MARIPOSA COUNTY RESOLUTION NO. 79-9

The Board of Supervisors of the County of Mariposa, State of California, do hereby resolve as follows:

WHEREAS, after careful study and the holding of public hearings, the Planning Commission has recommended to this Board the adoption of a General Plan, as amended for the County; and

WHEREAS, the Board of Supervisors has carefully considered the General Plan, and recommended amendments, and has noticed and held the required public hearings and finds that the General Plan consists of elements required to be included by Government Code Section 65302 and in addition contains a historic preservation and recreation element permitted to be included by Government Code Section 65303, and the Plan provides a suitable and logical plan for the future development of the County.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The document consisting of maps, charts, and report entitled "Mariposa County General Plan" and dated Feb.14,1978 as amended by such specific language and descriptions as included in Exhibit "A", "B", and "C" attached hereto and made a part hereof, is adopted as the General Plan of the County under the authority of Chapter 3, Articles 5 and 6 of California State Government Code.

2. In order to keep the General Plan current with the needs of the County and so that it represents the most current and comprehensive ideas of the Board, Planning Commission, and other boards and commissions of this County and the citizens at large, in the light of changing conditions, the Planning Commission shall periodically review the
the General Plan and recommend to the Board such extensions, changes, or additions to the General Plan which the commission considers necessary.

3. The Clerk of the Board shall endorse upon the General Plan the fact of its adoption by this resolution and the date PASSED AND ADOPTED by the Board of Supervisors, County of Mariposa, this 16th day of January, 1979, by the following vote:

AYES:  Dalton, Clark, Owings, Weber, Erickson

NOES:  None

NOT VOTING: None

ABSENT: None

EUGENE P. DALTON, Chairman
Board of Supervisors

ATTEST

Joan J. Lytk
Clerk of the Board
Exhibit "A"

Mariposa County
Planning Office Report
General Plan Amendment

Background:

The Mariposa County Planning Commission accepted requests for amending the County General Plan during June of 1970. A total of 18 amendment requests were processed as follows:

June 22, 1978

A special committee of the Planning Commission met to review and prepare recommendations to the full Commission on the proposed amendments.

June 29, 1978

The Planning Commission held a Public Hearing on the proposed amendments in accordance with Ordinance No.478 and Resolution No. 78-14.

Planning Commission Recommendation:

The Planning Commission, upon hearings held on the proposed amendments, made the following recommendations:

Proposed Amendment No. 1

   a. Portion of property along Merced Falls Road, 2.5 acre minimum, Rural Residential.
   b. Property (100 acres) fronting Barrett Cove Road/Mt. Transition.
   c. Balance of property as it is Mt. Homesite, 5 acre minimum.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Simpson, the Planning Commission recommends to the Board of Supervisors that portion of property along Merced Falls Road remain Mt. Homesite, 5 acre minimum; property (100 acres) fronting Barrett Cove Road be changed to Mt. Transition; and balance of property as it is Mt. Homesite, 5 acre minimum.

Proposed Amendment No. 2

John Fiske: A.P.N. 04-220-15. Correction to include total of his property as General Forest and not Open Forest which designates public lands.

Planning Commission Recommendation:

On motion of Simpson, seconded by Brouillette, the Planning Commission recommends to the Board of Supervisors correct classification to include total of his property as General Forest and not Open Forest which designates public land.
Proposed Amendment No. 3


Planning Commission Recommendation:

On motion of Brouillette, seconded by Wooden, the Planning Commission recommends to the Board of Supervisors that property be included in Mt. Homesite, 5 acre minimum, along section lines. AYES: Tune, Jacobs, Brouillette, Simpson, Kelley, Wooden. NOES: Grammer. NOT VOTING: None. ABSENT: None.

Proposed Amendment No. 4

Plummer: A.P.N. 17-440-06. That this presented as request for waiver of parcel size.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Simpson, the Planning Commission recommends to the Board of Supervisors that this request for 2½ minimum, rural residential, be denied.

Proposed Amendment No. 5

John Macready: A.P.N. 15-010-15/22. 700 acres. This be classified as A-E along with Boothe property which is zoned A-E.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Simpson, the Planning Commission recommends to the Board of Supervisors that this property be classified as A-E along with Boothe property which is zoned A-E. Commissioner Jacobs declared himself in conflict of interest on this next request.

