



MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2016-1121

MEETING: December 6, 2016
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: 2Nd Reading - Zoning Amendment No. 2016-154

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map for a 349.5 Acre Area, Assessor Parcel Number (APN) 004-390-001 from the Mountain General Zone (MGZ) and Mountain Home Zone (MHZ) to the Agriculture Exclusive Zone (AEZ) Pursuant to Zoning Amendment No. 2016-154, Nina Bobbie Coleman, Project Proponent.

The recommended action is based on the Agricultural Advisory Committee's recommendation and the Planning Commission's recommendation.

The project will:

1. Change the zoning designation of the 349.5 acre parcel from the Mountain General Zone (MGH) and Mountain Home Zone (MHZ) (split zone) to the Agriculture Exclusive Zone (AEZ).
2. Result in zoning conformance with Mariposa County's Rules of Procedure to Implement the California Land Conservation Act of 1965 (Board of Supervisors Resolution 10-150), Section III Land Conservation Act Contracts, C. 2. "Zoning Restrictions", that requires lands under contract to be in Agriculture Exclusive Zone (AEZ).
3. Result in the appropriate zone for the existing agricultural uses on the parcel.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board of Supervisors Resolution 2010-150, Mariposa County Rules of Procedure to Implement the California Land Conservation Act of 1965, provide LCA policy and application procedures.

The Board introduced the ordinance on November 15, 2016.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

No not approve and the ordinance will not take effect.

ATTACHMENTS:

ORD for December 6, 2016 (DOC)

CAO RECOMMENDATION

Requested Action Recommended


Mary Hodson, CAO 11/9/2016

RESULT: ADOPTED [UNANIMOUS]

MOVER: Marshall Long, District III Supervisor

SECONDER: Merlin Jones, District II Supervisor

AYES: Smallcombe, Jones, Long, Cann, Carrier

(Not to be codified)

**COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

MARIPOSA COUNTY ORDINANCE NO. 1121

AN ORDINANCE AMENDING THE ZONING MAP OF MARIPOSA COUNTY

WHEREAS, an application for a Zoning Amendment was received on the 17th day of August, 2016 from Nina Bobbie Coleman for property located at 5673 Dogtown Road approximately 1.3 miles west of intersection of Wagner Road and Dogtown Road, Coulterville area, APN 004-390-001; and

WHEREAS, this amendment is known as Zoning Amendment (ZA) No. 2016-154. The application proposed to rezone a 349.5 acre parcel, APN 004-390-001, from the Mountain General Zone (MGZ) and Mountain Home Zone (MHZ) to the Agriculture Exclusive Zone (AEZ); and

WHEREAS, the Agricultural Advisory Committee held a duly noticed meeting on October 13, 2016 on Zoning Amendment Application 2016-154; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Zoning Amendment No. 2016-154 on the 21st day of October, 2016 in accordance with State law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on Zoning Amendment No. 2016-154 on the 15th day of November, 2016 in accordance with State law and County Code; and

WHEREAS, environmental review has been conducted on Zoning Amendment No. 2016-154 in accordance with the California Environmental Quality Act and a Notice of Exemption has been prepared for the project; and

WHEREAS, the Board of Supervisors of the County of Mariposa wishes to amend the zoning map of Mariposa County pursuant to Zoning Amendment No. 2016-154.

NOW, THEREFORE, the Board of Supervisors of the County of Mariposa ordains as follows:

Section I: Amend the zoning designation of property legally described in the Deed recorded as Document No. 20122792, Mariposa County Records, and shown on the map in Exhibit 1, from the Mountain General zone and the Mountain Home zone to the Agriculture Exclusive zone.

Section II: If any provision of this ordinance is held to be unconstitutional, preempted by federal law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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

PASSED AND ADOPTED on this 6th day of December, 2016, by the following vote:

AYES: SMALLCOMBE, JONES, LONG, CANN, CARRIER
NOES: NONE
ABSTAINED: NONE
EXCUSED: NONE



John Carrier, Chairman
Mariposa County Board of Supervisors

ATTEST:

APPROVED AS TO FORM:



