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2009 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 2009 Annual Report contains a review of the General Plan policies, programs and implementation measures that were addressed during the 2008 calendar year. It also describes planning activities that are in process or anticipated in 2009 through 2013 (the short-term planning horizon) and subsequent years to achieve full consistency between General Plan policies and County development regulations. Included with the annual report is a proposed schedule for the consideration of General Plan Amendments during the remainder of 2009 (Attachment 8)

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 since the beginning of 2007. Printed, CD and on-line access to the adopted General Plan has been available to the public since 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 include 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 2008

Mariposa County established a schedule of dates in 2008 at which amendments to the General Plan could be considered. However the only public hearing at which changes were made to the General Plan or to the Land Use Diagram occurred on June

17, 2008, as discussed below. No other significant amendments to the General Plan took place in 2008.

The single General Plan Amendment approved in 2008 was the Amendment of the land use classification on an approximately 411-acre portion of a 1,561.22 acre parcel in the Bear Valley area. The property outside of the 411-acre portion is mostly in the Agriculture Working Landscape (AWL) land use classification, which has a minimum density of 160 acres or a legal quarter section in size. A small portion is in the Residential Land Use/Bear Valley Community Planning area. The 411 acres portion was in the Mountain General (MG) zone (40 acre minimum parcel size), and it was in the AWL land use (160 acres minimum parcel size). The Amendment changed the 411 acre portion of the property (in the MG zone) from the AWL land use to the Natural Resources land use classification, which has a 40 acre minimum density. This amendment resolved a conflict between the zone and the land use classifications.

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 2 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 many years. Progress in any year depends upon County priorities, resources allocated, the availability of experienced staff, extent of community interest and involvement, 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 (2008 and 2009)

The following implementation programs are major planning priorities which the Mariposa County Board of Supervisors has directed staff to pursue during 2008 and 2009. 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. Work on this continued through 2008, and public consideration of a draft of the proposed comprehensive road standards is expected to occur in 2009.

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.

In 2008, the Planning and Public Works Departments staff, along with the assistance of the two planning and traffic engineering consulting firms, completed the analysis of County road standards. The fundamental data for this analysis was prepared by the Planning GIS staff person, with assistance from Public Works engineering staff. The CIP Development Impact Fees Study will be prepared to go to the Board of Supervisors for consideration, following adoption of comprehensive road standards, late in 2009.

2) AGRICULTURE 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 was 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 were then considered by the Board of Supervisors at a workshop on April 2, 2008. At the April workshop, a wide range of agritourism issues were discussed with the Board, County Departments, agricultural producers, and the general public. The Board of Supervisors gave direction to hold additional workshops with other counties and local agencies that have developed programs, ordinances and policies on agritourism.

The April workshop was continued to August 26, 2008. At the August workshop, the Board of Supervisors again heard input from County Departments, local business people, and the public. The workshop was continued, and on December 9, 2008, the Board of Supervisors considered agritourism opportunities, regulatory strategies and successful programs in other ranching communities. At that workshop, the Board of Supervisors directed the formation of an Agritourism Advisory Committee, along with a contract for services and a work plan for a consultant to help the Committee in the development of an agritourism ordinance for amendments to Title 17, Zoning.

At their January 27, 2009 meeting, the Board of Supervisors approved the preparation of an agricultural and nature tourism ordinance to reflect different intensity levels within the AE Zone. A resolution was adopted approving the membership and operation of the Agriculture and Nature Tourism Advisory Committee. The Board also approved a contract for services to prepare the Ordinance.

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).

As early as 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 professional services contract in the Planning Department was authorized by the Board to undertake the further tasks of revising Mariposa County's Williamson Act policies and requirements. This position was filled in 2008, and in the fall of 2008, work began on revising the LCA rules and procedures. On January 22, 2009, the Agricultural Advisory Committee began public review of the draft procedural changes for the implementation of the land conservation act. The Agricultural Advisory Committee is scheduled to complete its review of the LCA rules and procedures in April, 2009.

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 2008, additional zoning amendments will be addressed in 2009 and 2010, as soon as resources and staff workloads allow.

