

DEPARTMENT: Planning

By: Jay Pawlek, Senior Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes___ No XXX)

- Adopt a Resolution approving General Plan/Zoning Amendment No. 99-3 with the recommended findings;
- Waive the first reading and adopt an Ordinance (Attachment #1) amending the Mariposa County Code and Mariposa County Zoning Map; and
- Direct staff to file a notice of exemption on the project.

Recommended Action is based upon community input. A recommendation from the Planning Commission will be provided at the hearing.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See Attached Memorandum

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative Action would result in no change to the Mariposa County Code or General Plan. Development of mini-storage units within the Greeley Hill TPA would remain prohibited.

COSTS: () Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated Costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies, If Approved:
\$ _____

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

Memorandum with Attachments:
Attachment #1 Proposed Amendments
Attachment #2 Business District Overlay Designation Map
Attachment #3 Draft Board Resolution
Attachment #4 Draft Board Ordinance
Attachment #5 Draft Notice of Exemption

CLERK'S USE ONLY

Res. No.: 00-60 Ord. No.: _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

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

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

_____ Recommended

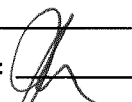
_____ Not Recommended

_____ For Policy Determination

_____ Submitted for Comment

_____ Returned for Further Action

Comment: _____

A.O. Initials: 

**MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 00-60**

A RESOLUTION APPROVING GENERAL PLAN/ZONING AMENDMENT NO. 99-3.

WHEREAS, the Board of Supervisors initiated an amendment to the Mariposa County General Plan and Zoning Ordinance including an amendment to the Land Use and Zoning Maps; and

WHEREAS, this amendment adds the Business District Overlay designation as Section 3.520 of the County General Plan; and

WHEREAS, this amendment designates an area in the Greeley Hill Town Planning Area of approximately 30 acres in size as Business District Overlay; and

WHEREAS, the area designated Business District Overlay includes APN's 004-200-014, 015, 016, 017, 018, 020, 021, 022, 023, 026, 027, and 029, APN's 004-150-014, 016, 017, and 018, APN's 004-160-010, 013, and 014, a portion of APN 004-180-012 and APN 004-580-018; and

WHEREAS, the Planning Commission has conducted a duly noticed public hearing on the project in accordance with State Law and County Code, and recommends approval of the project to the Board of Supervisors; and

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

NOW THEREFORE BE IT RESOLVED, the Board of Supervisors hereby approves General Plan/Zoning Amendment No. 99-3.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby modifies the Mariposa County General Plan as shown in Exhibit A of this resolution.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby modifies the Mariposa County General Plan Land Use Map as shown in Exhibit B of this resolution.

BE IT FURTHER RESOLVED, this action is based on the findings mandated by Section 2.504 of the Mariposa County General Plan as stated and discussed in Exhibit C.

BE IT FINALLY RESOLVED, this project is exempt from the California Environmental Quality Act as stated and discussed in Exhibit D.

PASSED AND ADOPTED on this 8th day of February, 2000 by the following vote:

AYES: Reilly, Balmain, Stewart, Parker, Pickard

NOES: None

ABSTAINED: None

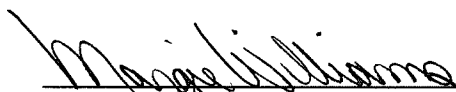
EXCUSED: None

NOT VOTING: None



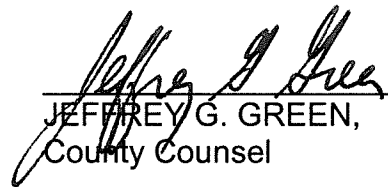
GARRY R. PARKER, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN,
County Counsel

RESOLUTION EXHIBIT A
GENERAL PLAN AMENDMENTS

General Plan Land Use Element:

Add the following Section:

3.520 "BDO" Business District Overlay

A. Intent

The "BDO" classification is an overlay land use as designated on the Mariposa County Land Use Map, is applied to commercial core areas within Town Planning Areas.

