RECOMMENDED ACTION AND JUSTIFICATION:  
(Policy Item: Yes___ No X)  
(NOTE: This item is for initiation of public review process for policy items.)

Resolution initiating the public review and hearing process for text amendments to the Mariposa Town Planning Area (TPA) Specific Plan and County Zoning Ordinance relative to:

1) parking standards in the Mariposa TPA,
2) review requirements for demolition of identified historically significant structures which are outside of the Historic Design Review Overlay District, but within the Mariposa TPA, and,
3) sign standards in the Mariposa TPA (relative to specific informational signs, including neon OPEN signs)

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See attached memorandum.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1) Modify amendments prior to initiation; 2) Initiate only one of the proposed amendments; 3) Do not initiate amendments; 4) Continue matter for further discussion.

NEGATIVE ACTION, or taking no action, would result in amendments not being initiated. Parking standards would not be modified; no review (other than through building permit process) would be required for demolition of identified historically significant structures which are outside of the Historic District in the Mariposa TPA; and signs standards of specific plan would remain inconsistent with those established in Zoning Ordinance.

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

COSTS: (x) 4/5th Vote Required
A. Unanticipated revenues $_______
B. Reserve for contingencies $_______
C. Source description: __________
Balance in Reserve Contingencies, If Approved: $________

SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively.

Memorandum to Board with Attachments:
1. Parking standards of Mariposa TPA Specific Plan
2. Proposed language for Demolition amendment
3. Current review requirements for demolition permit for historically significant structure in historic design review overlay district
4. Current standards for informational signs in Zoning Ordinance

CLERK'S USE ONLY
Res. No. 95-520
Vote - Ayes: 5
Abs: 0
A. Approved
Absent: 0
B. Noes: _________
A. Denied
Abstained: _________

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:
Recommend
Not Recommended
For Policy Determination
Submitted for Comment
Returned for Further Action

Comment: _________

A.O. Initials: _________

Action Form Revised 10/95
November 21, 1995

MEMORANDUM

TO: Mariposa County Board of Supervisors
FROM: Sarah Williams, Planning Manager
       Ed Johnson, Director

SUBJECT: Initiation of Text Amendments to the Mariposa Town Planning Area
Specific Plan and Mariposa County Zoning Ordinance relative to Parking
Standards, Review Requirements for Demolition of Identified Historically
Significant Structures, and Standards for Informational Signs

SUMMARY OF STAFF RECOMMENDATION

Staff recommends that the Board adopt a resolution initiating the public review and hearing
process for text amendments to Sections 3.23, 3.14(C), 3.26, and 3.27 of the Mariposa TPA
Specific Plan and Sections 17.336.030, 17.67, 17.336.060, and 17.336.070 of the County
Zoning Ordinance. The proposed text amendments include:

1) changes to the parking standards of the Mariposa TPA,
2) changes to the review requirements for demolition of identified historically significant
   structures which are outside of the Historic Design Review District, but within the
   Mariposa TPA, and
3) changes to the sign standards of the Mariposa TPA relative to specific informational signs
   (including neon OPEN signs)

The recommended action is for initiation of the public review and hearing process only. The
action will allow a public review period to be established and the public to comment on the
proposed amendments. Both the Planning Commission and the Board of Supervisors will hold
public hearings to receive public comments. The Board will consider the Planning
Commission’s recommendation and all public comments prior to taking any action on the
amendments. Initiation of the amendments will not bind the Board in any way regarding
future action, and at the conclusion of the public hearings, the Board may adopt the amendments as proposed or with modifications. The Board may also act not to adopt the amendments.

Staff is recommending that these three amendments be processed concurrently, based upon the high cost of noticing requirements for modifications to the Specific Plan. Any modification to the plan requires that ALL property owners within the TPA be individually notified by mail.

PARKING SPACE AMENDMENT

Background

- **September 5, 1995:** Presentation made to Board of Supervisors regarding conceptual design of the County Government Center. Architectural consultant recommended a change to the parking standards of the Mariposa TPA Specific Plan relative to office use requirements, because current requirements are excessive. Additionally, consultant noted that parking facilities serving existing government development in Courthouse area are deficient in accordance with current standards.

- **Meetings of Government Center Committee:** This committee recommended that the County modify the parking standards of the Mariposa TPA Specific Plan relative to office use requirements.

- **Staff Review:** It is staff’s determination that all of the parking standards of the Mariposa TPA Specific Plan should be reviewed as part of the proposed amendment. Based upon current planning theory and recent studies, Mariposa’s parking requirements for all uses (not just office uses) may be excessive.

Discussion

Parking standards for the Mariposa Town Planning Area are established in Section 3.23 of the Mariposa TPA Specific Plan and Section 17.336.030 of the Mariposa County Zoning Ordinance. A copy of existing parking standards is included as Attachment 1.

