

## County Code Amendment No. 2017-169

(Proposed additions in *underlined, italicized* font;  
Proposed deletions in ~~strike~~through font

### Chapter 2.90

#### HISTORIC SITES AND RECORDS PRESERVATION COMMISSION

##### Sections:

- 2.90.010 Establishment of commission.
- 2.90.020 Membership.
- 2.90.030 Officers.
- 2.90.040 Commission meetings.
- 2.90.050 Public participation.
- 2.90.060 Duties and responsibilities.
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##### 2.90.010 Establishment of commission.

There is hereby established a commission to be known as the "Historic Sites and Records Preservation Commission", hereinafter referred to as the "commission". (Ord. 870 Sec.I, 1994).

##### 2.90.020 Membership.

A. The commission shall consist of nine (9) voting at-large members. ~~consisting of the following members:~~ At least one (1) member should represent each of the following: ~~one (1) member representing the Northern Mariposa County History Center, one (1) member representing the Butterfly Garden Club, one (1) member representing the Mariposa Museum and History Center, Incorporated, one (1) member representing the Native American Indian Community of Mariposa County, and the construction industry (preferably a licensed contractor), and five (5) at-large members. There shall additionally be five (5) alternate members. There shall be one (1) alternate member for each of the above specified groups and one (1) alternate at large. Alternate members shall only be permitted to vote when the respective alternate's regular member is absent. (By way of example, if the regular member representing the Mariposa Museum and History Center, Inc. is absent, the alternate representing the Mariposa Museum and History Center, Inc. may vote, but the same alternate may not vote if the regular member representing the Mariposa Museum and History Center, Inc. is present.)~~ In

~~the absence of a regular member, when his or her alternate is present the alternate shall be counted as a member for purposes of establishing a quorum. The specified members and alternates shall be appointed by the board of supervisors. The All members and alternates representing the Native American Indian Community and the the at-large members of the commission shall be appointed to the commission and shall have a demonstrated interest and/or knowledge of Mariposa County history and/or historic preservation. (Ord. 1106 Sec.V, 2014; Ord. 1058 Sec.I, 2009).~~

B. ~~The terms of office of the commission members shall be three years expiring on the last day of February in the appropriate calendar year. A commissioner whose term of office is expiring may be reappointed, and shall continue to serve until an appointment or reappointment is made.~~

~~1. As of (insert the effective date of this section), all existing commission members' terms shall expire on February 28, 2018. When commission appointments or re-appointments are made in 2018, members shall be appointed to either a one-year, two-year or three-year term so that not more than three (3) members have terms expiring in the same year. In 2019 and each year thereafter, appointments or reappointments shall be for three (3) year terms. continuous until resignation or removal by a majority vote of the board of supervisors.~~

C. ~~The board of supervisors may remove a commissioner who is absent A member's absence without cause for from two (2) consecutive meetings, who has recurring absences with cause (excused absence) or who is absent for any reason for three (3) or more meetings in any six (6) month period. is grounds for removal action by the board of supervisors. The alternative member position is not subject to these provisions if the corresponding voting member position is filled.~~ (Ord. 1106 Sec.V, 2014).

D. The members of the commission shall serve without compensation. (Ord. 956 Sec.I, 2000; Ord. 870 Sec.I, 1994).

### **2.90.030 Officers.**

The members of the commission shall elect a chair and vice-chair ~~by a majority vote at the first meeting of the commission each calendar year. The chair and vice-chair who~~ shall serve for a period of one (1) year or until a successor is selected. The chair, when present, shall preside at all meetings of the commission and shall conduct the business of the commission. The vice-chair, in the absence of the chair, shall perform all the functions and duties of the chair. (Ord. 1106 Sec.V, 2014; Ord. 870 Sec.I, 1994).

**2.90.040 Commission meetings.**

A. The commission shall meet as necessary to perform the duties and responsibilities of the commission. ~~Meetings shall be held when necessary to act on matters requiring review by the commission.~~ At the last meeting held during the calendar year, the commission shall establish their meeting schedule for the next calendar year. Commission meetings shall be scheduled at least one time per month and additional meetings may be scheduled as needed. Commission meetings shall be open to the public with published agenda and minutes and shall be held in a public place and advertised in advance in accordance with the California Open Meeting Act. The published agenda shall be mailed or emailed in advance of meetings to individuals and organizations who have requested such notice and to all property owners and applicants who may be affected by any item on the agenda. Written minutes of commission meetings shall be kept on file in the Mariposa County planning department and be available for public review.~~inspection.~~

~~B. Meetings shall be scheduled by the chair after conferring with the director regarding the agenda items and necessary noticing and advertising.~~

C. A quorum shall consist of a majority of appointed five (5) members. ~~In the absence of a quorum, a meeting may be canceled or continued to a date, time, and place certain by the members present.~~ All actions and decisions of the commission shall result from a motion fully stated by the moving party, followed by a second, and passed by majority of appointed members.~~five~~ (5) votes. (Ord. 1106 Sec.V, 2014; Ord. 870 Sec.I, 1994).

