DEPARTMENT: Planning

RECOMMENDED ACTION AND JUSTIFICATION:

Adopt a resolution:

1) Finding that the project is exempt from environmental review,
2) Approving General Plan Amendment No. 2010-041 with findings as recommended by the Planning Commission.

Recommended action is based upon the Planning Commissions recommendations. Further justification is provided in the Staff Report to Board of Supervisors from Mariposa Planning.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors initiated this amendment on March 16, 2010 as part of their annual review of the General Plan.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve General Plan Amendment. The area plan status for El Portal will remain as “Pending for completion in the short term.”

Financial impact? ( ) Yes  (X) No  Current FY Cost: $  Annual Recurring Cost: $
Budgeted in Current FY? ( ) 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.: 10-334  Ord. No. __________
Vote – Ayes: ___  Noes: ___
Approved
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: ______________________
Rev.: 10-334

Revised Dec. 2002
TO: KRIS SCHENK, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING to Consider General Plan Amendment No. 2010-041, an Amendment to Table 5-1: Planning Areas and Area Plan Status of the General Plan. This Amendment will Change the Area Plan Status for the El Portal Town Planning Area from "Pending for Completion in Short Term" to "Pending for Completion in the Intermediate Term." Mariposa County, Proponent

RES. 10-324

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on June 22, 2010

ACTION AND VOTE:

11 Planning
PUBLIC HEARING to Consider General Plan Amendment No. 2010-041, an Amendment to Table 5-1: Planning Areas and Area Plan Status of the General Plan. This Amendment will Change the Area Plan Status for the El Portal Town Planning Area from "Pending for Completion in Short Term" to "Pending for Completion in the Intermediate Term." Mariposa County, Proponent

BOARD ACTION: Kris Schenk and Alvaro Arias/Planning presented the staff report. The public portion of the hearing was opened and there was no input. The public portion of the hearing was closed. (M)Aborn, (S)Allen, Res. 10-324 was adopted approving General Plan Amendment No. 2010-041, with findings as recommended, including finding that the project is exempt from environmental review/Ayes: Unanimous. The hearing was closed.

Cc: File
MARIPOSA COUNTY RESOLUTION NUMBER 10-320

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ADOPTING GENERAL PLAN AMENDMENT NO. 2010-041, County of Mariposa, proponent, to amend Table 5-1 of the Land Use Element: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from "Pending for completion in the short term" to "Pending for completion in the intermediate term", with Findings

WHEREAS, State law requires cities and counties to prepare and adopt a General Plan to guide the future development of a city or county; and

WHEREAS a general plan amendment was initiated by the Board of Supervisors on the 16th day of March 2010 as a result of the Board of Supervisors Annual Review on the General Plan; and

WHEREAS that General Plan Amendment is known as General Plan Amendment No. 2010-041; and

WHEREAS the El Portal Town Plan is an area planning program which will be done in cooperation with Yosemite National Park; and

WHEREAS the Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan; and

WHEREAS General Plan Amendment No. 2010-041 proposes to amend Table 5-1: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from "Pending for completion in short term" to "Pending for completion in the intermediate term"; and

WHEREAS the Mariposa County Planning Commission, on May 21, 2010, conducted a duly noticed and properly advertised public hearing to take public testimony and to consider the project; and

WHEREAS, the Planning Commission approved Resolution Number 2010-009 recommending that the Board of Supervisors find that the project is exempt from environmental review and adopt General Plan Amendment 2010-041; and

WHEREAS a duly noticed public hearing of the Mariposa County Board of Supervisors was scheduled for the 22nd day of June 2010; and

WHEREAS a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and
WHEREAS, the Board of Supervisors did hold a public hearing on the noticed date and considered all of the information in the public record, including the staff report; and

WHEREAS, the adoption of General Plan Amendment No. 2010-041, along with another General Plan Amendment proposal that may be considered by the Board of Supervisors at the same public meeting, constitutes the first round of General Plan Amendment to be considered in calendar year 2010.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors finds that the project is exempt from provisions of the California Environmental Quality Act.