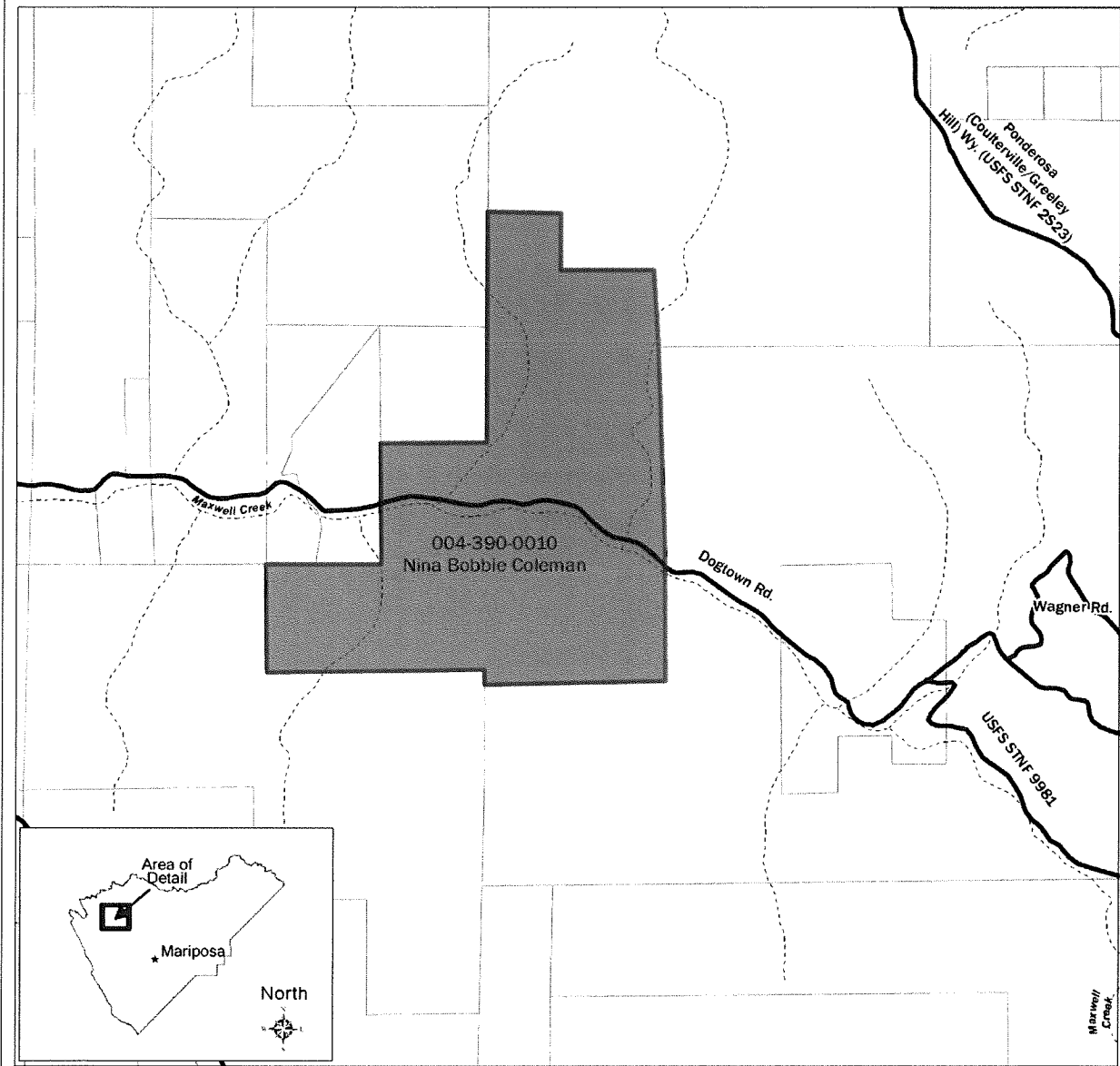
René LaRoche, Clerk of the Board



Steven W. Dahlem, County Counsel

Exhibit 1

ZONING AMENDMENT NO. 2016-154



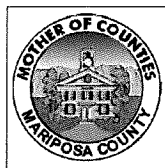
0 1,000 2,000 Feet
1:20,000

MAP DATE: November 1, 2016





DATA SOURCE: Assessor's Parcel Map Update May 2016

MAP CREATED BY: J.W.

Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data.



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-  Rezone-Mountain General & Mountain-Home to Agriculture Exclusive Zone
 -  Assessor's Parcel Map
 -  Creek/River
 -  Road
- Project Location/APN 004-390-0010
5673 Dogtown Rd.
Dogtown, CA 95311