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STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution  
No. 2010-004

**A resolution recommending approval of Amendments to the Catheys Valley Community Plan; General Plan Amendment No. 2008-63.**

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WHEREAS, Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term general plan for the physical development of each county; and

WHEREAS, on December 18, 2006, the Board of Supervisors of the County of Mariposa ("County") adopted a comprehensive update of the County's General Plan ("General Plan"), which identified 17 planning areas, including the Catheys Valley Community Planning Area; and

WHEREAS, in 1994, Mariposa County initiated the preparation of the Catheys Valley Community Plan ("Community Plan") to provide a long-term planning framework for the community. The Community Plan is intended to be incorporated into and become a part of the General Plan; and

WHEREAS, between 1994 and 2009, the Catheys Valley Planning Advisory Committee convened eighty-six (86) noticed public meetings and a community planning fair to consider, debate, evaluate, and develop the structure and content of the draft Community Plan; and

WHEREAS, the Mariposa County Board of Supervisors and Planning Commission did, on April 1, 2008, conduct a duly noticed and properly advertised public meeting to take public testimony and to consider additional revisions to the preliminary draft Community Plan; and

WHEREAS, the processing of the Community Plan project was assigned a project number and is known as General Plan Amendment No. 2008-63; and

WHEREAS, the Mariposa County Board of Supervisors did, on July 15, 2008, conduct a duly noticed and properly advertised public meeting to take public testimony and to consider additional revisions to the preliminary draft Community Plan; and

WHEREAS, an Initial Study and Negative Declaration of Environmental Impact were prepared pursuant to the California Government Code, Mariposa County Code, the California Environmental Quality Act (CEQA) and local administrative procedures; and

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WHEREAS, the Initial Study and Negative Declaration of Environmental Impact was available on December 30, 2008; and

WHEREAS, on the 15<sup>th</sup> day of January 2009, the Catheys Valley Planning Advisory Committee conducted a public meeting, and following public comment and discussion, took action to forward the recommended draft Catheys Valley Community Plan to the Planning Commission for their consideration by formal motion; and

WHEREAS, an objective of the Catheys Valley Community Plan is to develop necessary land use designations and standards for Agriculture, Commercial, Public and Residential classifications that carry out the vision and policies for Catheys Valley established in the adopted General Plan; and

WHEREAS, an objective of the Community Plan is to preserve the rural and ranching lifestyle and character of the area. The land within the boundaries of the Catheys Valley Community Planning Area is rural and not to be used for urban scale development or regional commercial development; and

WHEREAS, new zoning classifications, consistent with the Community Plan land use designations, and adoption of specific design guidelines and development standards for the Catheys Valley Community Planning Area will be considered under separate future actions; and

WHEREAS, the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, Native American contacts, and others as appropriate; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 7<sup>th</sup> day of May 2009; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered the information in the public record, including the Staff Report memo, the Initial Study and Negative Declaration of Environmental Impact, the draft Catheys Valley Community Plan and public input; and

WHEREAS, the Planning Commission considered the environmental effects of the adoption of the Catheys Valley Community Plan on global climate change as documented in the minutes of the Planning Commission meeting dated May 7<sup>th</sup>, 2009; and

WHEREAS, additional discussion about the Planning Commission's May 7<sup>th</sup>, 2009 action on the Community Plan occurred at the Planning Commission meeting on May 8<sup>th</sup>, 2009; and

WHEREAS, the Planning Commission adopted Resolution No. 2009-10 recommending the Board of Supervisors certify the Negative Declaration of Environmental Impact and approve General Plan Amendment No. 2008-63; and

WHEREAS, Planning Commission Resolution No. 2009-10 contained recommended findings for project approval in Exhibit 1; and

WHEREAS, a duly noticed Board of Supervisors public hearing was scheduled for the 9<sup>th</sup> day of June 2009; and

WHEREAS, the Board of Supervisors did hold a public hearing on the noticed date and considered the information in the public record, including the Staff Report, the Initial Study and Negative Declaration of Environmental Impact, the draft Catheys Valley Community Plan and public input; and

WHEREAS, on the 9<sup>th</sup> day of June 2009, the Board of Supervisors continued the deliberation phase of the public hearing to the 14<sup>th</sup> day of July 2009; and

WHEREAS, on the 14<sup>th</sup> day of July 2009, the Board of Supervisors conducted the continued public hearing for General Plan Amendment No. 2008-63; and

WHEREAS, as a result of the continued public hearing, the Board of Supervisors adopted Resolution No. 09-355 directing staff to proceed with preparation of a Supplemental Environmental Impact Report (EIR) for the Catheys Valley Community Plan; and

WHEREAS, Resolution No. 09-355 stated the Board of Supervisors' intention to retain jurisdiction for the purposes of processing the Supplemental EIR; and

