity would be less than LOS "D," the County shall:  
  - Prepare and implement a program to evaluate Development Impact Fees for state highway intersection facilities needed to adequately service new growth. Such local funding would ensure the improvements are accomplished in the needed timeframe and would substantially benefit the economic development of the County.  
  - Maintain a close working partnership with the State to solve state highway capacity deficiencies and funding limitations.  
  - Monitor State activities in responding to the long-term transportation needs in the County and provide input to the State concerning the priorities for state highway improvements based on capacity below LOS standards, including timing of long-term Project Study Reports (PSR) for priority projects and their inclusion in the STIP in the needed timeframe. |
| 2012            | 9-1b(1)                 | The County should define the capacity of all roads. |
| 2012            | 9-1c(1)                 | The density of land for development purposes within an area shall be based on the capacity of the road divided by the average daily traffic of the permitted uses. |
| 2012            | 9-1e(1)                 | The County shall incorporate standards and specifications applicable to roads under County jurisdiction, which will include:  
  - requirement that all roads serving road systems shall have an all-weather surface,  
  - all new roads shall be constructed to fire-safe standards,  
  - all new non-County maintained roads shall be contained within mandatory road maintenance associations or zones of benefit,  
  - all road construction shall be inspected and approved by the Public Works Department, and  
  - road circulation within a system shall be designed to be interconnecting and cul-de-sacs or dead-end roads shall be designed to be safe. |
<p>| 2012            | 9-2a(1)                 | The County shall implement the Transit Plan. |
| 2012            | 9-2a(3)                 | Update the transit plan concurrently with the next scheduled update of the Regional Transportation Plan. |
| 2012            | 9-9a(1)                 | Prepare an emergency services plan. |
| 2012            | 10-1c(1)                | Clearly define uses compatible with agriculture. |
| 2012            | 10-2a(3)                | Standards shall be developed for issuance of development permits for substandard size parcels under Williamson Act contract. |
| 2012            | 10-2a(4)                | Develop criteria for transfers of lands within the Agriculture/Working Landscape land use designation for lands within other land use designations which results in no net loss of like kind of agricultural lands (type and quality) and that demonstrates a benefit to agricultural lands. |</p>
<table>
<thead>
<tr>
<th>COMPLETION DATE</th>
<th>IMPLEMENTATION MEASURE</th>
<th>IMPLEMENTATION DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>10-3b(1)</td>
<td>Develop and implement a program cataloging sources of funding and resources providing technical and economic assistance for agriculture stewardship.</td>
</tr>
<tr>
<td>2012</td>
<td>10-5a(1)</td>
<td>Accommodate agrotourism uses through changes in Agriculture zones.</td>
</tr>
<tr>
<td>2012</td>
<td>10-6a(2)</td>
<td>Review enforcement of Williamson Act provisions requiring onsite residents to be actively performing qualifying agricultural activities on all contracted property, including historic parcels, and require one Williamson Act contract for each parcel or for each group of contiguous parcels that are owned and managed as one unit.</td>
</tr>
<tr>
<td>2012</td>
<td>11-1a(1)</td>
<td>The County shall establish guidelines to ensure development complementary to the scenic aspects of the County’s rural character.</td>
</tr>
<tr>
<td>2012</td>
<td>11-1b(2)</td>
<td>The County shall develop subdivision design standards for placement of structures on ridgelines and open hillsides.</td>
</tr>
<tr>
<td>2012</td>
<td>11-1c(3)</td>
<td>Develop flexible site development and clustering to conserve designated scenic routes, views, and viewsheds.</td>
</tr>
<tr>
<td>2012</td>
<td>11-1d(1)</td>
<td>Establish land use patterns that mitigate impacts to air quality.</td>
</tr>
<tr>
<td>2012</td>
<td>11-2a(1)</td>
<td>Include as part of the comprehensive development standards:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Lighting standards established by the International Dark Sky Association; and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• requiring that building materials have a low reflective index.</td>
</tr>
<tr>
<td>2012</td>
<td>11-2b(2)</td>
<td>Implement standards for water conservation that are consistent with State guidelines, including requirements for the installation and use of low-flow plumbing fixtures in all new construction, and for the use of drip irrigation systems and drought-tolerant or low water using landscaping (including retention of existing native plant material) in all multi-family, commercial, resort, industrial and public developments.</td>
</tr>
<tr>
<td>2012</td>
<td>11-3a(1)</td>
<td>Provide for clustering of development that protects and avoid impacts to significant water resources.</td>
</tr>
<tr>
<td>2012</td>
<td>11-4a(3)</td>
<td>Require a conditional use permit for mining activity except where a land use designation permits such use.</td>
</tr>
<tr>
<td>2012</td>
<td>13-5a(1)</td>
<td>The County shall develop and enforce standards that reduce or eradicate invasive species affecting the agricultural and natural ecosystems.</td>
</tr>
<tr>
<td>2012</td>
<td>13-5a(2)</td>
<td>Review and amend the County Grading Ordinance provisions for erosion control on all development projects.</td>
</tr>
<tr>
<td>2012</td>
<td>13-5b(1)</td>
<td>Review and update the provisions of the County Grading Ordinance as needed.</td>
</tr>
<tr>
<td>2012</td>
<td>16-12a(1)</td>
<td>In cooperation with the County’s tourism industry, implement a tourism marketing and advertising program using the Mariposa County brand designed to:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• increase the length of visitor stay within the County,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• expand the tourist season into shoulder seasons, and</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• incorporate special targeted activities for cultural tourism and agri-tourism.</td>
</tr>
<tr>
<td>2012</td>
<td></td>
<td>Review and update the Mariposa County Emergency Management Plan every five years.</td>
</tr>
<tr>
<td>COMPLETION DATE</td>
<td>IMPLEMENTATION MEASURE</td>
<td>IMPLEMENTATION DESCRIPTION</td>
</tr>
<tr>
<td>-----------------</td>
<td>------------------------</td>
<td>---------------------------</td>
</tr>
</tbody>
</table>
| 2012            | 16.16(l)               | Enact amendments to the Mariposa County Code to implement fire safe standards. The ordinance(s) shall include the following requirements:  
- Minimum construction standards or template (width, grade, and surfacing) for public roads, private roads, and private driveways sufficient for emergency vehicles access.  
- Requirements for a connecting circulation system within a road system using roads connecting through other parcels or developed secondary routes dedicated for emergency access.  
- Minimum standards for emergency water supply standards for firefighting purposes.  
- Standards for siting of flammables.  
- Signage and address standards providing easy identification of roads, driveways and buildings.  
- Site design specifications for buildings in locations of extremely high fire danger. |
| 2012            | 16-1c(l)               | Amend, if necessary, the County Subdivision code to ensure formal review of subdivisions by the Fire Agencies. |
| 2012            | 16-3a(l)               | Adopt a strategic plan for fire safety incorporating the Standards of Cover for the Mariposa County Fire Department identifying current and future fire service areas and standards. |
| 2013            | 16-3a(2)               | The strategic plan shall identify the long term capital improvements, rolling stock, equipment and supplies, and other major purchase items needed to maintain and improve fire safety. |
| 2012            | 16-3a(3)               | The strategic plan shall identify thresholds and capital facility needs for each of the existing and future service areas. |
| 2012            | 16-3a(4)               | Revise and update the "Standards of Cover" and its service area maps. |
| 2012            | 16-3b(l)               | Amend a comprehensive County Flood Protection Ordinance that includes at a minimum the following requirements:  
- All structures in flood hazard areas are constructed with materials and equipment resistant to flood damage.  
- All mobile homes shall be anchored by providing over-the-top and frame ties to ground anchors.  
- All new and replacement water systems shall be designed to prevent infiltration of floodwaters into the system.  
On-site sewage disposal systems shall be located to avoid impairment to them or contamination from them during flooding. |
<p>| 2012            | 16-3b(1)               | Enact an ordinance to require a hydrologic evaluation for subdivisions and development projects located within flood plains and drainage channels to ensure potential flood hazard is minimized. |
| 2012            | 16-5a(l)               | Amend Title 16 of the Mariposa County Code, Subdivisions, to require subdivision parcels and development projects to provide at least one means of vehicular access not crossing a flood hazard area, or be constructed above the maximum flood elevation. |</p>
<table>
<thead>
<tr>
<th>COMPLETION DATE</th>
<th>IMPLEMENTATION MEASURE</th>
<th>IMPLEMENTATION DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>2012</td>
<td>16-5c(1)</td>
<td>Enact an ordinance requiring ponds and facilities for retaining water to be designed to prevent downstream flooding.</td>
</tr>
<tr>
<td>2012</td>
<td>16-6a(1)</td>
<td>Amend Title 17 of the Mariposa County Code, Zoning, to require flood and drainage channels to be designed into landscaping plans.</td>
</tr>
<tr>
<td>2012</td>
<td>16-6a(2)</td>
<td>Land use maps shall maintain low intensity zoning in floodplain areas.</td>
</tr>
</tbody>
</table>

**INTERMEDIATE-TERM 2017**

| 2017            | 5-7a(1)                | Establish siting and development criteria for public facilities and sites. |
| 2017            | 6-1a(1)                | The County Administrative Office will hire an Economic Development Coordinator within the County Government. |
| 2017            | 6-2a(1)                | The County should develop a clearly defined Mariposa County brand and supporting marketing program. |
| 2017            | 6-2a(2)                | The County shall implement the marketing program, successfully establishing the brand within target economic markets. |
| 2017            | 6-3a(1)                | The County Economic Development Strategic Plan should include a proactive business retention and growth program to be implemented during the short-term planning period. |
| 2017            | 6-3b(1)                | The County should support programs to assist in the acquisition and administration of grants as part of its economic development function. |
| 2017            | 6-3b(2)                | As part of the business retention and attraction program, the County should establish working relationships with local and regional financial institutions to serve as potential sources of financing for establishing and expanding businesses in the County. |
| 2017            | 6-4a(1)                | Meet with leaders from telecommunication companies serving the County to bring high-speed telecommunications to Mariposa County. |
| 2017            | 6-4b(1)                | Incorporate an assessment of potential businesses created by the University of California at Merced in the County's Economic Development Strategic Plan. |
| 2017            | 7-2c(1)                | Integrate the arts as part of the County's Economic Development Strategic Plan. |
| 2017            | 7-2d(1)                | The Planning Commission and the Mariposa County Arts Council may collaborate to prepare an ordinance addressing the review process, standards, and guidelines for public displays of art in County facilities. |
| 2017            | 9-3a(1)                | The County should adopt and implement the Bicycle, Pedestrian, and Equestrian Facilities Plan. |
| 2017            | 9-3a(2)                | The County shall update the Bicycle, Pedestrian, and Equestrian Plan to create a comprehensive system of transportation and recreation trails. |
| 2017            | 9-6d(1)                | Design, permit, and construct a co-composting facility. |
| 2017            | 10-1a(1)               | The Board of Supervisors should maintain a full-time agriculture commissioner and provide support within budgetary and staff constraints. |
APPENDIX C
FUTURE CONSIDERATION

"Future Considerations List"

The list of future considerations is a compilation of Board of Supervisors or community-identified desires, for future consideration by the Board of Supervisors. When policy recommendations are brought forward by community members, these recommendations will be added to this list for deliberation by the Board of Supervisors during the annual General Plan review period or each time the General Plan is updated. This list is dynamic and new items will continue to be added throughout the life of the General Plan; however, items can be removed from the list at the Board's discretion. When items are "approved" by the Board of Supervisors, they will be developed into policies and/or implementation measures and included as part of General Plan amendment process.

1. Evaluate the effectiveness of the "tripling the average daily traffic" standard in Section 5.4.02 F, Intensity of Use Standards, F(2) Traffic Generation.

2. Consider the use of "Carrying Capacity" in establishing the "minimum density" criteria for each land use classification.

3. Conduct Groundwater Studies similar to Groundwater Studies conducted in Eastern Fresno county.

4. Prepare a study that evaluates the clustering of residential units on a parcel of land based on the project parcel's carrying capacity. The study findings may be applied in future updates of the General Plan and implementing ordinances.

