RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes X, No____)  
Adoption of a resolution amending the Wawona Town Planning Area Specific Plan establishing fencing and exterior lighting standards. The proposed standards are based upon a community survey conducted by the W.T.P.A.C. and are recommended by the Council. See attached staff report for additional information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:  
Board previously considered similar standards but tabled action based upon community controversy.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:  
1. Take no action - no fencing or exterior lighting standards would be established.
2. Adopt modified standards.
3. Continue hearing for the purpose of obtaining additional information.

COSTS: (XX) Not Applicable  
A. Budgeted current FY $______  
B. Total anticipated costs $______  
C. Required Add'l funding $______  
D. Source:________

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

1. Staff Report

SOURCE: ( ) 4/5ths Vote Required  
A. Internal transfers $______
B. Unanticipated revenues $______
C. Reserve for contingency $______
D. Description:________
Balance in Reserve for Contingencies, if approved: $________

CLERK'S USE ONLY:  
Res. No.: 9
Ord. No.: 
Vote - Ayes: 3  Noes: 0
Absent: 0  Abstained: 0
Approved: Y  Denied: 0
( ) Minute Order Attached

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

Date: ________________________________

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

By: __________ [Deputy]

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

Comment: ________________________________

A.O. Initials: ________________________________

Action Form Revised 12/89
TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: WAWONA TPA FENCING AND LIGHTING STANDARDS

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on November 19, 1991

ACTION AND VOTE:

10:00 a.m. JOINT PUBLIC HEARING with the Planning Commission, to Consider Specific Plan Amendment No. 91-1 Establishing Fencing and Outside Lighting Standards within the Wawona Town Planning Area Specific Plan
BOARD ACTION: Hearing was opened and continued to after the following recess.

10:01 a.m. Recess

10:10 a.m. Continued JOINT PUBLIC HEARING with the Planning Commission, to Consider Specific Plan Amendment No. 91-1 Establishing Fencing and Outside Lighting Standards within the Wawona Town Planning Area Specific Plan
BOARD/COMMISSION ACTION: Commissioners Reilly, Balmain, Cromell and Fall were present. Commissioner Eskra was excused. Tony Lashbrook, Planning Director, provided staff report, advised of the hearing process, reviewed written input received, and advised of opinion received from County Counsel. Public input was received from the following concerning the proposed fencing standards: Marie Escola/Wawona TPA Chairperson; Larry Bourriague, Carol Jones, Elizabeth Fretz, Scoop Tullis, Lonnie Telaro, Edward Mee, Don Starchman/Starchman Law Offices, Charles Woessner, Ron Wood, Chuck Jones, Oly Olson/Wawona District Ranger-NPS; Pierce Loberg, and Diana Markham. Supervisor Baggett was excused for the balance of the morning session at 11:03 a.m. Public portion of hearing was closed.

Board recessed at 11:21 a.m. for Planning Commission to deliberate. Commissioners asked questions of staff concerning variance procedures, and defining fence measurements. County Counsel provided input concerning the variance procedures and permitted use for large animals on parcels of one acre and larger. (M)Cromell, (S)Balmain, Planning Commission Resolution No. 91-21 adopted
recommending to the Board of Supervisors approval of
Specific Plan Amendment No. 91-1, and that the Board adopt a
resolution amending the Specific Plan to incorporate the
proposed fencing and lighting standards, with an addition in
No. 1 under fencing standards to include language to allow
fences of 4 1/2 feet in height on parcels of one acre or
larger. Motion was amended, agreeable with maker and
second, to include an addition to the definition that would
provide a methodology of measuring fences from the natural
grade to the highest point of the fence at any location/
Ayes: Reilly, Balmain, Cromell, Fall; Excused: Eskra.
Planning Commission adjourned at 11:46 a.m.

