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MARIPOSA COUNTY RESOLUTION NO. 81-54

A RESOLUTION ADOPTING THE MARIPOSA TOWN PLANNING
AREA SPECIFIC PLAN AND CERTIFYING THE SPECIFIC
PLAN EIR.

The Board of Supervisors of Mariposa County, a political
subdivision of the State of California, hereby resolves as follows:

WHEREAS Mariposa, an unincorporated community within
the County of Mariposa, is identified within the Mariposa County
General Plan as a Town Planning Area (TPA); and,

WHEREAS it has been determined by the Mariposa County
Planning Commission and this Board that for the purpose of imple-
menting said General Plan, it is necessary and convenient to cause
a Specific Plan for the community to be prepared in accordance
with the provisions of Government Code, Article 8, Section 65450
et seq; and

WHEREAS such a Specific Plan and Environmental Impact
Report has been prepared through procedures as set forth in Govern-
ment Code and the Public Resources Code, and

WHEREAS said plan has been reviewed and, following public
hearing, approved by the Mariposa County Planning Commission with
specific recommendations for changes as described in Planning
Commission Resolution 80-20,

NOW THEREFORE, this Board determines and orders that the
Mariposa Town Planning Area Specific Plan, attached hereto
(Exhibit "A"), is hereby adopted and the Environmental Impact
Report of said plan certified in accordance with the following:

I. Specific Plan Text Amendments

- A. Such amendments within the text of the Specific Plan/
EIR as described in Planning Commission Resolution

1 No. 80-29 (Exhibit "B") attached hereto and made
2 part hereof as though set out in full, are approved
3 as set forth and shall be deemed a portion of the
4 Specific Plan/EIR text. Furthermore, future copies
5 of the Specific Plan/EIR shall be reproduced in such
6 a manner as to reflect such amending language.

7 B. Such additional amendments and/or changes hereinafter
8 described, shall be incorporated into future pub-
9 lished copies of the Mariposa Specific Plan/EIR.

10 1. The land use map shall be revised to reflect
11 the following:

12 a. The multi-family boundary shall be the same
13 as the MPUD Boundary (as it presently exists),
14 running north and south behind the History
15 Center where that boundary abuts APN 13-070-
16 20 and 13-070-21, the multi-family boundary
17 shall follow that property line in a south-
18 westerly direction to a point near Mariposa
19 Creek where it intersects the original multi-
20 family land use designation. That area
21 formerly classified as multi-family but
22 excluded from such designation by the above
23 cited adjustment shall be reclassified as
24 "Light Commercial".

25 b. The "General Commercial" boundary in the
26 vicinity of the Mariposa County Fairgrounds
27 shall be adjusted north to a line shown as
28 the boundary line between Parcel "C" and

1 "B" on approved tentative parcel map Number
2 927 (Revised).

3 2. The Specific Plan text shall be revised to re-
4 flect the following:

5 a. Section "e" is to be added following Section
6 E 3 Subsection "d" commencing on page 37
7 and is to read as follows:

8 "e. Special Use Provisions of Historic
9 Structures.

10 All uses may be considered for structures or
11 buildings included on the List of Historical
12 Resources in Mariposa with the exception of
13 permitted uses, subject to special use pro-
14 visions regardless of the primary land use
15 within which they are located as follows:

16 i. The Planning Commission may approve a
17 conditional use permit on designated his-
18 toric structures where it is demonstrated
19 that the special conditional use will be of
20 benefit to the Community by requiring the
21 restoration and preservation of a historic
22 structure to reflect it's original state.

23 ii. All exterior modifications, alterations
24 or reconstruction to take place on the struc-
25 ture are to be described as part of the
26 special use permit application and if ap-
27 proved by the Planning Commission are to be
28 made part of the conditions granting the
permit.

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iii. The Planning Commission shall follow standard use permit procedures in reviewing special historic structure uses and shall not approve uses which have the potential for creating a public nuisance or have substantial detrimental effect on adjacent property. In reviewing such matters, the Commission must consider the advantages of preserving a historic structure to the benefit of the community versus the possible negative effects of permitting a normally incompatible use in an area. Such review and deliberation may encompass alternative uses which may be of a lessor negative impact yet achieve the primary purpose of feasible historic preservation and restoration of historic structures.

iv. The special use provisions of this section shall only apply to existing historic structures. A building or structure which has been demolished, destroyed or otherwise rendered unusable shall not be subject to these provisions nor shall these provisions apply to proposals which will result in such alterations or remodeling of the historic structure as to cause the structure to lose its original historic character and/or significance."