5. Define the criteria to be used in evaluating new road capacity definitions.

6. New policy: New development shall pay its fair share through development impact fees.

7. Track the appropriateness of the maximum acreage in the commercial sub classification of the Rural Economic Land Use to determine if 20 acres is still appropriate or if the acreage should be reduced to 10 acres.

8. The following underlined text is to be considered for addition to the existing Implementation Measure 10-2a(3): Standards shall be developed for issuance of development permits for substandard size parcels under Williamson Act contract. Development permits shall not be issued for substandard size parcels unless they are enforceably managed with other (standard) contiguous contracted parcels under common ownership.

9. The following underlined text is to be considered for addition to the existing Implementation Measure 10-6a(2): Review enforcement of Williamson Act provisions requiring onsite residents to be actively performing qualifying agricultural activities on all contracted property including historic parcels and require one Williamson Act contract for each parcel or for each group of contiguous parcels that are owned and managed as one unit.
10. The goals, policies, and implementation measures listed below were removed from the 2005 Draft General Plan because they were determined by the Board of Supervisors and Planning Commission not financially feasible or would not realistically be implemented during the horizon of the General Plan. The Board of Supervisors and Planning Commission however acknowledge that these goals, policies, and implementation measures are worth retaining and therefore are preserved here for future consideration during annual General Plan reviews and/or updates. This list will be maintained on an annual basis and goals, policies, and implementation measures may be added or deleted at the request of the Board of Supervisors or Planning Commission.

**General Plan Administration**

*Policy:* The General Plan is the policy compendium of the Board of Supervisors.

*Implementation Measure:* General Plan map interpretation guideline shall be to apply the designated classification when more than fifty percent of a quarter-quarter section is shown to be within the classification. Where possible, the following shall be used as the interpreted boundary:

- Roads
- Quarter section
- Property lines

*Implementation Measure:* The update to Title 17, Mariposa County Code, Zoning, shall include provisions for staff General Plan interpretations to be appealed directly to the Board of Supervisors.

*Implementation Measure:* The Five Year Review shall be intended to update timelines and adopt any major changes in goals and policies. The Five Year Review shall include:

- Analysis of all short-term planning period projects to ensure completion. Mariposa Planning shall recommend retention or elimination of incomplete projects; and
- Analysis of all intermediate-term planning period projects to recommend which shall be changed to the new short-term planning period, which shall be retained as intermediate term, which may be moved to long-term, and which may be eliminated; and
- Analysis of all long-term planning period projects to recommend which shall be changed to intermediate term, which shall be retained as long-term, and which may be eliminated; and
- Analysis of changes in Board policies and recommendations for appropriate changes in Plan goals which shall be necessary to implement the revised policies of the Board of Supervisors; and
- Population projections and trends to ensure the Plan continues to accommodate an appropriate inventory of undeveloped land for future populations.

**Land Use**

*Goal:* Maintain a land use pattern that preserves the County’s scenic character.

*Policy:* Land use designations shall be compatible with the preservation of scenic character while providing for the orderly development of the County.

*Policy:* County populations not located in or near planning areas shall have opportunities for locally-
Implementation Measure: During the short-term planning period, revise Title 17 of the Mariposa County Code, Zoning to include a Rural Commercial zoning district using this or a similar name.

Economic Development

Goal: Provide additional services to the County’s residents creating new employment opportunities by improving the local economy.

Policy: Enable creation of new local businesses.

Policy: Develop the training and infrastructure necessary for economic diversification.

Policy: Implement active programs designed to strengthen and diversify the core local economy that provides goods and services to local residents.

Policy: Provide opportunities for maintaining compatible businesses in the home.

Policy: Each Planning Area shall identify a fair share of land for the relocation of growing Home Enterprises and Rural Home Industries.

Implementation Measure: During the short-term planning period, the Board of Supervisors shall appoint an Economic Development Director and provide the Director with appropriate staff and operating budget.

Implementation Measure: The Economic Development Department or Division shall serve the Board of Supervisors and be advised by a County Economic Development Commission appointed by the Board of Supervisors.

Implementation Measure: The Board of Supervisors shall implement the economic development strategic plan within each year’s budget.

Implementation Measure: During the short-term planning period, the County shall assist in creating an economic development inventory and business database designed to provide information to facilitate the establishment and expansion of businesses in the County.

Implementation Measure: During the short-term planning period, the County shall join in the creation of a Business Development Center.

Implementation Measure: As part of its economic development function, the County shall participate in State and Federal programs which return a measurable benefit to the County’s Economic Development Strategic Plan.

Implementation Measure: Collaborate with Mariposa County Unified School District, community college districts, universities and other agencies to create a flexible and responsive workforce development and training programs meeting long-range employment needs in the County’s target markets.

Implementation Measure: During the intermediate-term planning period define, plan, and begin implementation of the infrastructure identified in the County’s Economic Development Strategic Plan, and the Capital Improvement Program needed for economic diversification.

Implementation Measure: Beginning in the intermediate-term planning period, continue the development of infrastructure and make investment needed to provide for new and expanded business opportunities.

Implementation Measure: During the short-term planning period assist the tourism industry in establishing an employee-training center for all aspects of hospitality employment and management.

Implementation Measure: Use the County’s business retention and attraction program to support the
growth of businesses, including retail, personal and business services, and health care, which would provide a wider range of goods and services to County residents.

**Implementation Measure:** Assist the local business community in implementing a “Shop Mariposa” program and other promotional efforts designed to retain more of the County’s spending for goods and services.

**Implementation Measure:** Home Offices shall be an accessory use in all residential zoning districts, subject to the following standards:
- The business is designed to provide a service primarily delivered to the customer at another location.
- No additional signage, other than that permitted for the residential use, shall be allowed.
- No additional parking shall be provided solely for the use of the business.
- No more than one outside-the-household employee is permitted.

**Implementation Measure:** Home Enterprises shall be an accessory use on parcels of 2.5 acres or more of gross land area, subject to the following standards:
- If the business has the potential to triple the traffic generation standard of the single family dwelling (from 7.5 to 22.5 average daily trips), a discretionary permit is required.
- No more than one outside-the-household employee is permitted.

**Implementation Measure:** Rural Home Industries shall be a discretionary accessory use requiring approval of a use permit prior to initiation on parcels of 5.0 acres or more in the Residential land use classification. Not more than three outside-the-family employees are permitted.

**Implementation Measure:** Rural Home Industries shall be an accessory use on lands within the Agricultural/Working Landscape and Natural Resources land use classifications.

**Implementation Measure:** Each Area Plan shall define the nature of businesses in the home allowed in various land use classifications.

**Implementation Measure:** In the short term, the County shall amend Title 17, Mariposa County Code, Zoning to define precise performance standards for businesses in the home.

**Implementation Measure:** All Planning Areas—except Wawona and Fish Camp—shall provide for lands that may be classified and zoned to accommodate the relocation of Home Enterprises and Rural Home Industries. The acreage encompassing a “fair share” shall be determined by the Planning Agency when preparation of the Area Plan is initiated. The Planning Advisory Committee shall recommend the location(s) for the lands to be classified.

**Implementation Measure:** During the short-term and intermediate-term planning period actively work to develop wireless communication facilities and service to cover the entire County.

**Implementation Measure:** During the short-term planning period, if any telecommunications provider is unwilling to cooperate or participate in an intermediate- and long-term program to bring high speed telecommunications into the County, officially contact the appropriate regulatory agency to seeking assistance or intervention in attaining County goals.

**Implementation Measure:** Implement actions to attract the “spin-off” businesses in the County’s business retention and attraction program and in provision of infrastructure.

**Arts and Culture**
Implementation Measure: The ordinance creating the Cultural Arts Commission shall include, and not be limited to, the following tasks:

- create public awareness program,
- prepare and recommend for adoption, a County Arts Plan,
- recommend policies for soliciting, accepting, and displaying public art, including themes and sites for public art,
- create and maintain an inventory of public art,
- develop programs and propose sources for funding the Arts, and
- determine the needs for and recommend sites for capital facilities necessary for the advancement of cultural and performing arts.

Implementation Measure: During the short-term planning period, the County shall allocate County personnel and financial resources assisting community-based organizations to market and promote their arts and culture events.

Implementation Measure: During the intermediate-term planning period, the County should consider constructing and operating a County cultural and performing arts center.

Housing

Goal: Increase affordable housing ownership opportunities with manufactured housing.

Policy: Encourage the use of manufactured housing to provide ownership opportunities meeting Jobforce housing needs.

Policy: Permit installation of safe, non-certified mobile homes meeting HCD CCR Title 25 standards.

Policy: Ensure that all development within the Rural Economic/Resort land use subclassification provides adequate housing for its employees. If adequate housing is not available within the local community, the resort development will provide such housing within the project.

Implementation Measure: The County shall enact no ordinances or standards that preclude installation of manufactured housing on individual parcels of land in the County.

Implementation Measure: Prior to the issuance of a building permit to move or install a non-HUD certified mobile home, the approved certificate of inspection from the Department of Housing and Community Development shall be obtained. Mariposa County building permits shall only be issued for installation of mobile homes on individual lots or parcels when the mobile home meets one of the two following standards:

- Certified mobile homes:
  - The mobile home is constructed to the standards of the United States Department of Housing and Urban Development or meets equivalent certification standards, and
  - The mobile home meeting certification standards shall be taxed as real property, or

- Non-HUD certified mobile homes:
  - The mobile home shall meet appropriate roof load requirements for the elevation of installation by either its manufacturing design or by covering the mobile home with a ramada constructed to the standards of the Uniform Building Code, and
The mobile home shall be inspected and an approved certificate issued by the Department of Housing and Community Development shall be filed with the Building Department, and

- The mobile home shall incorporate a safe electrical system with the certification provided by a professional appropriately licensed in the State of California to provide this service, and
- The mobile home shall be taxed as real property.

**Circulation, Infrastructure, and Services**

**Policy:** Expand the economic value of the airport.

**Implementation Measure:** The County shall maintain a traffic model to project traffic volume and calculate road capacity.

**Implementation Measure:** Road improvements required to increase capacity when necessary for a project shall increase capacity as needed on all roads from the project site to the nearest major collector, County arterial, or State Highway.

**Implementation Measure:** During the short-term planning period (January 2006 – January 2011), prepare an Airport Special Plan encompassing the Airport Master Plan and areas within the Mariposa Town Planning Area to provide sites for business and industry surrounding the airport.

**Agriculture**

**Policy:** Maintain a database of agricultural lands and products providing information, tracking trends, and seeking opportunities.

**Policy:** Cooperate and assist in the preservation of agriculture lands.

**Implementation Measure:** During the short-term planning period, develop and maintain an inventory of agricultural lands and products as support to economic development strategies and program implementation.

**Implementation Measure:** Information in the agriculture database shall be utilized as part of the findings for General Plan amendments and updates.

**Implementation Measure:** As an ongoing project, the County shall utilize collaborative planning efforts to determine local efforts eradicating invasive species.

**Implementation Measures:** During the short-term planning period, the Resource Conservation District shall prepare and maintain a catalogue of private and public organizations interested in the purchase of land or easements for the preservation and maintenance of agriculture or habitat lands.

**Conservation and Open Space**

**Goal:** Provide for the sustainable development of timber resources.

**Policy:** Make the Mariposa County Water Agency an active, viable entity.

**Policy:** Protect commercially valuable timberland from conversion to non-timber related uses.

**Policy:** Maintain and enhance sustainable production of timber.

**Implementation Measure:** Enforce the County Grading Ordinance for erosion control on all development projects.

**Implementation Measure:** Enforce the County's regulations concerning installation and maintenance of private wastewater disposal systems. Areas identified as having septic system constraints shall be required to have specially designed wastewater
treatment systems.

Implementation Measure: Require that all development use pervious paving material whenever feasible to reduce surface water runoff and aid in groundwater recharge.

Implementation Measure: During the short-term planning period, the County shall request the California State Geologic Survey Board to authorize and complete the “Mariposa County State Classification Report.”

Implementation Measure: Define the minimum performance standards that shall set minimum land area for mineral resource projects to be based on the types of operations and the land use classification.