**Office Uses** The proposed amendment specifically includes modification of existing parking requirements for office uses in the Mariposa TPA. Current standards require 1 parking space per 200 square feet of office space. The Architectural Consultant and County Review Committee for the Government Center project recommended that these standards be modified to require 1 parking space per 300 square feet of office space.

**Other Standards** Staff recommends that all of the other parking requirements and standards of the Mariposa TPA Specific Plan (in addition to those for office uses) be reviewed as part of this amendment. Staff’s recommendations are based upon current planning theory and studies.
which suggest that most local agency’s parking requirements are excessive. This is a result of trends toward greater use of public transit or ride sharing arrangements, as well as mixed-use developments. Additionally, it is recognized that conventional parking standards are typically based upon engineering estimates of highest use, may only occur on a few days per year such as the Christmas shopping season. Staff suggests that the intent of the parking standards of the plan is not to create excessive expanses of paved parking surfaces which are not needed or utilized by businesses, but only to require that which is truly required on a day to day basis.

Other parking requirements which staff intends to review as part of this project include those which apply to changes in existing uses which are non-conforming with regard to current parking requirements. Current standards require that any expansion of an existing development, or change in use to greater intensity, provide such additional parking on-site for the expanded use so as to satisfy current standards. Implementation of these standards has created difficulties for many existing developments in the community, which are located on sites with limited area for expansion.

**REVIEW REQUIREMENTS FOR DEMOLITION OF HISTORICALLY SIGNIFICANT STRUCTURES AMENDMENT**

**Background**

- **June, 1994:** Historically significant structure in Mariposa TPA (adobe building, last remaining structure in settlement known as “Logtown”), demolished by property owner without necessary demolition permits from County Building Department. Complaints received from concerned public members.

  Board of Supervisors advised of demolition by concerned neighbor. Planning Department pursued potential Zoning Ordinance Violation.

- **July, 1994:** As part of Zoning Ordinance violation investigation, County District Attorney determined that there are no special review requirements for proposed demolition of historically significant structures outside of the Historic Design Review Overlay District. DA recommended language changes to applicable code sections to ensure that historically significant structures throughout TPA receive same level of review prior to demolition.

- **August, 1994:** County pursued Building Code violation with property owners.

- **October, 1994:** County Counsel reviewed and approved content of proposed changes to County Code and Specific Plan relative to protection of historically significant structures throughout TPA.
Memo to Board, 11/21/95

Discussion

Requirements for review of demolition permits for historically significant structures in the Historic Design Review Overlay District are established in Section 3.14(C) of the Mariposa TPA Specific Plan, and Section 17.67 of the Mariposa County Zoning Ordinance. Although demolition of these structures is not specifically prohibited in the District, a special review procedure is established by standards. This purpose of this procedure is to ensure proper review of any project which proposes demolition of a structure which has been determined to be significant with respect to the community’s history. The procedure will allow demolition of an historic structure, if one of four specific findings can be made.

Although it was assumed that identified historically significant structures throughout the community were afforded some level of protection by the Specific Plan, it was determined, as part of an alleged Zoning Ordinance violation investigation, that historically significant structures are only protected in the Historical Design Review Overlay District. After an historically significant Adobe structure was demolished in Logtown (without proper demolition permits from the Building Department), and based upon input from the County’s District Attorney following pursuit of violation proceedings, staff prepared amendments as included in Attachment 2. These amendments will require that the review procedures for proposed demolition of historic structures in the Historical Design Review Overlay District will also apply to proposals to demolish historic structures outside of the District (within the Mariposa Town Planning Area only). The amendments have be reviewed for legal sufficiency by County Counsel.

SIGN AMENDMENT

Background

• **January, 1994:** During public hearing on an appeal, the Board determined that specific informational signs, including neon OPEN signs, were appropriate for community of Mariposa. Board directed staff to process an amendment to provide for these types of signs.

• **November, 1994:** Ordinance 878 adopted by the Board. Implemented changes to the general sign standards of the Zoning Ordinance, to allow for specific informational signs (including neon OPEN signs) throughout the County including town planning areas with adopted specific plans. Amendments were only made to the Zoning Ordinance, and not to adopted specific plans.

Discussion

Based primarily upon the high costs for noticing an amendment to the Mariposa TPA Specific Plan (and because informational signs are important for businesses throughout the County), the
Memo to Board, 11/21/95

“informational sign amendment” was processed as an amendment to the general sign standards of the Zoning Ordinance. The amendment provided for specific, limited informational signs (including neon OPEN signs) throughout the County, including town planning areas with specific plans. The amendment provided for these types of signs in adopted historic design review districts as well. A copy of the existing standards for informational signs is included as Attachment 4.

Through the public hearing process for the amendment, the Planning Commission and the Board were advised that language should be added to the Mariposa TPA Specific Plan to ensure consistency of the plan with the standards of the Zoning Ordinance (as well as to other adopted specific plans with sign standards). Staff advised that the language could be added at such time as other amendments were proposed to the Specific Plan. Because the Board is now considering other amendments, staff recommends that this “clean up” language be added to the Specific Plan to ensure consistency with standards already established in the Zoning Ordinance. This amendment will not change the types of signs which are currently permitted in the Mariposa Town Planning Area (the allowance for informational signs already exists in the Zoning Ordinance).
associated costs including the costs of the improvements.

