

MARIPOSA COUNTY BOARD OF SUPERVISORS

RESOLUTION NO. 95-20

**A RESOLUTION APPROVING GENERAL PLAN AMENDMENT
APPLICATION NO. 94-5 (HOUSING ELEMENT UPDATE).**

COUNTY OF MARIPOSA, APPLICANT

WHEREAS, Section 65302 of the California Government Code Section, Title 7 requires counties to adopt Housing Elements meeting the requirements of Article 10.6 of the California Government Code; and

WHEREAS, the Mariposa County Board of Supervisors adopted Resolution No. 89-353 on June 27, 1989, adopting the first and current Housing Element of the General Plan; and

WHEREAS, Section 65588 of California Government Code requires communities to periodically revise and update their Housing Element every five years; and

WHEREAS, Mariposa County is now required to update the General Plan Housing Element in accordance with this section of Government Code; and

WHEREAS, on January 4, 1994 the Establishment of priorities for Planning Department Advance Planning Workload was approved which included the Housing Element Update and direction was given to staff to come back with options for updating the housing element; and

WHEREAS, on March 1, 1994 the Mariposa County Board of Supervisors directed County Staff to proceed with an update on the Housing Element; and

WHEREAS, Mariposa County has prepared an update to the Housing Element meeting the requirements of Article 10.6 and recent amendments passed into law after 1989; and

WHEREAS, in accordance with the findings as contained in Exhibit A of this resolution, the project is exempt from environmental review; and

WHEREAS, Mariposa County has submitted the Draft Housing element to the State Department of Housing & Community Development for review in accordance with State Government Code Section 65585; and

WHEREAS, modifications to the Housing Element have been made to reflect the comments of this State Department; and

WHEREAS, the Planning Commission has held a duly noticed public hearing in accordance with County Code and State Law; and

WHEREAS, the Planning Commission has adopted Resolution No. 94-19, recommending the Board of Supervisors approve the proposed amendment with modifications;

NOW THEREFORE BE IT RESOLVED, the Mariposa County Board of Supervisors hereby approves General Plan Amendment 94-5, Housing Element Update.


BE IT FURTHER RESOLVED that the approval is based upon the mandatory findings for a General Plan Amendment as contained in Exhibit A of this resolution.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on the 10th day of January, 1995, by the following vote:

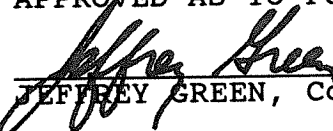
AYES: REILLY, BALMAIN, STEWART, PARKER, TABER
NOES: NONE
ABSTAINED: NONE
EXCUSED: NONE
NOT VOTING: NONE



GARRY PARKER, Chairman
Mariposa County Board of Supervisors

ATTEST:


MARGIE WILLIAMS, Clerk of Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFFICIENCY


JEFFREY GREEN, County Counsel

EXHIBIT "A"

FINDINGS FOR ENVIRONMENTAL REVIEW EXEMPTION:

1. Section 15061[b][3] of the California Environmental Quality Act (CEQA) Guidelines states "...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where 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 activity is not subject to CEQA.
2. The current General Plan Housing Element already has established policies. This amendment only addresses changes to statistical data and new State requirements which have become law since 1989.

FINDINGS FOR GENERAL PLAN AMENDMENT:

1. This amendment is not inconsistent with any of the guiding policies, goals, and standards of the General Plan.
2. The project is found to support, accomplish or have no effect on the goals, policies, and standards of the General Plan as a whole and will not obstruct the achievement of the General Plan's purpose. This finding is made in accordance with Section 2.600 et seq.

DEPARTMENT: PLANNING

BY: Greta Hudak

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No X)

Adopt a resolution approving General Plan Amendment 94-5 and direct staff to file a Notice of Exemption for the project.

Recommended action is based upon state law, which requires Housing Elements to be updated every five years.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See attachment 1 - Memo to Board

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Alternatives: 1) Approve the General Plan Amendment with modifications; 2) Continue matter for further discussion.

Negative action would result in denial of the General Plan Amendment and the County would not be in compliance with State law which requires the Housing Element to be updated every five years.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

SOURCE: () 4/5ths Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve for Contingencies, if approved: \$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

1. Memo to Board _____
2. Draft Board Resolution _____
3. Planning Commission Resolution 94-19 _____
4. Planning Commission Minutes _____
5. Staff Report _____
6. Draft Housing Element _____

CLERK'S USE ONLY:

Res. No.: 95-20 Ord. No. _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved: _____ () Denied

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

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: GH

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning and Building Director; and
JIM EVANS, Housing and Community Development Agency
Director

FROM: MARGIE WILLIAMS, Clerk of the Board *MW*

SUBJECT: PUBLIC HEARING to Consider Approval or Denial
of General Plan Amendment 94-5, Housing Element
Update, County of Mariposa, Applicant
Resolution Number 95-20

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on January 10, 1995

ACTION AND VOTE:

11:30 a.m. PUBLIC HEARING to Consider the Approval or Denial of
General Plan Amendment Number 94-5, Housing Element Update,
County of Mariposa, Applicant