Implementation Measure: Landscaping standards within the County Code shall require the use of site-appropriate native plant species.

Implementation Measure: During the short-term planning period, the County shall develop and enforce standards to reduce or eradicate invasive species affecting the agricultural and natural ecosystems.

Implementation Measure: Commercially valuable timberland shall be within the Agriculture/Working Landscape land use classification.

Implementation Measure: Use the current State Board of Forestry Practice Rules to accomplish sustainable production of timber.

Local Recreation

Implementation Measure: Acquire and develop park and recreation facilities.

Implementation Measure: During the budget planning process, the Public Works Department shall prepare a report to the Parks and Recreation Advisory Committee identifying areas of the County in which new park facilities are required to maintain the service level.

Implementation Measure: The Board of Supervisors shall approve projects to achieve service levels within a five-year rolling period from the time the need is identified. A change in population of 25 percent or more is required to assess the service levels in an area of the County. The population is to be estimated based on number of residential building permits issued during a given year.

Implementation Measure: The Parks and Recreation Master Plan shall be reviewed every five years and updated to reflect changes in community values and County development.

Implementation Measure: The Parks and Recreation Master Plan shall include projections of fiscal needs and revenue sources for the operations, maintenance, and program implementation identified over short-, intermediate-, and long-term planning periods.

Regional Tourism

Implementation Measure: During the short- and intermediate-term planning period, create and install all the required signage to match other promotional activities and site identification.

Implementation Measure: Identify sites and develop locations for satellite visitor centers at other County gateways, including Coulterville, Fish Camp, and within Yosemite National Park.

Historic and Cultural Resources

Implementation Measure: As part of the reorganization this Historic Sites and Records
Preservation Commission shall be renamed the Mariposa County “Historic Preservation Commission.”

**Implementation Measure:** By the conclusion of the intermediate-term planning period, the County shall convert and maintain a comprehensive digital imagery database of its official records, both contemporary and historic.

**Implementation Measure:** During the short-term planning period, the County shall initiate a mandatory digital imagery document management system for all memorialization of all current official records and documents.

**Implementation Measure:** Sites and structures on the Mariposa County Register of Historic Places, in a Historic District, or Main Street District shall be offered the maximum allowable special property tax valuation and federal tax incentives for restoration or renovation of the historic structure.

**Implementation Measure:** During the intermediate term planning period, the County shall establish a low interest revolving loan fund to finance repair and renovation of privately owned historic structures.

**Implementation Measure:** The Uniform Code of Building Conservation shall be used to provide alternative building regulations for the rehabilitation, preservation, restoration (including related reconstruction), or relocation of buildings or structures listed on the Historic Resources Inventory, or which have reached 50 years of age.

**Implementation Measure:** During the short-term planning period, the County shall develop and adopt an ordinance establishing penalties for acts of vandalism of historic and archaeological resources on County lands.

**Implementation Measure:** The County shall implement the CEQA process to establish procedures for Native American review of proposed projects.

**Noise**

**Implementation Measure:** During the short-term planning period, the County shall enact a Noise Ordinance to be enforced by the Health Department. At a minimum, the ordinance shall include:

- Prohibition on the non-emergency use of truck “Jake Brakes” on roadways adjacent to residential uses and in planning areas;
- Noise control within new residential developments through project design;
- Prohibition on the use of noise barriers as mitigation when other alternatives are feasible;
- Requirements for a qualified acoustical consultant who shall conduct an acoustical analysis;
- A menu of appropriate requirements for reduction of noise exposure or standards for assessing noise impacts; and
- A menu that may include one or more of the following techniques for noise control through site design:
  - Increasing the distance between the noise source and receiving use (setbacks);
  - Placing structures on a project site to shield other structures or areas, to remove them from noise-impacted areas, and to prevent an increase in noise levels caused by
reflections.

- Placement of outdoor activity areas on the opposite side of building facades from the noise source, or within the shielded portion of a building complex.
- Placement of walls, berms or other barriers between the noise source and the receiver.
- Locating bedrooms and other noise-sensitive rooms opposite from the noise source where interior noise levels are a primary concern.
- Patios or balconies of apartment complexes or multifamily dwellings shall be placed on the side of a building opposite the noise source. “Wing walls” can also be added to buildings or patios. When such noise reduction measures are impractical or infeasible, the County may decide not to apply the exterior noise level requirements at some or all of the patio or balcony areas if a central courtyard is provided as a primary outdoor activity area.

**Implementation Measure:** Construction equipment shall be equipped with proper muffler systems and shall be in good working order.

**Implementation Measure:** The County should implement noise performance standards (Table C-1) to ensure that new noise-sensitive land uses are not exposed to excessive noise from nearby non-transportation noise sources, and to ensure that new noise-generating land uses do not create noise levels exceeding adopted standards as measured from nearby noise sensitive land uses.

### Table C-1: Noise Performance Standards for Non-Transportation Noise Sources

<table>
<thead>
<tr>
<th>Noise Level Descriptor</th>
<th>Daytime (7 a.m. to 10 p.m.)</th>
<th>Nighttime (10 p.m. to 7 a.m.)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hourly L_{eq} dB</td>
<td>55</td>
<td>45</td>
</tr>
</tbody>
</table>

**Notes:**

A. Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises (e.g., humming sounds, outdoor speaker systems). These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings). The County can impose noise level standards that are more restrictive than those specified above based upon determination of existing low ambient noise levels. In rural areas where large lots exist, the exterior noise level standard may be applied at a point 100 feet away from the residence. Industrial, light industrial, commercial and public service facilities which have the potential for producing objectionable noise levels at nearby noise-sensitive uses are dispersed throughout the County. Fixed noise sources that are typically of concern include, but are not limited to the following: HVAC System, Cooling Towers/Evaporative Condensers, Pump Stations, Lift Stations, Emergency Generators, Boilers, Steam Valves, Steam Turbines, Generators, Fans, Air Compressors, Heavy Equipment, Conveyor Systems, Transformers, Pile Drivers, Grinders, Drill Rigs, Gas or Diesel Motors, Welders, Cutting Equipment, Outdoor Speakers, Blowers.

B. The types of uses which may typically produce the noise sources described above include but are not limited to: industrial facilities including lumber mills, trucking operations, tire shops, auto maintenance shops, metal fabricating shops, shopping centers, drive-up windows, car washes, loading docks, public works projects, batch plants, bottling and canning plants, recycling centers, electric generating stations, race tracks, landfills, sand and gravel operations, and athletic fields.

**Implementation Measure:** New development of noise-sensitive land uses shall not be permitted in areas exposed to existing or projected levels of noise from...
transportation noise sources which exceed the levels specified in Table D-2 unless the project design includes effective mitigation measures to reduce exterior noise and noise levels in interior spaces to the levels specified Table C-2.

Table C-2: Maximum Allowable Noise Exposure – Transportation Noise Sources

<table>
<thead>
<tr>
<th>Land Use</th>
<th>Outdoor Activity Areas, L_{dn}/CNEL, dB</th>
<th>Interior Spaces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Transient Lodging</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Hospitals, Nursing Homes</td>
<td>60</td>
<td>45</td>
</tr>
<tr>
<td>Theaters, Auditoriums, Music Halls</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Churches, Meeting Halls</td>
<td>60</td>
<td>--</td>
</tr>
<tr>
<td>Office Buildings</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Schools, Libraries, Museums</td>
<td>--</td>
<td>--</td>
</tr>
<tr>
<td>Playgrounds, Neighborhood Parks</td>
<td>65</td>
<td>--</td>
</tr>
</tbody>
</table>

Notes:

A. Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use. Where it is not practical to mitigate exterior noise levels at patio or balconies of apartment complexes, a common area such as a pool or recreation area may be designated as the outdoor activity area.

B. As determined for a typical worst-case hour during periods of use.

C. Where it is not possible to reduce noise in outdoor activity areas to 60 dB Ldn/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 65 dB Ldn/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table. In the case of hotel/motel facilities or other transient lodging, outdoor activity areas such as pool areas may not be included in the project design. In these cases, only the interior noise level criterion will apply.

Safety

Policy: New construction shall use fire-safe practices.

Implementation Measure: During the short-term planning period revise the County Subdivision code to incorporate comprehensive fire prevention and protection standards.

Implementation Measure: During the short-term planning period, adopt comprehensive site development review standards incorporating fire prevention and protection standards.

Implementation Measure: Require new construction to incorporate design and materials to increase fire resistance conforming to California fire-safe practices.

Implementation Measure: During the short-term planning period and each update of the General Plan, review and amend as necessary, the County building codes to incorporate design and construction materials consistent with Fire Safe practices.

Implementation Measure: No subdivision shall be presented to the Planning Commission without review and recommendations from the Fire Department.

Implementation Measure: Adopt and implement the most recent Uniform Fire Codes and supplements for project standards as revisions become available.

Implementation Measure: During the short-term planning period, the County shall enact an ordinance for fuel load management on private property, including provisions to
require owners of undeveloped lands within the urban-wildland interface to manage fuel loads.

**Implementation Measure:** Cooperate with the California Department of Forestry and Fire Protection in implementing fuel reduction programs.

**Implementation Measure:** During the short-term planning period, and in cooperation with the California Department of Forestry and Fire Protection, create a Mariposa County Guidelines for the Implementation of Fire Safe Standards identified in 14 CCR §1270 et seq.

**Implementation Measure:** During the short-term planning period, adopt a comprehensive County Flood Protection Ordinance substantially meeting the requirements of the National Flood Insurance Program (NFIP) balanced with local needs. The ordinance shall include, at a minimum:

- Prohibition on the construction of any non-flood-proof habitable residential structures within in the designated floodway.
- Limit uses in the flood fringe to those that conform to requirements and objectives of FEMA and the National Flood Insurance Program (NFIP), unless appropriate mitigations are incorporated into site design and construction.
- Require any essential public facilities located in a flood hazard area to be designed to avoid inundation of structures or access by floodwaters.
- New construction in flood hazard areas shall have minimal obstruction to flood waters and no increases to flood depth or velocities in excess of levels within FEMA guidelines.
- Prohibit the location of potential pathogenic and toxic sources or hazardous facilities such as sanitary landfills, chemical storage, and petroleum storage facilities within flood hazard areas.

**Implementation Measure:** The revisions to Title 17, Mariposa County Code, Zoning shall include a flood overlay district in the County Zoning Ordinance based upon the FEMA flood hazard maps, including use regulations coordinated with the Flood Protection Ordinance.

**Implementation Measure:** Maintain enforcement of Mariposa County Code Title 15, Building, grading requirements.

**Implementation Measure:** All bridges, roads and fills shall be designed to preserve free natural drainage.

**Implementation Measure:** Continue enforcing the County grading code ensuring site preparation, road construction, and removal of vegetation standards.

**Implementation Measure:** Subdivisions in high-risk geologic hazard areas shall be reviewed as to possible risks.

**Implementation Measure:** Development of critical facilities such as hospitals, fire houses, schools, water, electrical or other utility services, etc. will be discouraged in areas identified as geologic hazard areas unless engineering studies indicate that risk can be minimized or eliminated through design and construction techniques.

**Implementation Measure:** Development of hazardous facilities or sources of potentially pathogenic or toxic substances, such as sanitary landfills, chemical storage facilities, and petroleum storage facilities, shall be prohibited in geologic hazard areas.
Implementation Measure: Amend Title 16 of the Mariposa County Code, Subdivisions, to require subdivisions adjoining fault lines to identify seismic risk zones onsite.
ATTACHMENT 6
65400. (a) After the legislative body has adopted all or part of a general plan, the planning agency shall do both of the following:

(1) Investigate and make recommendations to the legislative body regarding reasonable and practical means for implementing the general plan or element of the general plan, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open-space land and natural resources, and the efficient expenditure of public funds relating to the subjects addressed in the general plan.

(2) Provide by April 1 of each year an annual report to the legislative body, the Office of Planning and Research, and the Department of Housing and Community Development that includes all of the following:

(A) The status of the plan and progress in its implementation.

(B) The progress in meeting its share of regional housing needs determined pursuant to Section 65584 and local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to paragraph (3) of subdivision (c) of Section 65583.