The Board of Supervisors has given specific direction on two issues for resolution in 2009 dealing with:

- 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 ½ -acre parcel balanced by a 7 ½ -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.³" (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.

Other zoning consistency programs with the short-term planning horizon include the following activities:

- 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.
- After "thresholds" and performance standards are defined, and Title 17 revised, the zoning regulations will provide for the assessment of compatibility and priority among the performance standards, and uses (Implementation Measure 5-1(a)2).
- 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 build upon the five-year Municipal Services Review (MSR) study, which was prepared during 2007 and adopted the Local Agency Formation Commission (LAFCo) 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 LM. 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 improve compliance between the County's development regulations and the General Plan. A complete listing of the short-term catalog of anticipated implementation tasks has been created from the adopted Mitigation Monitoring and Reporting Program and appears in Attachment 3 of this Annual Report. This Implementation Schedule has been updated to reflect past activities, anticipated activities given the direction provided by the Board of Supervisors, and the limitations of staff available for working on the program.

5 Year Short Term Planning Schedule (2009 – 2013)

The implementation and consistency matters discussed here and identified in the Implementation Schedule, are matters that have been classified as "short-term", for completion within the first five years following adoption of the General Plan. All implementation measures are important when viewed as part of the overall implementation of the General Plan Policies and its internal and external consistency.

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 (2008 and 2009)

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 established in Attachment 2, 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 any given planning area:

- **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 recent or forthcoming public review process during 2008 and 2009:

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 early 2006, prior to the adoption of the General Plan. The Yosemite West Special Plan was put 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. On April 19, 2008, the Board of Supervisors held a public hearing on the Special Plan to receive input and consider further actions. After input and discussion, the Board continued consideration of the Yosemite West Special Plan, and they continued it again in August 2008. It is anticipated that the next public workshop will occur later in 2009.

2) CATHEYS VALLEY COMMUNITY PLAN

Preparation of the current version of the Catheys Valley Community Plan (CVCP) began in 2000. This Area Plan, which meets 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 CVCP and CEQA environmental documents.

On March 6, 2008 a preliminary draft was presented to the Catheys Valley Planning Advisory Committee. At that meeting, public input was received, and recommended changes were forwarded to the Board of Supervisors for a workshop on the Plan. On April 1, 2008 a joint Planning Commission and Board of Supervisors public workshop was held on the plan. A second joint Workshop was held on July 15, 2008, at which the changes from the previous workshop were reviewed, and public input on the changes and the plan was received. At the meeting, direction was given to staff to prepare the public review draft and prepare environmental documentation. This was done, and the revised draft was sent out for public review at the end of 2008. A recommendation concerning the revised CVCP was made by the Catheys Valley Planning Advisory Committee on January 15, 2009. Final consideration of the CVVCP will occur during advertised Planning Commission and Board of Supervisor public hearings currently anticipated for May and June of 2009.

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 November, 2007 meeting, WTPAC recommended approval of a revised Wawona Town Specific Plan and requested that it be forwarded to the Yosemite National Park planning staff for their comments. Preliminary environmental analysis was performed for the proposed plan. 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. The Specific Plan was forwarded to the National Park Service for comment. Further progress on the Wawona Town Specific Plan is awaiting recommendations from the Yosemite Park planners. No definite time line has been established for further consideration 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 due to negotiations associated with the Merced River Plan, but it may begin in 2009. 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.

The Midpines community is getting ready to undertake the official local 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 to review planning boundary maps and to discuss planning issues and interests for the Midpines area. Following the completion of Mariposa Planning's current 2008 Area Planning priorities, staff will begin working with the MCPAC on the development of their Community Plan. Initial steps to begin the Midpines Community Planning process are envisioned to occur in May, 2009.

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 (LDPCSD) had begun in 2004 to update its Sphere of Influence(SOI) planning boundaries and its Municipal Services Review (MSR) for adoption by LAFCo. Planning for that 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. The November, 2008 election brought significant changes to the District Board, and to the CSD's staff. 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 future conversations with the CSD Board members.

