MARIPOSA COUNTY RESOLUTION 83-319

A Resolution approving General Plan Amendment No. 82-21-C, Louis Bittner, Applicant.

WHEREAS, a Public Hearing has been held by the Mariposa County Planning Commission as required by Government Code Section 65351; and

WHEREAS, the Mariposa County Planning Commission recommended approval of General Plan Amendment No. 82-21-C by Planning Commission Resolution 83-36; and

WHEREAS, the Mariposa County Board of Supervisors has held a Public Hearing as required by Government Code Section 65355; and

WHEREAS, General Plan Amendment 82-21-C was reviewed and considered in relation to the standards contained in Section 6.502 of the Conservation Element of the Mariposa County General Plan and the required General Plan Amendment Findings listed in Section 2.504 of the Mariposa County General Plan; and

WHEREAS, an Environmental Impact Report has been prepared for this project which did not identify any significant environmental effects associated with the approval of the General Plan Amendment; and

WHEREAS, the Mariposa County Board of Supervisors has reviewed the Environmental Impact Report and has certified that it has been prepared in accordance with the California Environmental Quality Act and Mariposa County Environmental Review Policies and Procedures.

NOW, THEREFORE BE IT RESOLVED that General Plan Amendment 82-21-C, as identified by Exhibit B of this resolution is hereby approved, based upon the findings of fact contained in Exhibit A.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors
this 8th day of November, 1983 by the following vote:

AYES: Barrick, Erickson, Moffitt

NOES: Taber

EXCUSED: Dalton

ABSTAINED:

[Signature]

ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]

ELLEN BRONSON, County Clerk
and EX OFFICIO Clerk of the Board

BY:

[Signature]

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

[Signature]

JEFFREY G. GREEN, County Counsel
Findings of Fact for General Plan Amendment No. 82-21-G

1. Due to terrain, range land types, and generally marginal grazing value, it is found that the subject property is of questionable productivity for commercial agricultural use and due to the above factors, the subject property would be difficult to utilize agriculturally and does not contain specific characteristics which make it desirable to maintain for exclusive agricultural uses.

2. Future development on the property will be of relatively low density and will not displace existing open space values presently provided by the property.

3. Future subdivision on the property, if land use policies on this property are not modified in accordance with this proposal, may result in the creation of substandard parcels. Approval of the General Plan Amendment would eliminate this potential for the creation of substandard parcels, which would result in the improvement of the Mariposa County General Plan with respect to providing a long term guide for County development and a short term basis for day to day decision making. Such improvement to the General Plan is found to be in the General Public interest.

4. The subject property is appropriate for the proposed land use due to terrain, access, adjacent land use, relationship to existing service areas and information presented in the Environmental Impact Report regarding water availability and percolation rates.
5. Based upon findings, 1 through 4 above, it is found that the amendment is consistent with the Open Space, Conservation and Land Use Elements of the General Plan. It is further found that the amendment is consistent with or has no effect on all other elements of the General Plan.

6. An Environmental Impact Report has been prepared for this project which has identified no significant environmental effects associated with the approval of this General Plan Amendment.