

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

AGENDA DATE: 5/02/00
AGENDA ITEM NO.: 9

DEPARTMENT: Planning By: Sarah Williams, Int. Plng. Director Phone: 966-5151
Skip Strathearn, Assistant Planner

RECOMMENDED ACTION AND JUSTIFICATION: Policy Item: Yes ___ No X

Consider Planning Commission action, appeal issues, and public input. Adopt resolution to grant or deny the appeal.

BACKGROUND AND HISTORY OF BOARD ACTIONS: None

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

- ALTERNATIVES:
- Grant appeal (uphold Interim Planning Director determination to deny issuance of a building permit for the 60' flagpole).
 - Deny appeal (uphold Planning Commission action to approve issuance of a building permit for the 60' flagpole).
 - Direct staff to commence processing of a Specific Plan Amendment to define appropriate provisions for exemptions from 35' height limit.

NEGATIVE ACTION: No action on the appeal would result in the Planning Commission's action standing (60' flagpole allowed).

<p>COSTS: (X) Not Applicable</p> <p>A. Budgeted Current FY \$ _____</p> <p>B. Total anticipated Costs \$ _____</p> <p>C. Required additional funding \$ _____</p> <p>D. Internal transfers \$ _____</p> <p>COSTS: () 4/5th Vote Required</p> <p>A. Unanticipated revenues \$ _____</p> <p>B. Reserve for Contingencies \$ _____</p> <p>C. Source Description \$ _____</p> <p>Balance in Reserve Contingencies, If Approved:</p> <p>\$ _____</p>	<p>SPECIAL INSTRUCTIONS</p> <p>List the attachments and number the pages consecutively:</p> <p>Memorandum to Board with Attachments</p> <p>Attachment 1 Options & Alternatives</p> <p>Attachment 2 Notices of Appeal & supporting documentation</p> <p>Attachment 3 Draft Planning Commission minutes</p> <p>Attachment 4 Staff Report to Planning Commission</p> <p>Attachment 5 Manufacturers' recommended flag sizes</p> <p>Attachment 6 Mariposa TPA structure height language & County code definition of structure</p> <p>Attachment 7 Countywide structure height exceptions</p> <p>Attachment 8 Diagram of building height measurement on Natural grade</p> <p>Attachment 9 Correspondence</p>
--	---

CLERK'S USE ONLY

Res. No.: 00-158 Ord. No.: _____

Vote - Ayes: _____ Noes: _____

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

_____ Recommended

_____ Not Recommended

 / For Policy Determination

_____ Submitted for Comment

_____ Returned for Further Action

Comment: _____

A.O. Initials: SW / MJM



COUNTY OF MARIPOSA

P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

GARRY R. PARKER, CHAIRMAN
DOUG BALMAIN, VICE-CHAIRMAN
PATTI A. REILLY
ROBERT C. STEWART
BOB PICKARD

DISTRICT IV
DISTRICT II
DISTRICT I
DISTRICT III
DISTRICT V



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Interim Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Installation of 60' Flag Pole in the Community of Mariposa; Res. 00-158

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on May 2, 2000

ACTION AND VOTE:

1:36 p.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Appeal 00-2, an Appeal of Planning Commission Action to Approve the Installation of a Sixty Foot Flag Pole in the Community of Mariposa, Dieter Dubberke, Applicant; Mariposans for Environmentally Responsible Growth (MERG) and John Erhart, Appellants

BOARD ACTION: Chairman Parker explained the hearing procedures, and he introduced the Board members and staff. Sarah Williams presented the staff report, and she advised that the issue today is whether or not the flagpole is a structure as defined by the zoning ordinance. She reviewed the Zoning Code definition for a structure and height restrictions; and she reviewed the issues raised by the appellants. Staff responded to questions from the Board as to what issues are reviewed by staff for this type of project; whether a flagpole is identified or defined in the Code; maintenance requirements for a flag; review process if the requested pole was 35 feet or less in height; and how size and scale of a project is determined.

Public portion of the hearing was opened and input was provided by the following.

APPELLANTS:

John Erhart, appellant, presented his reasons for appealing this project.