3. **Uses Permitted in Proposed Right-of-Way and Setback Areas** - The following uses shall be permitted in the proposed right-of-way and setback areas:

   a. Mail boxes.
   b. Retaining Walls not part of a building or structure.
   c. Underground utilities and appurtenant above-ground structures.
   d. Uncovered walkways.
   e. Driveways.
   f. Parking areas not required to meet the requirements of this Title.

4. **Proposed Right-of-Way Boundaries** - The boundaries of the proposed right-of-way boundary for Highway 49 North shall be as determined by the California Department of Transportation and as shown on the right-of-way map on file in the Mariposa County Planning Department.

3.22 **Building Height**

No building or structure shall be erected, constructed, or altered in any manner so that the building or structure exceeds its present height, two stories or 35 feet as measured from natural grade as defined in Section 17.108.140(C) of the Zoning Ordinance, whichever constituting the greatest height. These standards establish maximum heights and lesser heights may be required on buildings and structures subject to design review standards.

3.23 **Parking Standards**

The following parking standards shall apply to all new development and changes of occupancy which increase the required number of parking spaces. The purpose of these standards is to insure adequate on-site parking so that development does not increase congestion by requiring parking or maneuvering within public rights-of-way or impact public parking lots financed by existing development. This section shall not apply to those properties within the boundaries of the Mariposa Parking District.

**A. On-site Parking Space Requirements**

1. Residential Uses

   a. Studio or one bedroom apts - 1.5 parking spaces per unit.
2. Commercial Uses

a. Professional Office – 1 space for each 200 sq. ft. of gross floor area, except floor area used exclusively for storage.

b. Grocery stores, drug stores and similar intensive retail establishments – 1 space for each 200 sq. ft. of gross floor area, except for floor area used exclusively for storage and not accessible to the public.

c. Restaurants, fast food restaurants, drinking establishments – 1 space for each 100 sq. ft. of gross floor area and a minimum of 10 spaces.

d. Furniture, appliance, carpet and similar low intensity retail sales – 1 space for each 750 sq. ft. of gross floor area.

e. General Retail except as otherwise specified herein – 1 space for each 400 sq. ft. of gross floor area.

f. Exterior Retail Sales such as auto dealer shops – 1 space for each 1000 sq. ft. of sales and display area.

g. Fuel Service Stations – 3 spaces plus 2 additional spaces for each service bay.

h. Auto Repair – 1 space for each 200 sq. ft. of gross floor area.

i. Hotels/Motels – one space for each unit.

j. Bowling Alleys – 3 spaces for each lane.

k. Health Clubs – 1 space for each 250 sq. ft. of gross floor area.

l. Theaters – 1 space for each 4 fixed seats or 1 space for each 50 sq. ft. of gross floor area if seats are not fixed.

m. Barber/Beauty Shops – 2 for each barber chair and beautician station.

n. Laundromats/Dry Cleaning Facilities – 1 space for each 200 sq. ft. of gross floor area.
o. Banks and Savings and loans - 1 space for each 250 sq. ft. of gross floor area.

3. Industrial Uses

a. Mini-Storage/Outside Storage - 3 customer spaces plus the spaces required for the office and caretakers residence, if any.

b. Manufacturing, Processing, Fabrication and Warehousing Uses -

   1 space for each 800 sq. ft. of gross floor area within a building.

   1 space for each 2000 sq. ft. of exterior active use area.

   1 space for each 5000 sq. ft. of exterior storage area.

c. Research and Development Facilities -

   1 space for every employee on the largest shift plus 1 space for each company vehicle.

4. Institutional Uses

a. Churches, Lodge Halls and Other Public Assembly Areas - 1 space per 4 fixed seats (18 linear inches along a bench is considered 1 fixed seat) or 1 space per 50 sq. ft. if fixed seats are not provided.

b. Libraries, galleries and museums - 1 space for each 250 sq. ft. of gross floor area.

c. Day care and pre-school - 1 parking space and one loading/unloading space for each 5 children.

d. Elementary and Jr. High School - 1 space for each classroom and 1 space for each 4 fixed seats or 50 sq. ft. of area in the auditorium or gymnasium.

e. High Schools - 6 spaces for each classroom and 1 space for each 4 fixed seats or 50 sq. ft. of area in the auditorium or gymnasium.

f. Hospitals - 2 spaces for each bed.

g. Convalescent Hospitals, Nursing Homes - 1 space for each 5 beds plus the number of spaces
required for the office and the residence, if applicable.

