

# Mariposa County

STEVE ENGFER  
Planning Director



5100 Bullion Street  
PO Box 2039  
Mariposa, CA 95338  
209-966-5151 FAX 209-742-5024  
[sengfer@mariposacounty.org](mailto:sengfer@mariposacounty.org)

## NOTICE OF PLANNING DIRECTOR ACTIONS WEEK OF AUGUST 28, 2023

On August 28, 2023, the Mariposa County Planning Director approved the following applications:

1. **Major Design Review Application No. 2023-044**; Greg Pires applicant; MACT Health Board, Inc., Owner. Remodel of the existing one-story medical clinic to include a second story located at 5192 Hospital Rd; APN 013-020-003. Site improvements include new parking, landscaping, trash enclosure relocation, solar carports, and pedestrian connection with existing adjacent dental office. Action includes finding that the project is exempt from environmental review.

These actions may be appealed within 20 days of the date of approval in accordance with County Appeals Procedures. The last day to appeal is Monday, September 18, 2023. Information on the projects and appeals procedures is available at the Mariposa County Planning Department, 5100 Bullion Street, P.O. Box 2039, Mariposa, CA 95338. If you have any questions regarding these projects or notice, please contact the Planning Department at (209) 966-5151.

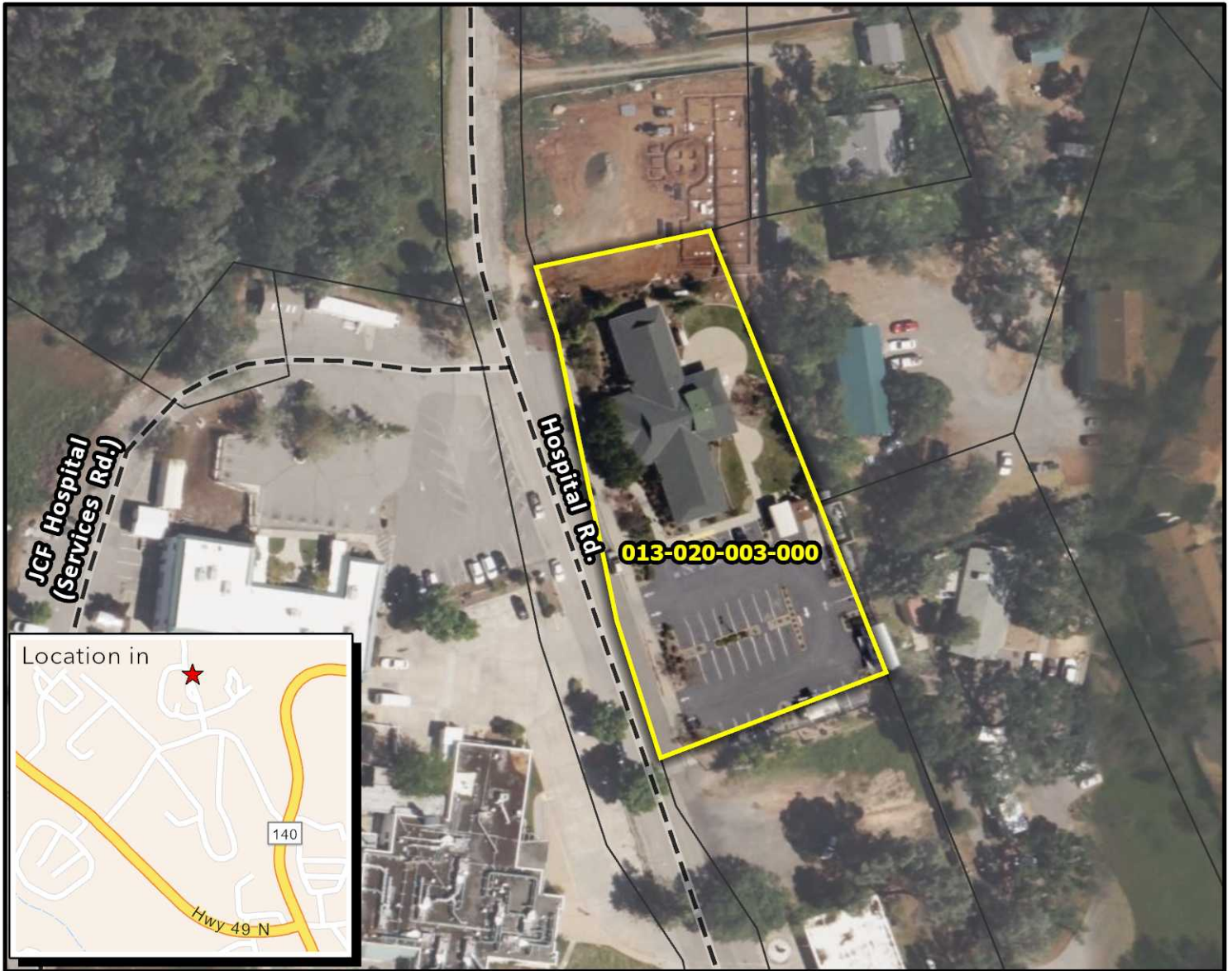
This notice is being provided pursuant to Section 17.08.120(D) of Mariposa County Code.