- 1) He feels there is an effort to disregard the County General Plan and the Town Specific Plan – this issue is not about the right to fly the flag; it is the scale of the project. He feels there should be no exceptions to the County General Plan or the Town Plan for Mariposa. He feels that once this is approved, anything could be placed on the pole.
- 2) He met people in Mariposa who believed the project was a bad idea and were afraid to speak publicly, including business people who were afraid of their business being hurt.

- 3) He stated that it has been said that this application represents a challenge to the legal validity of the Town Plan and the County General Plan. He feels this effort could lead to the general disregard for the Town Plan, and he noted that many people put in a lot of time to develop this Plan.
- 4) He feels there has been misrepresentation of the nature of the project to the general public – as he understands the history of the project, the original application for a building permit does not even mention a “veterans memorial” and this was included after the initial application was refused by the Building Department. He questioned whether the National VFW encourages its members to overwhelm small towns with demands for “memorials” on commercial property. He stated he feels this is advertising and that its purpose is to draw attention to a place of business.
- 5) He disagrees with the contention that the project will stimulate business. He does not see how it will bring additional business to Mariposa.
- 6) He feels there has been an attempt to sidestep the democratic process. There should be a proper process, including a review of the wishes of the entire community, if changes are to be made.
- 7) He feels that there is still not an adequate picture of what this display will look like.

He advised of information he obtained from the Arlington National Cemetery relative to the size of their flags and poles. He stated he feels that this is an issue that is of interest to all of the residents and property owners of the County and not just the town area. He urged the Board to deny the project.

Bart Brown, speaking on behalf of MERG, appellant, (Mariposans for Environmentally Responsible Growth), a registered California Corporation since 1989, thanked the Planning Department for their efforts in putting together and presenting the staff report. He provided the following information in support of their appeal.

- 1) Amendment of the Specific Plan – He advised that MERG supported the adoption of the Mariposa Town Specific Plan, including the height limit of 35 feet for buildings and structures to maintain the village character. He noted there is not a separate definition of a flagpole in the zoning ordinance, and he feels the flagpole falls under the definition of a structure. He feels that the decision of the Planning Commission that a flagpole is not a structure and not subject to the height limits changes both the intent and the interpretation of the Specific Plan – he feels this allows any sort of tower structure and of any height, and there are no specifics of what banners may be flown or of what size. He feels the process should be followed for amending the Specific Plan if it is the desire to address an amendment.
- 2) Policy – He feels that the determination to change the Specific Plan is a policy decision and should be made by the Supervisors and the public by the due processes of our zoning ordinances.
- 3) Precedent – He feels the decision of the Planning Commission means that any property owner may come forward to request a flagpole of any height, and request flying any banner desired. He feels the Commission belatedly realized the problems being created.
- 4) Property values – He noted that the Design Review Overlay is to ensure harmony with surrounding areas and to maintain or increase property values. He expressed concern as to whether a project of this magnitude would do this.
- 5) Staff report – He stated he feels the staff report of March 3rd, prepared for the Planning Commission, is an accurate reflection of the proper interpretation of the ordinance; and it rejects the application.
- 6) Honoring veterans – He feels that the issues are not related to honoring either our flag or our veterans. They fully support both, but think it can be done without destroying the integrity of the Specific Plan. They have numerous veterans in the MERG organization and would be happy to work with the VFW to effect an appropriate memorial which fits the size and scale of its placement. They offered to meet with the VFW, but the local commander rejected their offer. He advised they called the National VFW headquarters and were told that establishment of a memorial must comply with local zoning codes.

- 7) Conclusion – He feels that upholding the present appeal would restore the integrity of the Specific Plan, eliminate confusion and uncertainties created by the Planning Commission's decision; and this would allow the applicants to pursue either an amendment to the Specific Plan or a Variance using the due processes outlined in our County ordinances.

INPUT IN SUPPORT OF APPELLANTS:

Martha Brown feels the County is fortunate to have an outstanding Planning Department, with knowledgeable staff. She asked how these employees could be asked to do their job if the Board and Planning Commission do not uphold the codes and ordinances.

Mike Bird referred to existing war memorials and stated he feels we should improve and rededicate our existing memorials. We should not pretend that this "gimmick" is a veterans memorial. The location is in a strip mall.

