

DEPARTMENT: Planning and Building BY: Duane Hall PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X No ___)
(NOTE: Public hearing has been previously noticed.)

Staff recommends that the Board of Supervisors take the following actions regarding General Plan/Zoning Amendment No. 90-2:

1. Adopt a resolution adopting a Negative Declaration with mitigation measures for the project and approving General Plan/Zoning Amendment No. 90-2 with findings as set forth in Planning Commission Resolution No. 92-15;
2. As part of the resolution, determine that a personal use airstrip for the sole use of the resident is an accessory use and structure to a residence and is therefore a permitted use in the Mountain Transition land use and zone;
3. Waive first reading and introduce ordinance approving Zoning Amendment No. 90-2 and amending the County Zoning Map;
4. Delay the second reading and adoption of the ordinance until the following items are completed:
 - a. A written legal description prepared by a licensed land surveyor or other qualified individual and describing the property to be placed in the Neighborhood Commercial-2 Zone is submitted to the Planning Department;
 - b. A declaration requiring fire hydrant improvements prior to issuance of building permits pursuant to the Negative Declaration mitigation measure is executed on the property and is recorded in the County Records Office;
 - c. The \$1,250 Department of Fish and Game environmental review filing fee and \$25 County Clerk fee is paid.

This recommendation is based on the Planning Commission's recommendation for approval of the project as stated in Planning Commission Resolution No. 92-15.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors approved the preliminary adoption of a Negative Declaration for the project on August 11, 1992.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: (1) Continue hearing for further discussion; (2) Deny amendment; (3) Approve Negative Declaration with revised mitigation measures and approve amendment; (4) Determine that a personal use airstrip is not an accessory use and structure and is therefore not permitted in the Mountain Transition land use and zone.

NEGATIVE ACTION would result in denial of the General Plan/Zoning Amendment.

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. Vicinity Map/Site Plan
 2. Memo to Board
 3. Draft Ordinance
 4. Planning Commission Resolution No. 92-15
 5. Planning Commission Minutes
 6. Letters from Affected Property Owners
 7. Planning Commission Staff Report

CLERK'S USE ONLY:
 Res. No.: 92-507 & 92-508 Ord. No. _____
 Vote - Ayes: _____ Noes: _____
 Absent: _____ Abstained: _____
 () Approved () Denied
 (X) Minute Order Attached () No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
 This item on agenda as:
 Recommended
 Not Recommended
 For Policy Determination
 Submitted with Comment
 Returned for Further Action

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

Comment: _____

Date: _____
 ATTEST: MARGIE WILLIAMS, Clerk of the Board
 County of Mariposa, State of California
 By: _____
 Deputy

A.O. Initials: JWM / kay mcs

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: GENERAL PLAN/ZONING AMENDMENT 90-2/
VINTAGE VENTURES LTD.

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA
ADOPTED THIS Order on September 22, 1992.

ACTION AND VOTE:

12:01 p.m. Tony Lashbrook, Planning Director;
B) PUBLIC HEARING to Consider Adoption of
Negative Declaration with Mitigation Measures and
Approval or Denial of General Plan/Zoning Amendment No.
90-2; Vintage Ventures Ltd./Applicant
BOARD ACTION: Duane Hall/Associate Planner, presented
staff report. Persons speaking in support of the
project: Norm Fast/Managing General Partner for
applicant. Persons speaking in opposition to the
project: Mr. Doscher/representing Lake Shore Ranch and
members of Lake Don Pedro and Lake McClure; and Mrs.
Doscher. (M)Baggett, (S)Erickson, to approve project,
with mitigation measure that the airstrip require a
southerly take-off and landing, failed by the following
vote: Ayes: Baggett, Erickson; Noes: Punte;
Abstained: Taber; Excused: Radanovich. (M)Punte, to
approve project and deny landing strip, died for lack
of a second. (M)Taber, (S)Erickson, Res. 92-507
adopted approving Negative Declaration with mitigation
measures, and waiver of first reading and introduction
of Ordinance approving General Plan/Zoning Amendment
No. 90-2, without dealing with the landing strip/Ayes:
Baggett, Punte, Erickson, Taber; Excused: Radanovich.
(M)Baggett, (S)Taber, Res. 92-508 adopted approving
landing strip, with condition that take-offs and
landings be from a southerly direction/Ayes: Baggett,
Erickson, Taber; Noes: Punte; Excused: Radanovich.
Policy discussion of processing requests for landing
strips in the future to be scheduled for consideration.

cc: File

MARIPOSA COUNTY RESOLUTION NO. 92-508

A RESOLUTION FINDING THAT A PERSONAL USE AIRSTRIP
IS AN ACCESSORY USE AND STRUCTURE TO A RESIDENCE

WHEREAS, the Mariposa County Planning Director, in accordance with Section 17.08.120 of the County Zoning Ordinance, has determined that a personal use airstrip for the sole use of the resident is an accessory use and structure as defined by Section 17.148.010 of the Zoning Ordinance to a residential use; and

WHEREAS, an accessory use and structure is permitted in the Mountain Transition Zone by Sections 17.108.060(F) and 17.24.010(A)(1)(a) of the Zoning Ordinance; and

WHEREAS, the Mariposa County Planning Commission and Board of Supervisors have held duly noticed public hearings on this matter and have considered the Planning Director's determination and other testimony and evidence submitted to the Planning Commission and Board of Supervisors on this matter.

NOW THEREFORE BE IT RESOLVED that the Mariposa County Board of Supervisors hereby finds that a personal use airstrip as defined by Section 3544 of the California Airport and Heliport Regulations for the sole use of the resident is an accessory use and structure to a residential use and is therefore a permitted use in the Mountain Transition Zone.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 22nd day of September, 1992 by the following vote:

AYES: BAGGETT, ERICKSON, TABER


NOES: PUNTE

County Resolution No. 92-508

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


ABSTAINED: NONE

EXCUSED: RADANOVICH



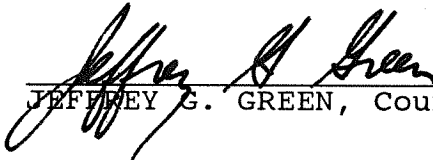
SALLY S. PUNTE, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN, County Counsel