The housing element portion of the annual report, as required by this paragraph, shall be prepared through the use of forms and definitions adopted by the Department of Housing and Community Development pursuant to the rulemaking provisions of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2).

(C) The degree to which its approved general plan complies with the guidelines adopted pursuant to Section 65040 and the date of the last revision to the general plan.

(b) For the report to be filed during the 2006 calendar year, the planning agency may provide the report required pursuant to paragraph (2) of subdivision (a) by October 1, 2006.

(c) If a court finds, upon a motion to that effect, that a city, county, or city and county failed to submit, within 60 days of the deadline established in this section, the housing element portion of the report required pursuant to subparagraph (B) of paragraph (2) of subdivision (a) that substantially complies with the requirements of this section, the court shall issue an order or judgment compelling compliance with this section within 60 days. If the city, county, or city and county fails to comply with the court's order within 60 days, the plaintiff or petitioner may move for sanctions, and the court may, upon that motion, grant appropriate sanctions. The court shall retain jurisdiction to ensure that its order or judgment is carried out. If the court determines that its order or judgment is not carried out within 60 days, the court may issue further orders as provided by law to ensure that the purposes and policies of this section are fulfilled. This subdivision applies to proceedings initiated on or after the first day of October following the adoption of forms and definitions by the Department of Housing and Community Development pursuant to paragraph (2) of subdivision (a), but no sooner than six months following that adoption.
and subdivision (c) of Section 65302.

(f) "Supportive housing" has the same meaning as defined in subdivision (b) of Section 50675.14 of the Health and Safety Code.

(g) "Transitional housing" has the same meaning as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code.

65582.1. The Legislature finds and declares that it has provided reforms and incentives to facilitate and expedite the construction of affordable housing. Those reforms and incentives can be found in the following provisions:

(a) Housing element law (Article 10.6 (commencing with Section 65580) of Chapter 3).

(b) Extension of statute of limitations in actions challenging the housing element and the housing element and brought in support of affordable housing (subdivision (d) of Section 65009).

(c) Restrictions on disapproval of housing developments (Section 65589.5).

(d) Priority for affordable housing in the allocation of water and sewer hookups (Section 65589.7).

(e) Least cost zoning law (Section 65913.1).

(f) Density bonus law (Section 65915).

(g) Second dwelling units (Sections 65852.150 and 65852.2).

(h) By-right housing, in which certain multifamily housing are designated a permitted use (Section 65589.4).

(i) No-net-loss-in zoning density law limiting downzonings and density reductions (Section 65863).

(j) Requiring persons who sue to halt affordable housing to pay attorney fees (Section 65914) or post a bond (Section 529.2 of the Code of Civil Procedure).

(k) Reduced time for action on affordable housing applications under the approval of development permits process (Article 5 (commencing with Section 65950) of Chapter 4.5).

(l) Limiting moratoriums on multifamily housing (Section 65858).

(m) Prohibiting discrimination against affordable housing (Section 65008).

(n) California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3).

(o) Community redevelopment law (Part 1 (commencing with Section 33000) of Division 24 of the Health and Safety Code, and in particular Sections 33334.2 and 33413).

65583. The housing element shall consist of an identification and analysis of existing and projected housing needs and a statement of goals, policies, quantified objectives, financial resources, and scheduled programs for the preservation, improvement, and development of housing. The housing element shall identify adequate sites for housing, including rental housing, factory-built housing, mobilehomes, and emergency shelters, and shall make adequate provision for the existing and projected needs of all economic segments of the community. The element shall contain all of the following:

(a) An assessment of housing needs and an inventory of resources and constraints relevant to the meeting of these needs. The assessment and inventory shall include all of the following:

(1) An analysis of population and employment trends and documentation of projections and a quantification of the locality's
existing and projected housing needs for all income levels, including extremely low income households, as defined in subdivision (b) of Section 50105 and Section 50106 of the Health and Safety Code. These existing and projected needs shall include the locality's share of the regional housing need in accordance with Section 65584. Local agencies shall calculate the subset of very low income households allotted under Section 65584 that qualify as extremely low income households. The local agency may either use available census data to calculate the percentage of very low income households that qualify as extremely low income households or presume that 50 percent of the very low income households qualify as extremely low income households. The number of extremely low income households and very low income households shall equal the jurisdiction's allocation of very low income households pursuant to Section 65584.

(2) An analysis and documentation of household characteristics, including level of payment compared to ability to pay, housing characteristics, including overcrowding, and housing stock condition.

(3) An inventory of land suitable for residential development, including vacant sites and sites having potential for redevelopment, and an analysis of the relationship of zoning and public facilities and services to these sites.

(4) (A) The identification of a zone or zones where emergency shelters are allowed as a permitted use without a conditional use or other discretionary permit. The identified zone or zones shall include sufficient capacity to accommodate the need for emergency shelter identified in paragraph (7), except that each local government shall identify a zone or zones that can accommodate at least one year-round emergency shelter. If the local government cannot identify a zone or zones with sufficient capacity, the local government shall include a program to amend its zoning ordinance to meet the requirements of this paragraph within one year of the adoption of the housing element. The local government may identify additional zones where emergency shelters are permitted with a conditional use permit. The local government shall also demonstrate that existing or proposed permit processing, development, and management standards are objective and encourage and facilitate the development of, or conversion to, emergency shelters. Emergency shelters may only be subject to those development and management standards that apply to residential or commercial development within the same zone except that a local government may apply written, objective standards that include all of the following:

(i) The maximum number of beds or persons permitted to be served nightly by the facility.

(ii) Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.

(iii) The size and location of exterior and interior onsite waiting and client intake areas.

(iv) The provision of onsite management.

(v) The proximity to other emergency shelters, provided that emergency shelters are not required to be more than 300 feet apart.

(vi) The length of stay.

(vii) Lighting.

(viii) Security during hours that the emergency shelter is in operation.

(B) The permit processing, development, and management standards applied under this paragraph shall not be deemed to be discretionary acts within the meaning of the California Environmental Quality Act.
(Division 13 (commencing with Section 21000) of the Public Resources Code).

(C) A local government that can demonstrate to the satisfaction of the department the existence of one or more emergency shelters either within its jurisdiction or pursuant to a multijurisdictional agreement that can accommodate that jurisdiction's need for emergency shelter identified in paragraph (7) may comply with the zoning requirements of subparagraph (A) by identifying a zone or zones where new emergency shelters are allowed with a conditional use permit.

(D) A local government with an existing ordinance or ordinances that comply with this paragraph shall not be required to take additional action to identify zones for emergency shelters. The housing element must only describe how existing ordinances, policies, and standards are consistent with the requirements of this paragraph.

(5) An analysis of potential and actual governmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the types of housing identified in paragraph (1) of subdivision (c), and for persons with disabilities as identified in the analysis pursuant to paragraph (6), including land use controls, building codes and their enforcement, site improvements, fees and other exactions required of developers, and local processing and permit procedures. The analysis shall also demonstrate local efforts to remove governmental constraints that hinder the locality from meeting its share of the regional housing need in accordance with Section 65584 and from meeting the need for housing for persons with disabilities, supportive housing, transitional housing, and emergency shelters identified pursuant to paragraph (6). Transitional housing and supportive housing shall be considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

(6) An analysis of potential and actual nongovernmental constraints upon the maintenance, improvement, or development of housing for all income levels, including the availability of financing, the price of land, and the cost of construction.

(7) An analysis of any special housing needs, such as those of the elderly, persons with disabilities, large families, farmworkers, families with female heads of households, and families and persons in need of emergency shelter. The need for emergency shelter shall be assessed based on annual and seasonal need. The need for emergency shelter may be reduced by the number of supportive housing units that are identified in an adopted 10-year plan to end chronic homelessness and that are either vacant or for which funding has been identified to allow construction during the planning period.

(8) An analysis of opportunities for energy conservation with respect to residential development.

(9) An analysis of existing assisted housing developments that are eligible to change from low-income housing uses during the next 10 years due to termination of subsidy contracts, mortgage prepayment, or expiration of restrictions on use. "Assisted housing developments," for the purpose of this section, shall mean multifamily rental housing that receives governmental assistance under federal programs listed in subdivision (a) of Section 65863.10, state and local multifamily revenue bond programs, local redevelopment programs, the federal Community Development Block Grant Program, or local in-lieu fees. "Assisted housing developments" shall also include multifamily rental units that were developed pursuant to a local inclusionary housing program or used to qualify for a density bonus pursuant to Section 65916.
(A) The analysis shall include a listing of each development by project name and address, the type of governmental assistance received, the earliest possible date of change from low-income use and the total number of elderly and nonelderly units that could be lost from the locality's low-income housing stock in each year during the 10-year period. For purposes of state and federally funded projects, the analysis required by this subparagraph need only contain information available on a statewide basis.

(B) The analysis shall estimate the total cost of producing new rental housing that is comparable in size and rent levels, to replace the units that could change from low-income use, and an estimated cost of preserving the assisted housing developments. This cost analysis for replacement housing may be done aggregately for each five-year period and does not have to contain a project-by-project cost estimate.

(C) The analysis shall identify public and private nonprofit corporations known to the local government which have legal and managerial capacity to acquire and manage these housing developments.

(D) The analysis shall identify and consider the use of all federal, state, and local financing and subsidy programs which can be used to preserve, for lower income households, the assisted housing developments identified in this paragraph, including, but not limited to, federal Community Development Block Grant Program funds, tax increment funds received by a redevelopment agency of the community, and administrative fees received by a housing authority operating within the community. In considering the use of these financing and subsidy programs, the analysis shall identify the amounts of funds under each available program which have not been legally obligated for other purposes and which could be available for use in preserving assisted housing developments.

(b) (1) A statement of the community's goals, quantified objectives, and policies relative to the maintenance, preservation, improvement, and development of housing.

(2) It is recognized that the total housing needs identified pursuant to subdivision (a) may exceed available resources and the community's ability to satisfy this need within the content of the general plan requirements outlined in Article 5 (commencing with Section 65530). Under these circumstances, the quantified objectives need not be identical to the total housing needs. The quantified objectives shall establish the maximum number of housing units by income category, including extremely low income, that can be constructed, rehabilitated, and conserved over a five-year time period.

(c) A program which sets forth a five-year schedule of actions the local government is undertaking or intends to undertake to implement the policies and achieve the goals and objectives of the housing element through the administration of land use and development controls, the provision of regulatory concessions and incentives, and the utilization of appropriate federal and state financing and subsidy programs when available and the utilization of moneys in a low- and moderate-income housing fund of an agency if the locality has established a redevelopment project area pursuant to the Community Redevelopment Law (Division 24 (commencing with Section 33000) of the Health and Safety Code). In order to make adequate provision for the housing needs of all economic segments of the community, the program shall do all of the following:

(1) Identify actions that will be taken to make sites available during the planning period of the general plan with appropriate zoning and development standards and with services and facilities to
accommodate that portion of the city's or county's share of the
regional housing need for each income level that could not be
accommodated on sites identified in the inventory completed pursuant
to paragraph (3) of subdivision (a) without rezoning, and to comply
with the requirements of Section 65584.09. Sites shall be identified
as needed to facilitate and encourage the development of a variety
types of housing for all income levels, including multifamily
rental housing, factory-built housing, mobilehomes, housing for
agricultural employees, supportive housing, single-room occupancy
units, emergency shelters, and transitional housing.

(A) Where the inventory of sites, pursuant to paragraph (3) of
subdivision (a), does not identify adequate sites to accommodate the
need for groups of all household income levels pursuant to Section
65584, the program shall identify sites that can be developed for
housing within the planning period pursuant to subdivision (h) of
Section 65583.2.

(B) Where the inventory of sites pursuant to paragraph (3) of
subdivision (a) does not identify adequate sites to accommodate the
need for farmworker housing, the program shall provide for sufficient
sites to meet the need with zoning that permits farmworker housing
use by right, including density and development standards that could
accommodate and facilitate the feasibility of the development of
farmworker housing for low- and very low income households.

(2) Assist in the development of adequate housing to meet the
needs of extremely low, very low, low-, and moderate-income
households.