B. Development Policy

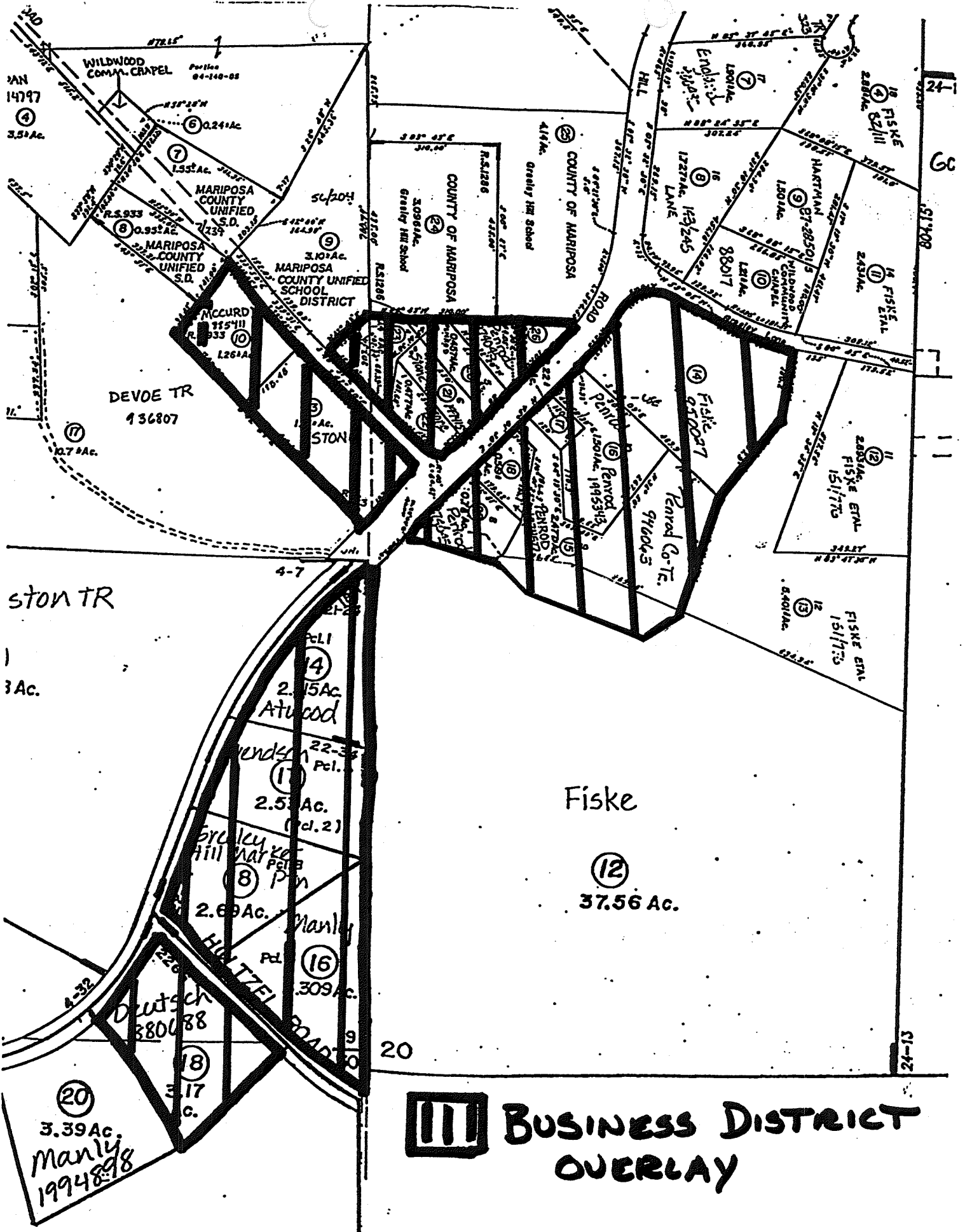
1. Overlay Land Use

The "BDO" classification is an overlay land use classification to be used in conjunction with another, or "primary", land use classification.

2. Specific Zoning and Site Standards

The "BDO" classification adds Self-service Storage Facility uses and development standards to the "primary" land use classification.