WHEREAS, a Notice of Preparation was submitted to the State Clearinghouse for the Catheys Valley Community Plan Supplemental EIR (SCH No. 2008121121) and the comment period was established from July 30, 2009 to August 28, 2009; and

WHEREAS, the Draft Supplemental Environmental Impact Report (EIR) for the December 2009 Catheys Valley Community Plan is a program Environmental Impact Report that supplements the program Environmental Impact Report for the adopted General Plan; and

WHEREAS, the Draft Supplemental EIR for the December 2009 Catheys Valley Community Plan was released to the public on December 17, 2009; and

WHEREAS, the Notice of Availability for the Draft Supplemental EIR for the Catheys Valley Community Plan was issued on January 14, 2010; and

WHEREAS, the State Clearinghouse review period for the Draft Supplemental EIR for the Catheys Valley Community Plan ended on February 1, 2010; and

WHEREAS, the public comment period for the Draft Supplemental EIR for the Catheys Valley Community Plan as described in the Notice of Availability was extended to March 8, 2010; and

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WHEREAS, the amendments to the Catheys Valley Community Plan as contained in the December 2009 Catheys Valley Community Plan were referred to the Planning Commission for review pursuant to Government Code Section 65356; and

WHEREAS, the Planning Commission considered the amendments at a noticed public meeting; and

WHEREAS, the Planning Commission considered the December 2009 Draft Supplemental EIR as it reviewed the amendments to the Catheys Valley Community Plan.

NOW THEREFORE BE IT RESOLVED, the Planning Commission does hereby recommend the Board of Supervisors approve the amendments to the Catheys Valley Community Plan as shown in underlined font as contained in Exhibit 1 of this Resolution. The amendments include the addition of Goal CV 5.1-6, the addition of Policy CV5.1-6a and the addition of Implementation Measures CV5.1-6a(1) and CV5.1-6a(2).

NOW THEREFORE BE IT FURTHER RESOLVED the Planning Commission does hereby make the findings as contained in Exhibit 2 of the Resolution in support of their recommendation.

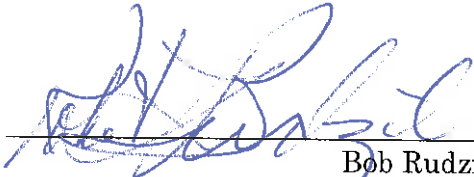
ON MOTION BY Commissioner Marsden, seconded by Commissioner Francisco, this resolution is duly passed and adopted on the 19<sup>th</sup> day of March, 2010 by the following vote:

AYES: Francisco, Rudzik, Tucker, and Marsden

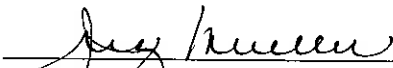
NOES: Ross

EXCUSED: None

ABSTAIN: None

  
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Bob Rudzik, Chair  
Mariposa County Planning Commission

Attest:

  
\_\_\_\_\_  
Judy Mueller, Secretary to the  
Mariposa County Planning Commission

## EXHIBIT 1 – RECOMMENDED AMENDMENTS

(shown in underlined font)

### CATHEYS VALLEY COMMUNITY PLAN

Environmental: This implementation measure is a primary mitigation measure for traffic and access impacts onsite.

Consequences: Road improvements must be completed, or surety for completion posted, prior to the submittal of the final subdivision maps.

*Policy CV5.1-5c:* Maintain a commitment to the preservation of water for agricultural lands.

#### *Implementation Measure*

*CV5.1-5c(1):* The CVCP will require evaluation of future projects that are water intensive to assure that the water requirements of existing agricultural operations are not impeded, and that the water needs of such operations, and the community's residential uses, will continue to be met.

Timing: On-going review standard

Responsibility: Mariposa County Planning Department, Agricultural Commissioner, Farm Advisor Office, Resource Conservation District, and CVCP/PAC.

Fiscal impact: Unknown

Consequences: Puts the community in an active role to protect water resources and economic viability of agriculture.

**Goal CV5.1-6: Development minimizes impacts on and/or improves air quality. (NOTE. THIS GOAL TIERS FROM GENERAL PLAN POLICY 11-1c)**

*Policy CV5.1-6a:* Implement standards that minimize impacts on and/or improves air quality. (NOTE. THIS GOAL TIERS FROM GENERAL PLAN POLICY 11-1c)

#### *Implementation Measure*

*CV5.1-6a(1):* Future projects in Catheys Valley shall conform to the following energy use and resource conservation standards:

- Buildings shall be designed to be energy efficient.
- Efficient lighting and lighting control systems shall be installed. Buildings shall be sited and designed to take advantage of day-light.
- Trees, landscaping, and sunscreens on west and south exterior building walls shall be used to reduce energy use.
- Light colored "cool" roofs and cool pavements shall be installed.
- Energy efficient heating and cooling systems, appliances and equipment, and control systems shall be installed.
- The hours of operation of outdoor lighting shall be limited.
- Solar heating, automatic covers, and efficient pumps and motors shall be used for pools and spas.