(3) Address and, where appropriate and legally possible, remove
governmental constraints to the maintenance, improvement, and
development of housing, including housing for all income levels and
housing for persons with disabilities. The program shall remove
constraints to, and provide reasonable accommodations for housing
designed for, intended for occupancy by, or with supportive services
for, persons with disabilities.

(4) Conserve and improve the condition of the existing affordable
housing stock, which may include addressing ways to mitigate the loss
of dwelling units demolished by public or private action.

(5) Promote housing opportunities for all persons regardless of
race, religion, sex, marital status, ancestry, national origin,
color, familial status, or disability.

(6) Preserve for lower income households the assisted housing
developments identified pursuant to paragraph (9) of subdivision (a).
The program for preservation of the assisted housing developments
shall utilize, to the extent necessary, all available federal, state,
and local financing and subsidy programs identified in paragraph (9)
of subdivision (a), except where a community has other urgent needs
for which alternative funding sources are not available. The program
may include strategies that involve local regulation and technical
assistance.

(7) The program shall include an identification of the agencies
and officials responsible for the implementation of the various
actions and the means by which consistency will be achieved with
other general plan elements and community goals. The local government
shall make a diligent effort to achieve public participation of all
economic segments of the community in the development of the housing
element, and the program shall describe this effort.

(d) (1) A local government may satisfy all or part of its
requirement to identify a zone or zones suitable for the development
of emergency shelters pursuant to paragraph (4) of subdivision (a) by
adopting and implementing a multijurisdictional agreement, with a
maximum of two other adjacent communities, that requires the
participating jurisdictions to develop at least one year-round emergency shelter within two years of the beginning of the planning period.

(2) The agreement shall allocate a portion of the new shelter capacity to each jurisdiction as credit towards its emergency shelter need, and each jurisdiction shall describe how the capacity was allocated as part of its housing element.

(3) Each member jurisdiction of a multijurisdictional agreement shall describe in its housing element all of the following:
(A) How the joint facility will meet the jurisdiction's emergency shelter need.
(B) The jurisdiction's contribution to the facility for both the development and ongoing operation and management of the facility.
(C) The amount and source of the funding that the jurisdiction contributes to the facility.

(4) The aggregate capacity claimed by the participating jurisdictions in their housing elements shall not exceed the actual capacity of the shelter.

(e) Except as otherwise provided in this article, amendments to this article that alter the required content of a housing element shall apply to both of the following:
(1) A housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when a city, county, or city and county submits a draft to the department for review pursuant to Section 65585 more than 90 days after the effective date of the amendment to this section.
(2) Any housing element or housing element amendment prepared pursuant to subdivision (e) of Section 65588 or Section 65584.02, when the city, county, or city and county fails to submit the first draft to the department before the due date specified in Section 65588 or 65584.02.

65583.1. (a) The Department of Housing and Community Development, in evaluating a proposed or adopted housing element for substantial compliance with this article, may allow a city or county to identify adequate sites, as required pursuant to Section 65583, by a variety of methods, including, but not limited to, redesignation of property to a more intense land use category and increasing the density allowed within one or more categories. The department may also allow a city or county to identify sites for second units based on the number of second units developed in the prior housing element planning period whether or not the units are permitted by right, the need for these units in the community, the resources or incentives available for their development, and any other relevant factors, as determined by the department. Nothing in this section reduces the responsibility of a city or county to identify, by income category, the total number of sites for residential development as required by this article.

(b) Sites that contain permanent housing units located on a military base undergoing closure or conversion as a result of action pursuant to the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100-526), the Defense Base Closure and Realignment Act of 1990 (Public Law 101-510), or any subsequent act requiring the closure or conversion of a military base may be identified as an adequate site if the housing element demonstrates that the housing units will be available for occupancy by households within the planning period of the element. No sites containing housing units scheduled or planned for demolition or conversion to
March 14, 2008

VIA HAND DELIVERY

Mariposa County Board of Supervisors
Mariposa County Planning Commission
5100 Bullion Street
Mariposa, CA 95338

Re: Comment on General Plan Annual Report

Dear Commissioners and Supervisors:

We would like to thank the Commissioners for their unanimous vote to continue the public hearing concerning the 2008 Annual Report on the Mariposa County General Plan ("Annual Report"). The continuation provided the public with adequate time to review and comment on the document.

The following are our comments concerning the Annual Report.

- Annual Report Circle Page 2, heading Amendments to the General Plan Made in 2007, paragraph 1: We again reiterate our October 16, 2006 request for a modification to the Mariposa County General Plan Land Use Classification Diagram ("Land Use Map") and the Mariposa County General Plan ("General Plan") for the Mondo Family Trust property ("Mondo Property") on Highway 49 North. The Mondo Property consists of 1561.22 acres (APN 08-060-003). Approximately 411 acres of the Mondo Property is currently zoned Mountain General (40 acre minimum) and a small portion of that 411 acres is Mountain Home (5 acre minimum). The remainder of the Mondo Property is zoned Mountain Preserve (160 acre minimum).

In the Land Use Map the entire Mondo Property was given an overlay of Agriculture/Working Landscape (160 acre minimum). Before the final hearing on General Plan the Planning Director assured both Supervisor Turpin and Don Starchman that the portion of the Mondo Property, approximately 411 acres, currently zoned Mountain General had not been properly mapped and that it, in fact, should have been designated as Natural Resource. This issue was to be brought back to the Board of Supervisors on March 20, 2007 to be corrected.

However, the March 20, 2007 correction only addressed the Mondo Property Mountain Home land and the adjacent Mountain Home land owned by Mariposa County. Once again, at that hearing Director Schenk indicated that there had been a mapping error and that he lacked trained staff to make the correction requested for the Mondo Property zoned Mountain General. This mapping correction should now
be scheduled for hearing by the Planning Commission on May 16, 2008 and the Board of Supervisors on June 10, 2008.

- Annual Report Circle Page 2, heading Amendments to the General Plan Made in 2007, paragraph 2: The Annual Report provides that the resolution from March 20, 2007, directing technical corrections to the General Plan text and land use diagrams, is included as Attachment A to the Annual Report. The Annual Report attached the resolution, but does not attach the resolution's incorporated Exhibit A which outlines the approved technical corrections.

- Annual Report Circle Page 3, heading Amendments to the General Plan Made in 2007, top paragraph: The referenced amendment to the Mariposa Town Plan "to allow limited purpose drive-through windows for the Rite Aid Pharmacy" was not specific to the Rite Aid Pharmacy. In fact, at the public hearings concerning the amendment Dieter Dubberke was assured that the amendment was not specific to Rite Aid's development application and that if the amendment was approved, that Mr. Dubberke could apply for a drive-through facility on his property.

- Annual Report Circle Page 6, title General Plan Implementation Priorities in Progress (2007 and 2008) item 3.) WILLIAMSON ACT CONTRACT REVISIONS: The County must continue to acknowledge that existing Williamson Act contracts cannot be changed unilaterally by the County. Any changes adopted by the County in the Williamson Act contracts can only be legally binding on new contracts. If the County attempts to force existing participants to sign new contracts which contain provisions that further restrict property rights, the County will precipitate mass non-renewals and weaken the program, rather than strengthen it.

- Annual Report Circle Page 6, title General Plan Implementation Priorities in Progress (2007 and 2008) item 4.) TITLE ZONING REVISIONS, paragraph bullet 1: Despite public testimony to the contrary at the Friday, March 7, 2008 Planning Commission hearing, the clustering allowed under the General Plan does not require open space easements. It does, however, restrict further subdivision of said property. See General Plan, page 5-40, 5.3.02 E. New Subdivisions ("[w]hen these criteria are applied for purposes of clustering parcels, the parcel(s) included in the density calculations shall be enforceably-restricted to prohibit future land division of such parcels.").

- Annual Report Circle Page 6, item 4.) TITLE ZONING REVISIONS, paragraph bullet 3: As a practical matter, how can cell phone towers be sited such that they are not highly visible?

- Annual Report Circle Page 9, heading Other General Plan Accomplishments by County Agencies in 2007, Element 6, Economic Development: Under the County's current economic situation it appears that the County is putting far more emphasis on regulating than on the growth of the economy. One short paragraph concerning the County's progress towards developing our economy is woefully inadequate.
• Annual Report Circle Page 10, heading Other General Plan Accomplishments by County Agencies in 2007, Element 8, Housing, paragraph 3: This paragraph provides that “[t]he policies in the Housing Element generally call for local agencies to do all in their power to encourage the production of affordable housing, and to avoid and eliminate constraints to the development of housing.” (Emphasis added). This paragraph should include the 2008 figures concerning the development of Mariposa housing furnished by Commission Chair Skyrud at the March 7, 2008 Planning Commission hearing.

This paragraph also addresses the encouragement of affordable housing. Needless to say, additional restrictions in the implementation of the General Plan will have a negative effect on affordable housing.

During the Board of Supervisors’ hearings on the General Plan Update, at the direction of the Board, the consultant addressed the issue of allowing a third residence on larger parcels (our recollection is for those parcels exceeding 10 acres). The consultant informed the Board that additional environmental study would be necessary to address this issue. Because the Board felt the urgency of completing its General Plan Update, the proposal for allowing a third residence on larger parcels issue was not addressed by the Board. However, the Board was assured by the consultant and the Planning Department that it has four opportunities per year to amend the General Plan. An allowance for the construction of third residences on larger parcels should be considered at this time.

• Annual Report Circle Page 11, heading Other General Plan Accomplishments by County Agencies in 2007, Element 16, Safety, paragraph 1: At the March 7, 2008 Planning Commission meeting, it was stated that Public Works could furnish the referenced information (“[p]rogress has been made on master planning for the Mariposa-Yosemite Airport”). This information should be made an attachment to this document.

Thank you again for giving us the opportunity to comment.

Sincerely,

Donald J. Starchman

Anita Starchman Bryant

Cc: Clients (Via Email)
Meeting Called to order at 9:12 a.m.

Commissioners Present: Norm Ross, Bob Rudzik, Skip Skyrud, Paul DeSantis
Commissioners Excused: None.

1. REGULAR BUSINESS:

1A. Pledge of Allegiance

1B. Approval of Minutes of 2/8/08

On motion of Commissioner DeSantis, seconded by Commissioner Ross, the Planning Commission approved the Minutes of February 8, 2008.

Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

1C. Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda.

2. PUBLIC HEARINGS:

Commissioner Skyrud explained the Planning Commission's public hearing procedures.

2A. GENERAL PLAN ANNUAL REPORT

Kris Schenk, Planning Director, began by stating that since the adoption of the 2006 General Plan, this is the first time that an update has come before the Commission. Schenk went over why it is important to do these General Plan overviews and updates.

Schenk stated that the large items for the current year are: 1) Road Standards; 2) Agricultural Policies (specifically agritourism and he mentioned the two workshops that have been held of which the consultant summarizing those meetings) and 3) Williamson Act Policy Update Contract language. Schenk also stated that there are other high priority issues that will be addressed in the near future.

Schenk went on to discuss the area plans and what the status is on Yosemite West and Catheys Valley Plans. Schenk discussed workshops for Catheys Valley, possible changes in Board dates for plan discussion, work that the consultant is doing and went over the process and steps for plan final adoption.

Schenk stated that the El Portal plan will be subject to the Parks schedule as the Park is the lead agency. Schenk also mentioned Midpines as being another plan that needs attention.

Schenk stated that there is an active application for a church in Midpines which will be a change to the General Plan and that project will fall on one of the General Plan amendment dates as per the schedule provided.
Schenk stated that it is staff's recommendation that the Planning Commission look at the schedule and move it for Board adoption, take public comment on the General Plan Annual Report and forward the annual report as presented to the state agencies as we are required to do.

Skyrud inquired about circle page 1 regarding the forwarding of the document and if there was a time frame in which this needs to be sent.

Schenk thought that the date was April. The reporting on Housing and Community Development has an October reporting date.

Skyrud stated that he only had received the report 43 hours prior to the meeting today and then polled the Commission to see if they had reviewed the document.

Francisco stated that he received his yesterday afternoon, skimmed it last night and is not comfortable making a decision today.

DeSantiss stated that he reviewed it this morning and although he is prepared to discuss it, he is not prepared to make a decision.

