

Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

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

Resolution
No. 2005-30

**A resolution recommending the Board of Supervisors approval of
SPZA No. 2005-34, Allison Sierra, Inc., applicant. Assessor Parcel
Number 012-200-005.**

WHEREAS an application proposing the amendment of the Mariposa Town Planning Area Specific Plan land use and zoning map was received on February 22, 2005 from Allison Sierra, Inc. for a property located at the east side of Fairgrounds Road approximately 375 feet north of the end of the County-maintained portion of Fairgrounds Road, 5058 Fairgrounds Road, also known as Assessor Parcel Number 012-200-005; and

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

WHEREAS a duly noticed public hearing was scheduled for the 19th day of August, 2005; and

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

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

WHEREAS the applicant and staff did not communicate clearly regarding the scope of the proposed road improvements; and

WHEREAS the applicant did request on August 16, 2005 to have the public hearing continued until September 23, 2005, allowing the applicant to work out a solution regarding the proposed road improvements with Public Works, Planning, and CDF staff; and

WHEREAS the Planning Commission did on August 19, 2005 continue the public hearing for this project until September 23, 2005, to be heard at 9:00 a.m. or as soon thereafter as possible; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant,

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Mariposa County Board of Supervisors approve a Negative Declaration for this project; and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Mariposa County Board of Supervisors approve Specific Plan Zoning Amendment No. 2005-34; and

BE IT THEREFORE FINALLY RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1.

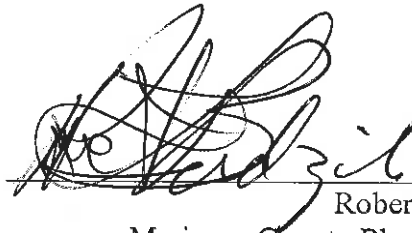
ON MOTION BY Commissioner Skyrud, seconded by Commissioner Ludington, this resolution is duly passed and adopted this September 23, 2005 by the following vote:

AYES: Commissioners De Santis, Ludington, Ross, Rudzik, and Skyrud.

NOES: None

EXCUSED: None

ABSTAIN: None



Robert L. Rudzik, Chair
Mariposa County Planning Commission

Attest:

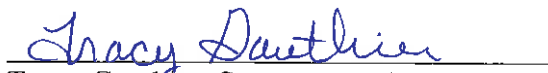

Tracy Gauthier, Secretary to the
Mariposa County Planning Commission

Exhibit 1—Findings

In keeping with Section 2.504 of the Mariposa County General Plan, Sections 1.4 and 2.4 of the Mariposa Town Planning Area Specific Plan, and Section 17.128.050 of the Mariposa County Zoning Code, the following findings are made for Specific Plan Zoning Amendment Application No. 2005-34:

1. **FINDING:** This amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

EVIDENCE: This amendment is proposed to allow light industrial uses on a property adjacent to other Light Industrial-zoned property and the County Fairgrounds and located within a Town Planning Area. It is in the general public interest to allow intense commercial and industrial uses in Town Planning Areas, which have been deemed by the Mariposa County General Plan to be appropriate places for their location. The general public health, safety, peace and welfare will not be adversely affected in any way.

2. **FINDING:** This amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for County development and a short term basis for day-to-day decision making.

EVIDENCE: The inclusion of the subject property in the Light Industrial zoning classification will remove the possibility of further subdivision of that land. This provides the County with the long-term knowledge that the 3.77 acres of the subject property will be unavailable for residential development, and the County will be able to plan around that when additional home sites need to be developed. In addition, the subject property will be available for all permitted uses in the Light Industrial zone, many of which uses will generate employment opportunities for Mariposa residents. This provides the County with the ability to make day-to-day decisions like building permit approvals. It is preferable to have adequate land area zoned for permitted Light Industrial uses located in town planning areas than to have those uses “forced” to develop as rural home industries in rural parts of the county, or to try to identify areas in the rural parts of the County for industrial zoning, as those areas would be removed from services and residential centers.

3. **FINDING:** This amendment conforms to the requirements of State law and County policy.

EVIDENCE: State law governing the adoption of general and specific plans requires that the adopted plan include provisions for amendments. Those provisions are included in the adopted Mariposa County General Plan, the Mariposa Town Planning Area Specific Plan and in the Mariposa County Zoning Code. This application has been processed in accordance with all requirements of State laws and local ordinances.

4. **FINDING:** This amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa Town Planning Area Specific Plan.

EVIDENCE: Section 2.3 of the Mariposa Town Planning Area Specific Plan sets forth the community goals; the overriding goal (page 82 of the Specific Plan) is “to provide for the greatest obtainable convenience, prosperity, health, safety, comfort,

peace, morals, and general welfare of present and future residents and visitors to the County.” The specific goals of the Specific Plan include “2. To provide for, and promote, planned commercial, industrial, and residential development within the Mariposa Community Planning Area.” This proposal, by increasing the amount of available industrial land, will allow for uses which will generate employment opportunities for Mariposa residents, thereby providing convenience, prosperity, comfort, and general welfare for those residents. Other residents and visitors will be served by the future industrial development of the property, which will also meet that overriding goal. As the subject property is currently directly adjacent to existing properties zoned for industrial use and public fairgrounds use, this is an appropriate area in which to promote industrial development in accordance with this goal. Other goals of the Specific Plan include promoting tourism and preserving the historic nature of downtown Mariposa; this project is not adjacent to or visible from either tourist-traveled roads or the historic district and therefore does not detract from the historic district or the scenic views. Many uses permitted in the Light Industrial zone are support-type services that will be as beneficial to the tourists as they are to the residents of Mariposa.

5. **FINDING:** The subject parcel is physically suitable (including, but not limited to access, provision of utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.

EVIDENCE: The subject parcels are found to be physically suitable for the proposed zoning classification based upon adjacent parcels to the south of the project site, which are all developed with industrial uses, and to the west, which is developed with the intense public fairgrounds use. Utilities and infrastructure are available for this property, with access to the project site provided by a County-maintained road that connects to a State highway. There is an existing left-turn lane on the highway at the intersection of Fairgrounds Road. There are no physical constraints on the property that would impede or prohibit industrial development of the project site. The project site is relatively flat and provides good topography for light industrial uses.

6. **FINDING:** The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public.

EVIDENCE: The proposed zoning is logical and desirable in that it provides the potential for expanded employment opportunities at the time the project site is developed, and nearly all permitted uses within the Light Industrial zone provide a basic service to either the residential population or the touring public of Mariposa, if not both.