B. General Provisions

Accessible off-street parking areas shall be provided and maintained as set forth in this section. Parking areas shall provide parking and maneuvering room for motor vehicles and for pedestrian safety based on the anticipated occupancy of the related building, structure or exterior use. Where there is a combination of principal uses in any one facility, the sum of the parking requirements of these uses shall be provided unless otherwise provided. If the calculation of parking requirements results in the requirement for a fraction of a parking space, such parking space need not be provided unless the fraction exceeds fifty percent. This section shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimum required.

1. Parking Review. Plans submitted for a building permit to construct a building which has parking areas shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the Planning Department and no final inspection shall be approved until the parking spaces and required landscaping are installed.

If the parking demand is increased due to a change of occupancy which does not require a building permit, the Planning Department shall review and approve the parking plan prior to the establishment of the new occupancy. The parking plan shall be approved in this case if it complies with all standards contained in this section.

2. Seats or Seating Capacity - Where the standards for parking set forth in this section are based upon seating capacity, the capacity shall be determined by reference to the actual seating capacity of the subject area based upon the number of seats or one (1) seat per 18 inches of bench or pew length and one (1) seat per 24 inches of booth length for dining, but in no case shall seating be less than as required by the Uniform Building Code.

3. Parking Reductions - Parking reductions or modifications to parking standards may be granted by the Planning Commission when considered through the
variance process or in conjunction with a use permit or other discretionary application. Such reductions or modifications shall only be granted when warranted by unique circumstances. The project proponent shall submit evidence documenting the existence of the unique circumstance. In addition to this process, the following variation to the parking standards may also be granted.

a. Double Counting - At the discretion of the Planning Director or the Planning Commission, whichever has jurisdiction, where two (2) or more commercial uses in a planned commercial development share parking facilities, and the business hours of such uses do not overlap, the minimum space requirement may be reduced by up to fifty (50%) percent of the parking requirement for the use requiring the least parking, subject to a minimum of 20 parking spaces being provided. Such a reduction shall be subject to the recordation of enforceable agreements prior to issuance of a building permit, which ensures that appropriate programs are implemented for the life of the use and shall be required as a condition of approval of the parking reduction.

b. Bus Spaces - For parking lots containing 25 or more parking spaces and serving tourist oriented uses as determined by the Planning Director, one bus space shall be allowed to take the place of six (6) conventional parking spaces. One bus space shall be allowed in this manner for each 25 conventional parking spaces within a parking lot. A bus parking space shall have a minimum dimension of 12 feet by 50 feet and shall include adequate maneuvering room for safe ingress and egress.

4. Existing Facilities - Any building or use for which parking facilities become substandard by the adoption of this code shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking areas required by this section for the enlargement or expansion are provided in addition to the existing parking spaces and areas. Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking spaces and areas required by this section.
5. Tandem Parking - Except where specifically permitted by this section, parking spaces shall not be in tandem. All parking spaces shall be free of obstructions, and parking shall be accomplished in a continuous forward movement. Tandem parking shall mean one parking space located behind another parking space which has no direct access to the driveway or street.

6. Provisions for Residential Uses

a. Parking Locations - Off-street parking spaces for single-family detached dwellings shall be located on the same lot or parcel on which the dwelling is located. Off-street parking spaces for all other dwellings shall be located on the same development site and on the same lot or parcel or not more than 200 feet from the lot or parcel on which the dwelling is located.

b. Senior Citizen Parking - The total number of parking spaces required for senior citizen housing may be reduced by up to twenty-five (25%) percent, based upon a finding that the proposed development is located within 500 feet of a shopping center or is served adequately by a transportation system.

c. Assigned Spaces - One (1) of the required parking spaces for each multi-family dwelling unit shall be an assigned parking space, not more than 200 feet away from the unit to be served.

7. Provisions for Commercial and Industrial Uses

a. Parking Locations - In commercial zones, off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served except for uses within the Mariposa Parking District.

b. Spaces not for Repair or Storage - Required parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.

c. Uses Not Specified - Commercial parking requirements for uses not specified in this part shall be based upon a standard of one space per 250 square feet of gross floor area, unless the Planning Director or Planning Commission approve
a different parking requirement, based on the most comparable uses specified in this part.

C. Design Standards

1. Parking Stall Sizes - Except for designated employees parking spaces, each standard off-street parking space shall be at least the following minimum sizes:

<table>
<thead>
<tr>
<th>Angle in Degree</th>
<th>Curb Length per Car</th>
<th>Stall Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>24' - 0&quot;</td>
<td>8' - 6&quot;</td>
</tr>
<tr>
<td>30</td>
<td>16' - 6&quot;</td>
<td>16' - 0&quot;</td>
</tr>
<tr>
<td>45</td>
<td>11' - 6&quot;</td>
<td>19' - 0&quot;</td>
</tr>
<tr>
<td>60</td>
<td>10' - 0&quot;</td>
<td>20' - 0&quot;</td>
</tr>
<tr>
<td>90</td>
<td>9' - 0&quot;</td>
<td>19' - 0&quot;</td>
</tr>
</tbody>
</table>