Rudzik stated he was able to review it on Thursday.

Ross stated that he had reviewed it, didn’t see any changes to be made. Ross added that the document wasn’t a change in direction and he could support it as it stands.

The consensus of the Commission was to proceed with discussion.

Clarifications:

Ross inquired about items listed on the draft pages, such as agritourism and roads.

Schenk stated that we try and put down the best policy but the language may change.

Rudzik and Francisco stated that they needed no clarifications.

DeSantiss inquired about a time line on the Wawona Specific Plan and expressed the public concern regarding the current relationship with the park and our current administration and that with the change in administration that could change the working relationship within the community.

Skyrud inquired about circle page 10, housing, third paragraph. Skyrud stated that with the decline in the number of building permits issued so far in 2007 as in comparison to prior years that we may not meet the housing goal of 150 housing units and that should be noted in the report. Skyrud also stated that a notation should be made in the report as to the condo projects that had been previously approved.

Ross replied that part of that is addressed with the prevailing economic issue.

Skyrud stated that there have been changes in state law building permits which would make new development cumbersome such as required geological testing etc..

Skyrud inquired about circle page 11, the progress made on the master plan at the airport.

Schenk stated that a different agency heads that up and perhaps we ask Gwen Foster. Schenk went on to say that there are two phases: Airport Facility Master Plan and Airport Land Use Plan
around the airport. Schenk reiterated that our department isn't directly involved with that and stated that some departments had been requested to make statements, which they were not able to provide. Schenk stated that we could get that information for the Commission.

Skyrud stated that in that section that it should be noted that Mariposa County has purchased property adjacent to the existing adult detention facility for expansion for the public safety needs within the county and that is a land use item and that should be noted in this report.

Schenk asked if this in relation to a particular policy in the General Plan?

Skyrud said yes, under the Safety Element. It should be noted that the County is taking a proactive approach in the Safety Element and we purchased land to expand our public safety facilities.

Skyrud stated that if someone in Sacramento is reading this report it should be a reflection as to what the County is doing and it should be noted.

Skyrud inquired about circle page 17, wherein it lists the Planning Advisory Committees and counted that there were 9 areas that didn't have committees. Skyrud then went to circle page 18 B, short term, third from the bottom wherein it talks about rural character defined by planning areas. Skyrud questioned as to how we can meet goal B by 2012 without having 9 Area Plan committees?

Schenk stated that rural character is county wide and that each planning area may define more specifically with more restrictive standards for its planning areas.

Skyrud continued that if we don't have the committees there will be no one to plan those areas and this goal isn't realistic.

Skyrud then turned to the next page and the first paragraph wherein it states that the level of service projected for state routes are less than service D. Skyrud asked if we have any less than service D currently.

Schenk stated that perhaps one or two might go to level D during the lifetime of the plan.

Skyrud stated that in that same section is stated that we are to maintain a close working partnership with the State to solve State Highway capacity deficiencies and funding limitations. Skyrud said that the Rock Slide is an issue wherein we are working on that right now and hopefully we can solve some of our deficiencies prior to that.

Skyrud stated that on the same page, it states that we are to clearly define compatible uses with agriculture. Skyrud stated that our compatible uses are already in our ordinance for the Williamson Act. The Long application is one that is coming up wherein that could possibly change, but we already have clearly defined those compatible uses.

Schenk replied that the Agriculture is broader than Williamson Act.

Skyrud inquired about page 18 D wherein it states that a Conditional Use Permit (CUP) is required for mining and questioned if a CUP is required on all mining now as he thought that was left up to the state.

Williams replied that mining automatically requires a SMARA permit and that some of our Land Use designations require a CUP for mining.

Skyrud asked if that exists today and not for a completion date for 2012?
Schenk stated that there are inconsistencies in zones that would be presumably addressed within that time period.

Skyrud went to the next page wherein it talks about adopting a strategy plan for fire safety standards of cover. Skyrud stated that he is unclear about a definition for standards of cover.

Schenk said that they could look at policy in the GP and remembered that there was discussion around that policy. It could be shelter or it could be about brush clearing and removal.

Williams went to goal 16.3; “sustain adequate fire protection service levels”. Williams stated that there is not a definition in the glossary for standards of cover, but it was her belief that it refers to their fire protection service levels.

Schenk stated that we can get that information from Fire.

Skyrud suggested that be included in our update.

Skyrud inquired about circle page18F wherein it talks about Land Use Maps shall maintain low intensity zoning of all flood plain areas. Skyrud stated that the Federal Flood Plain Map exists and asked if Mariposa County has land that is within a Federal Flood Plain?

Williams stated yes and explained the use of the Federal Flood Plain Maps and how they are used in the department.

DeSantis stated that several individuals in their community have inquired about the availability of Federal Flood Insurance. It is DeSantis’ understanding that Mariposa County isn’t eligible for this and not sure why. DeSantis asked if upon adopting a comprehensive flood protection zone, would it then be a possibility that we would be eligible for Federal Flood Insurance?

Williams, this says that our zoning shall provide low intensity uses in flood plain, Mariposa County would have to participate in FEMA’s program which would in turn mean that Mariposa County would have to adopt FEMA’s restrictions for uses and structures that are prohibited in Flood Plain areas and to date the County has chosen not to participate in that program, because they do not want to accept those restrictions.

Skyrud went on to circle page 23, the third implementation down, second bullet in the parenthesis it says: From 7.5-22.5 average daily trips. Skyrud thought that 8 was the average daily trips for a single family dwelling and felt that this was an inconsistency.

Williams replied that the 8 ADT that we use is in the 1988 adopted Road Improvement and Circulation policy, it is not one that the board decided that they wanted to adopt and use for the General Plan.

Rudzik stated that Hauge may know as it was discussed at length during the General Plan discussions. Rudzik thought that maybe it was from studies done by Hertfelder’s predecessor.

Williams stated that 8 is currently in place as part of an adopted policy document, this number is not currently in effect, the only reason it shows up is because it is in a future consideration list.

Skyrud stated that the future consideration list is part of the General Plan.
Williams stated that list is not effective today, but are items that are for later discussion.

Schenk stated that the other name for this list that didn't show in the final document was "wish list".

Skyrud stated that with this 7.5 number shows up in our General Plan under future consideration and felt that it should be consistent with the number adopted in our General Plan.

Williams stated that it should be consistent when it is adopted, but it has not been adopted.

DeSantis inquired on the same page that he had concerns with Wawona. It says that all area plans except Wawona and Fish Camp shall provide lands that maybe classified and zoned to accommodate the relocation of home enterprise and rural home industries. DeSantis asked if the reason for this is because Wawona and Fish Camp already have zoned commercial areas.

Williams replied that it is not that they already have areas for commercial but that they may not be appropriate for light industry, because that provision addressed the fact that the other Town Planning Areas when ultimately come forward for preparation of an Area Plan that they should be identifying areas for light industry zoning.

Skyrud went to circle page 26, regarding local recreation, 4th implementation measure discusses a Parks and Recreation Master Plan which shall be reviewed every 5 years and updated to reflect changes in community values and county development. Skyrud asked who reviews that plan and where is it.

Williams stated that the Parks and Recreation Advisory Committee makes recommendations to the Board, which wouldn't come through the Planning Commission.

Skyrud asked why it wouldn't come through the Planning Commission if it comes through the General Plan which is reviewed by the Planning Commission. Skyrud asked where he could find the Parks and Recreation Master Plan.

Williams explained if the Parks and Recreation Master Plan had Land Use components that would be part of the Commissioner's purview.

Skyrud stated that when the Commission takes action it is often times that they find that action conforms to the General Plan. If they haven't seen this Parks and Recreation Master Plan, how will they know if it conforms to the General Plan?

Williams stated she has not seen one either.

Schenk stated that the Commission should keep in mind when staff gives the Commission a staff report that says whether or not it is consistent with the General Plan, we do not look at appendix C. Appendix C is future policies and programs.

Skyrud stated that there is an element to the General Plan that refers to recreation.

Schenk stated that there are specific policies, but not refer to appendix C.

Skyrud stated that appendix C brings up this Parks and Recreation Master Plan and he would like to see that document. Skyrud instructed the Planning Staff to obtain the document and share it with the Commission.
Francisco wanted clarity on appendix C, future considerations and future considerations list. On circle page 20 and circle page 21, it lists ten items and is this continued onto the other subtitles or does it end there?

Schenk replied that future considerations means that when we have discussions such as the one we are having today wherein we discuss possible amendments to be made to the General Plan. One of the areas that you can look for ideas is at this list. They are not part of the plan.

Francisco asked for a distinction in items #1-10 and then the bold printed items thereafter in subtitles on pages 20 thru 30.

Schenk those were the more recently discussed items.

Francisco asked if those were an addendum to a previous Wish List.

Schenk said that the other items had been in there for longer.

Public Comment Portion of the Hearing: Open

Don Starchman. Starchman stated that he had no objections regarding discussion on this but this is a public hearing, and the public has not been made aware of this meeting. Starchman stated that he is not prepared to make a formal presentation on this and mentioned that discussion on the matter is fine, but that no action should be taken. He mentioned that Anita had trouble downloading and printing the item and that there are inconsistencies that need to be addressed.

Rudzik asked for inconsistency examples.

Starchman stated that he could give 30 issues for example: an exhibit missing from the ordinance; LCA issues, etc.

Rudzik stated that this is work in progress.

Starchman replied that how it is stated is not work in progress.

Rita Kidd. Kidd stated that she was able to download and print the document within 10 minutes. Kidd stated that last night (at the Catheys Valley meeting) people were angry that they didn’t have a copy of the community plan, stating that they couldn’t find it on the internet and other excuses as to why they didn’t have a copy. Kidd went on to say that the public needs to take personal responsibility to be prepared and that efforts have been made to delay which is a waste of tax dollars for staff to keep going back and forth. We need to be prepared for these meetings. Kidd commented that she is hearing more of an adversarial approach towards staff than she has seen in years. Kidd then referred to circle page 6 under title 17 zoning revisions and it is in the first bullet point regarding the development of guidelines for clustering. Kidd doesn’t want to lose track of the fact that implementation measure calls for a device to put a permanent conservation on any acreage that is used to compute 2 ½ acre minimums. If we end up with a remainder of acreage that has been used to compute the 2 ½ acre parcels that land has to be in permanent easement.

Skryud stated that the Public Comment Portion would remain open.

Deliberations:
Francisco stated that he doesn’t view this as being adversarial with staff, and that he views this as needing proper time to understand an item that they are being asked to take action on. Francisco is in agreement with Starchman that this is an important report to the state and that we need to understand it and be in agreement. Francisco stated that he is not comfortable in taking action on this when the report was just provided this week. Francisco added that this is a voluntary commission and that they all have other responsibilities and they need more time to adequately perform their obligations.

Rudzik inquired if there is a certain time that this needs to be in Sacramento?

Schenk stated that there will be no damage down if we want to continue this to March 21st.

Skyrud inquired if that would meet the schedule for the Board’s public hearing.

Schenk replied, yes.

Skyrud asked Schenk if he felt that the Commission was being adversarial.

Schenk replied, no.

DeSantis stated that he would be more comfortable continuing this until the next meeting.

Francisco added that by continuing we may get more public input as there was a sparse audience today. Francisco agreed that the public has to take responsibility for getting information; however it would be prudent for us to continue.

Skyrud concurred.

On motion of Commissioner DeSantis, seconded by Commissioner Francisco the Planning Commission moved to continue the Public Hearing on the General Plan Annual Report to March 21st, 2008 at 9:00 a.m. or as soon thereafter as possible.

Prior to the vote, Ross commented that there was a statement made about putting things off and that we need to keep that in mind. Ross requested that Starchman send his comments in prior to the meeting so that they can be reviewed.

Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)

NOES: 0

3. ACTION ITEM:

3A. Review and Adoption of Planning Commission Policy and Procedures

Williams reviewed and recommended changes which were as follows:

No changes to pages 1 thru 3.

Page 4: first paragraph change “Deputy Director” to “Designee”.

