

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution
No 2012-005

A resolution to recommend an environmental determination and amendments to Section 3 of the Mariposa Town Planning Area Town Plan and to Title 17, Zoning, adding Supplementary Standards to comply with the State Community Care law, adding an additional permitted use to the Public-Quasi Public (P-Q) and General Commercial (GC) zoning districts and adding definitions for “emergency shelters,” “transitional housing,” and “supportive housing” to the zoning ordinance

WHEREAS, the Mariposa County Code is adopted by ordinance; and

WHEREAS, Title 17, Chapter 17.66 establishes the Design Review Overlay Zone;
and

WHEREAS, Title 17, Chapter 17.108 establishes Supplementary Standards for zoning; and

WHEREAS, Section 3 of the Mariposa Town Plan establishes Land Use Development Standards and Regulations and Title 17, Chapter 17.320 establishes General Commercial (GC) zoning standards; and

WHEREAS, Section 3 of the Mariposa Town Plan establishes Land Use Development Standards and Regulations and Title 17, Chapter 17.324 establishes Public-Quasi Public (P-Q) zoning standards; and

WHEREAS, Section 3.12.B of the Mariposa Town Plan establishes Land Use Development Standards and Regulations and Title 17, Section 17.320.020 establishes provisions for the General Commercial land use and zoning district; and

WHEREAS, Section 3.13.A of the Mariposa Town Plan establishes Land Use Development Standards and Regulations and Title 17, Section 17.324.020 establishes provisions for the Public-Quasi Public (P-Q) land use and zoning district ; and

WHEREAS, Section 3.15 of the Mariposa Town Plan and Title 17, Chapter 17.334 establishes Supplementary Use Standards for land use and zoning in the Mariposa Town Planning Area; and

WHEREAS, Title 17, Section 3.2 of the Mariposa Town Plan and Title 17, Chapter 17.336 establishes Supplementary Development Standards for land use and zoning in the Mariposa Town Planning Area; and

WHEREAS, Title 17, Section 17.148 establishes Definitions used throughout the zoning ordinance; and

WHEREAS, Title 17, Section 17.148.010 establishes Definition of terms and phrases; and

WHEREAS, the adopted Mariposa County General Plan Housing Element Program 8.2 states that the zoning ordinance shall be amended to define and clearly outline regulations governing emergency shelters in accordance with Chapter 633, Statutes of 2007 (Senate Bill 2); and

WHEREAS, the adopted Mariposa County General Plan Housing Element Program 8.3 states that the zoning ordinance shall be amended to define and clearly outline regulations for uses providing transitional and supportive housing in accordance with Chapter 633, Statutes of 2007 (Senate Bill 2); and

WHEREAS, the Planning Commission of the County of Mariposa initiated amendments to Title 17, Sections 17.66.F, 17.148.010, 17.108, 17.320.020, 17.324.020, 17.334, and 17.336.140, of the Mariposa County Code on the 1st day of April, 2011 with Resolution No. 2011-066, and this amendment is known as GPZA No. 2011-068; and

WHEREAS, the Planning Commission of the County of Mariposa initiated amendments to Sections 3.12.B, 3.13, 3.15 and 3.29 of the Mariposa Town Planning Area Town Plan on the 1st day of April, 2011 with Resolution No. 2011-066, and this amendment is known as GPZA No. 2011-068; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 6th day of April 2012; and

WHEREAS, the Planning Department prepared environmental documents in accordance with the 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 Staff Report, environmental documents, and testimony presented by the public concerning the application.

NOW BE IT THEREFORE RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors adopt a resolution directing staff to file a Notice of Exemption for the project

pursuant to the California Environmental Quality Act, Title 14, California Code of Regulations and approving General Plan/Zoning Amendment No. 2011-068.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendments to Sections 17.66.F, 17.148.010, 17.108, 17.320.020, and 17.324.020 of the Mariposa County Code, and Sections 3.12.B and 3.13 of the Mariposa Town Plan would bring additional permitted use classifications to the P-Q and GC zoning districts and provide standards for development and review of emergency shelters, as required by State Housing Element law in accordance with Government Code §65583.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendments to Sections 17.148.010 and 17.108 of the Mariposa County Code, and Sections 3.15 and 3.29 of the Mariposa Town Plan would add supplementary standards, would incorporate additional definitions, and clearly define that transitional and supportive housing is a residential use, as required by State Housing Element law in accordance with Government Code §65583.

