MARIPOSA COUNTY RESOLUTION NO. 94-231

A RESOLUTION ESTABLISHING POLICY AND PROCEDURES
FOR CONSIDERING THE FORMAL INITIATION OF GENERAL PLAN/
ZONING AMENDMENT APPLICATIONS FOR M-1 AND M-2 LAND
USE CLASSIFICATIONS AND M-1 AND M-2 ZONING DISTRICTS

WHEREAS, the Board of Supervisors wishes to
encourage the submittal of general plan/zoning amendment
applications for the establishment of industrial land uses in
the rural parts of the County by waiving application fees and
incurring other necessary costs; and

WHEREAS, the Board of Supervisors, by its own
policy, may grant waivers to application fees in situations
which it considers equitable and in the public interest; and

WHEREAS, it is in the public interest to establish
industrial zoning districts in the rural parts of the County
to encourage industrial development in appropriate areas; and

WHEREAS, the Board of Supervisors may initiate
amendments to the Mariposa County General Plan and Mariposa
County Zoning Ordinance (Title 17 County Code) under the
authority of Section 17.128.020 of the Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED, the Board of
Supervisors hereby establishes the following policy and
procedures for considering the formal initiation of general
plan/zoning amendment applications for the M-1 (Manufacturing/
Industrial Light) and M-2 (Manufacturing/Industrial Heavy)
land use classifications and Light Manufacturing and
Industrial (M-1) and Heavy Manufacturing and Industrial (M-2)
zoning districts:
1) This policy establishes an open window filing period in which property owners may submit general plan/zoning amendment applications for the M-1 and M-2 land use classifications and zoning districts and request consideration of formal initiation by the Board of Supervisors. Said initiation by the Board of Supervisors, if approved, shall result in the waiver of County application processing fees and the incurring of additional costs by the County, as determined by the Board of Supervisors.

2) Applications shall contain all required information for a general plan/zoning amendment application; any information necessary to consider the application relative to the criteria contained in Exhibit "A" attached hereto and incorporated herein; signature by one or more of the property owners; and a financial concept statement. Applications which do not contain the required information shall not be accepted for processing.

3) Applications shall be accepted for a period of 120 days from the date of official publication of this policy.

4) Following acceptance of the applications and the closing of the filing period, the applications shall be referred to the Board of Supervisors for consideration of formal initiation.

5) Formal initiation of the applications shall be considered relative to the site criteria contained in Exhibit "A". The Board may establish additional policy and criteria in considering applications for formal initiation.
6) This policy is limited to the acceptance of applications and their consideration for possible initiation by the Board of Supervisors. Acceptance of an application does not bind the County or the Board of Supervisors in any future action to initiate or approve the amendment application.

7) This policy does not preclude or limit a property owner from requesting a general plan/zoning amendment by the submittal of an application, including application fees, in accordance with Chapter 17.128 of the Zoning Ordinance.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 14th day of June, 1994 by the following votes:

AYES: Baggett, Balmain, Erickson, Parker, Taber
NOES: None
ABSTAINED: None
EXCUSED: None

ARTHUR G. BAGGERT, JR. Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY C. GREEN, County Counsel
EXHIBIT "A"

1. The Board of Supervisors, by establishing an open window period for the filing of industrial general plan/zoning amendment applications, wishes to encourage the establishment of industrial land uses in appropriate rural areas of the County. These uses will generally be located near State highways and County primary roads, but be screened from residential areas and visual corridors to ensure compatibility with surrounding uses. The Board of Supervisors is responsible for the proper planning of land uses in the County, and each application will be reviewed and considered by the Board of Supervisors on its own merits in relation to the goals, policies, and objectives of the Mariposa County General Plan. The establishment of an open window filing period and acceptance of an application shall not bind the County or the Board of Supervisors in any future action to initiate or approve an amendment application. The Board of Supervisors encourages applications on those properties on which industrial development will be compatible with surrounding land uses, including residential, agricultural, and recreational uses, and will maintain the high quality rural atmosphere of the area.