Other General Plan Accomplishments by County Agencies in 2008

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 include:

5. Land Use

Section 5.3.02.E(4), “Potable Water Supply”, of the General Plan, requires that “New subdivision lots will be served by an approved potable water supply. Prior to recordation of a final or parcel map, the subdivider shall prove to the satisfaction of the Health Department each new parcel has a supply of water meeting requirements for quantity and quality.” The Section goes on to identify possible methods of proof to satisfy this requirement.

On October 1, 2008 the Health Department adopted Policy #08-02 regarding the ‘Proof of Water on Land Divisions and Subdivisions’. This policy establishes standards that require a subdivider to provide evidence to the Health Department that a well or wells of proven capacity have been installed on the project site. The policy specifically uses the capacity standards established in Section 5.3.02.E(4).d of the General Plan for establishing the proven capacity of the well or wells.

6. Economic Development

In 2007, the Economic Vitality Strategy and Implementation Plan (EVS) was completed and approved by the Board of Supervisors, which fulfilled policy 6-1b of the General Plan. While serving as a long range plan, the EVS identified two goals which were to the Strengthen the Tourism Industry by making Mariposa County a year-round destination, and diversify Mariposa County’s economy with suitable business development opportunities. Further, it underscores the importance of establishing public-private partnerships in achieving the strategy’s goals. To that end, on December 9, 2008, the County Board of Supervisors approved a Memorandum of Understanding (MOU) between the Economic Development Corporation of Mariposa County (EDC) and the County of Mariposa to establish a Public/Private Partnership (GP Policy 6.1.06). The MOU identified numerous tasks to be accomplished, among them are the creation of a business registry, conduct a survey of businesses deemed desirable by visitors and local residents, participate in the update of Title 17, collect demographic and other data pertinent to business attraction, create a “Doing Business Guide” on how to start a business, commence planning process to establish a “Yosemite Management Campus (or office)” for NPS and concessionaire staff, serve as a liaison among EDC, County and UC Merced (GP Policy 6-3a), to name a few.

On December 2, 2008, the Board of Supervisors approved a grant application in the amount of \$200,000, to be submitted to the Department of Housing and Community Development to establish a Microenterprise Assistance Program for new business start ups (GP Policy 6-3b(1)). Grant awards will be announced the end of March 2009. Staff will continue to seek grants as part of its economic development function.

Continued efforts were made to implement grant-funded projects awarded by the Department of Housing and Community Development relative to a Drainage Study for the town of Mariposa (3rd – 5th Street) and Environmental Studies for the town of Coulterville and Mariposa (GP Policy 6-3b(1)). A grant application was submitted to

PG&E to conduct work on the Mariposa Creek Parkway. The County was awarded a grant. (GP Policy 6-03b(1)).

A Drainage Study project for the town of Coulterville was completed and closed out with the concurrence of the Public Works Department (a grant-funded project). The Economic Vitality Strategy and Implementation Plan project (grant-funded project) was completed and closed out. All mandatory "closeout" documents were submitted to the Department of Housing and Community Development. (GP Policy 6-3b(1)).

• 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 2006 General Plan, Chapter 8 predated the other portions of the plan. A 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 August, 2009 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 fulfilling its ongoing housing responsibilities.

The Housing Element includes policies and reporting requirements with respect to Mariposa County's assigned "fair share", or Regional Housing Needs Allocation (RHNA). The allocation of new housing units expected annually from Mariposa County, on average, is 216 units. 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 RHNA directs the County to produce 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 encourage the production of affordable housing, and to avoid and eliminate constraints to the approval of construction of new and affordable housing units. This past year, the Building Department issued 126 permits for new dwelling units and 4 permits for conversions to permanent dwelling units (while 12 units of existing housing stock were reported as destroyed). No new multiple-unit structures were built. Of the 130 new housing unit permits issued during 2008, 42 were for mobile homes (32%, rather than 40%, of the yearly total and substantially less than the desired 86 RHNA new units for low and very low income households.)

The 2008 building statistics reported above suggest that a) a drastic slowdown in the local production of new housing is now occurring; b) the high 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, is thwarted by prevailing conditions of the housing and financial markets.