§1

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.66.F of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

F. DRO plan application-review exemption.

1. The planning director may approve an exemption from review by the design review committee where it can be determined that the proposed development is of a small scale (generally less than 5000 sq. ft.) or is a minor alteration or expansion of an existing development that clearly complies with all of the special development standards established pursuant to this section by the board of supervisors for the affected area. For the purpose of this subsection a minor alteration or expansion is defined as an alteration that will not significantly modify the exterior appearance of the structures and/or site. The applicant shall be required to submit the information required by subsection 17.66.010(D) of this section in order to justify the exemption.

2. An Emergency shelter that is proposed to be located within a DRO Zone shall be exempt from the DRO application review. Such shelters shall be developed in accordance with the emergency shelter standards contained in Section 17.336.140.

§2

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.148.010 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

17.148.010 Definitions of terms and phrases.

The following terms and phrases shall be used in this title and are listed alphabetically [only new terms for this Section are shown]:

Emergency Shelter:

A facility or use for 7 or more persons, which provides temporary housing by homeless individuals or families, victims of domestic violence, or persons requiring temporary housing, and may involve supplemental services. An emergency shelter shall be within a structure improved and permitted pursuant to the Uniform Building Code. Supplemental services may include, but are not limited to, meal preparation, an activities center, day care for homeless person's children, vocational rehabilitation and other similar activities. This definition does not include such temporary residential shelters as may be provided for relief following a natural disaster or during a state of emergency.

Transitional Housing:

A facility or use that provides housing and support services for persons and families, but restricts occupancy to no more than 24 months. Support services may include meals, counseling, and other services, as well as common areas for residents of the facility. Transitional housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Transitional housing programs may utilize small Residential Care Facilities wholly or as part of their overall facilities.

Supportive Housing:

A facility or use that provides housing with no limit on length of stay, that is occupied by the target population, as defined by Section 53260(d) of the California Health and Safety Code, and that is linked to onsite or offsite services that assist the tenant to retain the housing, improve his or her health status, maximize their ability to live and, when possible, to work in the community. Supportive housing shall be considered a residential use and only subject to those restrictions that apply to other residential uses of the same type in the same zone. Supportive housing programs may utilize small and large residential care facilities wholly or as part of their overall facilities.

Small Residential Care Facilities:

A facility or use that provides residential housing with no limit on length of stay, that is occupied by 6 or fewer persons requiring personal care in accordance with the California Health and Safety laws. Such facilities can provide a wide variety of medical and non-medical personal services and care including but not limited to, foster care, rehabilitation services, domestic violence shelters,

housing shelter needs, and care for disabled persons. Day care facility uses are not included in this definition.

§3

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Sections 17.108.160, and the addition of Section 17.108.200 to the Mariposa County Code, will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

Chapter 17.108

SUPPLEMENTARY STANDARDS

Sections:

- 17.108.010 Purpose and intent.
- 17.108.020 Effect of regulations.
- 17.108.030 Similar uses.
- 17.108.040 Minimum parcel or lot size standards.
- 17.108.050 Density standards.
- 17.108.060 General use standards.
- 17.108.070 Home enterprises.
- 17.108.080 Rural home industry.
- 17.108.090 Mobile home parks.
- 17.108.100 Planned or cluster residential development and preservation of open space.
- 17.108.110 Mineral or construction material processing site standards.
- 17.108.120 Off street parking.
- 17.108.130 Structure location.
- 17.108.140 Structure height.
- 17.108.150 Secondary residences.
- 17.108.160 ~~Nursing~~ Small residential care facilities.
- 17.108.170 Day care facilities.
- 17.108.180 Bed and breakfast and residential transient rentals.
- 17.108.190 Signs
- 17.108.200 Transitional and supportive housing

17.108.160 ~~Nursing~~ Small residential care facilities.

