MARIPOSA COUNTY RESOLUTION NO. 89-275

AMENDING THE FISH CAMP SPECIFIC PLAN
SECTION VI(K)

WHEREAS, a public hearing was held regarding amending the Fish Camp Specific Plan, Section VI(K) on Tuesday, May 23, 1989, during a regular meeting of the Mariposa County Board of Supervisors, and

WHEREAS, based upon public input at that meeting, the following amendment to the Fish Camp Specific Plan Section VI(K), Page 28, as of May 23, 1989, was adopted to read in its entirety as follows:

"K. Bed and Breakfast and Residential Transient Rentals.

1. Prior to the establishment of a Bed and Breakfast Inn or Transient Rental activity, a notice of intent to establish such an activity shall be filed with the Mariposa County Planning Department on an application form and a fee paid as established in accordance with County Resolution No. 88-174. Thereafter, the Planning Department shall post a notice of the proposed activity on the subject property in a conspicuous manner for a period of not less than fifteen (15) days and copy of such notice shall be mailed to all property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity.

   The filing of a petition with the Planning Department on a County approved form signed by fifty percent (50%) of the property owners within 300 feet of the exterior property lines of the parcel containing the proposed activity protesting such application within twenty (20) days after such notice has been mailed shall require the proposed activity to obtain a conditional use permit.

   In the absence of such a petition (as described above), the Planning Department shall issue a notice of approval to the applicant providing that all requirements as set forth herein have been satisfied.

2. Land Use Provisions:

   Bed and Breakfast establishments are defined as a single family structure which is occupied and operated by the resident who may provide or make available a morning meal on the premises."
Residential Transient establishments are defined as a single family structure which is available for rental to an individual, or a family or a group on a transient basis for a period not to exceed twenty-nine (29) days. These structures are also defined as single family dwelling units wherein title is held by a deed which describes only that property on which the structure is located or the single family dwelling unit together with any common areas.

Notwithstanding other Specific Plan provisions, a duplex shall be considered a single family dwelling for the purpose of this section.

Both Bed and Breakfast and Residential Transient Rentals shall meet the following requirements:

3. Use Requirements:

Prior to the issuance of a Bed and Breakfast or Transient Occupancy permit, the following requirements shall be met:

a. No more than three (3) bedrooms are available for occupancy by transients.

b. The residence shall be serviced by an approved community sewage disposal system, or have an individual system satisfying building and health code requirements.

c. Water supply must be verified to be available from an approved community system, or from an individual well having quality and quantity satisfying health code requirements.

d. The structure and facilities used shall be approved by all fire protection agencies necessary to comply with applicable provisions of the Public Resources Code, and applicable County ordinance.

e. At the time the application for permit is approved the structure must be found in conformance with building code requirements by the Chief Building Inspector relative to the basic health, safety and welfare of the occupants.

f. A sign of not more than four square feet may be posted and clearly visible from the nearest road. The sign shall contain the street address and may contain the name of the owner of the establishment.
g. A bed and breakfast or residential transient rental may include other uses which comply with the home occupation section of this Specific Plan.

h. At minimum, an 8 1/2 x 11 inch written notice must be placed in each rental unit which contains the following information:

(1) Instructions in case of fire or other emergency.

(2) Quiet hours are between 10:00 p.m. and 8:00 a.m., and shall be strictly observed.

(3) Water and energy conservation measures.

(4) Proper use of wood burning stoves and fireplaces.

(5) A statement relative to respect for adjacent property owner’s rights and trespassing concerns.

i. The following minimum on-site parking standards shall apply:

(1) Bed and breakfast establishments shall have two (2) parking spaces for the residence plus at least one (1) on-site space for each bedroom available for rent.

(2) Transient rental establishments shall have one (1) on-site parking for each bedroom.

(3) On-site parking spaces provided shall be maintained so they are accessible, and usable at all times during the year, when the residence is occupied.

4. Application Requirements:

a. The applicant shall apply to the Mariposa County Planning Department for a permit. The Planning Department shall also forward the application to the Building Department, Health Department, and appropriate fire protection agency for review.

b. Following approval by the appropriate agencies, and completion of notice period as described in Section VI.K.1 a valid transient occupancy registration certificate shall be issued by the Mariposa County Treasurer/Tax Collector’s Office.
c. At the time the application for a permit is approved the structure must be found in conformance with building code requirements by the Chief Building Inspector relative to the basic health, safety and welfare of the occupants."

PASSED and ADOPTED this 23rd day of May, 1989, by the Mariposa County Board of Supervisors by the following vote:

AYES: BAGGETT, ERICKSON, PUNTE, RADANOVICH
NOES: NONE
EXCUSED: TABER
ABSTAINED: NONE

ARTHUR GUY BAGGET, JR.
Vice Chairman
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

MARGIE WILLIAMS
Clerk of the Board

JEFFREY C. GREEN
County Counsel