

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

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STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution  
No. 2004-2

**A resolution recommending to the Mariposa County Board of Supervisors approval General Plan and Zoning Amendment (GP/ZA) #2003-182, Ronald Enos, applicant. Assessor Parcel Number 007-090-021.**

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WHEREAS an application for a General Plan and Zoning Amendment was received on July 25, 2003 from Ronald Enos for a property located west of William's Peak Lookout at 7831 Hunters Valley Road, also known as Assessor Parcel Number 007-090-021; 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 6<sup>th</sup> day of February 2004; 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 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; and

WHEREAS Section 17.128.050 of the Mariposa County Zoning Ordinance identifies the Mariposa County Board of Supervisors as the final county review authority for this application;

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend approval of a Notice of Exemption; and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend approval of General Plan / Zoning Amendment #2003-182; and

BE IT THEREFORE FURTHER RESOLVED THAT the project is recommended for approved based upon the findings set forth in Exhibit 1:

ON MOTION BY Commissioner Lyle Turpin, seconded by Commissioner Skip Skyrud, this resolution is duly passed and adopted this 6<sup>th</sup> day of February 2004 by the following vote:

AYES: Commissioners Ludington, Rudzik, Crain, Skyrud, and Turpin

NOES: None

EXCUSED: None

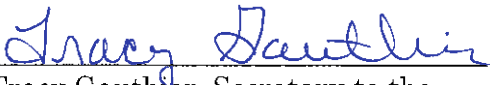
ABSTAIN: None



Susan Taber Crain, Chair

Mariposa County Planning Commission

Attest:



Tracy Gauthier, Secretary to the  
Mariposa County Planning Commission

**Project Findings – Exhibit 1**

**GENERAL PLAN / ZONING AMENDMENT  
APPLICATION NO. 2003-182  
RECOMMENDED FINDINGS**

Pursuant to Mariposa County Zoning Ordinance, Section 17.128.050, the following Findings are recommended:

1. **That such an amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare;**
  - a. Through The Land Conservation Act (Williamson Act), the State of California encourages commercial agricultural to occupy lands suited to such enterprises in order to maintain and enhance this type of economic resource of the state.
  - b. Commercial agricultural uses are common in Mariposa County and permitted to occur on most land use designations.
  - c. The Agricultural Exclusive zoning district includes provisions that requires discretionary review for certain uses that by their nature may require measures to reduce impacts to less than significant.
2. **That such an 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;**
  - a. The land use designation of Agricultural Exclusive is necessary to allow for the property to placed under a rolling 20-year contract with the County for agricultural uses. This improves the plan by providing long-term guidance on the use of the property in a manner consistent with the desired land use of the area.
  - b. The requested zoning designation will also provide guidance with respect to day-to-day decision-making.
3. **That such an amendment conforms to the requirements of state law and county policy;**

With respect to notice, hearings and findings requirements, the project was reviewed in accordance with state law and county policy.

**4. That such an amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County general plan;**

The Land Conservation Act promotes the preservation and development of agricultural lands, as encouraged by the Conservation Element. The Open Space Element confirms the importance of maintaining the viability of the agricultural industry for Mariposa County, and results in the execution of a Land Conservation Act contract, which is a 20-year commitment to agriculture and open space uses for the site. The preserves are consistent with the General Plan. This finding is made in accordance with Section 51234 of Government Code.

**5. In the case of an amendment to the zoning classification on an individual parcel or General Plan Land Use Map:**

- a. 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; and**

The proposal meets the minimum dimensional requirements of the Agricultural Exclusive zone, has access to Hunter's Valley Road, has been used over the last three years for commercial agricultural use and is compatible with adjacent uses and land use designations (Public Sites – BLM (public grazing land) and Mountain General (used for ranching).

- b. the proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public. (Ord. 912 Sec.II, 1997; Ord. 704 Sec.1, 1988).**

The proposal is to maintain commercial agricultural uses on the property for a minimum period of 20-years, which is extended automatically each year until the property owner notifies the county and state of his/her intent to terminate the contract after 20-years.