~~Nursing~~ Small residential ~~and personal~~ care facilities shall be a permitted use in all zones in which residential uses are permitted when six (6) or fewer persons are provided twenty-four (24) hour care in a ~~single-family~~ residence. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

A. Play areas for children must be fenced to prevent uncontrolled access to and from the site.

B. The facility shall conform to all other residential site design standards. (Ord. 704 Sec.1, 1988).

17.108.200 Transitional and supportive housing.

Transitional and supportive housing shall be a permitted use in any zone district in which residential uses are permitted. Transitional and supportive housing shall only be subject to those restrictions that apply to other residential uses of the same type in the same zone district. There shall be no additional discretionary approval process required for Transitional and supportive housing.

§4

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.320.020.A.(1)j of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

17.320.020 Development standards for GC.

Development standards for the GC zone shall be as follows:

A. Uses:

1. Permitted uses:

a. General retail sales located within a building generally including the sale of food, clothing, hardware, drugs, liquor, general merchandise, artwork, antiques, auto parts and other uses of a similar character;

b. Professional offices of a service character located within a building including doctor, dentist, real estate sales, title company, attorney and other similar offices; photographic studios, printing and duplicating services and other uses of a similar character;

c. Restaurants, drive-in restaurants, cocktail lounges, bowling alleys, movie theaters, lodge halls and other similar uses;

d. Hotels, motels, conference facilities and other similar tourist service facilities;

e. Dry cleaning establishments, laundromats, video rental and other similar miscellaneous uses;

f. A maximum of four (4) residential units per parcel when an integral part of a commercial development.

g. Day care centers;

h. Fitness or exercise studios and health clubs and similar uses;

i. Churches and religious assembly.

j. Emergency shelters subject to the standards established in Section 17.336.140.

2. Conditional uses:

a. Any uses involving outside sales or storage areas;

b. Service stations;

c. Any use involving the bulk storage of flammable or hazardous materials;

d. Emergency medical care facilities, fire stations and other similar uses;

e. Single or multi-family residential uses in accordance with the density standards contained in Chapter 17.316 (multi-family residential zone).

3. Prohibited uses:

All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 17.334.060.

B. Minimum lot size/density: Minimum lot size shall be nine thousand (9,000) sq. ft. exclusive of road easements. (Ord. 912 Sec.II, 1997; Ord. 822, Sec.I, 1992)

§5

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Town Plan Section 3.12.B will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

3.12 Commercial Land Use Districts

B. General Commercial District

Purpose

This classification is designed to provide the commercial services necessary and desirable to residents within the Mariposa Town Planning Area, the surrounding region and tourists.

1. Permitted Uses:

- a. General retail sales located within a building generally including the sale of food, clothing, hardware, drugs, liquor, general merchandise, artwork, antiques, auto parts and other uses of a similar character.
- b. Professional offices of a service character located within a building including doctors, dentist, real estate sales, title company, attorney and other similar offices; photographic studios, printing and duplication services and other uses of a similar character.
- c. Restaurants, drive-in restaurants, cocktail lounges, bowling alleys, movie theaters, lodge halls and other similar uses.
- d. Hotels, motels, conference facilities and other similar tourist service facilities.
- e. Dry cleaning establishments, laundromats, video rental and other similar miscellaneous uses.
- f. A maximum of four residential units per parcel when an integral part of a commercial development.

g. Emergency shelters subject to the standards
established in Section 3.29.

2. Conditional Uses:

- a. Any uses involving outside sales or storage areas.
- b. Service stations.
- c. Any use involving the bulk storage of flammable or hazardous materials.
- d. Emergency medical care facilities, fire stations and other similar uses.
- e. Single or multi-family residential uses in accordance with the density standards contained in the Multi-Family Residential classification.

3. Prohibited Uses:

All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

Minimum lot size shall be 9000 sq. ft. exclusive of road easements.

§6

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 17.324.020.A.(1)b of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

17.324.020 Development standards for P-Q.

A. Uses:

1. Permitted uses:

a. Those existing land uses such as the county courthouse, the hall of records, the high school, grammar school and the cemetery shall form the nucleus for future centers for P-Q land use. Typical uses include:

i. Public schools, public hospitals and health care facilities;

ii. Courthouse, civic center, administrative offices;

iii. Public fairgrounds, fire houses;

iv. Public utility service area, motor vehicle pool;

v. Public parks, playgrounds, recreation areas, parkways, greenbelts, waterways, reservoirs, forests, and cemeteries;

vi. Uses determined to be similar to and compatible with the above.

b. Emergency shelters subject to the standards established in Section 17.336.140.

