

1 MARIPOSA COUNTY ORDINANCE NO. 524

2 AN INTERIM EMERGENCY ORDINANCE EXTENDING ORDINANCE NO. 497,  
3 PERMIT PROCEDURE ORDINANCE FOR COMMUNITY PLANNING AREAS

4 The Board of Supervisors of the County of Mariposa,  
5 State of California, do hereby ordain as follows:

6 SECTION I: FINDINGS AND DECLARATION OF INTENT

7 A. The Mariposa County Planning Commission is at pre-  
8 sent developing concise plans for the development of the  
9 Community Planning Areas of Bootjack, Fish Camp  
10 and Mariposa to be duly adopted as specific plans to the 1978  
11 Mariposa County General Plan adopted February 14, 1978.

12 B. It has been deemed essential by the Planning  
13 Commission that development projects within these above-mentioned  
14 Community Planning Areas be reviewed by established Community  
15 Planning Advisory Councils to insure the compatibility of the  
16 development projects with such planning documents being drafted.

17 C. In order to avoid potential conflict between pro-  
18 posed development and specific plans being proposed and for the  
19 purpose of protecting the public health, safety, and welfare, the  
20 Board of Supervisors finds that it is necessary to adopt the re-  
21 gulations set forth in this ordinance.

22 SECTION II: AREAS AFFECTED

23 A. The Community Planning Areas of (1) Bootjack, (2)  
24 Fish Camp, and (3) Mariposa, as generally described in the  
25 Mariposa County General Plan adopted February 14, 1978, with  
26 boundaries described in Exhibits "A", "B", and "C", attached  
27 hereto, hence forth referred to as CPAs, shall be affected by  
28 the provisions of this ordinance.

1           B.    Upon motion of the individual CPA advisory group  
2 and upon Board adoption of a Planning Commission recommendation,  
3 the boundaries of the affected CPA may be revised for the pur-  
4 poses of this ordinance.

5                   SECTION III: PERMIT APPROVAL PROCEDURE

6           A.    Within any CPA, permits and development proposals  
7 will be reviewed by the appropriate advisory body as follows:

- 8           1.    All permits required under §III-D of this ordinance  
9                shall be reviewed by the appropriate CPA advisory body  
10               for the purpose of determining compatability with any  
              proposed specific plan for the affected area under con-  
              sideration.
- 11           2.    All permits not covered under §III-D that are not  
12                issued in a CPA shall be forwarded to the appropriate  
13                CPA advisory group for informational purposes only  
              after approval by the appropriate County office or  
              official.

14           B.    The advisory councils shall review and forward any  
15 recommendations regarding such development proposals at their  
16 earliest regular or special meeting as follows:

- 17           1.    Special meetings of the advisory councils may be called  
18                to review and prepare recommendations.
- 19           2.    Failure of the council to prepare a recommendation on  
20                development proposal at its next regular or special  
21                meeting immediately following the submission of the  
              proposal to the council shall be interpreted to imply  
              approval.
- 22           3.    The duly constituted Community Planning Advisory  
23                Councils designated for review shall be established by  
              Board of Supervisors resolutions.
- 24           4.    Recommendations of the Community Planning Advisory  
              Councils shall be forwarded to the Planning Commission.
- 25           5.    The Planning Commission must determine that a project  
26                is in conformance with the proposed plan for a CPA be-  
27                fore authorization may be granted for the issuance of  
              any permits or approval of any development proposals.
- 28           6.    Determinations of the Planning Commission may be ap-  
              pealed to the Board of Supervisors. Appeals of

1 Planning Commission determinations must be filed with  
2 the Clerk of the Board within fifteen days of Planning  
Commission action.

3 C. The County shall approve or otherwise issue per-  
4 mits or approve development projects within a Community Planning  
5 Area subject to the following provisions:

- 6 1. The Building Department will not approve or otherwise  
7 issue any permit for any commercial, industrial, or  
8 multi-family structures of three or more dwelling units  
for the purposes of new construction until the issuance  
of said permit is authorized by the Planning Commission.
- 9 2. The Planning Commission shall not approve any subdivi-  
10 sion, use permit, or variance until said project or  
11 development proposal is submitted to the appropriate  
Community Planning Advisory Council for review and com-  
12 ment as prescribed herein. The Planning Commission  
shall not authorize the issuance of any permit des-  
13 cribed herein until said permit has been reviewed by  
the appropriate Community Planning Advisory Council.

14 SECTION IV: INTERIM EMERGENCY ORDINANCE

15 A. This ordinance is an interim emergency ordinance  
16 to protect the public safety, health, and welfare. The fact con-  
17 stituting the emergency is the potential lack of review of  
18 development projects and their approval resulting in the invalida-  
19 tion of the planning processes being implemented.

20 B. This ordinance takes effect immediately and, in  
21 accordance with Government Code §65858, extends the effect of  
22 Ordinance 497 for an additional eight-month period from the date  
23 of adoption of this ordinance.

24 SECTION V: PENALTY

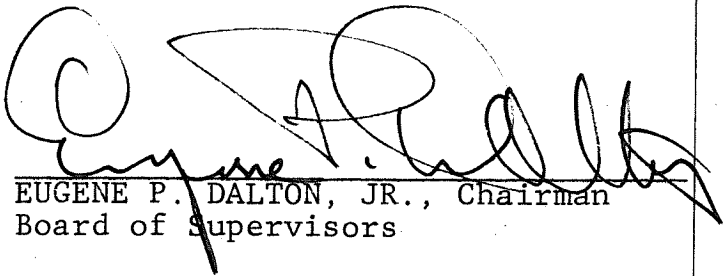
25 Violation of any provision of this ordinance shall con-  
26 stitute a misdemeanor and shall be punishable under Chapter 1.28,  
27 the General Penalty provisions, of the Mariposa County Code.

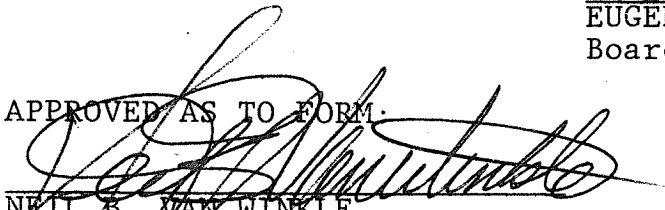
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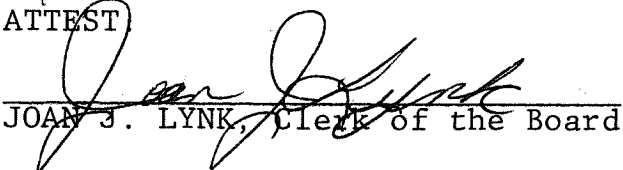
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PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 18th day of September, 1979, by the following vote:

AYES: Clark, Dalton, Erickson, Weber, Owings.  
NOES: None.  
ABSTAINED: None.  
ABSENT: None.

  
EUGENE P. DALTON, JR., Chairman  
Board of Supervisors

APPROVED AS TO FORM:  
  
NEIL B. VAN WINKLE  
County Counsel/Administrative  
Assistant to the Board  
DATED: September 18, 1979

ATTEST  
  
JOAN J. LYNK, Clerk of the Board

There are 3 large maps attached to the original Ordinance on file.