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- Solar, wind, and geothermal power systems, and solar hot water heaters shall be installed.
- Water-efficient landscapes shall be created.
- Water-efficient irrigation systems and devices, such as soil moisture-based irrigation controls shall be installed.
- Buildings shall be designed to be water-efficient, including the installation of water-efficient fixtures and appliances.
- Watering methods shall be restricted (e.g., prohibit systems that apply water to non-vegetated surfaces) and runoff controlled.
- The use of water for cleaning outdoor surfaces and vehicles shall be restricted.
- Low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater and protect the environment shall be implemented. (Retaining stormwater runoff on-site can drastically reduce the need for energy-intensive imported water at the site.)
- Construction and demolition waste including, but not limited to, soil, vegetation, concrete, lumber, metal, and cardboard, shall be reused and recycled.
- Interior and exterior storage areas for recyclables and green waste and adequate recycling containers shall be provided in public areas.
- Mixed-use shall be included in commercial development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel, and promote efficient delivery of services and goods.

Timing: On-going review standard

Responsibility: Mariposa County Planning Department and Building Department.

Fiscal impact: Ongoing—adds to review process. Cost for applicant.

Environmental: The implementation measure identifies measures recommended by the State Attorney General to be incorporated into development standards.

Consequences: Puts the community in an active role to reduce greenhouse gas emissions and protect air resources in accordance with guidance from the State Attorney General.

Implementation Measure

CY5.1-6a(2): The County shall provide the following educational programs for Catheys Valley residents:

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- Energy efficiency and water conservation, including available programs and incentives;
- Waste reduction and available recycling services; and
- Options for individuals and businesses to reduce transportation-related emissions, including public transportation.

Timing: On-going.

Responsibility: Mariposa County Public Works Department.

Fiscal impact: Ongoing—requires staff commitment.

Environmental: The implementation measure identifies measures recommended by the State Attorney General to be incorporated into development standards.

Consequences: Puts the community in an active role to reduce greenhouse gas emissions and protect air resources in accordance with guidance from the State Attorney General.

## 5.2 AGRICULTURE

### 5.2.01 UNIQUE CATHEYS VALLEY AGRICULTURAL ISSUES

Agriculture is a crucial policy issue in the Catheys Valley Planning Area because it contributes to the Mariposa County's overall economic and social sustainability and is a major aspect of the County's and Catheys Valley Planning Area's rural character, providing open space, habitat for plants and wildlife, recreation for residents and tourists, a diverse range of specialty products, local jobs, and serving as a model and anchor for a rural way of life. The Catheys Valley area maintains rural character and creates an important, long-term, and fundamental economic base when agriculture is nurtured, sustained, and preserved.

This Element implements programs resolving issues related to agriculture in the Catheys Valley Planning Area. Some programs cross element boundaries and are also implemented elsewhere in this Community Plan. The key issues addressed in the Agriculture Element are:

- Preserving agricultural lands,
- Working landscape stewardship,
- Nurturing the agricultural economy throughout the Catheys Valley Area, and
- Maintaining the rural character of the Catheys Valley Planning Area.

The inclusion of agriculture as its own element is recognition of the essential contributions agriculture makes to the Catheys Valley Planning Area's economy and character.

## **EXHIBIT 2 – RECOMMENDED FINDINGS OF APPROVAL**

**1. *CEQA Finding***

The Planning Commission considered the Draft Supplemental Environmental Impact Report (EIR) released on December 17, 2009 in their review of the amendments to the Catheys Valley Community Plan as contained in the December 2009 Catheys Valley Community Plan. A recommendation on the Draft EIR is not made based on Board of Supervisors Resolution No. 09-355.

**2. *The amendments made to the Catheys Valley Community Plan are in the general public interest, and will not have an impact on the general public health, safety, peace, and welfare.***

The amendments made to the Catheys Valley Community Plan are in the general public interest because the Catheys Valley Community Plan was developed to meet the needs of the Catheys Valley community. The amendments are made to comply with recent change in state law for air quality. The amendments are made considering the community of Catheys Valley and community values. The amendments will enable the community to have an active role in reducing greenhouse gas emissions and protect air resources in accordance with guidance from the State Attorney General. There is no evidence that the proposed amendments to the Catheys Valley Community Plan as shown in Exhibit 1 will have any impacts on the general public health, safety, peace, and welfare.

**3. *The processing of the amendments made to the Catheys Valley Community Plan conforms to the requirements of state law.***

The processing of the referral of the amendments made to the Catheys Valley Community Plan has been in accordance with all requirements pursuant to state law.