

DEPARTMENT: Planning

By: Skip Strathearn
Assistant Planner

Phone: 966-5151

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

Approve design review for 60-foot flagpole with the recommended finding and conditions.

BACKGROUND AND HISTORY OF BOARD ACTIONS:


On May 2, 2000 the Board denied Appeal 00-2, thereby allowing the installation of the flagpole.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: Design review must be completed prior to the issuance of a building permit for the project.

NEGATIVE ACTION: The building permit for the project could not be issued in the absence of design review.

<p>COSTS: (<u>X</u>) 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>SPECIAL INSTRUCTIONS</p> <p>List the attachments and number the pages consecutively:</p> <p>Memorandum to Board with Attachments</p> <p>Attachment A Design review analysis</p> <p>Attachment B Proposed resolution approving design review</p> <p>Attachment C Flag sizes to scale</p> <p>Attachment D Diagram of lights for flagpole</p> <p>Attachment E Proposed resolution denying Appeal 00-2</p>
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<p>CLERK'S USE ONLY</p> <p>Res. No.: <u>00-188</u> Ord. No.: _____</p> <p>Vote - Ayes: <u>3</u> Noes: <u>Balmain, Stewart</u></p> <p>Absent: _____ Abstained: _____</p> <p><input type="checkbox"/> Approved <input type="checkbox"/> Denied</p> <p><input checked="" type="checkbox"/> Minute Order Attached <input type="checkbox"/> No Action Necessary</p> <p>The foregoing instrument is a correct copy of the original on file in this office.</p> <p>Date: _____</p> <p>ATTEST: _____</p> <p style="text-align: center;">MARGIE WILLIAMS, Clerk of the Board</p> <p>By: _____</p> <p style="text-align: center;">Deputy</p>	<p>ADMINISTRATIVE OFFICER'S RECOMMENDATION:</p> <p>This item on agenda as:</p> <p>_____ Recommended</p> <p>_____ Not Recommended</p> <p>_____ For Policy Determination</p> <p>_____ Submitted for Comment</p> <p>_____ Returned for Further Action</p> <p>Comment: _____</p> <p>_____</p> <p>A.O. Initials: </p>
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**MARIPOSA COUNTY BOARD OF SUPERVISORS
RESOLUTION NO. 00-188**

**A RESOLUTION APPROVING DESIGN REVIEW NO. 013-187-002 FOR 60-FOOT
FLAGPOLE PROJECT IN MARIPOSA TOWN PLANNING AREA**

WHEREAS, The Board of Supervisors adopted a Resolution denying Appeal No. 00-2 thereby allowing the installation of a 60-foot flagpole at 5004 Highway 140 in the Mariposa Town Planning Area; and

WHEREAS, commercial projects requiring a building permit in the Town Planning Area are subject to the design review process as mandated by Section 17.336.060 of the Mariposa County Zoning Ordinance; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the design review for the flagpole project.

NOW, THEREFORE BE IT RESOLVED, that the Mariposa County Board of Supervisors hereby approves Design Review No. 013-187-002 for the flagpole project. The action is based upon the following finding as mandated by Section 17.66.010(B) of the Mariposa County Zoning Ordinance:

“Upon completion of the required conditions, the flagpole project will comply with the architectural theme and development guidelines established by the Board of Supervisors.”

BE IT FURTHER RESOLVED, that the Board of Supervisors approves conditions on the design review as stated in Exhibit A of resolution.

Board of Supervisors Resolution No. 00-188

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 23rd day of May, 2000 by the following vote:

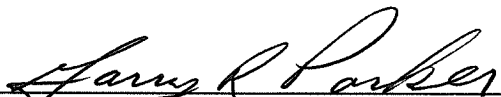
AYES: Reilly, Parker, Pickard

NOES: Balmain, Stewart

ABSTAINED: None

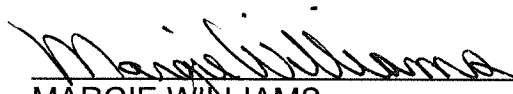
EXCUSED: None

NOT VOTING: None



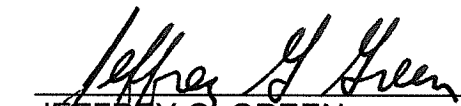
Garry Parker, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