RESOLUTION EXHIBIT B
LAND USE MAP AMENDMENTS



■ BUSINESS DISTRICT OVERLAY

ston TR

3 Ac.

Fiske

12
37.56 Ac.

20

20
3.39 Ac.
Manly
19948-18

14
2.15 Ac.
Atwood

17
2.5 Ac.
(Pd. 2)

8
2.69 Ac.
Manly

16
309 Ac.

18
3.17 Ac.

DEVOL TR
136807

4-7

14797
4
3.51 Ac.

WILDWOOD COMM. CRAPEL
Parcel 04-140-08
6
0.24 Ac.

MARIPOSA COUNTY UNIFIED S.D.
7
1.55 Ac.

MARIPOSA COUNTY UNIFIED S.D.
8
0.95 Ac.

MARIPOSA COUNTY UNIFIED SCHOOL DISTRICT
9
3.10 Ac.

MCCURD
10
1.26 Ac.

COUNTY OF MARIPOSA
24
309.6 Ac.
Greely Hill School

COUNTY OF MARIPOSA
25
419 Ac.
Greely Hill School

18 FISCAL
288.6 Ac.
11
82.11

14 FISCAL
243.4 Ac.

11 FISCAL
1517.5

12 FISCAL
1517.5

14 FISCAL
0.0027

Penrod G-TE.
9460.5

15 Penrod
14953.5

16 Penrod
9460.5

9
1227th LANE
143245

10
88017

13
6401.6

24-1

6

31208

11

24-13

RESOLUTION EXHIBIT C

FINDINGS FOR GENERAL PLAN AMENDMENT

1. *“That such an amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare”*

The project will provide a location for the development of self-service storage facilities (mini-storage) within the Greeley Hill Town Planning Area. The location of commercial activities within the Greeley Hill Town Planning Area is consistent with the Goals of the Mariposa County General Plan.

The scope and scale of the development allowed by the project is consistent with the existing allowable development in the area. The development standards included within the project will insure on-site development is consistent and compatible with existing development within the area.

2. *“That such an amendment is desirable for the purpose of improving the Mariposa County 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 project addresses a shortcoming of the General Plan and Zoning Ordinance which prohibits development of mini-storage within Town Planning Areas. Development of commercial uses within town areas is a goal of the General Plan which is hindered by the prohibition on development of mini-storage. This shortcoming has had the practical effect of forcing mini-storage development outside of Town Planning Areas to be operated as Rural Home Industries.

3. *“That such an amendment conforms to the requirements of state law and county policy”*

The amendment was processed in accordance with state law and County Code with regards to notice, hearing, and findings.

4. *“That such an amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan”*

The project is consistent with the Town Planning Area designation of the Mariposa County General Plan. Additionally the project is consistent with Land Use Goals A, D, and I of the Mariposa County General Plan by providing a suitable location for the development of Commercial activities in a location which provides for protection of the natural environment.

5. *“The subject parcel is physically suitable (including, but not limited to access, provision or utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development”*

The area affected by the amendment is generally gently sloping in terrain and contains largely previously disturbed or developed areas. Few physical constraints to development have been identified and those that do will be addressed through the Use Permit Determination process. The boundaries of the amendment and development standards provide for buffering between the affected properties and adjoining land uses.

6. *“The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public”*

The project provides a location for the development of self-service storage facilities within the Greeley Hill area which is a service to the immediate residential population.

RESOLUTION EXHIBIT D

NOTICE OF EXEMPTION

MARIPOSA COUNTY NOTICE OF EXEMPTION

TO: County Clerk, County of Mariposa
P.O. Box 247
Mariposa, CA 95338

FROM: Mariposa County
Planning Dept.
P.O. Box 2039
Mariposa, CA 95338

Project Title: General Plan/Zoning Amendment No. 99-3 (Business District Overlay Within Greeley Hill TPA)

Project Location: Countywide, particularly Greeley Hill Area.