Proposed Amendment No. 6

Bruce Jacobs/Paul Lockwood: A.P.N. 09-180-21, 36.513 acres. A.P.N. 09-180-07, 36.017 acres. This property be classified Mt. Homeiste, 5 acre minimum, adjoining National Forest lands and 700 + acre Yosemite Oaks Ranch on west side of Highway also be given this classification.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Grammer, the Planning Commission recommends to the Board of Supervisors that the Commission consider the entire area with further study for possible reclassification with public notice. AYES: Grammer, Brouillette, Tune, Simpson. NOES: Kelley, Wooden. NOT VOTING: Jacobs. ABSENT: Fuller.

Proposed Amendment No. 7
Wilbur Wyre/Tom McCord: A.P.N. 16-160-04/10. This property now identified as Mt. General on Indian Gulch Road be classified A-E. Only 2 parcels of land less than 160 acre in that immediate area.

Planning Commission Recommendation:

On motion of Simpson, seconded by Wooden, the Planning Commission recommends to the Board of Supervisors that this property now identified as Mt. General on Indian Gulch Road be classified A-E. AYES: Tune, Jacobs, Kelley, Brouillette, Wooden, Simpson. NOES: Grammer. NOT VOTING: None. ABSENT: Fuller.

Proposed Amendment No. 8

Jack Kirk: A.P.N. 17-030-23, 295 acres. That the A-E classification be extended toward Buckeye Road along his boundary lines.

Planning Commission Recommendation:

On motion of Grammer, seconded by Brouillette, the Planning Commission recommends to the Board of Supervisors that the A-E classification be extended toward Buckeye Road along his boundary lines.

Proposed Amendment No. 9

Stembridge/Overbeck: A.P.N. 01-030-08, 440 acres. The property in A-E. Classification be changed to Mt. General, 40 acre minimum.

Planning Commission Recommendation:

On motion of Simpson, seconded by Brouillette, the Planning Commission recommends to the Board of Supervisors that this property be classified as Mt. Transition.

Proposed Amendment No. 10

Forbes Simpson: A.P.N. 17-110-41, 155 acres. Property lies within Mt. Homestead, 5 acre minimum, and creation of Mt. General would be an island. The recommendation is that this be zoned Open Space later.

Planning Commission Recommendation:

No action taken on this matter at this time.

Proposed Amendment No. 11

Marius Nelsen: A.P.N. 03-010-05, 40 acres. Property be classified 5 acre Mt. Homesite Classification based on adjoining parcel size.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Kelley, the Planning Commission recommends to the Board of Supervisors that property be classified 5 acre Mt. Homesite classification based on adjoining parcel size.
Proposed Amendment No. 12

De Salvo, Ruche, Harris, Butts, Payne: A.P.N. 14-190-02, 14-190-04, 14-190-13, 14-230-01, 12-200-15, 14-230-02. This property be classified Mt. Homesite, 5 acre minimum, rather than 40 acre Mt. General to be consistent with adjoining classification and existing parcel size. Adjoining property owners all signed petition stating concurrence with this action.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Grammer, the Planning Commission recommends to the Board of Supervisors that this property be classified Mt. Homesite, 5 acre minimum, rather than 40 acre Mt. General to be consistent with adjoining classification and existing parcel size.

Proposed Amendment No. 13

Reid Marks: No recommendation required. Considered in light of total area. A.P.N. 14-210-03.

Planning Commission Recommendation:

No action taken on this matter at this time.

Proposed Amendment No. 14

Keep Mariposa Rural. That the Rural Residential Classification of 2.5 acres be changed to Mt. Homesite, 5 acre minimum, including major subdivision.

Planning Commission Recommendation:

On motion of Jacobs, seconded by Simpson, hold this request on Item #14 re-classification in Bootjack area and appoint a committee of Planning Commissioners to hold public hearings and to further study and consider alternatives to what has been suggested tonight. If this process can be accomplished within the time set forth for these amendments it will be heard, if it cannot be it will be scheduled for the next General Plan amendment session.

Proposed Amendment No. 15

General Statement: 5 acre minor subdivision meet requirements for major subdivision. 2.5 acre minimum parcel size for major subdivision. Recommend further consideration for study establishing minor subdivisions with major subdivision requirements.

Planning Commission Recommendation:

On motion of Wooden, seconded by Kelley, the Planning Commission recommends to the Board of Supervisors that a minimum for minor subdivision be 5 acres and that any less meet the requirements of a major subdivision. This should be addressed as a change to Ordinance No. 429.
Proposed Amendment No. 16

Page 16, of the Mariposa General Plan, Item No. 8., "Requiring foundations on placing of new mobile homes outside mobile home parks, and providing for conveniently located and adequate mobile home park development." be deleted.