Dick Kunstman reviewed his and his family's service in the military, and he stated he does not feel his patriotism should be questioned when he expresses opposition to a sixty-foot flagpole. He noted that the Title 17 Committee reviewed height limitations and agreed with the 35 foot limit being measured from the up-slope side. He feels there have been deceptive photographs in the newspapers to show that other structures are not in compliance. He stated he feels the Board needs to look at the facts and ordinances and not make judgement based on emotional appeal.

Ruth Sellers advised that in the beginning she was neutral, and then the newspapers and advertising came out on this issue. She referred to the definition of a structure in the dictionary and stated she feels the pole meets that definition. She asked why it should exceed 35 feet, and she stated that she feels people should not be criticized for standing by the code. She noted that she is an "Army brat" and they are not unpatriotic for standing by the ordinances. She urged the Board to uphold the appeals and noted that staff needs support from the Board.

Yvonne Bennett congratulated Dave Thomas and Dieter Dubberke for their media hype and exploitation of the VFW. Chairman Parker reminded everyone that their input should be related to the issues of the hearing. Yvonne continued with noting that the Town Specific Plan won an award and should be enforced.

Carol Davis stated she recently attended a gathering where a dignitary from another community referred to the beauty of Mariposa. She stated she does not want to see this beauty spoiled, and she presented a letter for the record.

John Brady stated he supports the previous remarks, and he stated he is disturbed by the negative tone of the campaign undertaken by the applicants. He stated the depth of patriotism is not measured by size. He stated he does not feel this is an appropriate size or location for a veterans memorial. He feels its only purpose at this location would be to attract attention to the shopping center. He advised that he spent thirty years in the military. He asked the Board to address this issue based on the facts of the law and respect for the flag, veterans and the community.

Ron Mackie, Board member of MERG which voted to support the appeal of the flagpole issue, stated the appeal was never an issue of disrespect or to demean the flag. He noted that President Nixon signed into law in 1969 the Environmental Protection Act. He thanked the Commander of the local VFW for discussing this issue with him. He referred to President Lincoln's quote that "two people can disagree, both be right and still be friends."

Bill Wendt expressed concern with retaining the historical integrity of Mariposa and stated he feels a sixty foot flagpole compromises that integrity. He objected to the tactics used in the paid advertisement on this project. He stated he served in the military reserves, and he appreciates being able to publicly state his point of view.

Shirley Schmelzer commented on her family's service in the military; however, she stated she feels we need to follow the ordinance and the award winning Town Plan. She noted that the County is about to start work on the General Plan Update and that will cost a lot and take a lot of time.

Hilde Heidt agreed with the previous remarks, and with much patriotism. She stated the Board has an opportunity to resolve the problem and unite all sides and build a monument in a beautiful place, and work as a community together on this project. She stated that, as citizens, she feels we should work together on this memorial.

Barry Brouillette stated he is a resident on the other side of the valley in town and will look at the flag from his home. He stated if he had to vote today on this issue, it would be to uphold the appeal, but it is a close decision. But in speaking with Mr. Thomas, he finds that his contractor visited the Building Department two times and was told he did not need a permit, so the pole and flag were ordered. Then they started with the electrical permit and found that this project did need a permit. He does not feel that the applicants intended for this much controversy to occur. He personally prefers that the flag is raised and lowered each day, and perhaps a local tradition could be made of that. He stated he feels the ordinance should be upheld and the Specific Plan revised to allow for flagpoles; but without a red light at the top.

Bob Schmelzer stated he is a veteran of World War II and agrees with the input that has been provided. He questioned the location of the pole. He stated he feels it would not be in compliance with the code and is not accessible. He feels it should be where people can get to it and see it. He would like to see a 35 foot pole at the VFW site in town.

2:44 p.m. Recess

2:55 p.m. Board reconvened and continued with the public hearing.

APPLICANTS:

Dieter Dubberke, applicant, stated he was present to answer the appeals which have been filed against the proposed veterans memorial. He addressed the following issues.

