MARIPOSA COUNTY ORDINANCE NO. 870

AN ORDINANCE ADDING CHAPTER 2.90 TO THE MARIPOSA COUNTY CODE ESTABLISHING AN HISTORIC SITES AND RECORDS PRESERVATION COMMISSION

WHEREAS, the Mariposa County Board of Supervisors has previously established the Mariposa County Historic Sites and Records Preservation Commission by minute order and resolution; and

WHEREAS, pursuant to Chapter 15.12 of County Code the Historic Sites and Records Preservation Commission is charged with the responsibilities of nominating buildings, structures, sites and other historical resources for an historic designation of special significance and maintaining the official "Mariposa County List of Buildings or Structures with Special Historical or Architectural Significance"; and

WHEREAS, the Historic Sites and Records Preservation Commission is also charged with the responsibility of review and recommendation for all remodels, additions, maintenance and landscaping of the County's Historic Courthouse; and

WHEREAS, the Board of Supervisors desires to formalize the membership, duties, and responsibilities of the Commission and establish guidelines for Commission meetings and public participation.

NOW, THEREFORE, the Mariposa County Board of Supervisors does hereby ordain as follows:

SECTION I

Chapter 2.90 is hereby added to the Mariposa County Code as set forth in Exhibit "A" attached hereto and incorporated herein.
SECTION II

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

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 15th day of February, 1994 by the following vote:

AYES: BALMAIN, ERICKSON, PARKER, TABER
NOES: NONE
ABSTAINED: NONE
EXCUSED: BAGGETT

By: Garry R. Parker, Vice-Chairman
Arthur G. Baggett, Jr., 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
EXHIBIT "A"

Chapter 2.90

HISTORIC SITES AND RECORDS PRESERVATION COMMISSION

Sections:

2.90.010 Establishment of Commission
2.90.020 Membership
2.90.030 Officers
2.90.040 Commission Meetings
2.90.050 Public Participation
2.90.060 Duties and Responsibilities
2.90.070 Staff Support

2.90.010 Establishment of Commission.
There is hereby established a commission to be known as the
"Historic Sites and Records Preservation Commission", hereinafter
referred to as the "Commission".

2.90.020 Membership.
A. The Commission shall consist of nine (9) voting members
consisting of the following members: one (1) member representing
the Northern Mariposa County History Center, one (1) member
representing the Butterfly Garden Club, one (1) member
representing the Mariposa Historical Society, one (1) member
representing the American Indian Community of Mariposa County,
and five (5) at-large members. The specified members shall be
ominated by the organizations they represent and shall be
appointed by the Board of Supervisors. The member representing
the American Indian Community and the at-large members of the
Commission shall be appointed by the Board of Supervisors. Each
at-large member appointed to the Commission shall have a
demonstrated interest and knowledge of Mariposa County history
and historic preservation.
B. The terms of office of the Commission members shall be
continuous until resignation or removal by a majority vote of the
Board of Supervisors.
C. If a member of the Commission is absent without cause
from two (2) consecutive meetings, the office becomes vacant
automatically. A member is not absent without cause if the
absence is (1) due to illness or (2) unavoidable and the member
either prior to or within 48 hours after the meeting gives the
Chairman or Planning Director written or verbal notice that the
member will be absent and giving the reason for the absence.
D. The members of the Commission shall serve without
compensation.

2.90.030 Officers.
The members of the Commission shall elect a chairman and
vice-chairman by a majority vote at the first meeting of the
Commission who shall serve for a period of one (1) year or until
a successor is selected. The chairman, when present, shall preside at all meetings of the Commission and shall conduct the business of the Commission. The vice-chairman, in the absence of the chairman, shall perform all the functions and duties of the chairman.

2.90.040 Commission Meetings.

A. The Commission shall meet as necessary to perform the duties and responsibilities of the Commission. Meetings shall be held when necessary to act on matters requiring review by the Commission. Commission meetings shall be open to the public with published agenda and minutes and shall be held in a public place and advertised in advance in accordance with the California Open Meeting Act. The published agenda shall be mailed in advance of meetings to individuals and organizations who have requested such notice and to all property owners and applicants who may be affected by any item on the agenda. Written minutes of Commission meetings shall be kept on file in the Mariposa County Planning Department and be available for public inspection.

B. Meetings shall be scheduled by the Chairman after conferring with the Planning Director regarding the agenda items and necessary noticing and advertising.

C. A quorum shall consist of five (5) members. In the absence of a quorum, a meeting may be cancelled or continued to a date, time, and place certain by the members present. All actions and decisions of the Commission shall result from a motion fully stated by the moving party, followed by a second, and passed by five (5) votes.

2.90.050 Public Participation.

The Commission shall provide for adequate public participation in the local historic sites preservation program. The Commission shall provide opportunities for and encourage public participation in all responsibilities and duties assigned to it, in accordance with appropriate regulations, standards, and guidelines.

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 on a
regular basis 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.

B. The Commission shall be responsible for overseeing the compiling, recording, and updating of information on cultural and historic resources within the County. The information shall be based on comprehensive surveys of historic properties and shall be in a form that collates the survey results into a usable document. This information shall be available to the public to the extent that historic properties will not be vandalized or harmed by the release of such information as determined by the Commission.

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 Commission may nominate buildings, sites, structures, and other historical resources for listing to the Board of Supervisors.

D. The Commission may publish procedural rules for registering historic properties which are identified in the County historic and cultural resources survey program in the National Register of Historic Places in accordance with the requirements of the National Historic Preservation Act, Section 101(c)(2). However, the Commission does not have the authority to nominate properties directly to the National Register. The Commission shall review all nominations to the National Register which involve County property.

E. The Commission shall review all discretionary private development projects which may impact an historic or archaeological site in the County upon referral from the Board of Supervisors, Planning Commission, or a County Department Head. The Commission shall determine the significance of the site and the project's impact on the site, if any, and recommend appropriate mitigation measures to mitigate any impact. The Commission shall formulate a recommendation to the referring body on these findings and shall make a recommendation within three (3) weeks after referral.
F. The Commission shall review all public projects undertaken by the County or other government agency which may impact an historic or archaeological site upon referral from the Board of Supervisors or a County Department Head. The Commission shall formulate a recommendation to the Board of Supervisors within three (3) weeks after referral.

G. The Commission may review County policies and ordinances which regulate or affect historic or archaeological sites and may make recommendations to the Board on historic site preservation policies and ordinances.

H. The Commission may review new names proposed for roads in the County-maintained system for historical significance and may make recommendations to the Board of Supervisors on the proposed road name.

I. The Commission shall evaluate County records for historical content and recommend to the Board of Supervisors measures to preserve such historical records.

J. The Commission may recommend to the Board of Supervisors measures designed to preserve and/or restore the integrity of historic buildings, structures, sites, and other historical resources.

2.90.070 Staff Support.

Technical and secretarial support to the Commission shall be provided by the Mariposa County Planning and Building Department. Its responsibilities include the preparation of public notices, agendas, and minutes as can be reasonably provided; and the preparation of informational reports and Board agenda packets and obtaining such information as the Commission deems necessary for the discharge of its responsibilities. Substantial work or additional responsibilities which cannot be accommodated within the adopted budget of the Planning and Building Department shall be approved by the Board of Supervisors.