Description

of Project: The Project includes:

1. The addition of a Business District Overlay designation to the Mariposa County General Plan (Section 3.520) and Zoning Ordinance (Chapter 17.82);
2. The addition of a definition of Self-service storage facility to Chapter 17.148 of County Code.
3. The designating of an approximately 30 acre area within Greeley Hill as Business District Overlay (see attached map).

Name of Public Agency Approving Project: Mariposa County Board of Supervisors

Name of Person Carrying Out Project: Mariposa County

Exempt Status: Categorical Exemption, Class 5, Section 15305 CEQA, Minor Alterations in Land Use Limitations.

Reasons why project is exempt: The project consists of a minor alteration in land use limitation in an area with an average slope of less than 20% which does not result in any change to land use or density.

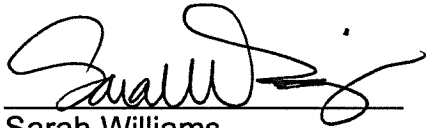
The project does not result in any change in land use or density. The project slightly modifies the potential list of uses allowable on approximately 30 acres of land, but the new self-service storage use is of the same commercial nature as uses currently potentially allowable within those properties. The project does not change any land use from residential to commercial. The density of development allowable for self-service storage facilities is less than allowable for other commercial uses currently allowable within the affected area. The project includes a limitation on building design to a single story. This is less than the height allowable for development of currently

permissible commercial uses within the approximately 30 acre amendment area.

The projects changes to the text of the Zoning Ordinance and General Plan do not add any uses which are not currently allowable under the General Commercial General Plan and Zoning designation. Additionally the project is consistent with the Town Planning Area General Plan designations intent to be a location for commercial development and with the General Plan Land Use Goals A, D, and I.

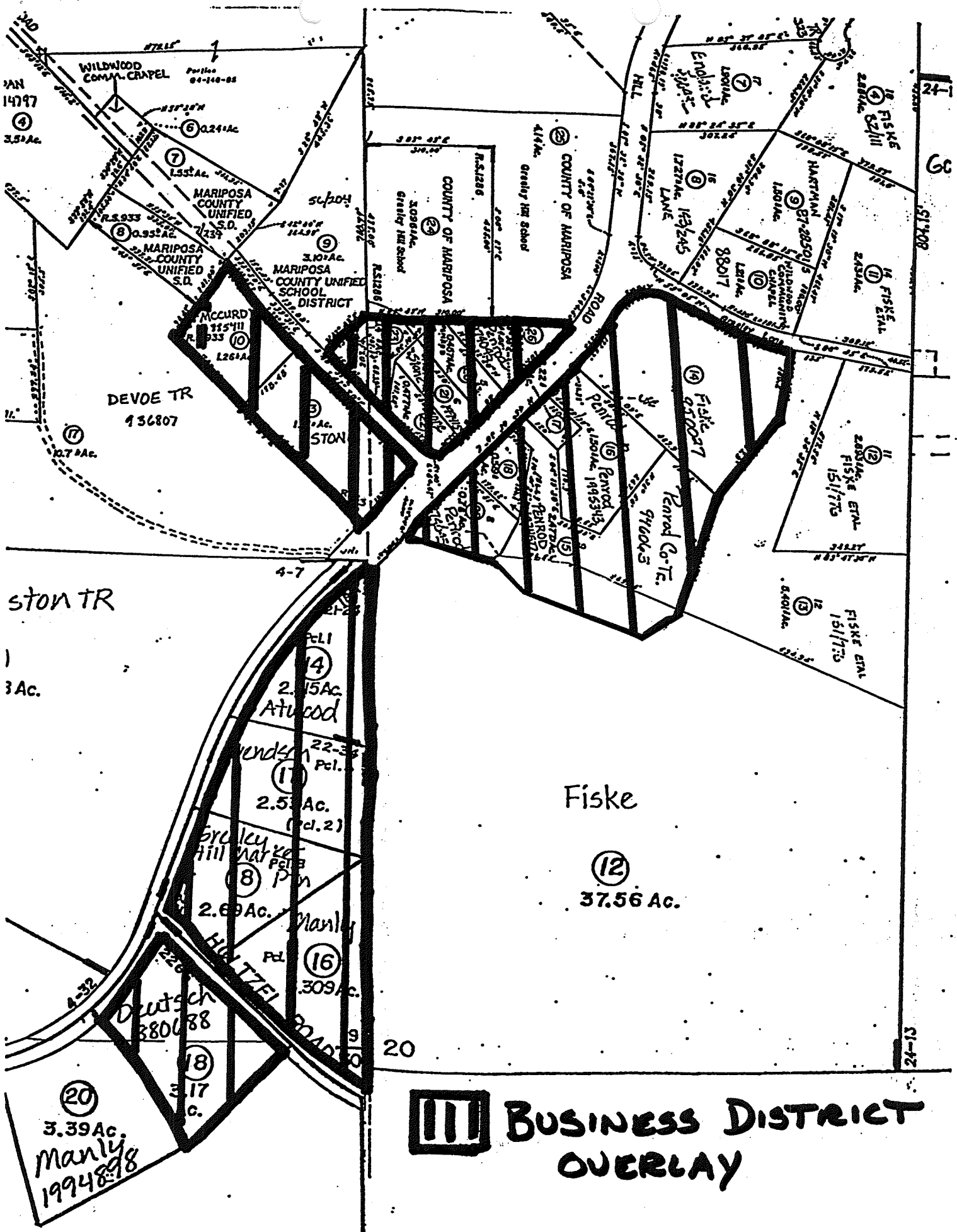
No construction is permitted by the project as all development within the new Business District Overlay will require approval of a Use Permit Determination by the Planning Commission.