- 1) Due process – he stated the Planning Commission ruled that the flagpole does not constitute a structure in the sense intended; and therefore, it does not come under the height limitation. In response to the appellants statements that people in the community were not aware of the project or that the hearing was “stormed” by veterans and their representatives, he noted the advertisement of this project that they ran in the local newspapers and of their survey and attempts to gather input. He advised that the response was overwhelmingly in favor, but they made every effort to make this project known to all. He feels that this hearing is a part of the due process and those who wish to provide input will be allowed to do so, both in favor and against.
- 2) Scale of the project – After consideration, the Planning Commission determined that the flagpole does not constitute a structure. The appellants feels the Commission exceeded its authority in this decision and that their interpretation constitutes an amendment to the Town Planning authority regulations and will do harm to the area in the future. He feels this single interpretation is within the Commission's authority and it is for this single project only.
- 3) Size of the flag – Unlike a rigid object, such as a sign, the flag will be hanging from the pole and will seldom unfurl to its full size. They have selected a nylon fabric that will minimize the noise – this is the quietest kind of fabric. Lighting for the flag is part of the pole itself and will be an upward pointing cone focused on the flag only.

He further stated that they believe the project does not violate the spirit of the Town Planning Area or pose any threat to the environment. He feels the community has shown a great deal of support for this project. He asked the Board to uphold the decision of the Planning Commission. He referred to the posters he displayed which were covered by their survey results and notes from approximately 1,000 people supporting this project.

Mr. Dubberke responded to questions from the Board as to whether other locations were considered for this project; the idea for the memorial and whether any processes have been started for that portion of the project; lighting plans; whether any parking spaces would be deleted for the project; height of the slope at the intersection of Fourth Street and Bullion from the base of the flagpole; plans for maintenance; and plans for the base of the flagpole. He advised that this location was selected because they own the property and there was a power problem with their site at the other end of town; they have not started any process for the memorial; the size of the flag is still under discussion; the ropes are internal so there will be no clanging; a flashing light at the top of the pole was not part of the project; no parking spaces would be eliminated; and he advised that they have made provisions and set aside funding for the project to be maintained, with the flag being replaced twice a year. He asked what rights the appellants have to tell him what to do with his private property – he does not tell them how to plant their trees or on what angle to build their house.

INPUT IN SUPPORT OF APPLICANTS:

Darrell Vivian, resident of Hunters Valley, stated he wears a bracelet in recognition and memory of a missing veteran from over thirty years ago. He feels that seeing the flag when entering town will stimulate him to remember those who have fought, lost their lives, and are missing. He stated he supports a sixty foot pole.

Chairman Parker reminded everyone that the input should be relative to whether the pole is a structure.

Bud Swift stated he is a World War II disabled American veteran. He feels the only thing that will be advertised is the United States of America. He stated he hopes the Board will approve the project.

Steve Valdez stated he has worked at the Pioneer Village for twelve years and he feels the pole is not out of scale for the area. He stated that most of the time the portion of the flag that is seen will be 2 x 18 feet, and it needs to be that large to be seen. He noted that there are federal laws relative to the maintenance of flags and he is familiar with those. He does not feel it is an enhancement to the businesses, as the parking lots are always full during the tourist season.

Bill Yaley, Commander of VFW Post 6042, stated he was representing himself and the Post. He stated there has been a precedence in the County which was pointed out by fellow members – he advised of a photograph showing about a 128 foot pine tree being used as a flagpole, and in the 1800's, there was a 150 foot pole in town. He advised that at a recent VFW meeting, the vote was nearly 100 % in favor of this project. He noted that he recently returned from a vacation in Washington, D.C., and a Marine Corps reunion in San Diego, read names on the Vietnam Veterans Memorial Wall and he visited with servicemen – he saw so many structures and many United States flags flying from poles. He is not sure why a pole's name should be changed to a structure. He feels that the people opposing the flagpole appear to be trying to stop growth in the County. He noted that God has been taken out of the schools, and now with this issue to take the pole out of the flag, he feels that it could lead to the flag being taken out of the schools. He feels a flagpole is not a structure. He referred to a newspaper story relative to veterans, advising that some returned home to a society that held them in contempt and some people were downright cruel to the returning veterans. He urged the Board's support of this project so that the flag could be seen by everyone entering our town.

Darell Deal stated he has been a resident of Mariposa County for 33 years. Relative to the question as to whether the pole is a structure, he noted that a finished product has been sales taxed before it arrives. As an example, because cabinets in a home are finished before they arrive to be installed, they are not considered as a part of the structure. He further advised that he salutes the flag every time he sees one.