Posting Locations: Mariposa County Planning Department  
Mariposa County Clerk's Office  
Mariposa County Courthouse  
[www.mariposacounty.org/planning](http://www.mariposacounty.org/planning)


Posting Date: August 28, 2023

Leave Posted Until: 5:00 p.m. on September 18, 2023

# Mariposa County Planning Department Project Vicinity Map



0 50 100 Feet  
1:1,200

 Site  
 Assessor's Parcels

**PROJECT TYPE: DESIGN REVIEW 2023-044**

**APPLICANT: MACT HEALTH BOARD**

**APN: 013-020-003-000**

**SITE ADDRESS: 5192 HOSPITAL ROAD, ,**

Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet

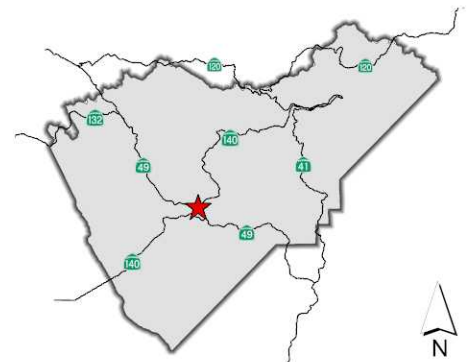
Map Date: Thursday, March 30, 2023

Data Source: Mariposa County Planning Department GIS; Assessor's Parcel Map Update: 01/2023

Map Credit: BEN OGREN, Sr. GIS Specialist



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 PO BOX 2039 5100 Bullion Street  
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Location in Mariposa County

Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data.

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## NOTICE OF PLANNING DIRECTOR ACTIONS

### WEEK OF August 28, 2023

On August 28, 2023, the Mariposa County Planning Director made the following **Similar Use Determination** pursuant to Mariposa County Code, Section 17.08.120:

The Director has determined that a boutique winery that includes a tasting room, food service, and retail sales of product is similar to permitted uses in the General Commercial zone within the Mariposa Town Planning Area boundaries. This zone lists “restaurants,” “cocktail lounges,” and “general retail sales,” including liquor, and other similar uses as permitted, and a boutique winery operation with an accompanying food service, tasting room and the on-site sale of wine is determined to be similar in nature to those existing permitted uses and is therefore permitted. The tasting room, food service, and on-site sale of wine combine to allow the boutique winery to operate in a manner similar to those permitted uses. A tasting room is similar in nature to a cocktail lounge, and there are existing tasting rooms in the General Commercial zone in Mariposa. The boutique winery operation proposes no outdoor sales or storage. Therefore, a conditional use permit is not required to be processed in order to allow the use. The grounds and exterior appearance of structures housing boutique winery operations will be required to meet design review standards and additional development standards contained in Sub-Title 17.300 of Title 17, Mariposa County Zoning Ordinance. Such operations are required to obtain all required licensing from the California Department of Alcohol Beverage Control.