All compact off-street parking spaces shall be at least the following minimum sizes:

<table>
<thead>
<tr>
<th>Angle in Degree</th>
<th>Curb Length per Car</th>
<th>Stall Depth</th>
</tr>
</thead>
<tbody>
<tr>
<td>0</td>
<td>21' - 0&quot;</td>
<td>8' - 6&quot;</td>
</tr>
<tr>
<td>30</td>
<td>16' - 6&quot;</td>
<td>14' - 0&quot;</td>
</tr>
<tr>
<td>45</td>
<td>11' - 6&quot;</td>
<td>15' - 6&quot;</td>
</tr>
<tr>
<td>60</td>
<td>10' - 6&quot;</td>
<td>16' - 6&quot;</td>
</tr>
<tr>
<td>90</td>
<td>8'</td>
<td>14'</td>
</tr>
</tbody>
</table>

For Designated Employee parking space, the space width may be reduced to 8' - 6" for 90° parking.

No more than 40 percent (40%) of the required number of parking spaces may be sized for compact cars. Such spaces shall be clearly marked "Compact Cars Only".

All standard and compact parking stalls shall be clearly striped.

2. Handicapped Requirements - Off-street parking spaces shall be provided for handicapped persons. The number of handicapped spaces and the design shall be as specified by Title 24 of the California Code of Regulations. Generally, all handicapped parking spaces shall be located in proximity to curb ramps or other pedestrian walks providing the most direct access to the primary entrance of the building served by the parking lot.

3. Parking Lot Access and Circulation - All exits from parking lots shall be clearly posted with "Stop"
signs, and stop bars, and appropriate directional signs shall be maintained when necessary and as required by the Planning Director.

Driveway access to parking spaces for a single family dwelling unit shall not be less than nine (9') feet in width. Driveway access used to serve more than two (2) dwelling units shall not be less than twelve (12') feet in width. The maximum driveway grade for a single-family residence shall be 16% and for commercial development 16%. Driveway access to all uses other than residential shall have a width of not less than fourteen (14') feet if one-way, or not less than twenty-six (26) feet for a two-way, combined entrance and exit. Minimum aisle widths shall be as follows:

<table>
<thead>
<tr>
<th>Angle - In Degrees</th>
<th>Aisle Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 *</td>
<td>14' - 0&quot;</td>
</tr>
<tr>
<td>45 *</td>
<td>14' - 0&quot;</td>
</tr>
<tr>
<td>60 *</td>
<td>20' - 0&quot;</td>
</tr>
<tr>
<td>90</td>
<td>26' - 0&quot;</td>
</tr>
</tbody>
</table>

* - Denotes one-way aisles only.

Where two-way traffic is permitted, the minimum aisle width shall be twenty-six (26) feet.

4. Parking Lot and Access Surface

a. Except as provided for by Subsection b, all areas used for parking and access to such parking areas shall be completely paved with asphalt or concrete surfacing, or such other alternative materials as approved by the Planning Director. Further, all parking areas and accesses shall be provided with adequate drainage as approved by the Planning Director. Any portion of the parking area not paved shall be landscaped.

b. All areas used for parking and access to such parking areas for single family residences constructed on parcels greater than one (1) acre (net) may be surfaced with a minimum of two (2) inches of aggregate road base or equivalent with adequate drainage as approved by Planning Director.

5. Parking Lot Slope - Commercial parking lots shall not have a slope exceeding 4.5%, except for access ramps or driveways which shall not exceed a slope of sixteen (16%) percent.
6. Wheel Stop Standards - Wheel stops shall be installed two (2') feet from the edges of the required sidewalks, planters, and landscaped areas for all parking spaces in order to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. The regular planter curb may function as the wheel stop but the planter shall be a minimum of six (6') feet in width. All wheel stops shall be maintained in good condition.

7. Off-Street Loading and Unloading Spaces -

General office uses shall have the following off-street loading and unloading spaces:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 30,000 sq. ft.</td>
<td>0</td>
</tr>
<tr>
<td>30,001 to 50,000 sq. ft.</td>
<td>1</td>
</tr>
<tr>
<td>Excess of 50,000 sq. ft.</td>
<td>2</td>
</tr>
</tbody>
</table>

Retail/commercial and industrial/manufacturing uses shall have the following off-street loading and unloading spaces:

<table>
<thead>
<tr>
<th>Square Feet</th>
<th>Spaces Required</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 5,000 sq. ft.</td>
<td>0</td>
</tr>
<tr>
<td>5,000 to 30,000 sq. ft.</td>
<td>1</td>
</tr>
<tr>
<td>Excess of 30,000 sq. ft.</td>
<td>2</td>
</tr>
</tbody>
</table>

Each loading space for general office uses and for retail/commercial uses less than 30,000 square feet shall be located off the street and shall be twelve (12') feet in width by twenty-five (25') feet in depth by fourteen (14') feet in vertical clearance. All other loading spaces, regardless of use, shall be twelve (12') feet in width by fifty (50') feet in depth by fourteen (14') in height.

