RECOMMENDED ACTION AND JUSTIFICATION: Policy Item: Yes No X
Adopt a resolution adopting a Negative Declaration and approving Commercial-Industrial-Manufacturing Plan #2000-01, with findings and conditions of approval as recommended by the Planning Commission on April 20, 2001. Expansion of Boat Storage units at Lake Shore Ranch, Richard Doscher, applicant.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Previous CIM Plan approvals by the Board for expansion of the same boat storage facility adding to an existing 20 units were; 12 units in 1989, 14 units in 1993, and 30 units in 1997.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1) Revise the conditions of approval, 2) Deny the application.

NEGATIVE ACTION: Denial would result in no CIM Plan adoption and expansion of the project could not occur.

COSTS: (X) Not Applicable
A. Budgeted Current FY $ 
B. Total anticipated Costs $ 
C. Required additional funding $ 
D. Internal transfers $ 

SPECIAL INSTRUCTIONS
List the attachments and number the pages consecutively:

Memorandum to the Board with attachments:
1. Draft Board Resolution
2. PC Minutes from 4/20/01
3. Correspondence
4. Staff Report & Initial Study

CLERK'S USE ONLY
Res. No.: 01-77
Ord. No.: 
Vote - Ayes: 5
Noes:
Absent:
Abstained:
[] Approved
[] 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
By: 
Deputy

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

Recommended
Not Recommended
For Policy Determination
Submitted for Comment
Returned for Further Action
Comment: 
A.O. Initials: 

Action Form Revised 10/95
Resolution No. 2001-171


WHEREAS a complete application for Commercial, Industrial, Manufacturing Plan was received from Richard Doscher for expansion of existing commercial boat storage use to add 75 additional boat storage units on February 12, 2001 proposed on 23.5 acres more particularly described as Assessor Parcel Number 001-270-040; and

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

WHEREAS a duly noticed Planning Commission public hearing was scheduled for the 20th day of April, 2001; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS approval of a CIM Plan by the Planning Commission and the Board of Supervisors is mandated by Chapter 17.84 of County Code; and

WHEREAS the Planning Commission did hold a public hearing on the noticed data and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant and recommended for approval to the Board of Supervisors; and

WHEREAS a duly noticed Board of Supervisors public hearing was scheduled for the 12th day of June, 2001; and

WHEREAS the Board of Supervisors did hold a public hearing on the noticed data and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, the comments of the applicant and the Planning Commission Recommendations.

BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve a Negative Declaration; and
BE IT FURTHER RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve CIM Plan Application # 2000-01 to expand the existing commercial use of 81 boat storage units by adding 75 additional units not to exceed 25,000± square feet total on APN 001-270-040, more particularly described as, being a portion of Section 27, Township 3 S. South, Range 15 E. East, MDM; and

BE IT FURTHER RESOLVED THAT the approved project is subject to the following conditions as amended by the Planning Commission on April 20, 2001:

1. The CIM Plan is approved for the construction, as proposed, with 4 buildings of 75 units, with a total square footage not to exceed 25,000± square feet total area, in general compliance with the approved site plan. (This 75 additional units is approved and an expansion of the 81 unit boat storage development which exists on the project site). The Project will require the submittal & approval of construction plans to the Building Department prior to the start of construction.

In accordance with previous conditions of approval for CIM Plan # 96-1 the existing, nonconforming, exterior boat and RV storage space shall be limited to the existing 7000 square foot area. The nonconforming use may be expanded through a Planning Director approval of a site plan application for a maximum of a 50% expansion. The nonconforming use may be relocated on site; however, all outside storage areas shall be located to the north of existing buildings and shall comply with setback requirements established for the CG-1 Zone. The time limit for this permit is seven (7) years from the date of approval by the Mariposa County Board of Supervisors, or until additional development is proposed on the site.

Periods of Operation are approved as follows:

24 hours a day, 7 days a week

Minor amendments in the site layout, configuration, and materials, of the boat storage units may be approved by the Planning Director provided that any expansion does not exceed 10% of the size of area of the approved facility, and provided a finding can be made that the modification does not create impacts which were not addressed in the original project approval. The CIM Plan is approved for use of the proposed buildings as boat, vehicle or other storage.

2. Provisions shall be made for the on-site storage of all solid waste generated during construction and operation of the project. All solid waste shall be removed from the site on a weekly basis to maintain the site in a safe and attractive condition.

3. Prior to the issuance of a building permit for the proposed boat storage units, the applicant shall submit a landscaping plan which complies with the following:

   • 6 trees required for previous CIM Plan
   • 13 trees with location for planting
• Irrigation required
• Fifteen (15) gallon size tree at time of planting
• Trees planted at periphery of parking areas or project site
• Trees shall either be large shade trees or large evergreen screen trees

The landscaping plan shall be prepared by a qualified landscape consultant (licensed landscape architect or licensed landscape contractor) who shall make recommendations on soil modification, planting techniques, irrigation, and maintenance in addition to species and their location. The landscaping plan must be approved by the Planning Department prior to issuance of a building permit for the first unit constructed and the landscaping must be installed prior to the issuance of a Certificate of Occupancy for the first unit completed.

4. Provisions for irrigation and maintenance of the landscaping shall be required of the property owner so as to present healthy, neat and orderly appearance for the life of the development. Dead or diseased plants or trees shall be immediately replaced with plants or trees that meet the requirements of the approved landscaping plan for this CIM application.

