

**STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION**

**Resolution**

**No. 2019-018 A resolution approving Use Permit Determination No. 2019-119 for Courtney Twiss, Applicant. Assessor Parcel Number 014-510-0240**

WHEREAS, Use Permit Determination No. 2019-119 was submitted on the 16<sup>th</sup> day of July, 2019; and

WHEREAS, the application to develop a vacant lot in the Bootjack Community Planning Area into a real estate office and administrative office for a fence company which will house approximately 20 employees; and

WHEREAS, the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS, a Planning Commission public hearing for this project was scheduled and noticed for the 22<sup>nd</sup> of November, 2019; and

WHEREAS, a Staff Report and Notice of Exemption were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS, the Planning Commission did hold a public hearing on the public hearing date and considered all of the information in the public record, including the Staff Report and information regarding public concerns about the application.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby approve Use Permit Determination No. 2019-119.

BE IT THEREFORE FURTHER RESOLVED THAT, findings are made for project approval as shown in Exhibit 1.

BE IT THEREFORE FINALLY RESOLVED THAT, the approved site plan is shown in Exhibit 2.

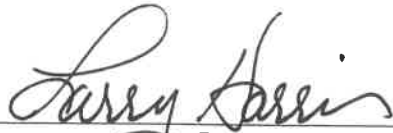
ON MOTION BY Commissioner Walls, seconded by Commissioner Herman, this resolution is duly passed and adopted this 22<sup>nd</sup> day of November, 2019 by the following vote:

AYES: Walls, Sweeny, Herman, Harris

NOES: None

ABSENT: McCamman

ABSTAIN: None

  
\_\_\_\_\_  
Larry Harris, Vice Chair  
Mariposa County Planning Commission

Attest:

  
\_\_\_\_\_  
Carol Suggs, Secretary to the  
Mariposa County Planning Department

**EXHIBIT 1**  
**FINDINGS FOR APPROVAL OF**  
**USE PERMIT DETERMINATION NO. 2019-119**

This use permit determination has been processed and reviewed in accordance with standards set forth in Title 17, Mariposa County Zoning Ordinance.

1. **FINDING:** The project is suitable and a proper use in the Bootjack Community Planning Area, is not socially, economically, or environmentally incompatible with the surrounding area, and will not adversely affect the nature and condition of adjacent properties, uses, and structures, and to the area affected by the proposed use.

**EVIDENCE:** Use Permit Determination No. 2019-119 proposes the construction of a 3,135 sq. ft. office building. The applicant proposes to operate a real estate office and an administrative office for a fencing company on a 4.77 acre parcel located at 5082 Cole Road in Bootjack (APN 014-510-0240). The site Zoning is Town Planning Area (Bootjack). The Land Use is Interim Community Center. This is not being proposed as a contractor's yard, nor is any storage being proposed.

Real estate and administrative offices, are a permitted use in Town Planning Areas under County Zoning Ordinance Section 17.12.010.B and Section 17.076.020. The proposed use is similar to or compatible with the existing uses on the property and in the general area of the project site. The project proposed an on-site well and septic system and will not impact any sensitive environmental resources.

2. **FINDING:** The site is physically suitable for the proposed development.

**EVIDENCE:** The project site is an existing undeveloped parcel. There is sufficient area on site for parking for the office use. The project site has an existing building pad and dirt driveway to Cole Road. The permit process, involvement of affected agencies and County departments, and application of existing standards and regulations will address potential impacts of the project. Based upon these site characteristics and existing permit processes, the site is found to be physically suited for the proposed use.

3. **FINDING:** The proposed establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright lights, vibrations, involving explosives or dangerous materials, or which might constitute a public or private nuisance.

**EVIDENCE:** The project is similar to or compatible with the existing uses in the area. Based upon the information in the staff report and project application, which is incorporated into this finding by reference, the proposal will not emit vibrations, offensive odor, smoke, dust, or bright lights. No explosive or dangerous materials are foreseen to be used. Traffic associated with the project will not exceed the capacity of Cole Road.

