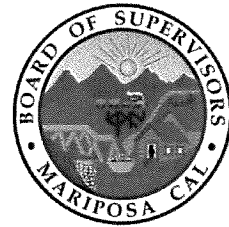




MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2020-1157

MEETING: December 15, 2020

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: County Code Amendment No. 2020-108 for Historic Sites and Records Preservation Commission

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending Section 2.90.020.A, Section 2.90.060.A and Section 2.90.060.C of Chapter 2.90 (Historic Sites and Records Preservation Commission) of Mariposa County Code.

The proposed amendments update and clarify county code text governing the functioning of the Historic Sites and Records Preservation Commission. The recommended action is based on:

1. Board of Supervisors Resolution No. 2020-479 initiating the amendments.
2. The recommendations of the Historic Sites and Records Preservation Commission.

See the attached Staff Report from December 1, 2020 for additional information.

This ordinance was introduced at the December 1, 2020 Board meeting.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

8/4/20 Resolution No. 2020-479 initiating amendments.

12/1/20 Ordinance introduced.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No changes can be made to the ordinance at the Second Reading. Consequently, the Board's only potential actions at this time are to approve the ordinance or not.

ATTACHMENTS:

201215 Final Adoption Summary Ordinance (PDF)
1 201291 Board Staff Report CCA No. 2020-108 (PDF)
Final Ordinance Amending Title 2 (PDF)

Ordinance 2020-1157

RESULT: **ADOPTED [UNANIMOUS]**

MOVER: Marshall Long, District III Supervisor

SECONDER: Miles Menetrey, District V Supervisor

AYES: Smallcombe, Jones, Long, Cann, Menetrey

MARIPOSA COUNTY ORDINANCE NO. 1157

AN ORDINANCE AMENDING SECTION 2.90.020.A, SECTION 2.90.060.A AND SECTION 2.90.060.C OF CHAPTER 2.90 (HISTORIC SITES AND RECORDS PRESERVATION COMMISSION) OF MARIPOSA COUNTY CODE

WHEREAS, the Mariposa County Board of Supervisors adopted Resolution No 2020-479 on the 4th day of August 2020 initiating County Code Amendment No. 2020-108; and

WHEREAS, County Code Amendment No. 2020-108 amends Chapter 2.90 to update and clarify county code text governing the functioning of the Historic Sites and Records Preservation Commission; and

WHEREAS, the Board of Supervisors considered these amendments at a duly noticed public meeting on the 1st day of December 2020 in accordance with State law and County Code; and

WHEREAS, it is found that the amendment is not a “project” under the California Environmental Quality Act (CEQA) and is therefore not subject to the provisions of CEQA based upon §15378(b)(5) in the CEQA Guidelines, which states under “*Project does not include*”:

Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.

THE BOARD OF SUPERVISORS OF THE COUNTY OF MARIPOSA, STATE OF CALIFORNIA ORDAINS AS FOLLOWS:

All other existing sections remain unchanged.

Section I: Section 2.90.020.A of Chapter 2.90 of Mariposa County Code is amended as follows:

2.90.020 Membership

- A. The commission shall consist of seven (7) voting at-large members: At least one (1) member should represent each of the following: the Northern Mariposa County History Center, the Mariposa Museum and History Center, Incorporated, the Native American Indian Community of Mariposa County, and the construction industry (preferably a licensed contractor). The specified members shall be appointed by the board of supervisors. All members shall have a demonstrated interest and/or knowledge of Mariposa county history and/or historic preservation.

Section II: Section 2.90.060.A of Chapter 2.90 of Mariposa County Code is amended as follows:

2.90.060 Duties and Responsibilities

The commission is charged with the following duties and responsibilities:

- A. The commission shall maintain a system for survey and inventory of historic properties. The commission shall be responsible for organizing, developing, and administering an inventory of cultural and historic resources within the county of Mariposa and shall develop procedures for conducting an inventory of such resources. The commission shall adopt state guidelines for conducting surveys and compiling inventories of historic properties and shall use state-approved inventory forms (DPR 523), encoding sheets (DPR 660), and the California Historic Resources Inventory Survey Workbook. Procedural standards for evaluation of properties shall be consistent with the National Register of Historic Places criteria. As part of an on-going survey effort, such procedural standards shall provide for ~~periodic~~ updates of identified and surveyed resources at 10-year intervals as the condition and importance of historic sites may change. Survey activities to update previously surveyed resources and identify non-inventory resources shall be coordinated with and complementary to the state program and Mariposa County Historic and Cultural Resources Inventory to ensure that survey results produced by the commission will be readily integrated into the statewide comprehensive historic preservation planning process and Mariposa County Historic and Cultural Resources Inventory. The commission shall make recommendations to the board of supervisors on county procedures to facilitate the use of survey results in the planning process by county officials and departments and other governmental agencies. The commission shall submit and file survey results with the Mariposa County planning and building department where such surveys shall be deposited and maintained. Copies of the surveys shall be forwarded to the State Office of Historic Preservation. Surveys shall be conducted by qualified consultants chosen by the board of supervisors.

Section III: Section 2.90.060.C of Chapter 2.90 of Mariposa County Code is amended as follows:

2.90.060 Duties and Responsibilities

The commission is charged with the following duties and responsibilities:

...

- C. The commission shall maintain the official “Mariposa County List of Buildings or Structures, Sites and other Historical Resources with Special Historical or Architectural Significance” which shall list all buildings and structures determined by the board of supervisors to be historically or architecturally significant. The master list shall be located at the Mariposa County Planning Department. The commission may nominate buildings, sites, structures, and other historical resources for listing to the board of supervisors.

Section IV: If any provision of this ordinance is held to be unconstitutional, preempted by federal law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

Section V: This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED on this 15TH day of December, 2020 by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, MENETREY

NOES: NONE


EXCUSED: NONE

ABSTAINED: NONE




Kevin Cann, Chair
Mariposa County Board of Supervisors

Attest:



René LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:



Steven W. Dahlem
County Counsel