- **11. Conservation and Open Space**

The Planning Commission and staff have continued 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, on a project by project basis, through the required site surveys, that will eventually create a comprehensive map of sensitive vegetation communities and wildlife habitats throughout Mariposa County.

- **16. Safety**

Among the many programs and implementation measures identified in the Safety Element, progress continues to be made in several areas. Mariposa County Fire and the Mariposa County Fire Safe Council continue their close association to plan and complete fuel reduction projects. Completion of the Watt Road fuel break substantially contributes to the wildland fire safety of Ponderosa Basin. As a result of the Oliver and Telegraph fires many miles of new and enhanced fire breaks were created. This system of fuel reduction lines lend increased protection for the Greeley Hill, Coulterville, Midpines, El Portal, Foresta, Mariposa Pines, and Ponderosa Basin communities. The Board of Supervisors held elections, the voters approved, and the Board created County Service Area No. 3, providing increased structural fire protection through the purchase of fire fighting equipment and capital improvements to fire stations.

The Planning Commission and Board of Supervisors amended the General Plan affecting permitted uses within TEZ zoning to better conform to the State's permitted uses of TPZ areas. This change now permits the siting of fire stations in those areas. Work continues on the Community Wildfire Protection Plan (CWPP). During 2008 the Foresta and Yosemite West communities gained Board approval of their portions of the plan. The balance of the County's communities should see the first draft of the entire plan in early-2009.

A draft of the Master Facilities Plan for the Mariposa-Yosemite Airport was completed and reviewed by the Board of Supervisors at their January 23, 2009 meeting. The Draft Plan was referred back to the Airport Advisory Committee for additional review, and it is anticipated that the Board of Supervisors will consider adoption of the Plan in the spring of 2009.

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); and operations and improvements at the County Composting Facility.

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 policies of 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 4 of this Annual Report. Review of the Annual Report 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 2009 as policies or implementation measures in the General Plan.

At this time Mariposa Planning staff has not identified new policy or planning tasks, from this list or elsewhere, which 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 work assignments.

Proposed Schedule of 2009 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. One such occasion is reserved exclusively 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. It is anticipated that it will be considered at the second or third round of Amendment dates. Other private amendments may occur later in 2009. 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 Wawona Specific Plan or the El Portal Plan might also be considered in the coming year. The recommended schedule of dates to consider General Plan amendments in 2009 is found in Attachment 8 of this Annual Report.

Planning Commission Recommended Priorities

At the Public Workshop held on February 6, 2009, the Planning Commission reviewed this report, and made no changes. The Planning Commission recommended the adoption of the 2009 General Plan Amendment Schedule as proposed.

The Planning Commission discussed issues that they considered high priority matters. This included Agriculture and Nature Tourism, Title 17 revisions, development impact fees, the Area Plans, updating Williamson Act Contract procedures, Bed and Breakfast Inns regulations, and parking districts within town planning areas. After discussion the Planning Commission recommended to the Board of Supervisors the following three items of top priority:

1. Title 17 Revisions
2. Agriculture and Nature Tourism (Agritourism)
3. Williamson Act Contract Procedures

Recommended Actions

Following consideration and public testimony on the 2009 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 in the 2009 General Plan Amendments;
2. Adopt the Resolution adopting the 2009 Schedule of General Plan Amendments, Attachment 8
3. Direct that copies of the 2009 Annual Report be provided at the earliest opportunity to the Office of Planning and Research and the Department of Housing and Community Development

Attachments:

- Attachment 1 Board of Supervisors Resolution Approving Mondo GP Amendment in 2008
- Attachment 2 Planning Area Planning Status
- Attachment 3 Updated Implementation Schedule for 2009
- Attachment 4 Appendix C from the General Plan
- Attachment 5 Government Code Sections on the General Plan and Housing Element
- Attachment 6 Public and County Department Comments
- Attachment 7 Excerpts from the February 6, 2009 Planning Commission Public Workshop
- Attachment 8 Draft Resolution adopting the 2009 Schedule of General Plan Amendments