2. Conditional uses:
a. Campgrounds;
b. Uses involving bulk storage of flammable or hazardous materials.

3. Prohibited uses:
All uses not listed as permitted or conditional shall be prohibited. (Ord. 822, Sec.I, 1992)

§7

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Town Plan Section 3.13.A will read as follows (new text shown in italicized underlined type and deleted text shown in ~~strike-thru type~~):

3.13 Special Districts

A. Public-Quasi Public District

Purpose

The P-Q land use designation is applied to those areas in public ownership and whose improvements are used by the public and also those areas in private ownership but planned for public use. All private land within the P-Q land uses shall be developed with consideration of adjacent land use policies, to be determined by the Planning Director, on a case-by-case basis.

1. Permitted Uses:

a. Those existing land uses such as the County Courthouse, the Hall of Records, the High School, Grammar School and the cemetery shall form the nucleus for future centers for P-Q land use. Typical uses include:

- i. Public schools, public hospitals and health care facilities.
- ii. Courthouse, civic center, administrative offices.
- iii. Public fairgrounds, fire houses.
- iv. Public utility service area, motor vehicle pool.
- v. Public parks, playgrounds, recreation areas, parkways, greenbelts, waterways, reservoirs, forests, and cemeteries.
- vi. Uses determined to be similar to and compatible with the above.

b. Emergency Shelters subject to the standards established in Section 3.29.

2. Conditional Uses:

- a. Campgrounds
- b. Uses involving bulk storage of flammable or hazardous materials.

3. Prohibited Uses:

All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.



BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Sections 17.334.030 and 17.334.070 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

CHAPTER 17.334
SUPPLEMENTARY USE STANDARDS

Sections:

- 17.334.010 Home based occupations.
- 17.334.020 Bed and breakfast and residential transient rentals.
- 17.334.030 Day care and ~~community~~ small residential care facilities.
- 17.334.040 Agricultural uses.
- 17.334.050 Special use provisions for historic structures.
- 17.334.060 Interpretation by the planning director.
- 17.334.070 Transitional and supportive housing

17.334.030 Day care and ~~community~~ small residential care facilities.

A. Day care facilities: Preschool, child day care, and adult day care facilities for six (6) or fewer persons shall be a permitted use in residential structures in any zone in which residential uses are permitted. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

1. All outdoor play areas shall be enclosed with fencing a minimum of four (4) feet high, provided that such fencing is to be solid and a minimum of six (6) feet in height on any property line abutting a residential use on an adjoining lot;

2. In addition to the parking normally required for the residence, an off-street drop-off area shall be provided with the capability to accommodate at least one car.

B. ~~Nursing~~ Small residential care facilities: ~~Nursing~~ Small residential ~~and personal~~ care facilities shall be a permitted use in all zones in which residential uses are permitted when six (6) or fewer persons are provided twenty-four (24) hour care in a single

~~family~~ residence. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

1. Play areas for children must be fenced to prevent uncontrolled access to and from the site;
2. The facility shall conform to all other residential site design standards. (Ord. 822, Sec.I, 1992)

17.334.070 Transitional and supportive housing.

Transitional and supportive housing shall be a permitted use in any zone district in which residential uses are permitted. Transitional and supportive housing shall only be subject to those restrictions that apply other residential uses of the same type in the same zone district. There shall be no additional discretionary approval process required for transitional and supportive housing.

§9

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Town Plan Section 3.15.C and the addition of Section 3.15.F will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

SECTION 3.15 SUPPLEMENTARY USE STANDARDS

C. Day Care and ~~Community~~ Small Residential Care Facilities

1. Day Care Facilities

Preschool, child day care, and adult day care facilities for six (6) or fewer persons shall be a permitted use in residential structures in any zone in which residential uses are permitted. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

- a. All outdoor play areas shall be enclosed with fencing a minimum of four (4) feet high, provided that such fencing is to be solid and a minimum of six (6) feet in height on any property line abutting a residential use on an adjoining lot.
- b. In addition to the parking normally required for the residence, an off-street drop-off area shall be provided with the capability to accommodate at least one car.

