MARIPOSA COUNTY ORDINANCE NO. 524

AN INTERIM EMERGENCY ORDINANCE EXTENDING ORDINANCE NO. 497, PERMIT PROCEDURE ORDINANCE FOR COMMUNITY PLANNING AREAS

The Board of Supervisors of the County of Mariposa, State of California, do hereby ordain as follows:

SECTION I: FINDINGS AND DECLARATION OF INTENT

A. The Mariposa County Planning Commission is at present developing concise plans for the development of the Community Planning Areas of Bootjack, Fish Camp and Mariposa to be duly adopted as specific plans to the 1978 Mariposa County General Plan adopted February 14, 1978.

B. It has been deemed essential by the Planning Commission that development projects within these above-mentioned Community Planning Areas be reviewed by established Community Planning Advisory Councils to insure the compatibility of the development projects with such planning documents being drafted.

C. In order to avoid potential conflict between proposed development and specific plans being proposed and for the purpose of protecting the public health, safety, and welfare, the Board of Supervisors finds that it is necessary to adopt the regulations set forth in this ordinance.

SECTION II: AREAS AFFECTED

A. The Community Planning Areas of (1) Bootjack, (2) Fish Camp, and (3) Mariposa, as generally described in the Mariposa County General Plan adopted February 14, 1978, with boundaries described in Exhibits "A", "B", and "C", attached hereto, hence forth referred to as CPAs, shall be affected by the provisions of this ordinance.

-1-
B. Upon motion of the individual CPA advisory group and upon Board adoption of a Planning Commission recommendation, the boundaries of the affected CPA may be revised for the purposes of this ordinance.

SECTION III: PERMIT APPROVAL PROCEDURE

A. Within any CPA, permits and development proposals will be reviewed by the appropriate advisory body as follows:

1. All permits required under §III-D of this ordinance shall be reviewed by the appropriate CPA advisory body for the purpose of determining compatibility with any proposed specific plan for the affected area under consideration.

2. All permits not covered under §III-D that are not issued in a CPA shall be forwarded to the appropriate CPA advisory group for informational purposes only after approval by the appropriate County office or official.

B. The advisory councils shall review and forward any recommendations regarding such development proposals at their earliest regular or special meeting as follows:

1. Special meetings of the advisory councils may be called to review and prepare recommendations.

2. Failure of the council to prepare a recommendation on development proposal at its next regular or special meeting immediately following the submission of the proposal to the council shall be interpreted to imply approval.

3. The duly constituted Community Planning Advisory Councils designated for review shall be established by Board of Supervisors resolutions.

4. Recommendations of the Community Planning Advisory Councils shall be forwarded to the Planning Commission.

5. The Planning Commission must determine that a project is in conformance with the proposed plan for a CPA before authorization may be granted for the issuance of any permits or approval of any development proposals.

6. Determinations of the Planning Commission may be appealed to the Board of Supervisors. Appeals of
Planning Commission determinations must be filed with the Clerk of the Board within fifteen days of Planning Commission action.

C. The County shall approve or otherwise issue permits or approve development projects within a Community Planning Area subject to the following provisions:

1. The Building Department will not approve or otherwise issue any permit for any commercial, industrial, or multi-family structures of three or more dwelling units for the purposes of new construction until the issuance of said permit is authorized by the Planning Commission.

2. The Planning Commission shall not approve any subdivision, use permit, or variance until said project or development proposal is submitted to the appropriate Community Planning Advisory Council for review and comment as prescribed herein. The Planning Commission shall not authorize the issuance of any permit described herein until said permit has been reviewed by the appropriate Community Planning Advisory Council.

SECTION IV: INTERIM EMERGENCY ORDINANCE

A. This ordinance is an interim emergency ordinance to protect the public safety, health, and welfare. The fact constituting the emergency is the potential lack of review of development projects and their approval resulting in the invalidation of the planning processes being implemented.

B. This ordinance takes effect immediately and, in accordance with Government Code §65858, extends the effect of Ordinance 497 for an additional eight-month period from the date of adoption of this ordinance.

SECTION V: PENALTY

Violation of any provision of this ordinance shall constitute a misdemeanor and shall be punishable under Chapter 1.28, the General Penalty provisions, of the Mariposa County Code.
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 18th day of September, 1979, by the following vote:

AYES: Clark, Dalton, Erickson, Weber, Owings.

NOES: None.

ABSTAINED: None.

ABSENT: None.

EUGENE P. DALTON, JR., Chairman
Board of Supervisors

APPROVED AS TO FORM:

NEIL E. VAN WINKLE
County Counsel/Administrative Assistant to the Board
DATED: September 18, 1979

ATTEST

JOAN J. LYNK, Clerk of the Board
There are 3 large maps attached to the original Ordinance on file.