/ / / / / / / /

1 b. The fourth paragraph of Section "C" on page
2 35 is amended to read as follows:

3 Any material may be substituted for the
4 materials specified above, provided that it
5 can be made to appear like the specified
6 materials. Remodeling and other modifications
7 to an existing residential structure, within
8 the Historical District, shall not be sub-
9 ject to architectural review provided that
10 such remodeling or other modifications are
11 generally consistent with the existing
12 structure's architectural style or design
13 and utilizes materials of a similar type to
14 the materials used in the construction of
15 the original dwelling. This exception shall
16 not apply to architectural modifications or
17 remodeling of a residential structure used
18 or intended to be used for other than resi-
19 dential purposes.

20 II. Final Environmental Impact Report

21 Such comments and responses as contained in Exhibit "C"
22 shall be included in the Specific Plan Environmental
23 Impact Report in accordance with Public Resources Code
24 Section 21080 et seq, otherwise known as the "California
25 Environmental Quality Act (CEQA), CEQA Guidelines and
26 County policies adopted pursuant to same. With this
27 action, the Specific Plan Environmental Impact Report
28 is deemed certified and directs that a Notice of

1 Determination be prepared and filed in accordance with
2 Section 15085 of the CEQA Guidelines.

3 Be it further determined and ordered that development
4 permits, subdivisions, construction permits and other actions of
5 the County of Mariposa, are not subject to CEQA review proceedings
6 in accordance with provisions of Government Code Section 65453 (b)
7 provided that such development permits, subdivisions, construction
8 permits and other actions of the County of Mariposa are found to be
9 consistant with the provisions of the Mariposa Town Planning Area
10 Specific Plan and the Environmental Impact Report mitigating
11 measures.

12 In support of the above, it is found that:


- 13 A. The Specific Plan was developed and adopted in
14 accordance with the procedures established by Article
15 9 (commencing with Section 65500 of Chapter 3 of
16 Title 7) of the Govenment Code.
- 17 B. That the above finding shall be effective for five
18 years from the date of this action.
- 19 C. The Specific Plan Environmental Impact Report is
20 sufficiently detailed so that significant adverse
21 effects of a project on the environment and measures
22 necessary to mitigate or avoid any such effects can
23 be determined, including significant physical effects
24 on existing structures and neighborhoods of histor-
25 ical or aesthetic significance and measures necessary
26 to mitigate such effects.
- 27 D. Specific projects undertaken and approved by the
28 County, when found to be consistant with the Mariposa

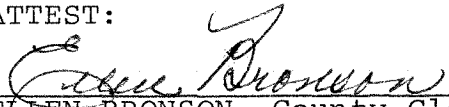
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Town Planning Area Specific Plan and Environmental
Impact Report, can be approved subject to one of the
findings required under Section 21081 of the Public
Resources Code.

PASSED AND ADOPTED this 17th day of March , 1981
Board of Supervisors of Mariposa County, by the following vote:

AYES: Taber, Moffitt, Clark, Erickson
NOES: None
ABSENT: Dalton
ABSTAINED: None


WILLIAM MOFFITT, Chairman
Board of Supervisors

ATTEST:

ELLEN BRONSON, County Clerk and
Ex-Officio Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

RICHARD K. DENHALTER, County Counsel
3/19/81

FOR EXHIBIT "A" REFER TO THE FILE
UNDER COMMUNITY PLAN FOR MARIPOSA

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MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 80-20

A resolution recommending the certification of the EIR for, and adoption of, the Mariposa Town Planning Area Specific Plan.

WHEREAS, Government Code Section 65450 through 65553 provides for the development, adoption and implementation of Specific Plans as a means of implementing the General Plan; and

WHEREAS, the County of Mariposa has determined that a Specific Plan for the community of Mariposa, known as the Mariposa Town Planning Area, is necessary for the orderly development of the area and implementation of the Mariposa County General Plan; and

WHEREAS, through numerous public meetings and public hearings and support and cooperation of the Mariposa Community Planning Advisory Council, the Mariposa Town Planning Area Specific Plan Environmental Impact Report has been approved by the Mariposa County Planning Commission with the following changes and or amendments:

1. Multi-Family Conditional Use. Page 27 of the proposed plan (Multi-Family Residential) is amended as follows:

"Permitted Uses":

- a) One single-family residence per parcel.
- b) Multi-family residences subject to lot area standards.
- c) Public parks and playgrounds.