THEREFORE BE IT RESOLVED that the Board of Supervisors hereby adopts General Plan Amendment No. 2010-041.

THEREFORE BE IT FURTHER RESOLVED that the recommendations for project approval are based upon the findings set forth in Exhibit 1.

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors approves modified Table 5-1 of the Mariposa County General Plan as shown in Exhibit 2.

ON MOTION BY Supervisor Aborn, seconded by Supervisor Allen, this resolution is duly passed and adopted this 22nd day of June, 2010 by the following vote:

AYES: ABORN, TURPIN, BIBBY, CANN, ALLEN

NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

Kevin Cann, Chairman
Mariposa County Board of Supervisors

ATTEST:

Margie Williams
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

Steven W. Dahlem
County Counsel
EXHIBIT 1
FINDINGS OF APPROVAL

1. The amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

The General Plan Amendment is in the general public interest as it will result in Table 5-1: Planning Areas and Area Plan Status being updated with the most current status of the El Portal Town Planning Area Plan. The Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis.

This amendment is in the public interest and will not have a significant adverse affect on the general public health, safety, peace and welfare.

2. The amendment is desirable for the purpose of improving 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.

The project improves the Mariposa County General Plan with respect to providing a long or short term guide or basis for decision-making. The amendment updates the current status of the El Portal Town Plan and keeps Table 5-1 of the General Plan updated as well. This amendment will update the goals and policies of the General Plan, specifically the status of the El Portal Town Plan, thereby providing an improved long-term guide for county decision-making. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.

3. The processing of this application conforms to the requirements of state law and county policy.

The processing of this project application has been in accordance with all requirements pursuant to state law and county policy.

4. The amendment is consistent with the goals, policies, and implementation measures of the Mariposa County general plan as follows.

This amendment helps keep Table 5-1 of the General Plan and in turn the Mariposa County General Plan up to date with the status of the El Portal Town Planning Area Plan. As part of the ongoing planning process, the General Plan is
reviewed annually to provide information on the goals, policies, and implementation measures of the Mariposa County General Plan. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.
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<tr>
<td>Bear Valley Community</td>
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<td>Bootjack Community</td>
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<td>Buck Meadows Special</td>
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<td>Not scheduled</td>
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<tr>
<td>Catheys Valley Community</td>
<td>Yes</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Coulterville Town</td>
<td>Yes</td>
<td>Adopted</td>
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<tr>
<td>El Portal Town</td>
<td>Yes</td>
<td>Pending for completion in the intermediate 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>Hornitos 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>
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<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 NPS responses in short term</td>
</tr>
<tr>
<td>Yosemite National Park</td>
<td>N/A</td>
<td>Complete&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Yosemite West Special</td>
<td>Yes</td>
<td>Pending for completion in 2007</td>
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<sup>1</sup>Yosemite 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.

Source: Mariposa County, 2006
PROJECT: General Plan Amendment No. 2010-041. Proposal to amend “Table 5-1: Planning Areas and Area Plan Status” of the Mariposa County General Plan. This amendment will change the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term.”

PROPOSENT: County of Mariposa

NOTICING: Gazette Ad: June 3, 2010
Posted Notice: June 2, 2010

COMMISSION ACTION: The Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution finding that the project is exempt from environmental review and approving the project based upon the recommended findings.

STAFF SUMMARY ANALYSIS & RECOMMENDATION:

This General Plan Amendment proposes to amend “Table 5-1: Planning Areas and Area Plan Status” of the Mariposa County General Plan. This amendment will change the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term” (see below, deletions are in strikethrough, new language is in italics). The El Portal Town Plan is an area planning program which will be done in cooperation with the Park Service staff. The original schedule for preparation of the El Portal Town Plan has slipped due to the revised processing of the Merced River Comprehensive Management Plan. When planning for the El Portal Town area does begin, Yosemite National Park will be the lead planning agency and Mariposa County will participate actively in the joint planning process. It is now anticipated that this area planning process will not begin until after 2012.

