

MARIPOSA COUNTY RESOLUTION NO. 89-143

A RESOLUTION DIRECTING FURTHER PROCESSING OF GENERAL PLAN AMENDMENT NO. 87-1 AS AMENDED, ZIMMERMAN/TANKO, applicants.

WHEREAS, the Board of Supervisors held a hearing to consider the denial of the General Plan Amendment No. 87-1, and

WHEREAS, the applicant submitted a revised project proposal to the Board of Supervisors at the public hearing, and

WHEREAS, the Board of Supervisors reviewed and discussed the revised project proposal at the public hearing.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors took no action as a result of the public hearing.

BE IT FURTHER RESOLVED, that the Board of Sueprvisors directs Staff to continue processing the application upon receipt of a formal modification to the project as outlined in the March 22, 1989 memo from Community Concepts, attached hereto as Exhibit "A".

PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 4th day of April, 1989 by the following vote:

AYES: Baggett, Erickson, Punte, Radanovich, Taber

NOES: None


ABSTAINED: None

EXCUSED: None



GERTRUDE R. TABER, 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



COMMUNITY

Redevelopment • Land Use Planning • Commercial Development • Economic Development • General Development • Market Analysis

CONCEPTS

Memorandum

Date: March 22, 1989

To: Dr. Gene Zimmerman
Supervisor George Radanovich
Supervisor Art Baggett
Supervisor Sally Punte

From: Robert L. Borchard, AICP
Community Concepts

Subject: Wagner Valley Meeting of 3/21/89

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MARIPOSA COUNTY
PLANNING DEPARTMENT

Following the Board Hearing on this project, a meeting was held in our office to discuss the options available to the county and the applicants regarding the Wagner Valley General Plan Amendment. In attendance at the meeting were myself, Dr. Zimmerman, Supervisor Radanovich and Supervisor Baggett. The meeting began at 4:00 p.m. and lasted about 45 minutes.

At this meeting, Dr. Zimmerman agreed to limit the potential density on the site to the present density. According to the Planning Staff Report, total development capacity on the site is 189 lots on the Mountain Home area and 6 parcels on the Mountain General area for a total of 195 lots. Conversely, since the applicant is agreeing to limit potential development resulting from this general plan amendment, the county should consider limiting the types of on and off-site improvements that will be required on the project in addition to other identified impacts that would have resulted from increased growth in this area.

In essence, the amendment request will be revised to permit the entire property to be zoned Mountain Home with the following limitations and conditions:

1. The meadow area of the project site would be preserved to the maximum extent possible through open space zoning, Williamson Act Contract or other means acceptable to the county.
2. Overall development density of the project site will be limited to a maximum of 195 residences. It recognized that the development of this density would require use of the "Planned Residential Development" standards with construction of community water and wastewater facilities as provided for in Title 17 of Mariposa County Code.
3. In exchange for this agreement by the developer to limit the number of homesites on the project, Mariposa County will establish minimum development standards for roads, water systems, wastewater systems, fire protection, etc., that will be applied to the project. These standards will be developed in recognition of the fact that the plan amendment will not create new growth potential on the project site.

The net effect of the proposed amendment will be to permit Dr. Zimmerman and Mr. Tanko to shift present development potential on the site from the meadow area of the valley to the areas surrounding the meadow and above the lake. This can be accomplished by means of a development agreement that can be negotiated between the county, Dr. Zimmerman and Mr. Tanko. The Development agreement can be executed at the same time the general plan amendment is approved.

This approach would result in modification of the final EIR to address the fact that there will not be any increased growth on the project site as a result of this general plan amendment. All mitigation that was tied into this increased growth would need to be eliminated. Upon certification of the final EIR, the property owners and the county can negotiate the terms of the development agreement and public hearings can be set for both the agreement and plan amendment.