"Conditional Uses": Provision deleted.

2. General Standards. Commencing on Page 42, Item 6 is added as follows:

"6. Other Miscellaneous Standards:

- a) Height Standards: No building or structure shall be erected

1 or otherwise constructed or altered in a manner so that the
2 building or structure exceeds its present height or 2 stories
3 (35 feet) which ever being the greatest height.

4 b) Street Naming Policy: Any new road or street constructed
5 within the Mariposa Community Planning Area shall be named
6 in a manner consistent with Mariposa County Street Naming
7 Policy. Names proposed shall be of historical, geological or
8 other significance to the community or area of Mariposa.

9 c) Storm Water Drainage: All streets, roads or parking areas
10 constructed or improved with the Community Planning Area of
11 Mariposa shall be so designed and constructed as to conform
12 with the County Storm Water Drainage Standards and other
13 applicable improvement Standards."

14 3. Future Studies - Pedestrian Plan. Page 44, Item B2 is amended
15 to read as follows:

16 "Circulation/transportation and pedestrian access study and plan".

17 4. Multi-Family Density Standards. Page 28, Item 6 "minimum lot
18 area" is amended to read as follows:

19 "Minimum Lot Area: 4,000 square feet for the first single
20 family residence and 1,500 square feet for each additional
21 multiple family unit added there to or 9,000 square feet for
22 exclusive single family residential uses".

23 5. Public Quasi Public Interim Uses. Page 28, Item C is amended
24 to add the following:

25 "Interim Uses: For those areas designated as public/quasi public
26 on the land-use map but are presently in private ownership, the
27 Planning Commission shall establish zoning which is compatible
28 with existing or surrounding land use until such time as the

1 area is acquired for public use".

2 6. Grand Fathered Uses. Page 42 Item E is amended by adding Section
3 7 as follows:

4 "7. Existing Uses Permitted to Continue. All uses existing at
5 the time of adoption and implementation of the Plan, that are in
6 non-conformance with the standards of this Plan with respect to
7 use, density height or bulk, shall be permitted to continue as
8 "Grand Fathered" uses. However, no substantial expansion of said
9 "Grand Fathered" use shall be permitted as determined by the
10 Planning Commission".

11 7. Medium Density in Commercial Use-Clarification. "Medium Density"
12 as described in Section VII A. Commercial land use shall have
13 the same meaning as "multi-family" and such standards as described
14 in the "multi-family" land use description shall apply where
15 applicable.

16 8. Land-Use Map revisions. The following land-uses, as described
17 on Exhibit "A" are changed as follows:

- 18 a) That property known as the "Cotton" property, including the
19 PG&E office and a portion of the "Scott" property, along and
20 fronting on Jones Street, near Highway 49 North and 140
21 changed from Neighborhood Commercial to Light Commercial.
22 b) That property, of approximately 20.5 acres belonging to
23 Mariposa Sand and Gravel and located in the extream south-
24 western portion of the Town Planning Area near Mariposa Creek
25 changed from Rural Residential to General Commercial.

26 The Land-Use Map, Exhibit "A", to be revised to reflect the
27 changes indicated.

28 NOW THEREFORE BE IT RESOLVED, that the Mariposa County Planning

1 Commission recommends that the Mariposa Town Planning Area Environmental Impact
2 Report be certified and the Specific Plan be adopted with the changes and/or
3 amendments described above.

4 PASSED AND ADOPTED THIS 31ST DAY OF JULY, 1980, by the following vote:

5 AYES: Grammer, Martini, Brouillette, Sharp, Kendrick.

6 NOES: Jacobs.

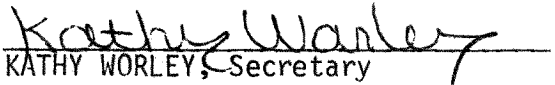
7 NOT VOTING: None.

8 ABSENT: Simpson, Stovall



BARRON BROUILLETTE, Chairman
Mariposa County Planning Commission

12 ATTEST:



KATHY WORLEY, Secretary
Mariposa County Planning Commission

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