Page 5: Rules for Public Hearings: add “…except as otherwise provided by Board Rules of Procedures.”
Page 6: First paragraph, last sentence put in brackets.

Rule Five: paragraph reads: Eligibility to Vote. Commission members not present during the public portion of the hearing or any part thereof shall not be eligible to vote on the decision. In the event that less than three Commission members eligible to vote are present during the public portion of the hearing, the Chairman shall continue the hearing until such time as at least three (3) eligible Commissioners are present to hear testimony.

Change to:

Commission members not present during the public portion of the hearing or any part thereof shall not be eligible to vote on the decision, unless they confirm they have prior proceedings in the matter. In the event that less than three Commission members eligible to vote are present during the public portion of the hearing, the Chairman shall continue the hearing until such time as at least three (3) eligible Commissioners are present to hear testimony.

Rule Seven: Findings of Fact. At the end of the first sentence add: “...such findings may be prepared by directions of the commission if the Commission determines they are necessary.”

Rule Eight: Variance from Rules. Delete: “...varied by the Chairman for good cause or...” and replace with the word “modified”

Rule Ten. Record. Second sentence, remove “…upon reasonable notice” and replace with “as allowed by law”

Page 7: Change “Robert L. Rudzik” to “Skip Skyrud”

Williams suggested that under Rule Five on page 6: “Commission members not present during the public portion of the hearing or any part thereof shall not be eligible to vote on the decision...” insert “…unless they confirm they have listened to prior proceedings in the matter.”

Comments from Commission:

DeSantos stated that they had prior discussion on Page 3 regarding the Commissioners making a verbal vote.

Francisco stated that he thought there should be a verbal vote.

Rudzik stated that it was the Chairman’s choice.

Skyrud stated that the vote needs to be clear, silence is noted as a yes vote and the Chair needs to state orally what the results are so that it is clear in the record.

Commissioners concurred that the rule will remain the same.

Skyrud inquired about procedure if there was a scenario wherein 3 of the 5 Commissioners had conflict on a matter and had to abstain and there is something referred to as action of necessarily. Skyrud asked that this issue be discussed with County Counsel.

DeSantos mentioned that this rule of necessity was brought up at a meeting that he had attended by a Redwoods Board Member, and mentioned that they had used this rule before when they had a conflict.
On motion of Commissioner Rudzik, Seconded by Commissioner Francisco the Planning Commission moved to adopt a resolution, adopting the Policy and Procedures with the discussed corrections and having the rules of necessity discussed with County Counsel and added if necessary.

Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

4. INFORMATIONAL ITEM

4A. Williams announced the following meetings:

- March 11th, Board of Supervisors will hear an appeal regarding type and size of sign for the Lake Don Pedro Community Services District.
- March 18th Catheys Valley meeting will be rescheduled as soon as the Board takes action and the Secretary will contact the Commissioners with the new date.
- March 19th, 7:00 p.m., Midpines Planning Advisory Committee, Midpines Community Center
- April 1st, 11:00 a.m. Board of Supervisors will hold a Public Hearing on the General Plan update
- April 8th, 10:00 a.m. Board of Supervisors will consider the Conditional Use Permit and Land Conservation Act compatibility determination for Frank Long and Henry Falany. Williams stated that this was the proposed church on Williamson Act contracted land.
- April 8th, 7:00 p.m., El Portal Planning Advisory Committee, El Portal Community Center
- April 12th, 9:00 a.m. Fishcamp Planning Advisory Committee, Tenaya Lodge

Williams stated that they are advertising for vacancies on the El Portal and Fishcamp Committees.

Skyrud inquired about the Board appointing Magnum and Rich to Greeley Hill.

Williams stated it was Coulterville, not Greeley Hill.

Williams brought the Commission up to date on what would be on the next meetings agenda.

There being no further business, the Commission adjourned 10:45 a.m.

Skip Skyrud, Chair
Mariposa County Planning Commission

ATTEST:

Carol Suggs, Secretary
Mariposa County Planning Commission
Meeting Called to order at 9:03 a.m.
Commissioners Present: Norm Ross, Bob Rudzik, Skip Skyrud, Paul DeSantis
Commissioners Excused:

1. **REGULAR BUSINESS:**
   1A. Pledge of Allegiance
   1B. Approval of Minutes of 3/7/08

   Corrections Noted by:

   DeSantis: last page, first paragraph. Remove DeSantis' statement and replace with:
   
   "DeSantis mentioned that this rule of necessity was brought up at a meeting that he had attended by a Redwoods Board Member, and mentioned that they had used this rule before when they had a conflict."

   Francisco: Page 3: 12th paragraph change the word "definite" to "define".
   Page 4: 14th paragraph change "Hertfelder" to "Hertfelder's ".
   Page 7: first paragraph change "review" to "view".

   On motion of Commissioner Rudzik, seconded by Commissioner Francisco, the Planning Commission approved the Minutes of March 7, 2008 as amended.

   Motion carried by the following vote:

   **AYES:** 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
   **NOES:** 0
   **ABSTAINED:**

   1C. Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda.

2. **PUBLIC HEARINGS:**
   Commissioner Skyrud explained the Planning Commission's public hearing procedures.

2A. Time Extension No. 2008-34, Eric and Linda Protiva, applicants.

   Eileen Collins presented the Time Extension No. 2008-34 which requested a 2 year extension on Land Division No. 2004-231 in order to complete conditions for the final map recordation. Land Division No. 2004-231 was conditionally approved by the Planning Commission on May 6, 2005 for a division of a 200 acre parcel into 2 parcels of 50 acres each and 1 parcel of 100 acres. Property is located at 6998 Highway 49 North, aka APN 008-100-016.

   Collins concluded that it was staff's recommendation that the Planning Commission adopt a resolution approving Time Extension No. 2008-34, granting a 2 year extension.
Clarifications:

Skyrud inquired about circle page 4, the map wherein it shows Parcel C is 100 acres in a 160 acre minimum zone. Skyrud understands that this has already been approved but questioned how it came about that we approved something that doesn't fit the minimum parcel size.

Schenk stated that the parcel may have been already non conforming.

Public Portion of the Hearing: Opened.

Anita Starchman Bryant, agent for the applicant. Starchman Bryant stated that Resolution 82-75 which was passed in 1992 allowed for subdivisions to have less acres than the zoning minimum. She concurred with Schenk that the property was most likely non conforming already and was split by land use classification lines. She also stated that they are very close to completing the conditions and getting the final map recorded and realized that the county surveyor has been backed up and didn't want that to cause a delay with the recording. This extension is precautionary.

On motion of Commissioner Ross, seconded by Commissioner Francisco the Planning Commission adopted a resolution and approved Time Extension No. 2008-34 for a 2 year extension.

Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

2B. GENERAL PLAN ANNUAL REPORT

Kris Schenk, Director, stated that this was a continued item from the last meeting and that the public comment portion was left open for those that wish to speak today. Schenk stated that the filing of the report is a State Law requirement that is specific regarding the housing and development portions. Schenk reminded the Commission that we have not done an annual report before and stated that he has had a few meetings recently with Human Services department staff. Human Services staff has stated that they are applying for grant funds to help them revise the Housing Element in 2009. Schenk went on to say that this annual report update is due by April 1st, however as long as we are working on it we can turn it in late. Human Services are working on forms and the technical portions of the report.

Schenk suggested inviting other departments for a future annual report review, which he felt would improve the report. Schenk went on to explain that the report is important as it publicizes our major planning priorities and that we have to make sure that we are meeting our obligations regarding keeping the General Plan in line with our zoning.

Clarifications:

Rudzik stated that he was in agreement with having other departments come together. Rudzik stated that if a timely memo could be sent out to those departments so that a workshop could be conducted.
Schenk concurred about a workshop idea and that they could do this at the end of the year in preparation for the next annual report, and then it could come before the Commission earlier in the year.

Rudzik commented that in bringing the departments together on this it would get us to a good model that we could use for future Annual Report updates.

Skyrud concurred.

Francisco inquired if we had solicited comments from each department.

Schenk replied that we did invite them to submit for comments; however with work load constraints those departments were not able to respond to us. The possibility of us getting written comments after holding a workshop is higher.

Francisco also concurred about the workshop being a good idea, but is concerned that the same department who didn’t respond for comments during this round will be the same departments that are too busy to attend a workshop for next time. Francisco suggested that the Commission perhaps partner up with the Board on this matter so that it adds a little more weight with the departments.

Schenk replied that we should have the Commission request it first and then have the Board back up if needed.

Rudzik suggested that we send the letter from the Commission and copy it to the Board.

Ross inquired about some of the concerns raised in the Starchman letter, stating that he felt that the majority of them had been addressed; however there was three that still needed clarity.

1) regarding 3rd dwelling on a parcel
2) regarding land use map and a property in Bear Valley that had not been properly mapped (Mondo)
3) LCA contracts, the mixing of old and new

Schenk spoke about the Mondo mapping issue, stating that it is not clear where the line should be based on the decision that the Board made in March, 2007. The Board corrected maps to show 45 acres of Mountain Home zoned property and was corrected at that time; but the applicant may be right, the line may have been intended in 2006 to also include additional Mountain General zoned property. Schenk stated that there were several properties for which adjustments were being made, and that the technical issues that we are having are in showing them correctly on the underlying GIS parcel layers.

Schenk suggested that we commit to a date to get this sorted out.

Ross inquired if Schenk needs direction from the Commission for that.

Schenk replied yes and we can ask the applicant’s representative since they are here.

Schenk stated that Starchmans’ letter is correct regarding the 3rd dwelling on parcels, which came up late in the discussion phases of the GP. Schenk suggested that maybe it is time to consider that as a separate motion, as this may be a controversial issue. Third residences on one parcel are sometimes known as a “lateral subdivision”: subdividing without having to meet road and other subdivision requirements. Problems arise when the heirs then come in later to attempt to create lots so that the individual properties can be sold. This is sue will require a Major Environmental Review.
Rudzik asked that the 3 dwellings to a parcel be kept on a list to revisit later along with water, roads and impact fees which are all in the pipeline as it may be premature to address these now. This would be changing density and with the water study that was done in the early 1980's the Board took the 5 acre density because of that.

Skyrud stated that this Commission should look at a workshop or special meeting as to what we would see for the future of housing and land use and to realize that the General Plan is not a perfect document.

Rudzik replied that economics should be guiding this.

Skyrud tentatively suggested a workshop for the 3rd quarter of the year for the Commission.

Schenk suggested that they ask the departments to be part of that workshop.

Schenk then addressed the Starchman comments on the Williamson Act contracts and stated that he agreed, we should not unilaterally alter existing contracts and stated that the process that would occur would be respectful of the contractual relationships in existence.

Schenk stated that on the Starchman letter, page 2, the paragraph that mentioned drive through windows, that Ross had mentioned striking the words “...for the Rite Aid pharmacy.” The reason for this is that it does apply to any property, whether it is Rite Aid or not, that can meet those qualifications.

Skyrud inquired about Starchman’s letter, page 2, wherein it stated that Exhibit A was an attachment to the resolution and in the packet from March 7th this was missing.

The Secretary pointed out that the complete attachment was presented with the Planning Commission packet.

Skyrud stated that on circle page 10 of the original Annual Report that was presented at the March 7th meeting, that he wanted it mentioned that the Commission had approved condos and that the County is taking a proactive stance for housing.

Schenk replied that it could be incorporated in the housing area that shows that we are being proactive.

Rudzik thought it was already in there.

Schenk stated that it is a good one to mention as there is a policy in the General Plan that mentions affordable housing.

Skyrud also wanted it mentioned on circle page 11 of that same report that under safety we state that the County bought additional land for future public safety facilities.

Public Comment Portion of the Hearing: Open

Starchman Bryant thanked the Planning Commission for considering their comments on the Annual Report and she would appreciate it if they keep the 3rd house per parcel on the list for future discussion.
Skyrud asked if the Starchman letter would be included along with the minutes from March 7th and today's minutes when the report is sent to the Board.

Schenk replied, yes.

Public Comment Portion of the Hearing: Closed

Deliberations:

Rudzik inquired that if we are sending this to the Board perhaps we should do a separate motion stating that we will meet in the third quarter for a workshop.