The project was initiated for processing by the Board of Supervisors as a part of their recent Annual Review of the General Plan on March 16, 2010 based on a recommendation from the Planning Commission during their review of the General Plan Annual Report.

The Board of Supervisors is the action authority for the GPA.
Table 5-1: Planning Area and Area Plan Status

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<td>Pending for completion in short term; Pending for completion in the intermediate term</td>
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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.

Source: Mariposa County, 2006
Comments from Yosemite National Park, Planning Division

The Planning Division of Yosemite National Park submitted comments regarding the proposed amendment (Attachment 1). They provided a timeline for the completion of the Merced River Plan and also stated that they intend to schedule meetings in the El Portal community in November 2010.

The change of plan status would not preclude the County from participating in these meetings or in the process if it gets underway sooner than expected, as long as Planning Department resources and staff time allow.

Environmental Determination

In order to approve a project, including this project, a CEQA or environmental determination would need to be made by the lead agency (the government agency which has action authority over the permit). For this application, the lead agency is the Board of Supervisors.

The Planning Commission recommends to the Board of Supervisors that a Notice of Exemption be adopted for this project based on the General Rule Exemption; Section 15061, CEQA Guidelines. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project will simply change the status of the El Portal Town Plan from completion in the short term to completion in the intermediate term. There is no possibility of completing the plan in the short term, as the process cannot begin until the National Park Service completes the Merced River Comprehensive Management Plan.

General Plan Amendment Schedule and Action

State law states that

"...no mandatory element of the general plan shall be amended more frequently than four times during any calendar year. Subject to that limitation, and amendment may be made at any time, as determined by the legislative body. Each amendment may include more than one change to the General Plan."

Together with the amendment to the Housing Element, General Plan Amendment No. 2010-041 is the first General Plan Amendment in 2010. GPA 2010-041 proposes to amend the Land Use Element of the General Plan. Both the Housing and Land Use Elements are mandatory elements. While there are separate resolutions for each, as each amends a different mandatory element, they constitute one amendment to the General Plan.

Findings to Review Project Application

3
The Mariposa County General Plan and the Mariposa County Zoning Ordinance establish findings which must be made before a General Plan Amendment application may be approved.

In order to approve an amendment to the General Plan, ALL of the required findings in must be made.

Recommended findings supporting approval of the project are provided in this report.

**Summary and Recommendation**

On May 21, 2010, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a resolution finding that the project is exempt from environmental review and approving General Plan Amendment No. 2010-041 based upon the recommended findings.

---

**Recommended Finding to Approve General Plan Amendment No. 2010-041**

The Mariposa County Zoning Ordinance, Section 17.128.050 establishes findings which must be approved in order to amend the General Plan.

Staff recommends General Plan Amendment Application No. 2010-041 be approved based upon the following findings:

1. **The amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.**

The General Plan Amendment is in the general public interest as it will result in Table 5-1: Planning Areas and Area Plan Status being updated with the most current status of the El Portal Town Planning Area Plan. The Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis.

This amendment is in the public interest and will not have a significant adverse affect on the general public health, safety, peace and welfare.
2. The amendment is desirable for the purpose of improving 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.

The project improves the Mariposa County General Plan with respect to providing a long or short term guide or basis for decision-making. The amendment updates the current status of the El Portal Town Plan and keeps Table 5-1 of the General Plan updated as well. This amendment will update the goals and policies of the General Plan, specifically the status of the El Portal Town Plan, thereby providing an improved long-term guide for county decision-making. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.

3. The processing of this application conforms to the requirements of state law and county policy.

The processing of this project application has been in accordance with all requirements pursuant to state law and county policy.

4. The amendment is consistent with the goals, policies, and implementation measures of the Mariposa County general plan as follows.