5. **FINDING:** The proposed project is consistent with applicable Mariposa County Zoning ordinances and the Mariposa County General Plan.

**EVIDENCE:** The project is located in the Bootjack Community Planning Area, with a General Plan designation of Interim Community Center and zoning designation of Town Planning Area. The purpose of the Interim Community Center land use is for "...single family dwellings within a Planning Area for which an area plan has not yet been adopted. The Interim Community Center land use classification also identifies lands that may be appropriate for limited business and commerce to (1) primarily support the needs of the local residents, and (2) secondarily support tourism and County Visitors" [Section 5.3.01.II(2).A of the General Plan]. Further, Section 5.3.01.II(2).B states "Interim Community Center land uses include single-family dwellings, vacation homes, and agriculture. Typical accessory uses involve personal recreation, home-based business activities, other uses related to agriculture, and uses consistent with rural character. Uses which supply retail and commercial needs of local residents not in conflict with adjoining land uses shall be subject to a discretionary review. Also subject to a discretionary review shall be uses which support regional tourism and can be developed compatibly with adjoining land uses." The proposed project will provide office space for real estate services and administrative services for a fencing company to residents of Mariposa County.

Section 17.12.010, Town Planning Areas states that the Town Planning Areas "...are the centers for industrial and commercial activity, and population concentration." Section 17.12.010.B. of the County Zoning Ordinance states that TPAs that don't have specific plans can allow uses listed in the Neighborhood Commercial (CN-2) zone. The CN-2 zone under Section 17.076.020.A.1.b. (1) states retail and service uses are a permitted use, and the proposed use is similar in nature. The project will have to comply with applicable sections of the County Zoning Ordinance pertaining, but not limited to, parking, signs, lighting, and use.

6. **FINDING:** The project will comply with applicable requirements and subsections of Mariposa County Zoning Ordinance Section 17.108.
7. **FINDING:** The project will comply with all pertinent sections of the Mariposa County Zoning Ordinance Section 17.76.020; development standards for the Neighborhood Commercial Zone-1.
8. **FINDING:** This project is subject to lighting and sign standards found in Chapter 17.76 of Mariposa County Code. Lighting is also subject to General Plan Policy 11-1d.
9. **FINDING:** The approved site plan will become null and void if the project is not implemented in 3 years (by November 22, 2022) pursuant to Section 17.08.170 of Mariposa County Code.

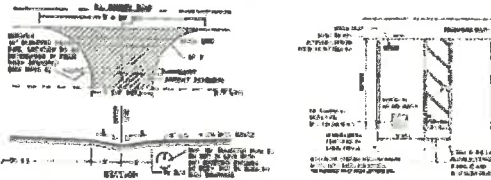
**ENVIRONMENTAL FINDINGS FOR  
 USE PERMIT DETERMINATION NO. 2019-119**

Pursuant to California Administrative Code, Sections 15061, it is found that:

The project is exempt from review pursuant to CEQA Guidelines Section 15061. The permit process required prior to construction/operation of the project will ensure that all potential impacts created by the project are reviewed and addressed by the appropriate agencies.

**EXHIBIT 2  
 APPROVED SITE PLAN  
 USE PERMIT DETERMINATION NO. 2019-119**

- 1) MARIPOSA COUNTY ENG. DEPT. - PRIVATE DRIVEWAY APPROACH - R-7
- 2) ACCESSIBLE PARKING STALL



**GENERAL NOTES:**

1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AGENCIES INVOLVED IN THE PROJECT.
2. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY NECESSARY RELOCATION SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
4. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE LOCAL AGENCIES.
5. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
6. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY NECESSARY RELOCATION SHALL BE THE RESPONSIBILITY OF THE OWNER.
7. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
8. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE LOCAL AGENCIES.

