

---

STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution  
No. 2009-016

**A resolution recommending approval of General Plan  
Amendment No. 2009-055, the 2009 - 2014 Housing Element  
Update, and related Negative Declaration, County of Mariposa,  
proponent**

---

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 must contain certain elements, including a Housing Element which sets forth goals, policies and programs to encourage the development of housing for all income groups and persons with special needs; and

WHEREAS, state law requires that cities and counties comprehensively update their General Plan Housing Elements every five years to ensure their plans can accommodate future demand for housing; and

WHEREAS, County staff circulated the Draft Housing Element of the General Plan for public and agency review consistent with Government Code Section 65352 and the Housing Element Guidelines; and

WHEREAS a duly noticed Planning Commission public hearing was scheduled for the 21<sup>st</sup> day of August, 2009; and

WHEREAS, the County conducted an initial environmental analysis on the proposed Housing Element update per the requirements of the California Environmental Quality Act; said analysis concluded that the proposal would have no significant environmental effects on the environment; a Notice of Completion and Initial Study, pursuant to the California Environmental Quality Act (CEQA), was distributed to the State Clearinghouse and appropriate agencies for the purpose of obtaining written comments from these agencies on the adoption of a Negative Declaration for the Housing Element Update; 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, the Initial Study,

WHEREAS, all evidence of records, the updated Housing Element, staff reports, correspondences, the initial environmental study and Negative Declaration are on file in the offices of the Planning Department of Mariposa County, General Plan Amendment 2009-055; and

WHEREAS, the Planning Commission finds that adoption of the 2009-2014 Housing Element Update is consistent with the Mariposa County General Plan; said adoption constitutes the first amendment to the General Plan in calendar year 2009; and

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt a Negative Declaration and approve General Plan Amendment No. 2009-055, 2009 -2014 Housing Element Update, County of Mariposa, proponent.

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

ON MOTION BY Commissioner Marsden, seconded by Commissioner Tucker, this resolution is duly passed and adopted this 21<sup>st</sup> day of August, 2009 by the following vote:

AYES: Tucker, Rudzik, Francisco, Marsden

NOES: None

EXCUSED: None

ABSTAIN: Ross

\_\_\_\_\_  
Bob Rudzik, Chairman  
Mariposa County Planning Commission

Attest:

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

## EXHIBIT 1 – RECOMMENDED FINDINGS OF APPROVAL

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

The Planning Commission recommends General Plan Amendment Application No. 2009-055 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 Housing Element Update has been prepared to meet the legislative intent of providing for the availability of housing, expand housing opportunities, and to accommodate the housing needs of all economic segments in the County. The Housing Element is intended to identify the County's responsibilities in attaining the state housing goals, while recognizing that Mariposa County is best capable of determining what efforts are required by it for the attainment of the state housing goal and regional housing needs.

In requiring the periodic update to the Housing Element of the General Plan, the legislative intent is clearly stated in Section 65581 of the Government Code regarding the County's responsibilities in preparing this update. The Legislature determined that updates to housing elements necessary and in the public interest to provide for housing opportunities for all economic segments in the County. Therefore, this Housing Element Update 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 Housing Element Update provides for a five year planning period, and legislation requires that the Element be updated periodically. This five year planning horizon, coupled with the periodic updates, provides guides for meeting housing needs in the immediate future, and also insures that there will be long-term guides as the General Plan is implemented over the next decade and beyond. The Housing Element is internally consistent with the overall General Plan policies and Elements.

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, County ordinance, and County policy. A 60-day public review period has been established in accordance with State law, and the County will make final consideration on approving the Housing Element Update after the 60-day public review period has ended. Native American tribes were

provided an opportunity for consultation, in accordance with the Tribal Consultation Guidelines of the General Plan Guidelines. The consultation period has ended, and no tribes requested consultation.

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

The project is internally consistent with all Elements of the Mariposa County General Plan, based upon the following analysis.

The Housing Element Update is consistent with the issues important to Mariposa County in Chapter 2 of the General Plan. It furthers the accomplishments of Issue 2.3.10, raising household incomes, and the Element does not conflict with any of the issues identified in Chapter 2, Section 2.3 of the General Plan.

The “Guiding Principles of the Board of Supervisors”, Chapter 3 of the General Plan, are fully consistent with the programs reviewed and proposed in the Housing Element Update. The Housing Element Update proposes programs that are intended to provide opportunities for affordable housing needed by employees and the employers in the County. This is vital if the County is to develop a sustainable and diverse economy. The Housing Element Update stresses the importance of home ownership being a priority.

The Housing Element Update has a relationship to the Land Use Element of the General Plan relative to housing and residential densities, and development patterns as permitted and by the various land uses of the General Plan. In particular, Goal 5-2 and Policy 5-2a are pertinent to the Housing Element Update. This goal and policy reads:

Goal 5-2 “Create land use density and development patterns to manage growth in patterns avoiding sprawl”.

Policy 5-2a, “Ensure that development shall occur first where services are located.”

The Housing Element acknowledges that land uses in the General Plan provide for housing development over a wide range of densities, from the rural areas with large acreages, to the town planning areas where housing densities can be greater based upon the availability of services. The Housing Element Update does not modify any land use density or modify development patterns. It does identify areas where permitted densities and the availability of services may provide opportunities for the development of affordable housing in the County. It is appropriate that higher density housing development takes place in the locations where infrastructure and community services are available to the larger population that accompanies the increased densities.

Affordable housing provides the needed shelter for people to prosper and grow in Mariposa County. These people are the employees and employers in the County, and the Housing Element Update is instrumental to achieving the goals and policies in the Economic Development of the General Plan, Chapter 6. The important relationship between the two Elements established in Chapter 6, Section 6.3.03 of the General Plan continues with the 2009 -2014 Housing Element Update. The Housing Element is consistent with the Economic Development Element by providing programs to improve the supply of affordable housing and increasing opportunities for home ownership.

5. *The subject parcel is physically suitable (including, but not limited to access, provision of utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.*

This fining is not required or applicable to the Housing Element Update as no specific parcel of property is involved, no changes are being made to land use designations, and no specific land use development is involved in the project.