This amendment helps keep Table 5-1 of the General Plan and in turn the Mariposa County General Plan up to date with the status of the El Portal Town Planning Area Plan. As part of the ongoing planning process, the General Plan is reviewed annually to provide information on the goals, policies, and implementation measures of the Mariposa County General Plan. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.
Attachment 1

Comments from Yosemite NPS staff
Hello, Alvaro -

This message is a summary of our telephone conversation from this morning, after I called in response to your legal notice of a Planning Commission meeting this Friday. The purpose of my call was to ask whether it is necessary for NPS to provide any comments at this time. We agreed that I could reply with these general comments by e-mail:

We understand that the proposed GPA addresses the timeline by which a community plan will be prepared, or updated, and that Mariposa County may wish to delay the El Portal Community Plan until the Merced River Plan (MRP) is completed. It is widely known that, according to a settlement agreement, the scheduled completion date of the MRP is December, 2012. However, the planning process was initiated with a public scoping period last summer and the planning process is now underway. Although the initial scoping period is closed, the process of completing the MRP will include numerous opportunities for public outreach and participation. The planning staff intends to do much of this work in the year ahead. In the second and third years we will define project alternatives, test concepts with stakeholders, agencies and public, and complete the Environmental Impact Statement and planning document. NPS intends to schedule "town hall" meetings in the fall of this year, probably in the first two weeks of November. We have an obligation to address the developed areas of Yosemite Valley, El Portal and Wawona. The Wild and Scenic Rivers Act precludes us from imposing rules and regulations on private land. Therefore, we welcome the role of County officials and community residents in working together and coordinating planning efforts so that we can all live with the outcome. We do hope to engage Mariposa County officials and residents in preparing for and conducting town hall meetings later this year.

I appreciate the courtesy that the County has shown in considering the NPS work schedule for the MRP. It is not my intention to influence the County’s work schedule or priorities, but I do feel that it was important to clarify our timeline and to affirm our interests in collaboration with Mariposa County. If you have any questions about the information contained in this message, please call me or reply by e-mail. This information is public and you are welcome to forward accordingly.

Jim_Donovan@nps.gov
Yosemite National Park | Planning Division 209.379.1450
Attachment 2
Minutes from May 21, 2010 PC Meeting and PC Resolution Recommending Approval
2 B. General Plan Amendment No. 2010-041

Alvaro Arias presented General Plan Amendment No. 2010-041 explaining that this amendment will change the "Area Plan Status" identified in the General Plan for the El Portal Planning Area from "Pending for completion in the short term" to "Pending for completion in the intermediate term". Arias said that the El Portal Plan is an area planning program which will be done in cooperation with the Yosemite National Park Service staff. Arias stated that the original schedule for preparation of the El Portal Town Plan has slipped due to issues associated with the Merced River Plan. The Merced River Plan must be completed prior to beginning work on the El Portal Town Plan. Arias said that this amendment was initiated by the Board of Supervisors following the 2010 General Plan Annual Review.

Arias concluded that staff recommends the Planning Commission adopt a resolution recommending that the Board of Supervisors find that the project is exempt from environmental review and approve the project based upon the recommended findings.

Clarification: None
Public Portion of the Hearing: Opened.
Public Portion of the Hearing: Closed.
Deliberations: None

On motion of Commissioner Francisco, seconded by Commissioner Tucker, the Planning Commission adopted a resolution recommending that the Board of Supervisors find that the project is exempt from environmental review and approving General Plan Amendment 2010-041 based upon the recommended findings.

