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MARIPOSA COUNTY RESOLUTION NO. 90-247

A RESOLUTION APPROVING MODIFICATIONS TO THE LAND USE POLICIES AND STANDARDS OF THE MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN.

WHEREAS, the Mariposa County Board of Supervisors has initiated text amendments to the Commercial Land Use Policies and Standards of the Mariposa Town Planning Area Specific Plan; and

WHEREAS, environmental review has been conducted on the amendments in accordance with the California Environmental Quality Act and the Mariposa County Environmental Review Policies and Procedures adopted pursuant thereto; and

WHEREAS, the Mariposa County Planning Commission and Board of Supervisors have held duly noticed public hearings on the amendments and reviewed the amendments in accordance with State Law and County Code.

NOW THEREFORE BE IT RESOLVED that the text amendments to the Mariposa Town Planning Area Specific Plan, as shown in the attached Exhibit A, are hereby approved by the Mariposa County Board of Supervisors.

BE IT FURTHER RESOLVED that this action of the Board is based upon the following findings:

1. Section VI of the Mariposa TPA Specific Plan identifies eleven objectives for the community. The proposed amendments either support or have no effect on these objectives, and as such, furthers the goals and objectives of the Specific Plan. The amendments will establish guidelines and standards for the

1 review of multi-family residential use permits in the General,
2 Central, and Light Commercial land uses which will reduce the
3 costs, time frames, and risks of processing use permits. The
4 use permit provisions should not reduce the number of multi-
5 family residential units built in the community of Mariposa nor
6 significantly alter the location of multi-family residential
7 developments. The amendments will not impede the attainment of
8 the goals, objectives, and policies of the Housing Element, and
9 will further the goals and objectives of the General Plan as a
10 whole.

11 2. The Initial Study identified potentially significant
12 effects on the present and planned land uses and population of
13 the Mariposa TPA. Mitigation measures have been adopted to
14 eliminate or reduce these effects to an acceptable level and
15 have been incorporated into the amendments. A Negative
16 Declaration has been adopted for the amendments.

17 3. The amendments will establish guidelines and standards
18 for the review of multi-family residential project in the
19 General, Central, and Light Commercial land uses. This review
20 should result in commercial and residential uses being more
21 clearly defined and thus strengthening the residential and
22 commercial centers of the community.

23 4. The amendments will provide additional review of multi-
24 family residential projects in the designated commercial land
25 uses and will promote orderly growth within these commercial
26 land uses and the community.

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1 5. The proposed amendments are text amendments and do not
2 affect a specific area.

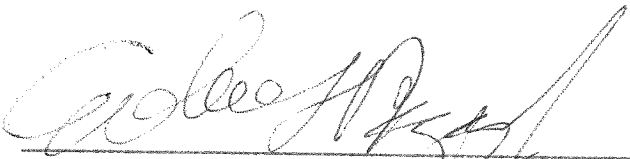
3 6. The review of multi-family residential projects on
4 specific sites through the use permit process will ensure these
5 projects will not result in damage or have an adverse effect on
6 the value of adjacent properties.

7 7. The review of multi-family residential projects on
8 specific sites through the use permit process will ensure the
9 project streets will have adequate capacity to serve the project
10 and the project will not increase traffic congestion or create
11 traffic hazards.

12 BE IT FURTHER RESOLVED that the Mariposa County Board of
13 Supervisors hereby adopts a Negative Declaration for the
14 amendments and the mitigation measures adopted with the Negative
15 Declaration have been incorporated into the amendments.

16 PASSED AND ADOPTED by the Mariposa County Board of
17 Supervisors on this 15th day of May, 1990 by the following vote:

18 AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
19 NOES: NONE
20 ABSTAINED: NONE
21 EXCUSED: NONE

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25 ARTHUR G. BAGGETT JR., Chairman
26 Mariposa County Board of Supervisors
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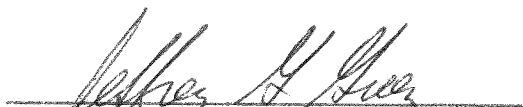
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ATTEST:



MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

EXHIBIT A

Section VII.A. of the Mariposa TPA Specific Plan to be amended as follows:

2. General Commercial Land Use

Permitted Uses:

- a. One residential unit per parcel

Conditional Uses:

- d. Multi-family residential units in accordance with the standards of the Multi-Family Residential land use and the use permit standards for Multi-Family Residential Development as contained in Section VII.E.8

3. Central Commercial Land Use

Permitted Uses:

- a. One residential unit per parcel

Conditional Uses:

- d. Multi-family residential units in accordance with the standards of the Multi-Family Residential land use and the use permit standards for Multi-Family Residential Development as contained in Section VII.E.8

4. Light Commercial Land Use

Permitted Uses:

- a. One residential unit per parcel

Conditional Uses:

- c. Multi-family residential units in accordance with the standards of the Multi-Family Residential land use and the use permit standards for Multi-Family Residential Development as contained in Section VII.E.8

Section VII.E.8 of the Mariposa TPA Specific Plan to be added as follows:

8. REVIEW OF USE PERMITS FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS IN THE COMMERCIAL LAND USES

The purpose of the use permit for multi-family residential developments in the commercial land uses is to allow the proper integration of multi-family residential uses in commercial areas through proper site design and development standards taking into consideration the characteristics of the individual site and the immediate area. An additional purpose of the use permit is to ensure that commercial centers or cores are not significantly impacted by the improper siting of multi-family residential uses. The Planning Commission shall process and consider the use permit application in accordance with Chapter 17.112 of the County Zoning Ordinance.

a. Consideration of Use Permit Application

In evaluating a proposed multi-family residential development, the Planning Commission shall approve a use permit provided the mandatory findings listed in Section 17.112.40 of the County Zoning Ordinance can be made for the project in addition to the following findings:

1. The development standards for multi-family residential uses in commercial land uses as contained in Section

VII.E.8.c of the Mariposa TPA Specific Plan have been incorporated into the design of the project, except those standards which have been reduced or modified by the Planning Commission through the variance procedure.