Schenk stated that with the Commission's direction, staff could set a workshop date.

Public Comment Portion of the Hearing: Open

Starchman Bryant stated that she also didn't want them to forget about making a motion to handle the Mondo mapping.

Public Comment Portion of the Hearing: Closed.

Motion made by Commissioner Rudzik, seconded by Commissioner DeSantis to recommend approval of the General Plan Annual Report, with the additions as discussed (removing Rite Aid; mentioning the condo approval; jail expansion property and future consideration of a third house per parcel), to the Board of Supervisors, including the adoption of the resolution and approving the schedule of the 2008 General Plan Amendments.

AYES: 5
NOES: 0

Motion made by Commissioner Ross, seconded by Commissioner Francisco, to schedule consideration of Mondo property land designation/zoning mapping issue on the agenda for review and possible action for the Planning Commission hearing of May 16, 2008 at 9:00 a.m., or as soon thereafter as possible, and to then have the matter forwarded to the Board on June 10th, 2008, or as soon thereafter as possible.

AYES: 5
NOES: 0

Schenk announced to the Commission that there are no items scheduled for the April 4, 2008 meeting, and that the Commissioners will have a joint meeting with the Board on April 1st regarding the Catheys Valley Plan and may be attending the Agritourism workshop on April 2nd. With this full schedule it was staff's recommendation to cancel the meeting of April 4th, 2008.

Discussion on the April 19th meeting and whether the Commissioners need to be there. That meeting will take place on Saturday morning in the Board Chambers.

Rudzik asked if we will be having a site meeting regarding Yosemite West.

Schenk replied that no, due to unknown weather which is why they meet here.

Motion made by Commissioner Rudzik, seconded by Commissioner Ross, to cancel the April 4, 2008 Planning Commission meeting.

Planning Commission Meeting 3/21/08
Motion carried by the following vote:

AYES: 5 (Francisco, Ross, Rudzik, Skyrud, DeSantis)
NOES: 0

3. INFORMATIONAL ITEM

Schenk announced the following meetings:

- April 1, Tuesday, 11:00 a.m. Board of Supervisors: General Plan Annual Report, Board Chambers, Mariposa Government Center
- April 1, Tuesday, 6:30 p.m. Public Joint Workshop of the Planning Commission and the Board of Supervisors to discuss the draft Catheys Valley Community Plan, Board Chambers, Mariposa Government Center
- April 2, Wednesday, 4:00 p.m. Public Workshop of the Board of Supervisors to discuss Agricultural Tourism and Nature Tourism guidelines, Board Chambers, Mariposa Government Center
- April 8, Tuesday, 7:00 p.m. El Portal Planning Advisory Committee meeting, El Portal Community Center
- April 12, Saturday, 9:00 a.m., Fish Camp Planning Advisory Committee meeting, Apple Tree Inn
- April 16, Wednesday, 7:00 p.m. Midpines Planning Advisory Committee meeting, Midpines Community Center
- April 19, Saturday, 10:00 a.m. Board of Supervisors meeting to hear the Yosemite West Special Plan, Board Chambers, Mariposa Government Center
- April 21, Monday, Historic Sites 10:00 a.m. Government Center, Planning Department Library
- April 22, Tuesday, 2:00 p.m., LAFCo public hearing on the draft Municipal Services Review (MSR) Report, Board Chambers, Mariposa Government Center

Schenk brought the Commission up to date on the Municipal Services Review draft report.

Skyrud requested that Jim Allen be sent agendas and minutes for Planning Commission meetings since it appears that he will be the Supervisor elect for District 5 so that he can be kept up to speed with planning issues.

Rudzik asked that we run this by County Counsel first.

There being no further business, the Commission adjourned 9:56 a.m.

______________________________
Skip Skyrud, Chair
Mariposa County Planning Commission

ATTEST:
Carol Suggs, Secretary
Mariposa County Planning Commission
ATTACHMENT 10
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ESTABLISHING A SCHEDULE OF DATES EXPECTED FOR PUBLIC HEARINGS TO CONSIDER 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 December 18, 2006; 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 March 21, 2008; and

WHEREAS, actual meeting dates in the Schedule of 2008 General Plan Amendments (Exhibit A) are approximate, and advisory, and will be finally established as public hearing dates 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, land use diagrams or Area Plans.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors hereby adopts this Resolution and the Schedule included in Exhibit A as the schedule of dates expected to consider Mariposa County General Plan Amendments in 2008.

ON MOTION BY Supervisor ______, seconded by Supervisor ______, this resolution is duly passed and adopted this 1st day of April, 2008 by the following vote:

AYES: __
NOES: __
ABSENT: __
ABSTAIN: __

Lyle Turpin, Chair
Mariposa County Board of Supervisors

ATTEST:

______________________________
Margie Williams
Clerk of the Board of supervisors

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

______________________________
Thomas P. Guarino
County Counsel
EXHIBIT A

Schedule of 2008 General Plan Amendments

<table>
<thead>
<tr>
<th>Round</th>
<th>Applications Description</th>
<th>P.C. Public Hearing</th>
<th>B.S. Public Hearing</th>
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<tr>
<td>ONE (publicly sponsored)</td>
<td>Review of 2008 n/a Annual Report</td>
<td>March 7 and April 1 21</td>
<td></td>
</tr>
<tr>
<td>TWO (private or public)</td>
<td>Yosemite West Special Plan; Mondo parcel boundaries in Bear Valley; and other completed applications</td>
<td>May 16</td>
<td>June 10*</td>
</tr>
<tr>
<td>THREE (private or public)</td>
<td>Catheys Valley Community Plan, and other completed applications by June 6</td>
<td>July 18</td>
<td>August 12*</td>
</tr>
<tr>
<td>FOUR (private or public)</td>
<td>Other applications submitted and completed by September 5</td>
<td>September 5</td>
<td>October 17</td>
</tr>
</tbody>
</table>

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

Note: The 2009 General Plan Annual Review process is scheduled to begin in late 2008, in order that applications for General Plan Amendments can be considered and adopted in early 2009.
March 14, 2008

VIA HAND DELIVERY

Mariposa County Board of Supervisors
Mariposa County Planning Commission
5100 Bullion Street
Mariposa, CA 95338

Re: Comment on General Plan Annual Report

Dear Commissioners and Supervisors:

We would like to thank the Commissioners for their unanimous vote to continue the public hearing concerning the 2008 Annual Report on the Mariposa County General Plan ("Annual Report"). The continuation provided the public with adequate time to review and comment on the document.

The following are our comments concerning the Annual Report.

- Annual Report Circle Page 2, heading Amendments to the General Plan Made in 2007, paragraph 1: We again reiterate our October 16, 2006 request for a modification to the Mariposa County General Plan Land Use Classification Diagram ("Land Use Map") and the Mariposa County General Plan ("General Plan") for the Mondo Family Trust property ("Mondo Property") on Highway 49 North. The Mondo Property consists of 1561.22 acres (APN 08-060-003). Approximately 411 acres of the Mondo Property is currently zoned Mountain General (40 acre minimum) and a small portion of that 411 acres is Mountain Home (5 acre minimum). The remainder of the Mondo Property is zoned Mountain Preserve (160 acre minimum).

In the Land Use Map the entire Mondo Property was given an overlay of Agriculture/Working Landscape (160 acre minimum). Before the final hearing on General Plan the Planning Director assured both Supervisor Turpin and Don Starchman that the portion of the Mondo Property, approximately 411 acres, currently zoned Mountain General had not been properly mapped and that it, in fact, should have been designated as Natural Resource. This issue was to be brought back to the Board of Supervisors on March 20, 2007 to be corrected.

However, the March 20, 2007 correction only addressed the Mondo Property Mountain Home land and the adjacent Mountain Home land owned by Mariposa County. Once again, at that hearing Director Schenk indicated that there had been a mapping error and that he lacked trained staff to make the correction requested for the Mondo Property zoned Mountain General. This mapping correction should now
be scheduled for hearing by the Planning Commission on May 16, 2008 and the Board of Supervisors on June 10, 2008.

- Annual Report Circle Page 2, heading *Amendments to the General Plan Made in 2007*, paragraph 2: The Annual Report provides that the resolution from March 20, 2007, directing technical corrections to the General Plan text and land use diagrams, is included as Attachment A to the Annual Report. The Annual Report attached the resolution, but does not attach the resolution’s incorporated Exhibit A which outlines the approved technical corrections.

- Annual Report Circle Page 3, heading *Amendments to the General Plan Made in 2007*, top paragraph: The referenced amendment to the Mariposa Town Plan “to allow limited purpose drive-through windows for the Rite Aid Pharmacy” was not specific to the Rite Aid Pharmacy. In fact, at the public hearings concerning the amendment Dieter Dubberke was assured that the amendment was not specific to Rite Aid’s development application and that if the amendment was approved, that Mr. Dubberke could apply for a drive-through facility on his property.

- Annual Report Circle Page 6, title *General Plan Implementation Priorities in Progress (2007 and 2008)* item 3.) WILLIAMSON ACT CONTRACT REVISIONS: The County must continue to acknowledge that existing Williamson Act contracts cannot be changed unilaterally by the County. Any changes adopted by the County in the Williamson Act contracts can only be legally binding on new contracts. If the County attempts to force existing participants to sign new contracts which contain provisions that further restrict property rights, the County will precipitate mass non-renewals and weaken the program, rather than strengthen it.

- Annual Report Circle Page 6, title *General Plan Implementation Priorities in Progress (2007 and 2008)* item 4.) TITLE ZONING REVISIONS, paragraph bullet 1: Despite public testimony to the contrary at the Friday, March 7, 2008 Planning Commission hearing, the clustering allowed under the General Plan does not require open space easements. It does, however, restrict further subdivision of said property. See General Plan, page 5-40, 5.3.02 E. New Subdivisions (“[w]hen these criteria are applied for purposes of clustering parcels, the parcel(s) included in the density calculations shall be enforceably-restricted to prohibit future land division of such parcels.”).

- Annual Report Circle Page 6, item 4.) TITLE ZONING REVISIONS, paragraph bullet 3: As a practical matter, how can cell phone towers be sited such that they are not highly visible?

- Annual Report Circle Page 9, heading *Other General Plan Accomplishments by County Agencies in 2007*, Element 6, Economic Development: Under the County’s current economic situation it appears that the County is putting far more emphasis on regulating than on the growth of the economy. One short paragraph concerning the County’s progress towards developing our economy is woefully inadequate.
• Annual Report Circle Page 10, heading Other General Plan Accomplishments by County Agencies in 2007, Element 8, Housing, paragraph 3: This paragraph provides that “[t]he policies in the Housing Element generally call for local agencies to do all in their power to encourage the production of affordable housing, and to avoid and eliminate constraints to the development of housing.” (Emphasis added). This paragraph should include the 2008 figures concerning the development of Mariposa housing furnished by Commission Chair Skyrud at the March 7, 2008 Planning Commission hearing.

This paragraph also addresses the encouragement of affordable housing. Needless to say, additional restrictions in the implementation of the General Plan will have a negative effect on affordable housing.

During the Board of Supervisors’ hearings on the General Plan Update, at the direction of the Board, the consultant addressed the issue of allowing a third residence on larger parcels (our recollection is for those parcels exceeding 10 acres). The consultant informed the Board that additional environmental study would be necessary to address this issue. Because the Board felt the urgency of completing its General Plan Update, the proposal for allowing a third residence on larger parcels issue was not addressed by the Board. However, the Board was assured by the consultant and the Planning Department that it has four opportunities per year to amend the General Plan. An allowance for the construction of third residences on larger parcels should be considered at this time.

• Annual Report Circle Page 11, heading Other General Plan Accomplishments by County Agencies in 2007, Element 16, Safety, paragraph 1: At the March 7, 2008 Planning Commission meeting, it was stated that Public Works could furnish the referenced information (“[p]rogress has been made on master planning for the Mariposa-Yosemite Airport”). This information should be made an attachment to this document.

Thank you again for giving us the opportunity to comment.

Sincerely,

[Signature]

Donald J. Starchman

[Signature]

Anita Starchman Bryant

Cc: Clients (Via Email)