Motion carried by the following vote:

AYES: 5 (Marsden, Francisco, Rudzik, Tucker, Ross)
NOES: 0
STATE OF CALIFORNIA
COUNTY OF MARIPosa
PLANNING COMMISSION

Resolution
No. 2010-009

A resolution recommending approval of General Plan Amendment No. 2010-041, County of Mariposa, proponent, to amend Table 5-1: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term”

WHEREAS a general plan amendment was initiated by the Board of Supervisors on the 16th day of March 2010 as a result of the Board of Supervisors Annual Review on the General Plan, and

WHEREAS that General Plan Amendment is known as General Plan Amendment No. 2010-041; and

WHEREAS the El Portal Town Plan is an area planning program which will be done in cooperation with Yosemite National Park; and

WHEREAS the Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan; and

WHEREAS General Plan Amendment No. 2010-041 proposes to amend Table 5-1: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in short term” to “Pending for completion in the intermediate term,” and

WHEREAS a duly noticed Planning Commission public hearing was scheduled for the 21st day of May 2010; and

WHEREAS a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, and testimony presented by the public concerning the application.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors find that the project is exempt from provisions of the California Environmental Quality Act.
BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors approve General Plan Amendment No. 2010-041.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission recommends approval of The General Plan Zoning Amendment based upon the findings set forth in Exhibit 1.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission recommends approval of modified Table 5-1 of the Mariposa County General Plan as shown in Exhibit 2.

ON MOTION BY Commissioner Francisco, seconded by Commissioner Tucker, this resolution is duly passed and adopted this 21st day of May, 2010 by the following vote:

AYES: Francisco, Tucker, Marsden, Ross, Rudzik

NOES: None

EXCUSED: None

ABSTAIN: None

Attest:

Judy Mueller, Secretary to the Mariposa County Planning Commission

[Signature]

Robert L. Rudzik, Chairman
Mariposa County Planning Commission

[Signature]
EXHIBIT 1 – RECOMMENDED FINDINGS OF APPROVAL

1. The amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

The General Plan Amendment is in the general public interest as it will result in Table 5-1: Planning Areas and Area Plan Status being updated with the most current status of the El Portal Town Planning Area Plan. The Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis.

This amendment is in the public interest and will not have a significant adverse affect on the general public health, safety, peace and welfare.

2. The amendment is desirable for the purpose of improving 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.

The project improves the Mariposa County General Plan with respect to providing a long or short term guide or basis for decision-making. The amendment updates the current status of the El Portal Town Plan and keeps Table 5-1 of the General Plan updated as well. This amendment will update the goals and policies of the General Plan, specifically the status of the El Portal Town Plan, thereby providing an improved long-term guide for county decision-making. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.

3. The processing of this application conforms to the requirements of state law and county policy.
The processing of this project application has been in accordance with all requirements pursuant to state law and county policy.

4. *The amendment is consistent with the goals, policies, and implementation measures of the Mariposa County general plan as follows.*

This amendment helps keep Table 5-1 of the General Plan and in turn the Mariposa County General Plan up to date with the status of the El Portal Town Planning Area Plan. As part of the ongoing planning process, the General Plan is reviewed annually to provide information on the goals, policies, and implementation measures of the Mariposa County General Plan. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.
EXHIBIT 2 – Updated Table 5-1
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<td>Pending for 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 - Pending for completion in the intermediate 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>
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<td>Hornitos Community</td>
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<td>Not scheduled</td>
</tr>
<tr>
<td>Lake Don Pedro Town</td>
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<td>Mariposa Town</td>
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<td>Midpines Community</td>
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<td>Pending for completion in short term</td>
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<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 NPS responses in short term</td>
</tr>
<tr>
<td>Yosemite National Park</td>
<td>N/A</td>
<td>Complete&lt;sup&gt;1&lt;/sup&gt;</td>
</tr>
<tr>
<td>Yosemite West Special</td>
<td>Yes</td>
<td>Pending for completion in 2007</td>
</tr>
</tbody>
</table>

<sup>1</sup>Yosemite 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.