**2.90.050 Public participation.**

The commission shall provide for adequate public participation in the local historic sites preservation program. The commission shall provide opportunities for and encourage public participation in all responsibilities and duties assigned to it, in accordance with appropriate regulations, standards, and guidelines. (Ord. 870 Sec.I, 1994).

**2.90.060 Duties and responsibilities.**

The commission is charged with the following duties and responsibilities:

A. The commission shall maintain a system for survey and inventory of historic properties. The commission shall be responsible for organizing, developing, and administering an inventory of cultural and historic resources within the County of Mariposa and shall develop procedures for conducting an inventory of such resources. The commission shall adopt state

guidelines for conducting surveys and compiling inventories of historic properties and shall use state-approved inventory forms (DPR 523), encoding sheets (DPR 660), and the California Historic Resources Inventory Survey Workbook. Procedural standards for evaluation of properties shall be consistent with the National Register of Historic Places criteria. As part of an on-going survey effort, such procedural standards shall provide for periodic updates of identified and surveyed resources on a regular basis as the condition and importance of historic sites may change. Survey activities to update previously surveyed resources and identify non-inventory resources shall be coordinated with and complementary to the state program and Mariposa County Historic and Cultural Resources Inventory to ensure that survey results produced by the commission will be readily integrated into the statewide comprehensive historic preservation planning process and Mariposa County Historic and Cultural Resources Inventory. The commission shall make recommendations to the board of supervisors on county procedures to facilitate the use of survey results in the planning process by county officials and departments and other governmental agencies. The commission shall submit and file survey results with the Mariposa County planning ~~and building~~ department where such surveys shall be deposited and maintained. Copies of the surveys shall be forwarded to the State Office of Historic Preservation.

B. The commission shall be responsible for overseeing the compiling, recording, and updating of information on cultural and historic resources within the county. The information shall be based on comprehensive surveys of historic properties and shall be in a form that collates the survey results into a usable document. This information shall be available to the public to the extent that historic properties will not be vandalized or harmed by the release of such information as determined by the commission.

C. The commission shall maintain the official "Mariposa County List of Buildings or Structures, Sites and other Historical Resources with Special Historical or Architectural Significance" which shall list all buildings and structures determined by the board of supervisors to be historically or architecturally significant. The commission may nominate buildings, sites, structures, and other historical resources for listing to the board of supervisors.

D. The commission may publish procedural rules for registering historic properties which are identified in the county historic and cultural resources survey program in the National Register of Historic Places in accordance with the

requirements of the National Historic Preservation Act, section 101(c)(2). However, the commission does not have the authority to nominate properties directly to the National Register. The commission shall review all nominations to the National Register which involve county property.

E. The commission shall review all discretionary private development projects which may impact an historic or archaeological site in the county upon referral from the board of supervisors, planning commission, or a county department head. The commission shall determine the significance of the site and the project's impact on the site, if any, and recommend appropriate ~~mitigation~~ measures to mitigate any impact. The project shall be scheduled for the commission's review and recommendation at the first available meeting following the referral and following receipt by the planning department of a complete project application or project description. If the commission meeting is cancelled or not held due to a lack of a quorum, the planning director or other approval authority may take action on the project. The commission shall formulate a recommendation to the referring body on these findings and shall make a recommendation. If the commission determines that additional information is needed to formulate a recommendation, the project application may be continued to a future meeting. within three (3) weeks after referral.

F. The commission shall review all public projects undertaken by the county or other government agency which may impact an historic or archaeological site upon referral from the board of supervisors or a county department head. The project shall be scheduled for the commission's review and recommendation at the first available meeting following the referral and following receipt by the planning department of a complete project application or project description. If the commission meeting is cancelled or not held due to a lack of a quorum, the planning director or other approval authority may take action on the project. If the commission determines that additional information is needed to formulate a recommendation, the project application may be continued to a future meeting. The commission shall formulate a recommendation to the board of supervisors within ~~four (4)~~ three (3) weeks after referral.

G. The commission may review county policies and ordinances which regulate or affect historic or archaeological sites and may make recommendations to the board on historic site preservation policies and ordinances.

H. The commission may review new names proposed for roads in the county-maintained system for historical significance and may make recommendations to the board of supervisors on the proposed road name.

I. The commission shall evaluate county records for measures to preserve such historical records.

J. The commission may recommend to the board of supervisors measures designed to preserve and/or restore the integrity of historic buildings, structures, sites, and other historical resources. (Ord. 870 Sec.I, 1994).

**2.90.070 Staff support.**

~~Technical and secretarial~~ Staff support to the commission shall be provided by the Mariposa County planning ~~and building~~ department. Its responsibilities include the preparation of public notices, agendas, and minutes as can be reasonably provided; and the preparation of informational reports and board agenda packets and obtaining such information as the commission deems necessary for the discharge of its responsibilities. Substantial work or additional responsibilities which cannot be accommodated within the adopted budget of the planning ~~and building~~ department shall be approved by the board of supervisors. (Ord. 870 Sec.I, 1994).