This determination was made in response to an inquiry regarding locating a boutique winery operation with associated uses at 5320 Highway 49N in the community of Mariposa (APN 013-010-093).

The determination is based on the following findings:

A boutique winery operation that includes a tasting room, food service and the on-site sale of wine product is similar to restaurant, cocktail lounge, and general retail sales uses in the following areas:

1. **Intensity and density of use:** Boutique wineries are those that produce fewer than 10,000 cases of wine annually. The winery proposed at the location referenced above would produce 10,000 gallons of wine annually for the first two years and would likely be required to move to a larger facility if it were to exceed that production. A boutique winery operation that includes a tasting room, food service and the on-site sale of wine would be of a similar or a potentially less intensive nature than other commercial uses in the General Commercial zone in the community of Mariposa. There are existing tasting rooms in the community of Mariposa and they are not an intensive use. Retail sale of wine would be of an incidental nature compared to other retail outlets in Mariposa that sell alcoholic beverages. Wineries are not listed as a permitted use in the General Commercial zone in the community of Mariposa, but are listed as permitted in the Light Industrial zone. Wineries are identified as food processing facilities along with other facilities such as bottling plants as permitted uses in the industrial zone. Boutique wineries that include general commercial uses are not considered to be intensive food processing facilities that would require them to be located in the Light Industrial zone. They are appropriate in the General Commercial zone from the perspective of intensity and density of use.

2. Traffic: A boutique winery operation will require ingress/egress of trucks and cargo vans for the intake of winery operation supplies and to deliver product to off-site areas. Tasting rooms and food service that could be associated with boutique winery operations will also require delivery of supplies. It is not uncommon for large trucks and/or cargo vans to deliver goods to restaurants, cocktail lounges and retail outlets in the General Commercial zone in the community of Mariposa. It is expected that a boutique winery with limited food service and retail sales would involve less truck/van traffic than many larger restaurants and retail outlets in the community.
3. Noise: Projects involving outdoor sales or storage require the approval of a conditional use permit in the General Commercial zone. The boutique winery project that served as the basis for this similar use determination does not propose outdoor sales or storage which would make it similar from the perspective of noise generation to other restaurant, cocktail lounges and retail sales facilities in the community that operate entirely within structures. Ambient noise in the vicinity of a boutique winery operation with additional general commercial uses would be similar to and potentially less intensive than noise associated with other general commercial uses in the community of Mariposa. Noise generated from trucks and/or cargo vans delivering goods and product to and from a boutique winery site would be similar to and potentially less intensive than would such activity at other general commercial uses in the community.
4. Other environmental factors: A boutique winery operation will be subject to all applicable Mariposa Town Planning Area development standards, including those that address adequate ingress and egress, the number of parking spaces and parking lot design, and landscaping. Such an operation would be subject to all applicable design review standards that address the exterior aesthetics of a structure. All applicable standards are designed to ensure that commercial operations in the community of Mariposa have less than significant environmental impacts in the vicinity in which they are located.

All Planning Director determinations are appealable to either the Mariposa County Planning Commission or Board of Supervisors. An appeal must be filed within 20 calendar days of the date of determination. The appeal must be filed with either the Secretary of the Planning Commission or the Clerk of the Board of Supervisors, depending upon which body is requested to hear the appeal. The appeal period ends at 5:00 p.m. on Monday September 11, 2023. Information on the appeals procedures is available at the Mariposa County Planning Department, 5100 Bullion Street, P.O. Box 2039, Mariposa, CA 95338, or [www.mariposacounty.org/planning](http://www.mariposacounty.org/planning) in the “Applications” area. If you have any questions regarding this determination or this notice, please contact Steve Engfer at (209) 742-1215 or [sengfer@mariposacounty.org](mailto:sengfer@mariposacounty.org).

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