2. Minimum site area: 10 acres for M-1, 20 acres for M-2; exceptions below this may be allowed if there are exceptional or extraordinary circumstances applicable to the property and the site has suitable area for industrial development.

3. Terrain: Development areas (building and parking sites, septic system areas, road construction areas) generally should have a slope of less than 15%. Disturbed sites with development areas will also be favorably evaluated.

4. Accessibility: M-1 sites should be adjacent to or within TPAs or within 1/2 mile of a State Highway or County primary road. M-2 sites should be within one (1) mile of a State Highway or County primary road.

5. Land Use Compatibility: The project site should have characteristics which will minimize potential land use compatibility conflicts between industrial development on the site and residential development and town planning areas in the surrounding area. Examples of such characteristics include, but are not limited to, large site area, topography, existing vegetation.

6. Visibility: The project site and subsequent development should have the potential to incorporate community design
standards into the development which will screen the industrial uses from residential areas and visual corridors. More substantial screening is necessary for M-2 sites, and M-2 sites should be screened from residential areas and visual corridors by topography (e.g. hill, low-lying ridge). M-1 and M-2 sites that will rehabilitate existing disturbed sites and improve the visual aesthetics of the site will be favorably evaluated.

7. **Agricultural Lands:** Because of the open space policies of the General Plan as they relate to the AE land use and the Williamson Act land use restrictions, applications should be evaluated for potential impacts on agricultural lands. Specific criteria should be developed by the Board after the Mariposa County Farm Bureau and Agricultural Advisory Committee have the opportunity to review and comment on this issue but prior to initiation of the applications.
DEPARTMENT: Planning
Housing/Comm. Dev.

BY: Duane Hall
Jim Evans

PHONE: 966-5151
966-6121

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes__ No__)

Resolution establishing policy and procedures for considering the formal initiation of general plan/zoning amendment applications for the M-1 and M-2 land use classifications and M-1 and M-2 zoning districts.

The recommended action is based on the recommendations of the Countywide Community/Economic Development Committee and previous discussions of the Board on this matter.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board discussed the report and recommendations of the Countywide Community/Economic Development Committee at the meetings of February 8th, March 14th, and April 11th. No action was taken at these meetings. The Board considered the open window period program at the May 17th meeting and directed staff to make several revisions to the program and bring the matter back to the Board for formal action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: (1) Continue matter; (2) Modify the policies and procedures of the resolution; (3) Take no action.

NEGATIVE ACTION would result in no action being taken and an open window period for receiving amendment applications would not be established.

COSTS:
A. Budgeted current FY
B. Total anticipated costs
C. Required additional funding
D. Internal transfers

SOURCE: ( ) 4/5ths Vote Required
A. Unanticipated revenues
B. Reserve for contingencies
C. Source description:
Balance in Reserve for Contingencies,
if approved:

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

1. Memo to Board re: Industrial Sites
2. Draft Resolution

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

Recommended
Not Recommended
For Policy Determination
Submitted with Comment
Returned for Further Action

Comment:

A.O. Initials

Action Form Revised 5/92
MARIPosa COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: EDWARD JOHNSON, Planning & Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: Policy and Procedures for the Initiation of General Plan/Zoning Amendment Applications for the M-1 and M-2 Land Use Classifications and Zoning Districts
Resolution Number 94-231

THE BOARD OF SUPERVISORS OF MARIPosa COUNTY, CALIFORNIA,
ADOPTED THIS Order on June 14, 1994

ACTION AND VOTE:

11:03 a.m. Edward Johnson, Planning and Building Director

B) Resolution Establishing Policy and Procedures for the Initiation of General Plan/Zoning Amendment Applications for the M-1 and M-2 Land Use Classifications and Zoning Districts (Planning and Building Director, Housing and Community Development Agency Director)
BOARD ACTION: Discussion was held with Duane Hall/Associate Planner, Ed Johnson/Planning Director, and Jim Evans/Housing and Community Development Agency Director. (M)Parker, (S)Balmain, Res. 94-231 adopted, with inclusion of a financial concept statement/Ayes: Unanimous.

cc: Jim Evans, Housing and Community Development Agency Director
File