Planning Commission Recommendation:

On motion of Brouillette, seconded by Kelley, the Planning Commission recommends that the Board of Supervisors delete Item #8 in the Mariposa County General Plan.

Proposed Amendment No. 17

(withdrawn)

Proposed Amendment No. 18

Range 19 East, Township 4 South, portion of Sections 28, 33, 34 now classified as Open Forest designating public lands to be Mt. General, 40 acre minimum private lands. Portion of SW\(\_\) and NW\(\_\) Section 31, Range 19 East, Township 4 South, designated as Rural Residential to be Open Forest, public lands. Portion Section 23, Township 5 South, Range 20 East, W\(\_\)\(\_\) designated as Open Forest.

Planning Commission Recommendation:

On motion of Kelley, seconded by Brouillette, the Planning Commission recommends that the Board of Supervisors reclassify Range 19 East, Township 4 South, portion of Sections 28, 33, 34 now classified as Open Forest designating public lands to be Mt. General, 40 acre minimum, private lands. Portion of SW\(\_\) and NW\(\_\) Section 31, Range 19 East, Township 4 South, designated as Rural Residential to be Open Forest, public lands. Portion of Section 23, Township 5 South, Range 20 East, W\(\_\)\(\_\) designated as Open Forest.
The Board reconvened at 7:30 p.m. with all members present, for public hearing on proposed General Plan Amendments. Bob Borchard, Planner/Grantsman, presented the following proposed amendments to the Mariposa County General Plan and recommendations of the Planning Commission made on June 29, 1978 at their public hearing:

Proposed Amendment No. 1

Richard Doscher - Planning Commission Recommendation: that portion of property along Merced Falls Road remain Mt. Homesite, 5 acre minimum; property (100 acres) fronting Barrett Cove Road be changed to Mt. Transition; and balance of property as it is Mt. Homesite, 5 acre minimum.

On motion of Long, seconded by Weber, Amendment No. 1 referred back to the Planning Commission for further study, referring back to the original request of Richard Doscher to determine what the agreement was at that time. Ayes: Clark, Long, Weber, Owings. No: Dalton.

Proposed Amendment No. 2

John Fiske - Planning Commission Recommendation: The Board of Supervisors Correct classification to include total of his property as General Forest and not Open Forest which designates public land.

Recommendation of the Planning Commission approved on motion of Dalton, seconded by Owings.

Proposed Amendment No. 3

Kim, et al - Planning Commission Recommendation: Property be included in Mt. Homesite, 5 acre minimum, along section lines.

On motion of Long, seconded by Weber, proposed Amendment No. 3, referred back to the Planning Commission for further study.

Proposed Amendment No. 4

Plummer - Planning Commission Recommendation: Request for 2½ minimum, rural residential, be denied.

On motion of Long, seconded by Owings, recommendation of the Planning Commission, proposed Amendment No. 4, is upheld.

Proposed Amendment No. 5

John Macready - Planning Commission Recommendation: Property be classified as A-E along with Boothe property which is zoned A-E.

Recommendation of Planning Commission, proposed Amendment No. 5, is upheld on motion of Long, seconded by Owings.
Proposed Amendment No. 6

Bruce Jacobs/Paul Lockwood - Planning Commission Recommendation: That the Commission consider the entire area with further study for possible re-classification with public notice.

On motion of Long, seconded by Weber, proposed Amendment No. 6 referred back to the Planning Commission for study of the entire area, reporting back to the Board within 60 days.

Proposed Amendment No. 7

Wilbur Wyre/Tom McCord - Planning Commission Recommendation: Property now identified as Mt. General on Indian Gulch Road be classified A-E.

Proposed Amendment No. 7 referred back to the Planning Commission for further study; Planning Commission to report to the Board within 45 days and give notice to property owners, on motion of Long, seconded by Dalton.

Proposed Amendment No. 8

Jack Kirk - Planning Commission Recommendation: That the A-E classification be extended toward Buckeye Road along his boundary lines.

On motion of Long, seconded by Weber, recommendation of Planning Commission, proposed Amendment No. 8 approved.

Proposed Amendment No. 9

Stembridge/Overbeck - Planning Commission Recommendation: Property be classified at Mt. Transition.

