

DEPARTMENT: Planning BY: Ed Johnson PHONE: (209) 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes No XX)

Relative to the 20 applications submitted under the Commercial Site Open Window Program and the 4 applications submitted under the Industrial Site Open Window Program, but recommended for the Commercial Site Open Window Program, the Planning Commission recommends that the Board of Supervisors take the actions as summarized in Attachment 1, Summary of Recommendations, and Attachment 2, Planning Commission Resolution No. 95-7. For each individual application, the Planning Commission has recommended that the Board either initiate the application as proposed, initiate the application with modifications, or not initiate the application. The Planning Commission's recommendations are based upon the five criteria established by the Board when they established the program.

The Planning Commission also recommends that the Board initiate a General Plan/Zoning Amendment to revise text within both Title 17 and the General Plan Land Use Element relative to development standards and permitting procedures for commercial land uses in Mariposa County. This initiative will enable staff to explore alternative standards and procedures to accomplish the general intent of the Board's original actions.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board adopted Resolution No. 94-232 on June 14, 1994, establishing the Commercial Sites Open Window Filing Period. The program was an indirect result of the establishment of the Industrial Sites Open Window Filing Period.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- 1) Modify actions taken on individual applications from those recommended by the Planning Commission.
- 2) Do not initiate text amendments.

NEGATIVE ACTION to the recommended action would result in no applications being initiated for processing. The existing non-conforming commercial sites would remain non-conforming and no new sites would be zoned for commercial development within the County.

COSTS: (X) Not Applicable A. Budgeted current FY \$ _____ B. Total anticipated costs \$ _____ C. Required additional funding \$ _____ D. Internal transfers \$ _____ SOURCE: () 4/5ths Vote Required A. Unanticipated revenues \$ _____ B. Reserve for contingencies \$ _____ C. Source description: _____ Balance in Reserve for Contingencies, if approved: \$ _____	SPECIAL INSTRUCTIONS: List the attachments and number the pages consecutively: Memo to Board with Attachments 1. Summary of Recommendations 2. Planning Commission Resolution No. 95-7 3. Location Map 4. Excerpts from Planning Commission Minutes 5. Staff Report to the Planning Commission
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CLERK'S USE ONLY: Res. No.: <u>95-176</u> Ord. No. _____ Vote - Ayes: _____ Noes: _____ Absent: _____ Abstained: _____ <input type="checkbox"/> Approved <input type="checkbox"/> Denied <input checked="" type="checkbox"/> Minute Order Attached <input type="checkbox"/> No Action Necessary The foregoing instrument is a correct copy of the original on file in this office. Date: _____ ATTEST: <u>MARGIE WILLIAMS, Clerk of the Board</u> County of Mariposa, State of California By: _____ Deputy	ADMINISTRATIVE OFFICER'S RECOMMENDATION: This item on agenda as: <input checked="" type="checkbox"/> Recommended <input type="checkbox"/> Not Recommended <input type="checkbox"/> For Policy Determination <input type="checkbox"/> Submitted with Comment <input type="checkbox"/> Returned for Further Action Comment: _____ A.O. Initials: <u>W</u>
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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

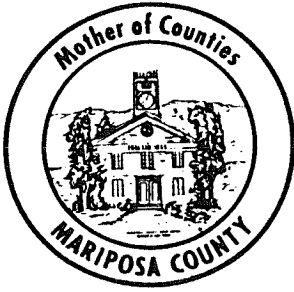
TO: ED JOHNSON, PLANNING AND BUILDING DIRECTOR
FROM: MARGIE WILLIAMS, Clerk of the Board *mw*
SUBJECT: INDUSTRIAL AND COMMERCIAL APPLICATIONS

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 25, 1995

ACTION AND VOTE:

2:02 p.m. Ed Johnson, Planning and Building Director; PUBLIC HEARINGS to Consider the Planning Commission's Recommendations on Specific General Plan/Zoning amendment applications to be Initiated by the County Under the Industrial and Commercial Sites Open Window Program, and on Initiation of Text Amendments to the General Plan and Zoning Ordinance Relative to Development Standards and Permitting Procedures for Industrial and Commercial Land Uses in Mariposa County
BOARD ACTION: Ed Johnson advised that the purpose of the hearing is to start the review process and there is no commitment with regards to the future processing of the applications; advised of recommendations to make text changes in the County Code and General Plan and to consider revising the Rural Home Industry Code; advised of the staffing and costs that would be required to process the applications; and recommended the processing of the commercial and industrial applications be staggered. Supervisor Balmain advised that he will abstain from participating in the portion of the hearing dealing with industrial applications for M-2 zoning due to a potential conflict of interest, as his son has submitted an application. Sarah Williams/Senior Planner and Jay Pawlik/Planner, reviewed the criteria established for the industrial zoning, and reviewed each of the applications for industrial zoning and recommendations and presented slides for each of the subject properties. Staff responded to questions from the Board relative to I-2/Northway concerning access; acreage involved in I-7/Touchin; location of I-10/Von der Ahe relative to the watershed; parcel sizes and land use compatibility; and relative to visibility requirements. Input from the public was received from the following: Richard Doscher stated he feels his parcels meeting the criteria and there is a need for industrial zoning in the area. Public portion was closed and Board commenced with deliberations. (M)Reilly, (S)Stewart, Res. 95-175 adopted initiating review for industrial



Mariposa County Planning and Building Department

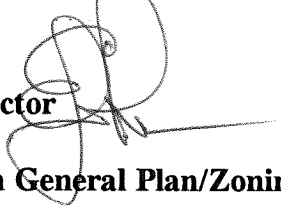
EDWARD J. JOHNSON
Director

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April 18, 1995

MEMORANDUM

TO: Mariposa County Board of Supervisors

FROM: Planning Department Staff, Ed Johnson Planning Director 

SUBJECT: Initiation of Commercial Sites Open Window Program General Plan/Zoning Amendment Applications

RECOMMENDED ACTION

The Planning Commission recommends that the Board of Supervisors adopt a resolution taking the actions as summarized in Planning Commission Resolution No. 95-7 (included as Attachment 2), which include the following:

- For each individual application, recommendations for Board action to either initiate the application as proposed, initiate the application with modifications, or not initiate the application; and
- Recommendation to initiate a General Plan/Zoning Amendment to revise text within both Title 17 and the General Plan Land Use Element relative to development standards and permitting procedures for commercial land uses in Mariposa County.

These recommended actions will not result in approval of specific projects- only further review and processing, including environmental review, with a waiver of County application fees.

DISCUSSION OF RECOMMENDED ACTION

The Planning Commission's recommendations for individual applications are based upon the 5 specific screening criteria established by the Board in June 1994, (Board Resolution No. 94-232), when the Open Window Program was created. These criteria are discussed in the staff report to the Planning Commission, which is included as Attachment 5. This is essentially the same report sent to the Board prior to the Commission's actions at the end of March.

Memo to Board, 4/18/95

Please note that the Planning Commission modified some of staff's originally recommended actions, based upon information received during the public input portion of the public hearing. Where such modifications were made, a new page was inserted in the report entitled "Revised Planning Commission Recommendation". A summary of all the Planning Commission's recommendations, and how they differed from staff's original recommendations is included in the attached Recommendation Table in Attachment 1.

Please note that within the individual application review summaries, the requested and recommended zoning also includes requested and recommended General Plan Land Use Designations, which in all cases are the same as the zoning district.

BACKGROUND AND HISTORY OF PROJECT

A summary of the background and history of this project is described in the project staff report to the Planning Commission, included as Attachment 5.

SUMMARY OF TENTATIVE PROCESSING SCHEDULE

A summary of the tentative schedule for the continued processing of these applications is contained in the project staff report to the Planning Commission. This schedule may need to be modified, based upon staffing issues during the next 4 to 6 months.

RECOMMENDATION TABLE

Summary of Differences Between Planning Commission Recommendations and Staff's Original Recommendations

Application	Do Not Initiate	Initiate as Modified	Initiate as Requested
C-1 O'Donel-Browne	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-2 Murphy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-3 Good	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-4 Conrad	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-5 Will	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
C-6 Brazzi	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-7 Langager	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-8 Hewitt	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-9 Bradshaw	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-10 Gerger	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-11 Varney	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-12 Paquette	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-13 Union Rescue	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-14 Von Der Ahe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-15 Fischer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-16 Houtz	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-17 Kwalwasser	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-18 Han	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-19 Hiepe	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-20 Leonardi	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
C-21 Archibald	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-22 Young/Browne	<input type="checkbox"/>	<input checked="" type="checkbox"/> (portion)	<input type="checkbox"/>
C-23 Lawson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
C-24 Garland	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

*Arrows indicate Planning Commission changes to Staff's original recommendations