DEPARTMENT: Planning and Building  BY: Tony Lashbrook  PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ______ No X__)

The Planning Commission recommends:
1. Adoption of a negative declaration with mitigation measures for the Tavis Corporation General Plan/Zoning Amendment and CIM Plan.

2. Adoption of a resolution incorporating the M-1 (Light Industrial) Land Use into the Mariposa County General Plan and modifying the land use on the Tavis Corporation property from Mountain Home to Light Industrial.

3. Adoption of a resolution approving the CIM Plan with findings and conditions as contained in Planning Commission Resolution 93-15.

4. Initiation and waiver of the first reading of an ordinance changing the zoning district applied to the Tavis Corporation property from Mountain Home to Light Industrial (M-1).

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board acted to waive the fees for this application on 8/17/93.

Board adopted preliminary negative declaration for this project on September 28, 1993.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
1. Adopt negative declaration, approve re-zoning and CIM plan as recommended.
2. Adopt negative declaration, approve re-zoning and modified CIM Plan.
3. Require EIR based upon substantial evidence of significant environmental effects.
4. Deny project.

COSTS: (X) Not Applicable
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. Planning Commission Resolution recommending project approval
2. Minutes from Planning Commission public hearing
3. Staff Report package considered by Planning Commission

CLERK'S USE ONLY:
Res. No.: ____________ Ord. No.: ____________
Vote - Ayes: ____________ Noes: ____________
Absent: ____________
Approved: ( ) ____________ Denied: ( ) ____________
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
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: ____________
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR

FROM: MARGIE WILLIAMS, CLERK OF THE BOARD

SUBJECT: PUBLIC HEARING - TAVIS CORPORATION GP/ZA & CIM

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on November 23, 1993

ACTION AND VOTE:

11:00 a.m. Tony Lashbrook, Planning Director;

A) PUBLIC HEARING to Consider the Adoption of a
Negative Declaration and the Approval/Denial of Tavis
Corporation General Plan/Zoning Amendment No. 93-4 and
Commercial-Industrial-Manufacturing Plan No. 93-1; Tavis
Corporation, Applicants

BOARD ACTION: Tony presented staff report and responded to
questions from the Board. Dr. Mosher/County Health Officer,
and Dave Conway/Health-Sanitarian, were present to respond
to any questions concerning specifics as to the spill and
contamination. John Tavis/applicant-property owner, stated
he and others from the Corporation are present and willing
to respond to any questions. John responded to questions
from the Board concerning expansion proposal and filing of
"NOI." Autrey Nassar expressed concerns with the well
contamination and how it was handled and possible affect on
underground water aquifers in the area with potential for
residential growth; presented information on testings and
contamination levels; stated he felt there is not adequate
fire protection and hazardous materials response;
expressed concern with traffic impact that he feels would occur with the expansion; and requested that an environmental impact report be required to address the well contamination and look at future situations. Dr. Mosher responded to questions relative to the tests and the status of contamination. Autrey responded to questions from the Board concerning disposal of solvents by evaporation. Mary Good questioned whether there are proven facts on affects to the ozone and whether there is a hole in the ozone layer. John A. Tavis/Chief Operating Official for Tavis Corporation, addressed Mr. Nassar's comments and presented a chronology of events and tests results relative to contamination of the well. John responded to questions from the Board relative to the chemicals. Dr. Mosher responded to question from the Board advising that the information presented seems to be what is submitted to date. There being no further public input, the public portion of the hearing was closed and Board commenced with deliberations. Tony Lashbrook reviewed the issues and recommended actions. (M)Baggett, (S)Taber, Board approved staff's recommendations as submitted to the Planning Commission for adoption of a Negative Declaration with mitigation measures for the Tavis Corporation General Plan/Zoning Amendment and CIM Plan; Res. 93-591 adopted incorporating the M-1 (Light Industrial) Land Use into the Mariposa County General Plan modifying the land use on the Tavis Corporation property from Mountain Home to Light Industrial; and Res. 93-592 adopted approving the CIM Plan with findings and conditions as contained in the Planning Commission's resolution, with deletion of additional requirements that a clearance be obtained from the State Department of Toxics prior to expansion and relative to the filing of the NOI with the State/Ayes: Unanimous. (M)Parker, (S)Balmain, first reading was waived and an ordinance introduced changing the zoning district applied to the Tavis Corporation property from Mountain Home to Light Industrial (M-1)/Ayes: Unanimous. Hearing was closed.

cc: Dr. Mosher, County Health Officer
File
MARIPOSA COUNTY RESOLUTION NO. 93-591

A RESOLUTION MODIFYING THE LAND USE ELEMENT OF THE MARIPOSA COUNTY GENERAL PLAN INCORPORATING A LIGHT INDUSTRIAL DISTRICT AND APPROVING GENERAL PLAN AMENDMENT NO. 93-4, JOHN R. TAVIS FAMILY LIMITED PARTNERSHIP, APPLICANT.