Dick Bonde referred to the precedent of a tall flag pole in the County. He commented on the height of power poles and asked why a flagpole should be considered a structure if a power pole is not.

Robert Manning stated he doesn't feel the flagpole will serve as advertisement – he noted that anyone that is in town for two weeks knows who Dieter (Dubberke) is and where he works. Relative to the warning light at the top of the pole, if he were in a plane, he would be more worried about the propane tanks in the area. He commented that the Declaration of Independence has had changes and if changes need to be made to the Specific Plan, then that should occur. He stated he feels that if one woman was able to get prayers taken out of the schools, then the Board should be able to allow this flagpole project.

Jan Mennig, representing the Chamber of Commerce and himself, stated he recognizes and supports the idea of a flagpole and flag.

Bob Boyer, past Commander of the VFW and representing his family, noted that in his survey of 45 cemeteries in the County, there are veterans from the War of 1812 to present conflicts. He read a list of names of those who gave their lives for our country from this area. He urged the Board to support the flagpole with “Old Glory” to be put on top.

Jim Turner presented additional signatures supporting this project. He noted that his family has been here for five generations. He does not feel the pole is a structure and it was never intended to be. He feels the 35 foot limit was for buildings that would be occupied.

Charles Fleming stated he has only been here for seven years as a resident; however, they have owned property for 25 years in the area. He commented on his background of 35 years with the Los Angeles County Road Department. He was in charge of street lights and traffic signals for the entire County. He maintained poles from 25 to 55 feet. He defined a structure as something that has at least two sides or more such as in the form of a lean-to or an a-frame, etc. Structures are made of elements that connect the sides. The pole does not have these elements, just material that it is made of and it is circular – so there are no sides. Thus, the pole is not a structure.

Les Rose stated the American Legion was the first organization that Dieter Dubberke came to and the location of the pole was discussed. He and Lenora Fields picked the proposed spot. He stated he feels the Planning Commission knew the difference between a structure and a steel pole.

Jane Coffman stated that when you come into town, the flag would be a good addition to the big white building (hotel) that you currently see. She feels that the hotel is advertisement.

Roger Brunelle stated his business is the closest to this project. He agrees with the need for a Town Plan and he feels there is a duty to interpret it – should try to go with the will of the people if it can be shown that it is in the spirit of how the Code is written.

Honor LaVerme stated she is speaking for those who are not present today. She commented on a home in England with a Coat of Arms consisting of stars and stripes of our first President (George Washington), and that is where she first saw the United States flag. She noted that this is the anniversary of the holocaust, and when the flag of the United States went into Europe, people were being set free. Her husband will never forget this sight. She commented on the history of D-day, and stated that every time she looks at the American flag, she has great respect for it. She commented on what the stars and stripes mean to her. Since 1946, she has flown the flag every day. She stated she does not care how high the pole is – it is not high enough for her.

REBUTTAL BY APPELLANTS:

John Erhart stated he feels the photographs misrepresent just how big the pole will appear. He stated he does not feel that we have an accurate picture of what this project will look like. He feels the survey is misrepresentative of the public opinion, and it did not offer a third choice. The survey asked for names and addresses to be sent to a Post Office box and people did not know how these would be used or who they were sending them to.

Bart Brown stated MERG did not suggest that a poll be taken; if they had, they would have asked if the community wanted this approved in violation of the codes or should a change to the codes be pursued. He stated he feels the poll is meaningless. He stated the power pole on his property is only 31 feet. P. G. & E. said 40 feet above ground is their standard for poles, but in local communities, their poles are usually exempt. He referred to the March 3, 2000, Planning Commission meeting minutes and comments that were made after the emotion of the hearing subsided. He noted that the Commissioners raised issues that they addressed in their appeal relative to due process for Plan amendment, policy change should be set by the Board, precedent is set by allowing oversized structures, property value impacts of the total project, uniform code enforcement, and maintenance of the small town flavor and village characteristics of Mariposa. By upholding the appeal, the applicants could then consider a variance or Plan amendment, or could consider reducing the height of the pole to the allowed 35 feet. With the project being located on a knoll, it increases the net affect of the height. He feels it is sad to think that a project which should be uniting the community, a memorial for veterans, has been made a divisive issue simply because the applicants chose to buy a flagpole that they knew exceeded the limits of our Specific Plan.

