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MARIPOSA COUNTY RESOLUTION NO. 94-231

A RESOLUTION ESTABLISHING POLICY AND PROCEDURES FOR CONSIDERING THE FORMAL INITIATION OF GENERAL PLAN/ ZONING AMENDMENT APPLICATIONS FOR M-1 AND M-2 LAND USE CLASSIFICATIONS AND M-1 AND M-2 ZONING DISTRICTS

WHEREAS, the Board of Supervisors wishes to encourage the submittal of general plan/zoning amendment applications for the establishment of industrial land uses in the rural parts of the County by waiving application fees and incurring other necessary costs; and

WHEREAS, the Board of Supervisors, by its own policy, may grant waivers to application fees in situations which it considers equitable and in the public interest; and

WHEREAS, it is in the public interest to establish industrial zoning districts in the rural parts of the County to encourage industrial development in appropriate areas; and

WHEREAS, the Board of Supervisors may initiate amendments to the Mariposa County General Plan and Mariposa County Zoning Ordinance (Title 17 County Code) under the authority of Section 17.128.020 of the Zoning Ordinance.

NOW, THEREFORE BE IT RESOLVED, the Board of Supervisors hereby establishes the following policy and procedures for considering the formal initiation of general plan/zoning amendment applications for the M-1 (Manufacturing/Industrial Light) and M-2 (Manufacturing/Industrial Heavy) land use classifications and Light Manufacturing and Industrial (M-1) and Heavy Manufacturing and Industrial (M-2) zoning districts:

1 1) This policy establishes an open window filing
2 period in which property owners may submit general plan/zoning
3 amendment applications for the M-1 and M-2 land use
4 classifications and zoning districts and request consideration
5 of formal initiation by the Board of Supervisors. Said
6 initiation by the Board of Supervisors, if approved, shall
7 result in the waiver of County application processing fees and
8 the incurring of additional costs by the County, as determined
9 by the Board of Supervisors.

10 2) Applications shall contain all required
11 information for a general plan/zoning amendment application;
12 any information necessary to consider the application relative
13 to the criteria contained in Exhibit "A" attached hereto and
14 incorporated herein; signature by one or more of the property
15 owners; and a financial concept statement. Applications which
16 do not contain the required information shall not be accepted
17 for processing.

18 3) Applications shall be accepted for a period of
19 120 days from the date of official publication of this policy.

20 4) Following acceptance of the applications and
21 the closing of the filing period, the applications shall be
22 referred to the Board of Supervisors for consideration of
23 formal initiation.

24 5) Formal initiation of the applications shall be
25 considered relative to the site criteria contained in Exhibit
26 "A". The Board may establish additional policy and criteria
27 in considering applications for formal initiation.

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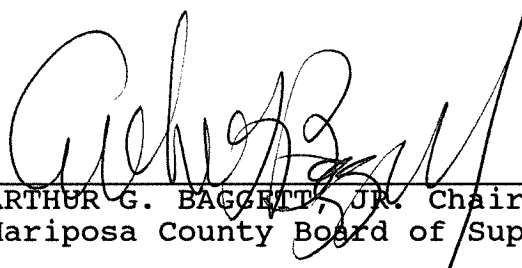
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6) This policy is limited to the acceptance of applications and their consideration for possible initiation by the Board of Supervisors. Acceptance of an application does not bind the County or the Board of Supervisors in any future action to initiate or approve the amendment application.

7) This policy does not preclude or limit a property owner from requesting a general plan/zoning amendment by the submittal of an application, including application fees, in accordance with Chapter 17.128 of the Zoning Ordinance.


PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 14th day of June, 1994 by the following votes:

- AYES: Baggett, Balmain, Erickson, Parker, Taber
- NOES: None
- ABSTAINED: None
- EXCUSED: None



 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"