Source: Mariposa County, 2006
Attachment 3
Draft BOS Resolution
MARIPOSA COUNTY RESOLUTION NUMBER 10-

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA ADOPTING GENERAL PLAN AMENDMENT NO. 2010-041, County of Mariposa, proponent, to amend Table 5-1 of the Land Use Element: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term”, with Findings

WHEREAS, State law requires cities and counties to prepare and adopt a General Plan to guide the future development of a city or county; and

WHEREAS a general plan amendment was initiated by the Board of Supervisors on the 16th day of March 2010 as a result of the Board of Supervisors Annual Review on the General Plan; and

WHEREAS that General Plan Amendment is known as General Plan Amendment No. 2010-041; and

WHEREAS the El Portal Town Plan is an area planning program which will be done in cooperation with Yosemite National Park; and

WHEREAS the Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan; and

WHEREAS General Plan Amendment No. 2010-041 proposes to amend Table 5-1: Planning Areas and Area Plan Status by changing the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in short term” to “Pending for completion in the intermediate term;” and

WHEREAS the Mariposa County Planning Commission, on May 21, 2010, conducted a duly noticed and properly advertised public hearing to take public testimony and to consider the project; and

WHEREAS, the Planning Commission approved Resolution Number 2010-009 recommending that the Board of Supervisors find that the project is exempt from environmental review and adopt General Plan Amendment 2010-041; and

WHEREAS a duly noticed public hearing of the Mariposa County Board of Supervisors was scheduled for the 22nd day of June 2010; and

WHEREAS a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, and local administrative procedures; and
WHEREAS, the Board of Supervisors did hold a public hearing on the noticed date and considered all of the information in the public record, including the staff report; and

WHEREAS, the adoption of General Plan Amendment No. 2010-041, along with another General Plan Amendment proposal that may be considered by the Board of Supervisors at the same public meeting, constitutes the first round of General Plan Amendment to be considered in calendar year 2010.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors finds that the project is exempt from provisions of the California Environmental Quality Act.

THEREFORE BE IT RESOLVED that the Board of Supervisors hereby adopts General Plan Amendment No. 2010-041.

THEREFORE BE IT FURTHER RESOLVED that the recommendations for project approval are based upon the findings set forth in Exhibit 1.

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors approves modified Table 5-1 of the Mariposa County General Plan as shown in Exhibit 2.

ON MOTION BY Supervisor __________, seconded by Supervisor ______________, this resolution is duly passed and adopted this ___ day of June, 2010 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

______________________________
Kevin Cann, Chairman
Mariposa County Board of Supervisors

ATTEST:

______________________________
Margie Williams
Clerk of the Board of Supervisors

______________________________
Approval AS TO FORM:

______________________________
Steven W. Dahlem
County Counsel
EXHIBIT 1
(Proposed) FINDINGS OF APPROVAL

1. The amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

The General Plan Amendment is in the general public interest as it will result in Table 5-1: Planning Areas and Area Plan Status being updated with the most current status of the El Portal Town Planning Area Plan. The Merced River Comprehensive Management Plan must be completed prior to beginning work on the El Portal Town Plan. The General Plan, like any strategic or policy guidance document, may be reviewed and updated on a regular basis.

This amendment is in the public interest and will not have a significant adverse affect on the general public health, safety, peace and welfare.

2. The amendment is desirable for the purpose of improving 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.

The project improves the Mariposa County General Plan with respect to providing a long or short term guide or basis for decision-making. The amendment updates the current status of the El Portal Town Plan and keeps Table 5-1 of the General Plan updated as well. This amendment will update the goals and policies of the General Plan, specifically the status of the El Portal Town Plan, thereby providing an improved long-term guide for county decision-making. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.

3. The processing of this application conforms to the requirements of state law and county policy.

The processing of this project application has been in accordance with all requirements pursuant to state law and county policy.

4. The amendment is consistent with the goals, policies, and implementation measures of the Mariposa County general plan as follows.