Lead Agency Contact Person: Jay Pawlek, Senior Planner
Phone Number: (209) 966-5151



Sarah Williams
Interim Planning Director

2/8/00
Date



**BUSINESS DISTRICT
OVERLAY**



COUNTY of MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222


GARRY R. PARKER, CHAIRMAN
DOUG BALMAIN, VICE-CHAIRMAN
PATTI A. REILLY
ROBERT C. STEWART
BOB PICKARD

DISTRICT IV
DISTRICT II
DISTRICT I
DISTRICT III
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Interim Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: General Plan/Zoning Amendment No. 99-3 and Filing of a Notice of Exemption on the Project; Res. 00-60

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on February 8, 2000

ACTION AND VOTE:

2:10 p.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider General Plan/Zoning Amendment No. 99-3 and the Filing of a Notice of Exemption on the Project, Business District Overlay, Greeley Hill Town Planning Area; County of Mariposa, Applicant

BOARD ACTION: Sarah Williams presented the staff report and a letter that was received. Staff responded to questions from the Board relative to the lighting standards; the creation of a zone for this amendment versus rezoning a parcel; as to whether mini-storage uses are allowed as rural residential industry; and as to whether another use could be added to this amendment for storage tanks.

Public portion of the hearing was opened and input was provided by the following:

Gary Penrod stated he has a mini-storage facility in Greeley Hill and he asked about the status of the asphalt requirement versus gravel. He noted that the average stay for his facility is seven and one-half years; there is very little traffic; there is no water or sewer impacts; and it is an environmentally safe business. He responded to questions from the Board relative to his hours of operation; the issue of his driveway width; lighting; and his plans for expansion, and he asked if a lot-line adjustment would impact his ability to add units.

Staff responded to questions from the Board relative to the proposed hours of operation and relative to lighting issues.

Public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to additional questions from the Board relative to the access issues that were just raised relative to the width of the driveway and whether the existing use could be expanded. Gary Penrod responded to a question from the Board as to whether his site is fenced. (M)Balmain, (S)Pickard, Res. 00-60 adopted approving General Plan/Zoning Amendment No. 99-3, with the recommended findings; first reading was waived and an

ordinance introduced amending the Mariposa County Code and Mariposa County Zoning Map; direction was given to staff to file a notice of exemption on the project; and direction was given for the allowed hours of operation to be from 6:00 a.m. to 10:00 p.m./Ayes: Unanimous. Hearing was closed.

cc: File