MARIPOSA COUNTY RESOLUTION NO. 88-573

A RESOLUTION APPROVING AN AMENDMENT TO THE FISH CAMP PLANNING AREA SPECIFIC PLAN

WHEREAS, the Board of Supervisors initiated this amendment to the Land Use Element of the Specific 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 has recommended approval of the Specific Plan Amendment; and

WHEREAS, the Board of Supervisors has held a public hearing on the Specific Plan Amendment as required by State law.

NOW THEREFORE BE IT RESOLVED, that Specific Plan Amendment Application No. 88-4, County of Mariposa, Applicant, as shown in Attachment A is hereby approved.

BE IT FURTHER RESOLVED, that this action of the Board is based upon the findings contained in Planning Commission Resolution No. 88-28 which is incorporated herein by reference.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 22nd day of November, 1988 by the following vote:

AYES: BAGGETT, ERICKSON, RADANOVICH, TABER

NOES: NONE

ABSTAINED: DALTON

EXCUSE: NONE

ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors
ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY

JEREMY G. GREEN, County Counsel
MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 88-28

A RESOLUTION RECOMMENDING APPROVAL OF SPECIFIC PLAN AMENDMENT
NO. 88-4, COUNTY OF MARIPOSA, APPLICANT.

WHEREAS, an amendment to the Fish Camp Town Planning
Area Specific Plan has been initiated by the Board of
Supervisors; and

WHEREAS, the Planning Commission is responsible for
reviewing said application and formulating a recommendation to
the Board of Supervisors regarding the approval or denial of the
Specific Plan Amendment; and

WHEREAS, the Planning Commission reviewed the Staff
Report on the project and considered all comments at a public
hearing noticed in conformance with the requirements of the
State law.

NOW THEREFORE BE IT RESOLVED, that the Mariposa County
Planning Commission hereby recommends approval of Specific Plan
Amendment No. 88-4 resulting in a modification to Chapter VI of
the Fish Camp Town Planning Area Specific Plan by adding Section
J, as shown in Attachment A of this resolution, based upon the
following mandatory findings established by the Specific Plan.

FINDINGS

1. The amendment will further the goals and
objectives of the Fish Camp Town Planning Area Specific Plan and
the Mariposa County General Plan by providing for the orderly
expansion of the community by clarifying that only those uses
listed as permitted and conditional are the only uses which can be considered in Fish Camp; and by establishing flexibility relative to land use interpretations and determinations.

2. Staff has determined that the amendment will not have any significant impacts and a Notice of Exemption is appropriate for the project. Environmental concerns can be satisfactorily mitigated by current zoning, building and health codes, and the amendment establishes administrative provisions for land use provisions envisioned by the original plan and considered by the plan's environmental impact report.

3. The amendment will not change existing residential and commercial land use provisions and will not result in the degradation of the community as a residential and commercial center.

4. The amendment will continue to allow orderly growth within the community. No specific uses are proposed to be developed and the amendment is intended only to establish administrative provisions for the future residential and commercial developments.

5. Any project proposed within the community must clearly be consistent with the provisions of the specific plan. The amendment itself will not result in damage or have an adverse effect on the value of adjacent properties.

6. The amendment itself will not result in increased traffic congestion or create a traffic hazard. Mandatory traffic review will continue to be addressed by any specific
development proposed in the future.

PASSED AND ADOPTED by the Mariposa County Planning Commission this 4th day of November, 1988 by the following vote:

AYES: Hotchkiss, Chernoff, Fall

NOES: None

EXCUSED: Bagwell, Eskra

ABSTAINED: Kroon

Charles R. Fall

CHARLES R. FALL, Chairman
Mariposa County Planning Commission

ATTEST:

LORELEI BECK, Secretary
Mariposa County Planning Commission
EXHIBIT A

1. Compliance with Specific Plan. Except as may otherwise be specifically provided, all land uses shall be in compliance with this Plan as follows:

1. No site, building or structure shall be erected, altered, enlarged, used, or be designated to be used for any purpose other than those uses and purposes included in this plan. All uses not otherwise listed as permitted or conditional shall be expressly prohibited.

2. No deed or conveyance of any portion of a parcel or lot shall be made which reduces the dimensions of the parcel or lot, minimum setbacks, off-street parking, or other minimum requirements applicable to the site and use below the minimum requirements of this plan.

3. Uses listed as permitted within any zone may be established provided all other applicable State and County code requirements are adhered to.

4. Where a proposed land use is not specifically listed as permitted, the Planning Director will review the proposed use when requested to do so in writing and, based upon the characteristics of the use, determine if the use proposed is equivalent to those permitted.

5. Upon a written determination by the Planning Director that a proposed unlisted use is equivalent in its nature and intensity to a permitted use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what standards affect its establishment.

6. The Fish Camp Advisory Council shall review and make recommendations to the Planning Director regarding requested land use determination. The Council shall be formally notified following deliberation on the subject, and may appeal the determination to the Planning Commission if so desired.

7. The above provisions shall remain in effect for a period of not more than 180 days from the date of adoption, or until such time as it is sooner amended by Mariposa County.