

MARIPOSA COUNTY BOARD OF SUPERVISORS
ORDINANCE NO. 924
(Not to be Codified)

A ORDINANCE AMENDING THE MARIPOSA TPA SPECIFIC PLAN ZONING MAP

WHEREAS, an application to amend the Mariposa TPA Specific Plan Land Use and Zoning Map has been submitted to the County; and

WHEREAS, this application proposes to modify the specific plan land use and zoning designation on APN's 013-010-011, 013, 014, 015, 016, 032, 033, 046, 085, 086, 087, 088, 089, 090, 091, and 092 from Professional Office to General Commercial; and

WHEREAS, the Planning Commission has conducted a duly noticed public hearing on the project in accordance with State Law and County Code, and recommends approval of the project to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the matter in accordance with State Law and County Code.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors hereby modifies the Mariposa TPA Specific Plan Zoning Map as shown in Exhibit A of this ordinance.

BE IT FINALLY ORDAINED, this action is based on the findings mandated by Section 2.504 of the Mariposa County General Plan as stated and discussed in Exhibit B.

PASSED AND ADOPTED on this 9th day of September, 1997, by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, Pickard

NOES: None

ABSTAINED: None

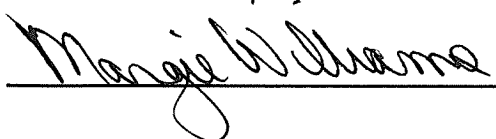
EXCUSED: None

NOT VOTING: None



ROBERT C. STEWART, Chairman
Mariposa County Board of Supervisors


ATTEST:



Marjorie Williams

MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN,
County Counsel

LOCATION MAP

SPECIFIC PLAN / ZONING AMENDMENT #96-1

APPLICANTS: MARI, RADANOVICH, ET AL

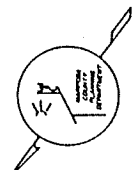
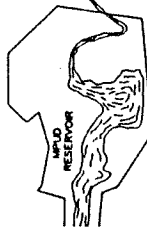
APNS: PORTION OF 013-010

FROM: PROFESSIONAL OFFICE

TO: GENERAL COMMERCIAL

MARIPOSA TOWN PLANNING AREA

PROJECT SITE



SCALE: 1" = 600'

0 600 1200'

Shoshone Creek

COUNTY FAIRBOUNDS

COUNTY ROAD

COUNTY ROAD

LEGEND:

SCALE: 1" = 600'

0 300 600'

(REDUCED MAP) SCALE: 1" = 1650' ±

MARIPOSA TOWN PLANNING AREA BOUNDARY



MARIPOSA TPA BOUNDARY

MARIPOSA TOWN PLANNING AREA



MARIPOSA TOWN PLANNING AREA
A MEMBER OF COUNTY
PLANNING AGENCIES
AND ASSOCIATED WITH THE
CALIFORNIA PLANNING ASSOCIATION

Exh. "A"

ORDINANCE EXHIBIT B

Finding No. 1: *The amendment is in the general public interest and will not have a significant adverse effect on the general public health, safety, peace, and welfare.*

The project site lies immediately across the Highway from an area zoned General Commercial. The location of residential areas adjacent to areas zoned General Commercial occurs in many areas within the Mariposa Town Planning Area. The Design Review standards of the Mariposa TPA allow for the review of the eventual development for consistency with adjacent residential areas.

The project site takes access from an area of Highway 49 which is in the process of being improved to contain a continuous left hand turn lane. Commercial access to all parcels from Highway 49 is possible.

The change in designation allows for more flexible use of the property by not only allowing for office development, but also allowing for retail and service development.

Finding No. 2: *The amendment is desirable for the purpose of improving the 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 Specific Plan/zoning amendment will increase the area of General Commercial land available within the Mariposa Town Planning Area in an area which has good access and can be adequately served with Community Services. The change in zoning allows for an increase in the flexibility of the use of the property without any reduction in the area potentially available for development for office uses.

Finding No. 3: *The amendment conforms with the requirements of State law and County policy.*

The Specific Plan/Zoning Amendment application has been processed in accordance with the requirements of State law and County regulations and established policy. An Initial Study with a recommendation for a Negative Declaration has been prepared for the project in accordance with the California Environmental Quality Act (CEQA) and must be adopted prior to approval of the amendment.

Finding No. 4: *The amendment is consistent with other guiding policies, goals, policies, and standards of the General Plan.*

The amendment has been reviewed for consistency with the policies and standards of the Mariposa County General Plan.

The amendment is consistent with, or will have no negative effect on the other goals, policies, and standards of the Mariposa County General Plan.

The project is found to support, accomplish or have no effect on the goals, policies, and standards of the General Plan as a whole and will not obstruct the achievement of the General Plan's purpose. This finding is made in accordance with Section 2.600 et seq.

Finding No. 5: (a) *The amendment is for a parcel which 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.*

Access to the project site is either directly from Highway 49 in an area which is proposed to be improved to contain a continuous left hand turn lane or from Mari Way and Mari Plaza which are currently improved to County Standards. Additional road improvements may be required, pursuant to County standards, at the time the parcels are proposed for development.

The project site is served by telephone and electrical lines. Water and Sewer lines are located within a short distance of all of the parcels involved.

The project site is located across the Highway from property within the General Commercial designation. While the project site abuts property zoned for residential development, this situation occurs in many areas of the Mariposa TPA. The County Design Review standards are designed to insure consistency between adjacent property uses.

(b) *The proposed zoning is logical and desirable to provide expanded employment opportunities or basic services to the immediate residential population or touring public.*

The rezoning to General Commercial allows for additional flexibility in the use of the property to include offices as well as retail and service businesses. This amendment serves to increase the area available to provide services and employment opportunities within the area.

Finding No. 6: *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 (AB 3158).*

The amendment addresses only areas of the TPA in which intensive commercial development (i.e. office) were permitted. The amendment will not result in areas which were originally proposed for open space being permitted for development. The EIR for the Mariposa Specific Plan addressed the potential for impacts of development of the project site on the environment.