MARIPOSA COUNTY RESOLUTION NO. 91-224

A RESOLUTION APPROVING MODIFICATIONS TO THE LAND USE MAP
OF THE MARIPOSA COUNTY GENERAL PLAN
WHEREAS, Mariposa County has received a request for an
amendment to the General Plan Land Use Map; 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.
NOW THEREFORE BE IT RESOLVED that the following amendment
to the General Plan Land Use Map, as shown in the attached
exhibit, is hereby approved by the Mariposa County Board of
Supervisors:
1) General Plan Amendment No. 90-5 as shown in Exhibit A;
Harry Kobayashi, et. al., applicants.
BE IT FURTHER RESOLVED that this action of the Board is
based on the findings contained in Planning Commission
Resolution No. 91-8 which is hereby incorporated by reference.
BE IT FURTHER RESOLVED that the Mariposa County Board of
Supervisors hereby adopts a Negative Declaration for General
Plan/Zoning Amendment No. 90-5 and Major Subdivision Application
No. 9/27/90 which was reviewed in conjunction with the
amendment.
Res. No. 91-2

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors on this 21st day of May, 1991 by the following vote:

AYES: Baggett, Erickson, Punce, Radanovich, Tabaer

NOES: None

ABSTAINED: None

EXCUSED: None

GEORGE P. RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY S. GREEN
County Counsel
MARIPOSA COUNTY PLANNING COMMISSION

RESOLUTION NO. 91-8

A RESOLUTION RECOMMENDING APPROVAL OF GENERAL PLAN/ZONING AMENDMENT NO. 90-5; HARRY KOBAYASHI, ET. AL., APPLICANTS.

WHEREAS, an application to amend the Mariposa County General Plan Land Use Map and Mariposa County Zoning Map has been submitted to the County; and

WHEREAS, the Planning Commission is responsible for formulating a recommendation to the Board of Supervisors relative to the approval or denial of the requested amendment; and

WHEREAS, the Board of Supervisors has adopted a preliminary Negative Declaration for the project and established a public review period; and

WHEREAS, the Planning Commission has held a duly noticed public hearing on the matter in accordance with State Law and County Code.

NOW THEREFORE BE IT RESOLVED the Planning Commission recommends that the Board of Supervisors adopt a Negative Declaration with mitigation measures for the project and approve the amendment to the Mariposa County General Plan Land Use Map and Mariposa County Zoning Map as shown in Exhibit A attached hereto.

BE IT FURTHER RESOLVED this recommendation is based on the mandatory findings established by Section 2.504 of the Mariposa County General Plan as stated and discussed in Exhibit B.
EXHIBIT B

GENERAL PLAN FINDINGS

Section 2.504 of the General Plan establishes four mandatory findings that must be made prior to approval of a General Plan Amendment. The required findings and a discussion in support of each finding follow:

1. The amendment is in the general public interest and will not have a significant adverse effect on the general public health, safety, peace, and welfare.

   It is in the public interest to modify the land use classification on this property so that the land use classification more closely reflects the existing development on the site and the parcel is not divided by a land use classification boundary. The proposed land use classification and any subsequent development will be compatible with existing development and planned land uses on properties to the north, south, and west and will not impact the Mountain General property to the east. A Negative Declaration has been prepared for the amendment which states this project, including future subdivision of the parcel, will not have a significant adverse effect on the environment or the surrounding area and residents. The subdivision of the parcel will be reviewed and approved in accordance with adopted County standards and policies.

2. The amendment is desirable for the purpose of improving the General Plan with respect to providing a long term guide for County development and a short term basis for day-to-day decision making.

   The amendment will result in the land use classification more closely reflecting existing development on the site and the adjacent area. The policy and standards of the General Plan will be applied to new residential development and subdivision of the site. The County will review divisions of the parcel for compliance with the Subdivision Ordinance and impose subdivision and improvement standards to ensure adequate access, services, and improvements. This will improve the circumstances of the existing development on the site. Consequently, the amendment will improve the General Plan by requiring existing development upon subdivision to comply with the policies and standards of the General Plan.
THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on May 21, 1991

ACTION AND VOTE:

11:11 a.m. Tony Lashbrook, Planning Director;
   A) PUBLIC HEARING to Consider the Adoption of a
   Negative Declaration and the Approval or Denial of General
   Plan/Zoning Amendment Application No. 90-5; Kobayashi, et
   al., Applicant
   BOARD ACTION: Duane Hall, Associate Planner, gave staff
   report. Tony Lashbrook, Planning Director, provided input.
   Harry Kobayashi and Michael Walter, applicants, provided
   input. (M)Punte, (S)Baggett, 1) Res. 91-224 adopted
   approving a Negative Declaration with mitigation measures
   and approving General Plan/Zoning Amendment No. 90-5, with
   recommended findings; and 2) first reading was waived and an
   Ordinance introduced approving the Zoning Amendment/Ayes:
   Unanimous.

cc: File