3.24 Hillside Development Standards

These standards shall regulate all new construction, including residential construction, on parcels or construction areas with an average slope in excess of 20% as determined by the Planning Director.

A. Building Design

All structures shall be designed and constructed using stepped foundations to reduce required cut and fill. Conventional monolithic slabs shall be prohibited on such slopes. This requirement may be waived where it
September 1, 1994

To: Jeffrey G. Green, County Counsel

From: Tim Evans, Planning Department


Jeff:

Shown below, are my attempts to tighten the language regarding the demolition of the historic sites and structures described in Appendix C of the Mariposa Town Planning Area Specific Plan. Please review and comment. If you want to discuss this memo, please let me know.

The Italicized words are to be added.

The deleted words have strike-throughs.

MTPA SPECIFIC PLAN

Appendix C

Historic Sites and Structures. change to read:

"The information used in this section was taken from the Mariposa County Historical Sites Survey. Many of these sites are now privately owned and are not accessible to the general public. The Historic Sites and Structures as described in this appendix, are subject to the development standards and plan review requirements for the Historic Design Review Overlay Zone as specified in Section 17.336.075 of the County Zoning Ordinance."

Section 3.14 (C) Historic Design Review Overlay District, change last sentence in the paragraph to read:

"This district may be applied to areas outside the HDRO within the Mariposa Town Planning Area containing public or private buildings determined to be historically significant."
Section 3.14 (C) 8. Change to read:

“Demolition within a Historical Design Review Overlay District, Demolition of a designated Historic Site or Structure.”.

a. Demolition Permit-Review Required

“Except as provided in this section, no building or structure identified by the County as historically significant within a designated Historical Design Review Overlay Zone or designated as an historic site and structure as shown in Appendix C of the Mariposa Town Planning Area Specific Plan shall be demolished without first obtaining approval from the Planning Director”.

ZONING ORDINANCE

Change the title of Section 17.332.020 to read “Development Standards and Plan Review Requirements for HDRO and designated Historic Sites and Structures within the Mariposa Town Planning Area.

Change text to read: “The development standards, HDRO plan review requirements, HDRO plan processing procedures and demolition permit review standards for the Mariposa TPA HDRO Zone and the designated historic sites and structures lying outside the HDRO Zone as shown in Appendix C of the Mariposa Town Planning Specific Plan shall be as specified in Chapter 17.67 of this Title”.

Change Section 17.67.020 to read Demolition within an HDRO district and designated Historic Sites and Structures in the Mariposa Town Planning Area.

Change text to read:

A. Demolition permit required.

“Except as provided in this section no building or structure identified by the County as historically significant or as shown in Appendix C of the Mariposa Town Planning Area Specific Plan, or within a designated historic design review overlay zone (HDRO), shall be demolished without first obtaining approval from the planning director”.

16
To: Tim Evans, Planning Department

From: Jeffrey G. Green, County Counsel

Re: Amendments to Designated Historic Sites and Structures Documentation

Dear Tim:

I have reviewed your memo of September 1, 1994 and I believe that it accomplishes correcting the deficiencies in the County Codes.

If you have any questions regarding this matter, please feel free to call me.

Very truly yours,

[Signature]

Jeffrey G. Green
County Counsel

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an area and shall be adopted by resolution or ordinance.

C. Historic Design Review Overlay District

The Historic Design Review Overlay Zone (HDRO) is an overlay district which is intended to be combined with any other district located in an area containing a substantial number of historic buildings where it is determined desirable to protect the overall appearance and integrity of the district by preserving existing structures and regulating the design of new structures and changes in the appearance of existing structures. The purpose of this district is to ensure that proposed buildings, structures, signs, and landscaping and modifications to buildings, structures, signs, and landscaping within these areas are in harmony with the historic nature of the district. The intent of the zone is to promote the overall economic vitality of a district, enhance tourism and to stabilize and increase property values. This district may be applied to areas containing public or private buildings determined to be historically significant.

1. Development Standards for the HDRO

   a. Uses: Permitted, conditional and prohibited uses shall be as set forth in the Principal Zone.

   b. Minimum Parcel or lot size: As established by the Principal Zone.

   c. Density: As established by the Principal Zone.

   d. Setbacks, building height, parking requirements and other applicable development standards: As established by the Principal Zone.