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1. The Board of Supervisors, by establishing an open window period for the filing of industrial general plan/zoning amendment applications, wishes to encourage the establishment of industrial land uses in appropriate rural areas of the County. These uses will generally be located near State highways and County primary roads, but be screened from residential areas and visual corridors to ensure compatibility with surrounding uses. The Board of Supervisors is responsible for the proper planning of land uses in the County, and each application will be reviewed and considered by the Board of Supervisors on its own merits in relation to the goals, policies, and objectives of the Mariposa County General Plan. The establishment of an open window filing period and acceptance of an application shall not bind the County or the Board of Supervisors in any future action to initiate or approve an amendment application. The Board of Supervisors encourages applications on those properties on which industrial development will be compatible with surrounding land uses, including residential, agricultural, and recreational uses, and will maintain the high quality rural atmosphere of the area.
2. **Minimum site area:** 10 acres for M-1, 20 acres for M-2; exceptions below this may be allowed if there are exceptional or extraordinary circumstances applicable to the property and the site has suitable area for industrial development.
3. **Terrain:** Development areas (building and parking sites, septic system areas, road construction areas) generally should have a slope of less than 15%. Disturbed sites with development areas will also be favorably evaluated.
4. **Accessibility:** M-1 sites should be adjacent to or within TPAs or within 1/2 mile of a State Highway or County primary road. M-2 sites should be within one (1) mile of a State Highway or County primary road.
5. **Land Use Compatibility:** The project site should have characteristics which will minimize potential land use compatibility conflicts between industrial development on the site and residential development and town planning areas in the surrounding area. Examples of such characteristics include, but are not limited to, large site area, topography, existing vegetation.
6. **Visibility:** The project site and subsequent development should have the potential to incorporate community design

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standards into the development which will screen the industrial uses from residential areas and visual corridors. More substantial screening is necessary for M-2 sites, and M-2 sites should be screened from residential areas and visual corridors by topography (e.g. hill, low-lying ridge). M-1 and M-2 sites that will rehabilitate existing disturbed sites and improve the visual aesthetics of the site will be favorably evaluated.

- 7. **Agricultural Lands:** Because of the open space policies of the General Plan as they relate to the AE land use and the Williamson Act land use restrictions, applications should be evaluated for potential impacts on agricultural lands. Specific criteria should be developed by the Board after the Mariposa County Farm Bureau and Agricultural Advisory Committee have the opportunity to review and comment on this issue but prior to initiation of the applications.

DEPARTMENT: Planning BY: Duane Hall PHONE: 966-5151
Housing/Comm. Dev. Jim Evans 966-6121

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

Resolution establishing policy and procedures for considering the formal initiation of general plan/zoning amendment applications for the M-1 and M-2 land use classifications and M-1 and M-2 zoning districts.

The recommended action is based on the recommendations of the Countywide Community/Economic Development Committee and previous discussions of the Board on this matter.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board discussed the report and recommendations of the Countywide Community/Economic Development Committee at the meetings of February 8th, March 14th, and April 11th. No action was taken at these meetings. The Board considered the open window period program at the May 17th meeting and directed staff to make several revisions to the program and bring the matter back to the Board for formal action.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: (1) Continue matter; (2) Modify the policies and procedures of the resolution; (3) Take no action.

NEGATIVE ACTION would result in no action being taken and an open window period for receiving amendment applications would not be established.

COSTS: () 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:

1. Memo to Board re: Industrial Sites

2. Draft Resolution

CLERK'S USE ONLY:

Res. No.: 94-231 Ord. No. _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

Approved _____ Denied _____

Minute Order Attached () No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

Comment: _____

A.O. Initials: *AK*

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: EDWARD JOHNSON, Planning & Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board *mw*
SUBJECT: Policy and Procedures for the Initiation of
General Plan/Zoning Amendment Applications for
the M-1 and M-2 Land Use Classifications and
Zoning Districts
Resolution Number 94-231

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,
ADOPTED THIS Order on June 14, 1994

ACTION AND VOTE:

11:03 a.m. Edward Johnson, Planning and Building Director

B) Resolution Establishing Policy and Procedures for
the Initiation of General Plan/Zoning Amendment Applications
for the M-1 and M-2 Land Use Classifications and Zoning
Districts (Planning and Building Director, Housing and
Community Development Agency Director)

BOARD ACTION: Discussion was held with Duane Hall/Associate
Planner, Ed Johnson/Planning Director, and Jim Evans/Housing
and Community Development Agency Director. (M)Parker,
(S)Balmain, Res. 94-231 adopted, with inclusion of a
financial concept statement/Ayes: Unanimous.

cc: Jim Evans, Housing and Community
Development Agency Director
File