2. The project is adjacent to properties planned for residential uses or developed primarily with residential uses and will not result in the degradation of an existing or potential commercial center.
3. Adequate on-site parking is provided for the residents of the project and their guests, and the project will not significantly effect the availability of on-street parking in the immediate area.

b. Denial of Use Permit

Denial of a use permit for multi-family residential development shall be based upon a determination that one or more of the mandatory findings listed in Section VII.E.8.a cannot be made for the project and the Commission cannot impose any reasonable conditions or requirements on the project to guarantee compliance with the mandatory findings. The Planning Commission's action of denial shall be rendered in the form of a resolution which shall state the reasons for denial and the mandatory findings for denial.

c. Development Standards for Multi-Family Residential Uses in Commercial Land Uses

The purpose of this section is to establish minimum development standards for multi-family residential uses in the commercial lane use classifications. These standards shall be considered minimum standards, and the Planning Commission may impose more stringent standards through the use permit application process. Adequate documentation shall be provided on the site plan or with the use permit application to demonstrate the standards are being or will be complied with. All multi-family residential development in the commercial land use classifications shall comply with the following standards:

1. Street Improvements and Dedications--All developments shall provide street or road improvements from the project site to a County road in accordance with the Mariposa County Road Improvement and Circulation Policy. If the project site abuts a State Highway, road and encroachment improvements shall be provided as required by the California Department of Transportation. If the project site abuts a County road, road and encroachment

improvements shall be provided as required by the Mariposa County Public Works Department in accordance with the County Road Improvement and Circulation Policy and County Improvement Standards. Notwithstanding the standards of the County Road Improvement and Circulation Policy, frontage improvements shall be required for all multi-family residential projects with a density of more than one residential unit per acre. Street and road dedications shall be made to the County, in a manner prescribed by the Public Works Department, for all County Roads abutting the project site. The width of the required dedication shall be determined by the Public Works Department.

2. Parking--Off-street parking shall be provided in accordance with the requirements of Section VII.E.5 of this Specific Plan. No more than forty percent (40%) of the spaces may be designed and designated for compact cars. The minimum dimensions for a regular parking space shall be ten (10) feet in width and twenty (20) feet in length and for a compact car space shall be eight (8) feet in width and fourteen (14) feet in length.
3. Driveway and Parking Improvements--All access drives, parking areas, and vehicle maneuvering areas shall be surfaced with a minimum of two (2) inches of asphaltic concrete paving or comparable surface approved by the Public Works Director and Planning Director.
4. MPUD Services--The Mariposa Public Utility District shall approve the development for water service, sewer service, and fire protection service. The District may impose requirements to the development to ensure adequate water, sewer, and fire protection services are provided to the development.
5. Drainage--A plan for the discharge of surface water drainage originating on-site and from adjacent road right-of-ways shall be approved by the Public Works Department. Surface water drainage shall be adequately collected from the project site and conveyed to a suitable drainage way which is determined by the Public Works Department to be adequate to handle the additional discharge.
6. Open Space--For developments with ten (10) or more residential units, a minimum of five percent (5%) of the net lot area (i.e. size of project site exclusive of access easements) shall be designated and developed as common usable open space, provided, however, no less than four hundred (400) square feet of common usable open space shall be provided. The required common usable open space may be

divided into more than one (1) location, provided that no single location shall contain less than four hundred (400) square feet. No buildings or structures shall occupy areas designated for common usable open space except buildings or structures designed exclusively for recreational purposes. Parking and maneuvering areas shall not be utilized for the required common usable open space. Usable open space shall be defined as open space which may be readily used by residents of the development for recreational purposes, including but not limited to, picnic areas and playgrounds.

7. Lighting--All exterior lighting shall be directed downwards and away from adjacent properties. A lighting plan shall be submitted to and approved by the Planning Director demonstrating that exterior lighting does not travel beyond the project site boundaries.
8. Architectural Design/Landscaping/Signs--The applicable design standards of the Design Review Overlay or Historic Design Review Overlay of the Specific Plan shall apply to all multi-family residential developments in the commercial land use classifications.
9. Outdoor Trash Receptacles--All trash receptacles shall be screened so that they are not visually obtrusive from any off-site location. The location and method of screening for all trash receptacles shall be approved by the Planning Director. The trash receptacles shall be accessible for use and collection at all times.

d. Waiver of Application Fees

The use permit application fees, design review fees, and environmental review fees shall be waived for multi-family residential projects in the commercial land uses which qualify under Section 65915 of the California Government Code, such as projects for low- to moderate-income residents and senior citizens.