



COUNTY OF MARIPOSA

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

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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning/Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: Industrial/Commercial Zone Code Revisions; Res. 99-78

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on March 9, 1999

ACTION AND VOTE:

7:01 p.m. B) Ed Johnson, Planning and Building Director;
PUBLIC HEARING to Consider the Industrial/Commercial Zone Code Revisions (General Plan/Zoning Amendment No. 97-1) (Continued from 2/16/99)

BOARD ACTION: Ed Johnson advised that the purpose of this hearing is to review Steve Kostka's memorandum relative to the Zone Code revisions and to give direction to staff to make changes and on how to proceed with presentation of a revised ordinance to the Board and the public.

Steve Kostka, McCutchen Law Firm, provided input relative to his review of the Zone Code revisions and the Initial Study that was prepared, along with the written input that has been provided, and he advised that he has consulted with staff relative to the Zone Code changes and intent. He recommended that the pending application section be deleted as he feels the pending applications from re-zoning should be resubmitted when the Code is adopted. In regard to the campground and RV park standards, he recommended that the County study this to determine if the increase in density from seven sites per acre to allow ten sites could cause any environmental issues – if any issues are raised, they would be dealt with through mitigation measures or by keeping the existing standard. Mr. Kostka responded to questions from the Board relative to the RV park standards, and he clarified that he was referring to existing RV parks and that when an application is received, the increased density could be reviewed for impacts. Staff responded to a question from the Board as to whether the change in RV park standards would impact existing parks, and advised that the existing parks are non-conforming uses so the change would not create an impact. Mr. Kostka responded to questions from the Board relative to the minimum parcel size issue between the Zone Code and the General Plan, and he advised that different terms are used in the two documents and they should be consistent. Mr. Kostka responded to a question from the Board relative to the status of the Open Window Period applications, and he recommended that the applications be resubmitted after the Code is

adopted. Jeff Green, County Counsel, responded to questions from the Board relative to the Zone Code revisions and impacts on rural home industry activity in residential areas.

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

Wilford Von DerAhe noted an applicant could have a large parcel with a particular site for re-zoning for development, and he said he feels rezoning of a site as opposed to a parcel needs to be resolved.

Ken Melton stated he feels the processing of the Open Window Period applications should not be held pending adoption of the Zone Code revisions as they have been in the process for a long time. Chairman Pickard and Jeff Green clarified the process for the Open Window Period applications.

Shirley Schmelzer asked Mr. Kostka whether there are any cumulative impacts resulting from the Zone Code revisions, such as strip development of five-acre parcels; and under what conditions an environmental impact report would be required versus a checklist.

Public portion of the hearing was closed. Steve Kostka responded to the public input and advised that he does not see any cumulative impacts as a result of the Zone Code revisions because it does not change the authorized uses on parcels. When the County considers land use designations and land use changes are made, environmental impacts will need to be considered. He also addressed the environmental review process versus environmental impact report requirements. Mr. Kostka responded to a question from the Board and advised that the revisions that are proposed will not put any property in a designated zone, this document only speaks to the process. Staff reviewed their recommendations for incorporating the changes recommended by Mr. Kostka. Jeff Green responded to a question from the Board and advised that the mobile home issue previously raised during the process will be addressed in the final document, along with other comments that were received. Discussion was held relative to the timeframes for developing the final draft document and processing.

(M)Parker, (S)Balmain, Res. 99-78 adopted giving direction to staff to incorporate the changes recommended by Steve Kostka, to bring the final draft document back for the April 6, 1999, meeting to begin the public review process; directing that the applications submitted during the Open Window Period process be set aside and that the applicants be allowed to resubmit their respective applications after a final document has been adopted; and directing that this public hearing be continued to May 4, 1999, at 6:00 p.m. Further discussion was held. Supervisor Reilly asked about including specific performance standards, and staff advised that the final draft document would deal with all of these issues. Ed Johnson also clarified that he feels that all of the original applications which were submitted under the Open Window Period application process would be eligible for resubmittal after the final document is adopted. Ayes: Unanimous. Supervisor Parker requested that staff prepare a map for the next hearing reflecting existing zoning and potential changes with the Open Window Period applications.

cc: File