2. Special Development Standards for the HDRO.

Development in the HDRO District shall conform to architectural theme and development guidelines established by the Board of Supervisors pursuant to Subsection 3.26 of this chapter. In reviewing and approving the application for design review, the Planning Commission shall find that the application complies with the architectural theme and development guidelines established by the Board of Supervisors with respect to the following:

   a. Height, bulk, and area of buildings;
   b. Yards and setbacks;
c. Colors and materials of the exterior of any buildings or signs;
d. Type and pitch of roofs;
e. Size and spacing of windows, doors, and other openings;
f. Size, type and location of signs;
g. Landscaping and site grading;
h. Location and design of parking areas;
i. Exterior lighting;
j. Location and design of mechanical equipment and other appurtenances such as trash enclosures and propane tanks;
k. Design and location of any outside storage areas;
l. Any other aspects of building construction or site development that may relate to maintaining an overall theme within the area in which the proposed development is located. In the instance that a Special Development Standard established by this section conflicts with a Development Standard of the Principal Zone, the Special Development Standard established by this section shall apply.

3. HDRO Plan Review—Required

Except as provided in this section, no Commercial, Industrial or Residential use shall be established, no development shall occur, no exterior advertising display shall be installed, and no building and grading permit shall be issued for any Commercial, Industrial or Residential development in the HDRO District until an application for Design Review Plan has been submitted to and approved by the Planning Director in accordance with the procedures established in this section.

4. HDRO Plan—Application Contents

An application for design review shall include the following:

a. A completed Commercial, Industrial and Multi-Family Dwelling Building Permit Application Form. Complete construction drawings are not necessary for the design review process.

b. A plot plan drawn to the scale specified by the Planning Director which contains the information specified in Section 17.08.150 of the Zoning Ordinance.

c. Elevations of all sides of the proposed building or structures showing:
i. Dimensions of the buildings or structures;
ii. Proposed architectural treatment, building materials and exterior colors;
iii. Roof design and materials
iv. Size and spacing of windows, doors, and other openings;
v. Signs;
vi. Exterior lighting;
vii. Exterior mechanical equipment and above ground utilities;

An exemption from the requirement for providing elevations of all sides of the proposed building or structure may be allowed where it can be shown to the satisfaction of the Planning Director that certain sides of the building/structure are not visible from public property or public rights of way. In this instance the elevations of the sides not visible are not required.

d. Preliminary grading plan indicating grading necessary for the proposed structures, access roads and parking areas. The plan shall indicate the location, height and grade of all cut and fill banks necessary for the proposed project.

e. Narrative description of the proposed development and how it was designed in accordance with the architectural theme and design guidelines established by the Board of Supervisors.

5. HDRO Plan-Application Processing Procedures

A pre-application meeting with the Planning Department to discuss a proposed project and the applicable design review standards is strongly encouraged. Upon receipt and acceptance of a Design Review Plan application as complete, the Planning Department shall, within 5 days, refer such application to the Design Review Committee appointed by the Board of Supervisors having jurisdiction over the area in which the development is proposed. The design review committee shall formulate a recommendation to approve, conditionally approve or deny the design review plan within fourteen (14) days of the receipt of a completed application from the Planning Department. In the instance that no design review committee has been appointed or the appointed design review committee fails to formulate a recommendation by majority vote, the Planning
Director shall consider the design review plan. The Planning Director shall consider the design review plan application along with the recommendation and act to approve, conditionally approve or deny the application. Action on the design review plan shall occur within 5 days of receipt of the recommendation from the design review committee. The Planning Director's action shall be based upon the findings listed in subsection 3.14(C)(2) of this section. The Planning Director shall provide specific findings if the design review plan is denied.

6. HDRO Plan Application-Review Exemption

The Planning Director may approve an exemption from review by the design review committee where it can be determined that the proposed development is a minor alteration or expansion of an existing development that will not affect the achievement of the Architectural and Design Review goals established by the Board of Supervisors for the affected area. For the purpose of this subsection a minor alteration or expansion is defined as less than 10% of the existing building size that will not significantly modify the exterior appearance of the structures and/or site. The applicant shall be required to submit the information required by subsection 3.14(C)(4) of this section in order to justify the exemption.

7. Establishment Of Architectural Theme and Development Guidelines For HDRO Districts

The Board of Supervisors shall establish an Architectural Theme and Development Guidelines for each HDRO District established pursuant to this section. The standards shall provide guidelines for development in accordance with the Special Development Standards established by subsection 3.14(C)(2) of this section. The standards may adopted separately or as part of a Specific Plan for an area and shall be adopted by resolution or ordinance.


a. Demolition Permit-Review Required

Except as provided in this section no building or structure identified by the County as historically significant within a designated Historical Design Review Overlay shall be
demolished without first obtaining approval from the Planning Director.

b. Demolition Permit-Review Findings

No permit shall be issued to demolish or cause to be demolished any building, structure or portion thereof that has been identified by the County as historically significant within any Historic Design Review Overlay District unless:

i. The Planning Director determines that the building or structure has no historical value or significance and does not contribute to the historical character of the District; or

ii. The Planning Director determines that the owner would have no economic use of the property unless the structure is removed. It is the applicants responsibility to submit to the County financial data to substantiate such claim, including the cost, assessed value, taxes, appraisals, listings and income from the property; or

iii. The Planning Director determines that the structure or building is in such a deteriorated condition that it is determined to be unrepairable and that demolition will not have a significant effect on the achievement of the purpose of this title; or

iv. The Planning Director determines, upon consultation with the Chief Building Inspector, County Engineer, County Fire Warden or other appropriate individuals that an imminent safety hazard exists, and that demolition is the only feasible means to secure the public safety. The Director’s determination in this matter shall be guided by the standards and criteria set forth in the current editions of the Uniform Building Code, Uniform Fire Code and State Historic Building Code.

c. Demolition Permit-Application Processing Procedures.