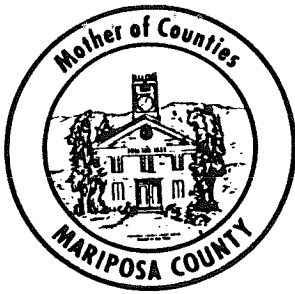
BOARD ACTION: Staff report was provided by Ed Johnson/Planning
and Building Director, and Jim Evans/Housing and Community
Development Agency Director. Staff responded to questions from
the Board relative to statistics; and costs and impacts to the
County for each additional residence. Public portion of the
hearing was opened. Mary Good stated it appears that we are
becoming such a socialist nation that we are depriving people if
everyone does not have the same things - free enterprise is not
motivating people. Public portion of the hearing was closed and
Board commenced with deliberations. Following discussion,
(M)Balmain, (S)Reilly, Res. 95-20 adopted approving General Plan
Amendment No. 94-5/Housing Element Update, with the following
changes:

- delete Policy section 2.6 - relative to application for
additional Section 8 Housing Vouchers;
- delete Policy section 6.3 - relative to special census;
- delete reference to the County in Policy section 7.5 for
shared housing program;
- change "will" to "may" in Policy section 9.2 relative to
development of an economic development policy;
- delete reference to mortgage intervention program;
- add clarification relative to information concerning
Yosemite;
- add policy to explore economic impacts of housing costs on
the County; and
- add policy re preference for housing assistance to local

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residents where possible; with direction for staff to provide the Board with the wording for the two new policies that were added/
Ayes: Unanimous. Hearing was closed.

cc: File



Mariposa County Planning and Building Department


EDWARD J. JOHNSON
Director

5101 Jones Street
P.O. Box 2039
Mariposa, CA 95338
(209) 966-5151
FAX No. (209) 742-5024

MEMORANDUM

December 29, 1994

TO: Board of Supervisors

FROM: Greta Hudak, Assistant Planner
James Evans, Housing and Community Development Department Director 
Edward Johnson, Planning and Building Department Director

RE: General Plan Amendment 94-5, Housing Element Update

PLANNING COMMISSION RECOMMENDATION

The Planning Commission recommends that the Board of Supervisors adopt a resolution approving General Plan Amendment 94-5 as proposed, and direct staff to file a Notice of Exemption for the project. The Planning Commission's recommended findings for the General Plan Amendment and findings for an Environmental Review Exemption are contained in the Board of Supervisors draft resolution. The amendment consists of changes and updates to tables and figures to reflect current conditions and is primarily based upon 1990 census data. No new policy changes have been included in the proposed amendment.

BACKGROUND

The current Housing Element was adopted by the Board of Supervisors on June 27, 1989 (Res. No. 89-353). State law requires the County to periodically revise and update the Housing Element every five years. The County is due to update its Housing Element and must update the Housing element to comply with State law.

On March 1, 1994 the Board directed staff to proceed with an update on the Housing Element if non-general fund moneys could be obtained to finance the update. The costs for the update was entirely financed by Community Block Grant general administration funds.

On August 2, 1994, the Board of Supervisors adopted Resolution No. 94-324 authorizing the Chairman to execute a personal services agreement contract with Castrillo + Associates for a General Plan Housing Element Update.

On October 18, 1994, the Draft Housing Element was presented to the Board of Supervisors by James Evans, Director of the Housing and Community Development Department.

On December 16, 1994, the Planning Commission held a noticed public hearing on the amendment. The Planning Commission recommended approval of General Plan Amendment 94-5 with revisions addressing items required by the state. The draft housing element contained in this packet includes those changes.

DISCUSSION

The following discussion contains a brief overview of the pertinent information contained in the attachments:

Attachment 2 - Draft Board Resolution

If adopted by the Board, the resolution approves General Plan Amendment 94-5 (Housing Element Update) with findings for the General Plan Amendment and findings for an Environmental Review Exemption.

Attachment 3 -- Planning Commission Resolution 94-19

This resolution, adopted by the Planning Commission, recommended the Board of Supervisors approve General Plan Amendment 94-5 (Housing Element Update) with changes. The Planning Commission recommended findings for the General Plan Amendment and findings for an Environmental Review Exemption.

Attachment 4 -- Planning Commission Minutes

The minutes from December 16, 1994 Planning Commission public hearing describing the presentations given by staff on the amendment and Planning Commission's deliberation and discussion for the amendment. There was no public input. The Planning Commission did consider input from the state, however.

Attachment 5 -- Staff Report

The Planning Commission staff report contains information on the project, including a project description, environmental review, discussion, recommendation from staff and recommended findings that are consistent with state and county application processing requirements.

Attachment 6 - Draft Housing Element

This document is the Planning Commission's recommended update to the Housing Element of the Mariposa County General Plan. The updated version contains the Housing element in its existing form with statistical revisions based upon 1990 census data and new statistical data. The update also addresses new housing element requirements and programs which have become law since 1989. No policy changes have been included in the proposed amendment.

State Review -- The Draft Housing Element was submitted to the State Department of Housing and Community Development on October 21, 1994 for their review and comment. Comments were received from the State on December 7, 1994 and have been incorporated into the document as recommended by the Planning Commission.

Planning and Building Department Review -- The Planning and Building Department provided information regarding land availability, zoning and density standards, and building permit activity. Planning Staff also reviewed the document for its overall consistency with the General Plan and other applicable planning policies.

Housing and Community Development Agency Review -- The local Housing and Community Development Agency (HCD) provided new statistical information. This included information regarding market analysis and housing needs, Housing Element review, and information regarding local housing programs and policies.

Consultant Review -- The consultant provided advice on format, new state housing element requirements, and other tasks as directed by the HCD Director. The consultant also incorporated all the Planning Commission's recommended changes to incorporate comments from the state into the final draft housing element.