WHEREAS, the County has received an application for a General Plan Amendment and re-zoning to establish a compatible land use and zone on the property occupied by the Tavis Corporation, and

WHEREAS, affirmative action on the requested General Plan Amendment requires an amendment to the text of the land use element and an amendment to the land use map of the General Plan, and

WHEREAS, environmental review has been conducted on the amendment in accordance with the California Environmental Quality Act and the Mariposa County Environmental Review Policies and Procedures adopted pursuant thereto, and

WHEREAS, the Mariposa County Planning Commission and Board of Supervisors have held duly noticed public hearings on the amendment in accordance with State law and County Code; and

WHEREAS, the Mariposa County Planning Commission has recommended approval of the amendment as evidenced by the Resolution No. 93-15.

NOW THEREFORE, the Mariposa County Board of Supervisors resolves as follows:

1. A negative declaration for the General Plan Amendment is appropriate based upon the initial study as originally prepared by the Planning Department. The modifications recommended by the Planning Commission are not necessary based
upon new information presented to the Board of Supervisors that was not available for the Planning Commission deliberation.

2. The Mariposa County General Plan Land Use Element is hereby modified to add Section 3.519 as follows:

**3.519 M-1 Manufacturing/Industrial Light**

**A. Intent**

The M-1 classification is designed to provide for light manufacturing/industrial activities such as assembly or processing. Such uses are generally non-intensive and/or provide services to the local population. The M-1 classification is appropriate in close proximity to commercial and/or residential development with suitable terrain of an average slope of less than 20%. The M-1 classification shall be located on or easily accessible to State highways or County primary roads. In order to minimize land use compatibility impacts, the M-1 classification should be carefully sited in areas adjacent to the Rural Residential classification or other areas with residential minimum parcel sizes of less than 2.5 acres.

**B. Development Policy**

Typical uses which are permitted in this classification include but are not limited to automotive assembly, boat manufacturing, electronic assembly and manufacturing, cabinet shops, machine shops, clothing manufacturing, food processing, equipment yards and other similar uses. A Commercial-Industrial-Manufacturing (CIM) Plan should be approved
for development in the M-1 classification to establish special circulation, parking, open space, setback, on- and off-site improvements, and service standards for the development and encourage mixed uses and preservation of the natural environment. The CIM Plan through the implementation of these special standards should ensure development in the M-1 classification has a minimal impact on surrounding uses and traffic. The minimum site area requirement for the M-1 classification is 20 acres; the minimum parcel size for parcels in a M-1 classified project site is 6,000 square feet. The minimum site area and minimum parcel size requirements may be increased for zone districts allowing intensive light industrial uses.

C. Zoning

The General Commercial-1 (CG-1) and the Light Manufacturing and Industrial (M-1) Zone districts are appropriate within this classification. All development within these districts shall be consistent with the Commercial-Industrial-Manufacturing (CIM) Plan adopted for the zone district.

3. The Mariposa County General Plan Land Use Map shall be modified as shown on Exhibit 1 attached hereto.

BE IT FINALLY RESOLVED that the Board of Supervisors incorporates herein the findings contained in the staff report for this General Plan Amendment dated 10/12/93 on file in the Planning and Building Department. This action becomes effective January 6, 1994.
PASSED AND ADOPTED this 23rd day of November, 1993 by the following vote:

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

[Signature]
ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

[Signature]
JEFFREY GREEN, County Counsel
EXHIBIT 1

LOCATION MAP
GPZA #93-4 / CIM PLAN #93-1
APPLICANT - JOHN R. TAVIS FAMILY L.P.
MOUNTAIN HOME TO
LIGHT INDUSTRIAL (M-1)
1.5 MILES EAST OF BOOTJACK