EXHIBIT A

Conditions For Design Review Approval

- 1) No parking spaces shall be removed from the upper parking facility for the installation of the flagpole.
- 2) All upward directed lighting on the flagpole shall be of such a nature as to direct light onto the flag with as little light as possible reaching neighboring properties.
- 3) The installation of any type of light on the top of the flagpole shall be prohibited.
- 4) The maximum size of the flag to be flown from the 60-foot pole shall be 10' by 15' and the flag shall be made of silk or similar material to limit noise creation to the maximum extent possible.
- 5) Any monument constructed as part of this project shall be constructed of wood, brick, adobe or stone. If painted, the painted surface shall be harmonious with the natural finish. The design of the monument shall be submitted to the Planning Director for review and approval prior to construction. The design of the monument shall be approved by the Veterans of Foreign Wars and evidence of that approval shall be submitted to the Planning Department prior to construction.
- 6) The flagpole shall not be used for advertising of any kind. Only the flag of the United States of America shall be allowed to fly on the 60-foot flagpole.



COUNTY OF MARIPOSA

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

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MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Interim Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board *MW*
SUBJECT: Design Review No. 013-187-002 for 60-Foot Flagpole Project in the Community of Mariposa; Res. 00-188

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on May 23, 2000

ACTION AND VOTE:

10:12 a.m. Sarah Williams, Interim Planning Director;

PUBLIC HEARING to Consider Design Review No. 013-187-002, for 60-Foot Flag Pole Project in the Community of Mariposa (Continued from 5/2/00)

BOARD ACTION: Skip Strathearn, Planner, presented staff report reviewing the design and recommendations for this matter. Staff responded to questions from the Board relative to the flag size and lighting of the flag as well as the plaque.

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

Dieter Dubberke, and Dave Thomas, applicants, presented a tempered steel cylinder designed for the purpose of directing lighting onto the flag and to the ground only, with no beacon light at the top of the pole, only a gold dome. They presented a demo which was to scale of the 60 foot pole and 12 x 18 foot flag, stating that a 10 x 15 foot flag is also acceptable to them. It was noted that the monument issue has been turned over to the Veterans of Foreign Wars (VFW) and is scheduled on their next agenda. It was also noted that no advertising is planned for the flagpole. It was clarified that there are two tempered steel cylinder cones halfway up the flagpole, one directed on the flag and the other directed at the ground, which is light sensed, automatically turning on at dusk and off at dawn.

Input in support of applicants:

Jim Turner stated he feels the 12 x 18-foot flag, also known as the "Garrison Flag," appears throughout the nation and the military, and is proportional with the 60-foot pole. He also stated he feels the 10 x 15-foot flag would look cheap and downgrade the honor of the flag.

Les Rose, Commander of the American Legion and member of the VFW advised that the minimum size for a flag to go on a pole is a quarter length of the pole.

Ron Kiser passed out a sketch to the Board showing the sizes of the flag in contrast to the pole, reinforcing his belief that the flag should be 12 x 18 feet.

Opposition to the applicant: none.

Public portion of the hearing was closed.

Staff responded to questions from the Board relative to the lighting and size of the flag.

Board commenced with deliberations. Supervisor Reilly stated she felt item number 6 should include language to specify that the sole purpose of the pole is to fly the American flag only, no other flag shall be flown, in addition to language that the pole is not to be used for any kind of advertising; and item number 5 should include language relative to any memorial having to be approved by a higher level of the VFW, and proposes that the monument come back to staff after approval by the VFW.

(M)Pickard, (S)Reilly, approve conditions 1 through 6 as outlined in the Design Review No. 013-187-002 with modifications; VFW to approve monument which will be reviewed by the Planning Department before it can be erected; and additional language in item 6 that only the American flag will fly from that pole and no other additions. The Board of Supervisors finds that the application complies with the architectural theme and development guidelines established by the Board of Supervisors, Res. 00-188 adopted, approving conditions 1 through 6 of the Design Review No. 013-187-002, with modifications. Discussion was held. It was noted that if a smaller flag is approved and then decided a larger flag would be more appropriate, an additional permit would then be required. Supervisor Balmain stated that he liked the language in item 6 as recommended by staff, and that the flag would be hanging instead of flying most of the time and the smaller size flag would be fine, which the applicant has stated he does not have a problem with. Supervisor Stewart stated he feels the size of the flag should be what the applicant asked for, and he also prefers the larger size flag. Chairman Parker thanked everyone for their input/Ayes: Reilly, Parker, Pickard, Noes: Balmain, Stewart. Hearing was closed.

cc: File