**BDC Building Design Group**

9/27/2019

REVISION	DATE

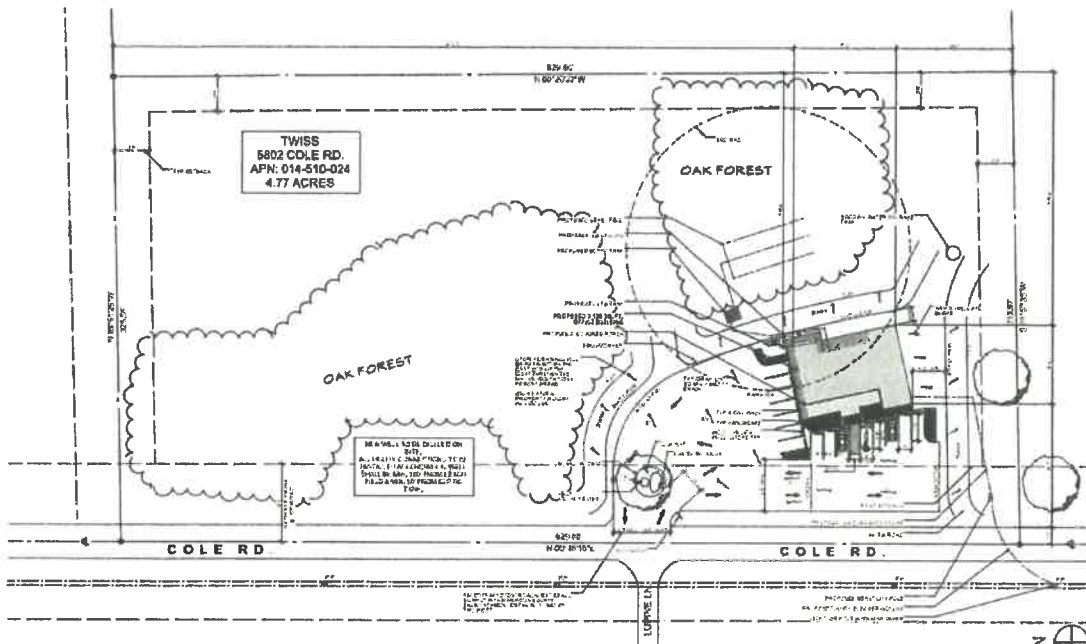
**CONSULTANT**  
N/A

**PERMIT SET - 9/27/2019**

**OWNER**  
Twiss, Courtney  
4072 Francis Springs Rd  
Mariposa, CA 95338

**PROJECT**  
Twiss Realty  
Project Location:  
5900 Cole Rd  
Mariposa, CA 95338  
APN - 014-010-024

**SHEET TITLE**  
Site Plan



**GENERAL NOTES:**

1. THE OWNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AGENCIES INVOLVED IN THE PROJECT.
2. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY NECESSARY RELOCATION SHALL BE THE RESPONSIBILITY OF THE OWNER.
3. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
4. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE LOCAL AGENCIES.
5. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
6. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. ANY NECESSARY RELOCATION SHALL BE THE RESPONSIBILITY OF THE OWNER.
7. THE WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME AND TO THE SATISFACTION OF THE LOCAL AGENCIES.
8. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE LOCAL AGENCIES.

**CALL US TO LOCATE UNDERGROUND UTILITIES PRIOR TO DIGGING**

**DATE** 9/27/2019

**SCALE** AS SHOWN

**PROJECT** Twiss Realty  
Project Location: 5900 Cole Rd, Mariposa, CA 95338  
APN - 014-010-024

**SHEET TITLE** Site Plan

**DATE** 9/27/2019

**SCALE** AS SHOWN

**PROJECT** Twiss Realty  
Project Location: 5900 Cole Rd, Mariposa, CA 95338  
APN - 014-010-024

**SHEET TITLE** Site Plan

1) SITE PLAN