This amendment helps keep Table 5-1 of the General Plan and in turn the Mariposa County General Plan up to date with the status of the El Portal Town Planning Area Plan. As part of the ongoing planning process, the General Plan is reviewed annually to provide information on the goals, policies, and
implementation measures of the Mariposa County General Plan. As priorities change and goals are accomplished, it is important to keep information up to date on the status of the various goals, policies, and implementation measures of the Mariposa County General Plan. Due to the delay of the adoption of the Merced River Comprehensive Management Plan by the National Park Service, the status of the El Portal Town Plan has changed and this amendment keeps Table 5-1 consistent with the existing circumstances.
EXHIBIT 2 – (Proposed) Updated Table 5-1
<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>
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Source: Mariposa County, 2006
Attachment 4
Draft Notice of Exemption
MARIPOSA COUNTY
NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
    P.O. Box 247
    Mariposa, CA 95338

    FROM: Mariposa County
           Board of Supervisors
           P.O. Box 784
           Mariposa, CA 95338

Project Title: General Plan Amendment No. 2010-041

Project Location: Amendment affects Table 5-1: Planning Areas and Area Plan Status, regarding the status of the El Portal Town Planning Area Plan

Description of Project: Amend “Table 5-1: Planning Areas and Area Plan Status” of the Mariposa County General Plan. This amendment will change the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term.”

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person/Agency Carrying Out Project: Mariposa County

Exempt Status: General Rule Exemption; Section 15061, CEQA Guidelines.

Reason Why Project Is Exempt: General Plan Amendment No. 2010-041 is exempt from environmental review pursuant to §15061, CEQA Guidelines, the General Rule Exemption. It can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. The project will amend “Table 5-1: Planning Areas and Area Plan Status” of the Mariposa County General Plan. This amendment will change the Area Plan Status for the El Portal Town Planning Area from “Pending for completion in the short term” to “Pending for completion in the intermediate term.” The El Portal Town Plan an area planning program which will be done in cooperation with the Park Service staff. The original schedule for preparation of the El Portal Town Plan has slipped due to the revised processing of the Merced River Comprehensive Management Plan. When planning for the El Portal Town area does begin, Yosemite National Park will be the lead planning agency and Mariposa County will participate actively in the joint planning process. It is now anticipated that this area planning process will not begin until after 2012.

Lead Agency Contact Person: Alvaro Arias, Associate Planner

Phone Number: (209) 742-1218

24
Kris Schenk  
Planning Director

Date
MARIPOSA COUNTY
NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
   P.O. Box 247
   Mariposa, CA 95338

FROM: Mariposa County
      Board of Supervisors
      P.O. Box 784
      Mariposa, CA 95338

Project Title: General Plan Amendment No. 2010-041

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Lead Agency Contact Person: Alvaro Arias, Associate Planner

Phone Number: (209) 742-1218

Kris Schenk
Planning Director

Date 6/22/2010
Tracy Gauthier

From: Alvaro Arias
Sent: Thursday, May 10, 2012 8:06 AM
To: Tracy Gauthier
Cc: Sarah Williams; Kris Schenk
Subject: RE: Pending documents
Attachments: To Kris Schenk.doc

Tracy,

For Resolution 10-556, the applicants did not pay to file the Notice of Exemption (do you want a copy even though it was not filed?) and we are still awaiting the completion of some of the required conditions in order to record the contracts. As soon as the contracts record, I will provide copies.

For Resolution 10-324, a Notice of Exemption was not filed and the environmental review challenge period is long past over. Do you want a copy of the NOE even though it was not filed with the County Clerk?

Filing the Notice of Exemption with the County Clerk is optional.

Let me know if you have any questions.

Alvaro

From: Sarah Williams
Sent: Thursday, May 10, 2012 7:57 AM
To: Alvaro Arias
Subject: FW: Pending documents

Please look at the attached list of docs which Tracy says she still needs. Two are from your projects. Could you see if you have the things she needs? Or e-mail her and let her know the status (like Ichord – awaiting payment of taxes for LLA)

Thanks,

S

Sarah Williams
Deputy Director
Mariposa Planning
P.O. Box 2039
Mariposa CA  95338
(209) 742-1215

From: Tracy Gauthier
Sent: Wednesday, May 09, 2012 11:56 AM
To: Kris Schenk (kschenk@mariposacounty.org); Sarah Williams (swilliams@mariposacounty.org)
Subject: Pending documents

Please see attached for pending documents, if you have any questions please let me know.