Recommendation of Planning Commission as to Proposed Amendment No. 9, approved on motion of Dalton, seconded by Owings.

Proposed Amendment No. 10

Forbes Simpson - Planning Commission Recommendation: No action taken on this matter at this time.

On motion of Weber, seconded by Long, proposed Amendment No. 10 referred back to the Planning Commission for further study; Planning Commission to make a recommendation to the Board within 30 days.

Proposed Amendment No. 11

Marius Nelsen - Planning Commission Recommendation: Property be classified 5 acre Mt. Homesite classification based on adjoining parcel size.

On motion of Dalton, seconded by Owings, recommendation of Planning Commission on Proposed Amendment No. 11, approved.

Proposed Amendment No. 12

DeSalvo, Ruche, Harris, Butts, Payne - Planning Commission Recommendation: Property be classified Mt. Homesite, 5 acre minimum, rather than 40 acre Mt. General to be consistent with adjoining classification and existing parcel size.

On motion of Weber, seconded by Dalton, recommendation of Planning Commission on Proposed Amendment No. 12, approved.
Proposed Amendment No. 13

Reid Marks - Planning Commission Recommendation: No action taken on this matter at this time.

No action taken by the Board.

Proposed Amendment No. 14

Keep Mariposa Rural - Planning Commission Recommendation: Hold this request on Item #14 reclassification in Bootjack area and appoint a committee of Planning Commissioners to hold public hearings and to further study and consider alternatives to what has been suggested tonight. If this process can be accomplished within the time set forth for these amendments, it will be heard, if it cannot be it will be scheduled for the next General Plan amendment session.

On motion of Weber, seconded by Owings, recommendation of the Planning Commission on Proposed Amendment No. 14, approved.

Proposed Amendment No. 15

General Statement - Planning Commission Recommendation: That a minimum for minor subdivision be 5 acres and that any less meet the requirements of a major subdivision. This should be addressed as a change to Ordinance No. 429.

No action taken by the Board.

Proposed Amendment No. 16

Page 16, of the Mariposa General Plan, Item No. 8, "Requiring foundations on placing of the new mobile homes outside mobile home parks, and providing for conveniently located and adequate mobile home park development." be deleted - Planning Commission Recommendation: Board of Supervisors delete Item #8 in the Mariposa County General Plan.

On motion of Dalton, seconded by Weber, Proposed Amendment No. 16 referred back to the Planning Commission with the recommendation that the Planning Commission make the following changes on page 16 of the Mariposa General Plan, Item No. 8: delete: "Requiring foundations on placing of new mobile homes outside mobile home parks", and leave in: "providing for conveniently or properly located and adequate mobile home park development". Ayes: Clark, Dalton, Weber, Owings. No: Long.

Proposed Amendment No. 17

Withdrawn
Proposed Amendment No. 18

Range 19 East, Township 4 South, portion of Sections 28, 33, 34 now classified as Open Forest designating public lands to be Mt. General, 40 acre minimum private lands. Portion of SW¼ and NW¼ Section 31, Range 19 East, Township 4 South, designated as Rural Residential to be Open Forest, public lands. Portion Section 23, Township 5 South, Range 20 East, W½ designated as Open Forest - Planning Commission Recommendation: Board of Supervisors re-classify Range 19 East, Township 4 South, portion of Sections 28, 33, 34 now classified as Open Forest designating public lands to be Mt. General, 40 acre minimum, private lands. Portion of SW¼ and NW¼ Section 31, Range 19 East, Township 4 South, designated as Rural Residential to be Open Forest, public lands. Portion of Section 23, Township 5 South, Range 20 East, W½ designated as Open Forest.

On motion of Dalton, seconded by Long, recommendation of the Planning Commission on Proposed Amendment No. 18, approved.

On motion of Owings, seconded by Dalton, the Planning Commission directed to notify those persons that could be affected by a change of classification or a change in the Mariposa County General Plan.

On motion of Owings, seconded by Weber, Planner/Grantsman Bob Borchard to prepare a resolution covering the results of the entire hearing on the Mariposa County General Plan Amendments.

Public hearing closed.

The meeting adjourned at 10:00 p.m. to reconvene at 10:00 a.m. on January 3, 1979, to meet in administrative practices session and Board matters, continued from Jan. 2, 1979.
THERE IS A LARGE MAP ATTACHED TO THE ORIGINAL RESOLUTION ON FILE.