Jeff Green, County Counsel, responded to a question from the Chairman relative to the hearing process and allowing the applicant an opportunity for rebuttal. Board concurred and Chairman advised that if there is any new evidence that was presented during the appellants' rebuttal, the applicants may respond, followed by an opportunity for the appellants to provide additional rebuttal.

REBUTTAL BY APPLICANTS:

Dieter Dubberke stated the measurements in their photographs are correct and accurately reflect the scale of the project. He feels their survey was legitimate. This flagpole will not be the first of this height in the community; precedent was set by two previous poles. He feels that only he and Dave Thomas have liability for this project, and they have set aside funds for future maintenance. He feels the Planning Commission made an interpretation of the law, and he feels that this pole is not a structure – it is a pole. He stated he and Dave Thomas love this community and this is an outright gift with no strings attached.

APPELLANTS' RESPONSE TO APPLICANTS REBUTTAL:

John Erhart stated he is a contractor and still does not believe that this an accurate picture of what the project will look like, and he disagrees with sending the survey to an anonymous box.

Bart Brown stated this does not solve the definition used by the Planning Commission or a Plan amendment – he feels this still needs to be addressed.

Public portion of the hearing was closed.

Staff responded to questions from the Board relative to the process and timeframes for amending the Specific Plan to exempt flagpoles from the definition of a structure; what things are exempt from the 35 foot height limit currently; process for the County or School District to install light poles at the ballfields that exceed 35 feet; allowances in the Wawona Specific Plan for exceeding the height limit; identification of a flagpole as not being a structure; and how measurement of the height limit is taken on a hillside. Sarah Williams advised that the FAA lighting requirements only affect objects that are over 200 feet in height – thus, they would have no lighting requirements for the top of this pole.

Board commenced with deliberations. Supervisor Balmain stated he feels the spirit and intent of the height limit is for fire protection purposes for structures. Supervisor Parker thanked everyone for their participation in this hearing process, and stated he does not feel it was the intent to restrict power lines, poles, water towers, etc. Supervisor Reilly stated she disagrees with the comments relative to the intent of the height limit – based on her experience, she feels that the issue of fire protection is only one issue; there was discussion about the overall environment. She feels that if the height limit was only for habitable space, the Code would not address “other structures.” Staff responded to additional questions from the Board relative to the term “village atmosphere and small town character” in relation to the project; relative to the 35 foot limit and there being no specific exemptions in the Town Plan.

(M)Balmain, (S)Stewart, Res. 00-158 adopted denying Appeal No. 00-2, and upholding the Planning Commission decision of March 3, 2000, to allow installation of a 60-foot flagpole finding that the flagpole is not a structure intended to be regulated by the Specific Plan. Motion was amended, agreeable with maker and second, to include the following findings:

- 1) A flagpole is not a "structure" intended to be regulated by the 35-foot building and structure height restriction of the Mariposa Specific Plan;
- 2) The Specific Plan does not specifically prohibit every project over 35 feet in height, just buildings and structures;
- 3) The spirit and the intent of the original adoption of the Specific Plan was that the 35-foot height restriction was established for fire protection reasons and was not to define flagpoles and similar objects such as ballfield lights and power poles as structures; and
- 4) Testimony given by Charles Fleming during the public portion of the hearing stated that a flagpole is not a structure due to its circular nature of not having two or more connected sides.

Discussion was held. Jeff Green responded to a question from the Board as to whether this action would allow any flagpole on any parcel. Ayes: Balmain, Stewart, Parker, Pickard; Noes: Reilly.

Following discussion, (M)Balmain, (S)Pickard, direction was given to staff to come back to the Board with design review recommendations on flag size, lighting, etc., for this project/Ayes: Unanimous. Hearing was continued to May 23, 2000, at 10:00 a.m. for consideration of the design review.

Following further discussion, (M)Pickard, (S)Reilly, direction was given to staff to being the process of a Specific Plan amendment for the town of Mariposa relative to the height restriction issues/Ayes: Unanimous.

cc: File