Board reconvened at 11:50 a.m. Tony presented the
Commission's recommendation to the Board. Public portion of
the hearing was reopened to allow for input on the Planning
Commission's recommendations. The following provided input:
Marie Escola, Carol Jones, and Chuck Jones. Public portion
was closed and Board commenced deliberations. County
Counsel provided input concerning the variance procedures
and permitted use for large animals on parcels of one acre
and larger. (M)Taber, (S)Punte, Res. 91-555 adopted
approving Specific Plan Amendment No. 91-1, with amendments
as recommended by the Planning Commission, and with the
addition of language to require a forty foot setback from
the property line for fences for large animals/Ayes: Punet,
Radanovich, Taber; Excused: Baggett, Erickson. Hearing was
closed.

cc: File
MARIPosa COUNTY RESOLUTION
NO. 91-555

A RESOLUTION AMENDING THE WAWONA TOWN PLANNING AREA SPECIFIC
PLAN ESTABLISHING FENCING AND EXTERIOR LIGHTING STANDARDS.

WHEREAS, the Board of Supervisors has initiated an
amendment to the Wawona Town Planning Area Specific Plan for
the purpose of establishing exterior lighting and fencing
standards, and

WHEREAS, the Board of Supervisors has considered the
Planning Commission's recommendation at a duly noticed public
hearing in accordance with State and County Standards.

NOW THEREFORE BE IT RESOLVED, that the Board of
Supervisors amends the Wawona Specific Plan to incorporate
the language contained in Exhibit A attached hereto.

BE IT FURTHER RESOLVED that the adoption of this
resolution is subject to referendum and therefore is
effective 30 days from this date of adoption.

BE IT FINALLY RESOLVED that this action of the Board of
Supervisors is based upon the findings of the Planning
Commission as contained in their Resolution 91-21, and the
following additional finding:

1. The requirement for a 40 foot setback
for 4 1/2 foot fences on one (1) acre or
larger parcels is consistent with the small
animal enclosure setback contained in Section
V.J.1.a of the plan and is therefore logical and
desirable from the standpoint of maintaining
internal consistency within the Specific Plan.
PASSED AND ADOPTED this 19th day of November 1991 by the following vote:

AYES: Taber, Radanovich, Punte

NOES: None

EXCUSED: Erickson, Baggett

GEORGE P. RADANOVICH, 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
**Fencing Standards** - (New Section VIII E)

1. Except as specifically provided for in this section, no fence shall be erected in Wawona except for fences constructed of natural materials that allow for substantially unrestricted visibility from one side of the fence through to the other side of the fence. The maximum height of fences shall be three feet except for parcels of 1 acre or larger in size upon which a 4 1/2 foot high fence is allowed provided the fence is set back a minimum of 40 feet from all property lines.

2. Privacy fences - Solid privacy fences with a maximum height of 6 feet and constructed of natural materials are allowed subject to compliance with all of the following standards:

   a. The fence shall enclose an area not exceeding 50% of the footprint of the residential structure except that a minimum enclosure size of 500 square feet shall be allowed in all cases.

   b. The fence shall be attached to or within 25 feet of the residential structure and shall not extend farther into the front yard area than the residential structure. Privacy fences not attached to or within 25 feet of a residence shall also be allowed which enclose swimming pools, spas or other similar facilities. Such fences shall be the minimum size necessary to enclose the pool or spa and allow a 10 feet wide area between the edge of the pool or spa and the fence.

3. Temporary fences designed to protect a garden area or tree and not enclosing an area of greater than 400 sq. ft. and constructed of materials that allow for substantially unrestricted visibility from one side of the fence through to the other side of the fence may be constructed at any location on a lot and shall have a maximum height of 8 feet.

**Lighting Standards** - (New Section VIII F)

All exterior lighting shall be designed and located so as to confine lighting directly on the premises and shall not shine light upon other properties in the vicinity. A light source shall have a maximum output of 150 watts and shall not shine upon or illuminate directly on any surface other than the area required to be lighted. Lighting shall not be of the type or in a location which constitutes a hazard to vehicular traffic, either on private property or on abutting private or public roads.
Section IV Definitions -

This section would be amended to add the following definition of a fence.

Fence - An artificially constructed barrier of any material or combination of materials, erected to enclose or screen areas of land. Retaining walls which protect unsupported cut or fills of land shall not be considered fences. Fence height shall be measured vertically from natural grade to the highest point on the fence at any location.