Consideration of a demolition permit shall follow the procedures outlined in subsection 3.14(C)(5) of this section.
d. Demolition Permit-Action

After review of all pertinent information the Planning Director shall exercise one of the options listed below:

i. Approve the demolition permit if the application conforms with one of the findings listed in subsection 3.14(C)(8)(b).

ii. Direct a stay of demolition for a maximum period of four weeks in order to allow time for the applicant and the Planning Director to seek alternative solutions to demolition. If no alternatives are found, after the period established for the stay of demolition, the Director may approve the application.

iii. Deny the application if the findings listed in subsection 3.14(C)(8)(b) cannot be made.

SECTION 3.15 SUPPLEMENTARY USE STANDARDS

A. Home Based Occupations

Home based occupations will be permitted in all single family structures subject to the following:

i. Home occupation shall mean a use which, as determined by the Planning Director, is customarily carried on within a dwelling or mobile home by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling or mobile home, and which use:

a. Is confined completely within the dwelling or mobile home and occupies not more than thirty-three (33%) percent of the gross area of one floor thereof;

b. Is operated only by the members of the family occupying the dwelling or mobile home;

c. Produces no evidence of its existence in the external appearance of the dwelling, mobile home, or premises or in the creation of noise, odors, smoke or other nuisances to a degree greater than that normal for the neighborhood in which such use is located;
17.108.190 Signs.

The intent of these regulations is to reduce the proliferation of signs to maintain the scenic quality of the County's transportation corridors and to generally preserve the rural appearance of the county.

The purpose of this section is to establish specific standards for the location, installation, construction or modification of signs. These standards shall apply in all instances except as modified by specific sign standards contained in this title or other standards adopted pursuant thereto.

A. A temporary or permanent on-site sign or signs with maximum aggregate area of 16 sq. ft. and containing no outline tubing, flashing lights or moving parts shall be permitted use on all parcels. Such signs shall have a maximum height of 20 feet. Off-site signs are prohibited unless specifically permitted by the principal zone.

B. A sign or signs, which convey specific information as described herein, shall be permitted use on all parcels within the County, including parcels within town planning areas with or without adopted specific plans, notwithstanding anything to the contrary contained in any regulatory language in any Specific Plan, existing or adopted in the future. Such signs shall include, but not be limited to, outline tubing signs, however such signs shall contain no flashing lights or moving parts. Such signs shall be limited to a maximum aggregate area of 3 sq. ft. per business, which shall be in addition to the sign area permitted by this title or by other specific sign standards adopted pursuant thereto. An additional 3 sq. ft. of informational signage, in accordance with the standards contained herein, may be approved for businesses which have a second public entrance, provided that no more than 3 sq. ft. of informational signage is visible from any location on any public right-of-way. Such signs shall be installed inside a building, and shall be limited to the following information:

1. OPEN, or CLOSED
2. VACANCY, or NO VACANCY
3. HOURS OF OPERATION

Such signs shall not advertise the business or contain the business logo or trademark, and shall not advertise or identify products sold within or services provided by the business.

[C08173]C. All signs which do not conform with the standards of this title shall be considered non-conforming and shall be permitted to remain on a parcel for a period of 15 years from May 1, 1991 or until such sign becomes an illegal sign or is subject to any of the following conditions:

1. The sign is remodeled beyond a change in facial copy or relocated.
2. The property owner requests permission to expand, remodel or enlarge the building or land use on the parcel...
containing the sign and the sign is affected by the construction.

D. Unless otherwise prohibited by this chapter, signs may be illuminated provided such illumination does not shine light upon a public street or on to an adjacent parcel or in any way create a public safety hazard. No sign shall be illuminated after 11:00 p.m. or close of business, whichever occurs last, or prior to 6:00 a.m.

E. The following exterior signs shall be prohibited: Moving or rotating signs; sign with flashing, moving, or animated illumination except signs which display time and temperature information; advertising signs that include the words "Stop, Look, Listen" or any word, phrase, symbol, lights, motion, sound, fumes, mist, or other effluent that may interfere with, mislead, or confuse the driving public; portable signs except for temporary real estate signs which advertise the particular property; signs on inflatable advertising devices when the device is attached or secured to the ground or building and signs extending above the peak of the roof.

F. Illegal signs, as defined by this title, shall be considered a zoning violation and a public nuisance and subject to the abatement procedures established in Section 17.144 of this title. (Ord. 800 Sec. I, 1991; Ord. 878, 1994)