5. The buildings must maintain all required setbacks from the leach field/septic system for the residence. The Health Department shall review the Building Permit Plans for compliance with this condition and shall approve the site plan prior to issuance of the building or grading permit.

6. Should the Zoning Ordinance regulations related to CIM Plans be amended or deleted, any amendments to this CIM Plan shall be processed in accordance with the new Zoning Ordinance requirements.

7. Prior to the issuance of a Certificate of Occupancy, all fees associated with the County’s processing and filing of associated documents shall be paid.

8. Any representations or commitments made by the applicant or agent at the Planning Commission meeting shall be incorporated as conditions of project Approval.

BE IT THEREFORE FINALLY RESOLVED THAT the project is approved based on the following findings supported by substantial evidence in the public record:

Pursuant to Mariposa County Code § 17.88.070, following are the findings for this CG-1 CIM Plan:

1. Provisions incorporated into the project description and conditions contained in the Staff Report will ensure that the use will not be detrimental to the neighbors and neighborhood. The new buildings will be in the immediate area of the existing
buildings and will be of the same colors and scale. The buildings meet all minimum setback requirements. There is adequate open space. There are adequate roads providing access. Landscaping is required; trees will be planted to provide screening.

2. As proposed and conditioned, this project is consistent with the use, setback, and special design standards of the zoning ordinance and will have no detrimental effect on the policies and standards of the County General Plan. The General Plan provides support for approving the CIM Plan as follows:

The proposed use is suitable for the parcel, based upon access, suitable site area, appropriate site standards, availability of utilities, adjacent land uses, and land use designation (Section 3.300, Land Use Element).

The proposed use promotes and develops the recreational resources of the County by providing supporting facilities for County citizens and tourists (Section 13.200, Recreation Element).

3. The site is currently zoned General Commercial and has an existing residence and 4 buildings containing 81 enclosed boat storage units. Access exists from a County road which has an improved commercial encroachment. There is adequate space on-site to accommodate required parking and maneuvering room for boat trailers. The terrain is flat with little vegetation; the surrounding development is sparse; and the boat storage units are located less than a mile from the Lake McClure boat ramp. Based upon these characteristics, the site is physically suited for the project.

4. The project site does not require sewage disposal; there are no restroom facilities provided. The boat storage use will not produce solid waste. Provisions for sewage disposal and handling of solid waste are not necessary.

5. Residential and business development on the project site are within the Don Pedro water district and are served by district facilities. The boat storage business does not provide water for the use of its customers. The project will be defensible for fire because of buildings constructed of metal and cement and surrounded by gravel, the building permit review, lack of electricity for the project, and lack of human occupancy.

6. The project complies with all standard setback requirements from property lines and the centerline of the highway. The project is compatible with adjacent cattle grazing and low density residential development. Landscaping is required in accordance with Section 17.88.040.C and will provide an aesthetic buffer.

7. Access to the project is via Ranchito Drive, a County road. Public Works found the encroachment to be adequate for this project. Consequently, it can be found that appropriate access is available to the development.

8. Phasing of the project is not proposed, however, all construction shall be comply with the standards of the CG-1.
9. This project as proposed will not have a significant effect upon the environment and the staff report has been prepared with a recommendation for a Negative Declaration, identifying no significant impacts on natural communities and wildlife.

10. The project will not have an adverse impact on wildlife resources and is not subject to the Department of Fish and Game filing fee for the Negative Declaration.

ON A MOTION BY Supervisor Parker and with a second by Supervisor Stewart; this resolution is duly passed and adopted this 12th day of June, 2001 by the following vote:

AYES: Reilly, Balmain, Stewart, Parker and Pickard.

NAYS: None

ABSENT: None

ABSTAIN: None

Doug Balmain, Chairman
Mariposa County Board of Supervisors

Attest:

Margie Williams, Secretary
Board of Supervisors

Approved as to the Legal Form and Sufficiency:

Jeffery G. Green, County Counsel
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ERIC TOLL, Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Expansion of Boat Storage Units at Lake Shore Ranch

Res. –01-171

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on June 12, 2001

ACTION AND VOTE:

10:26 a.m. Sarah Williams, Planning Manager, appeared on behalf of Eric Toll, Planning Director;
PUBLIC HEARING: Adopt a Negative Declaration and Approve Commercial-Industrial-Manufacturing
(CIM) Plan #2000-01 with Findings and Conditions of Approval as Recommended by the Planning
Commission on April 20, 2001 (Expansion of Boat Storage Units at Lake Shore Ranch, Richard Doscher,
Applicant)
BOARD ACTION: Steve Engfer, Planner, presented the staff report. Sarah Williams and Steve Engfer
responded to questions from the Board relative to the landscaping requirements, recommendation
concerning fire hydrants, and open space requirements.

Public portion of the hearing was opened and input was provided by the following:

Richard Doscher, applicant, advised that he currently has a waiting list for boat storage units. He also
advised of his landscaping efforts and his work to keep the area clean. He noted that they are asking for
approval of 75-units; however, they will only build a few at a time.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded
to questions from the Board as to how long the CIM plans are good and relative to allowable extensions.
(M)Parker, (S)Stewart, Res. 01-171 adopted approving a Negative Declaration and approving CIM Plan
No. 2000-01, with findings and conditions of approval as recommended by the Planning Commission/Ayes:
Unanimous. Hearing was closed.

cc: File