2. ~~Nursing~~ Small Residential Care Facilities

~~Nursing and personal~~ Small residential care facilities shall be a permitted use in all zones in which residential uses are permitted when six (6) or fewer persons are provided twenty-four (24) hour care in a ~~single-family~~ residence. In addition to the provisions

of the Health and Safety Code, the following special standards shall apply:

- a. Play areas for children must be fenced to prevent uncontrolled access to and from the site.
- b. The facility shall conform to all other residential site design standards.

F. Transitional and supportive housing

Transitional and supportive housing shall be a permitted use in any zone district in which residential uses are permitted. Transitional and supportive housing shall only be subject to those restrictions that apply other residential uses of the same type in the same zone district. There shall be no additional discretionary approval process required for transitional and supportive housing.

§10

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Sections 17.336.140 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike thru type~~):

CHAPTER 17.336

SUPPLEMENTARY DEVELOPMENT STANDARDS

Sections:

- 17.336.010 Setbacks from property lines and streets.
- 17.336.015 Setbacks from drainage ways.
- 17.336.017 Highway 49 north right-of-way.
- 17.336.020 Building height.
- 17.336.030 Parking standards.
- 17.336.040 Hillside development.
- 17.336.050 Improvement standards.
- 17.336.060 Architectural theme and development guideline for the design review overlay zone.
- 17.336.070 Architectural theme and development guidelines for the historic design review overlay zone.
- 17.336.075 Architectural theme and development guidelines for historic buildings and structures.
- 17.336.080 Grading.
- 17.336.090 Private wells.
- 17.336.100 Woodstoves, fireplaces, and chimneys.
- 17.336.110 Wildlife protection.
- 17.336.120 Archaeological protection standards.
- 17.336.140 *Emergency shelter standards*

17.336.140 Emergency shelter standards.

Emergency shelters shall be subject to the development standards in the zone district(s) that permit this use. In accordance with the authority to the County of Mariposa in section 65583(a)(4) of the California Government Code, emergency shelters shall also meet the following standards:

A. Building Code Standards

In addition to the standards set forth in here and below emergency shelters shall also be required to comply with the California Building Standards Code in effect at the time of permit application or issuance.

B. Management Plan

Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be approved by the Planning Director. The management plan must include the following:

1. Provisions for staff training
2. Resident identification process
3. Policies regarding pets
4. The timing and placement of outdoor activities
5. Temporary storage of residents' personal belongings
6. Safety and security
7. Screening of residents to insure compatibility with services provided at the facility
8. A description of training, counseling and social service programs for residents, as applicable.

C. Location

An emergency shelter shall not be located within 300 feet of another emergency shelter.

D. Occupancy Load and Bathroom Facilities

Each resident shall be provided a minimum of 50 gross square feet of personal living space per person, not including space for common areas. In no case shall occupancy exceed 15 residents at any one time. Bathing facilities shall be provided in quantity and location as required in the California Plumbing Code (Title 24 Part 5), and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2).

E. Parking

Off-street parking shall be provided at the ratio of 1 space per 6 beds, plus 1 space per manager or staff person on duty.

F. Lighting

Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and the public right-of-way, utilize full cut-off lighting meeting International Dark Sky Standards, and be of an intensity compatible with the neighborhood.

G. Laundry Facilities

- The shelter shall provide laundry facilities or services adequate for the number of residents.
- H. Refuse
A refuse storage area shall be provided that is screened from view by the public right-of-way.
- I. Storage
Storage outside of the shelter facilities shall be in a structure or shall be screened from surrounding properties.
- J. Common Facilities and Services
The emergency shelter facility may provide one or more of the following specific facilities and services, including but not limited to:
1. Adequate kitchen facilities designed and operated in compliance with the California Retail Food Code;
 2. Dining area;
 3. Laundry;
 4. Recreation facilities;
 5. Support services, (e.g., training, counseling)
 6. Child Care Facilities
- K. On-site Waiting and Intake Areas
If the emergency shelter provides on-site waiting and intake areas, such areas shall be located either inside the facility or fully screened from the view of the public right-of way and neighboring properties.
- L. Length of Stay
Occupancy in an emergency shelter is limited to 6 months.

§11

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to the Mariposa Town Planning Area Town Plan Section 3.29 will be added to read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

3.29 Emergency shelter standards.

- A. Emergency shelters shall be subject to the development standards in the zone district(s) that permit this use. In accordance with the authority to the County of Mariposa in section 65583(a)(4) of the California Government Code, emergency shelters shall also meet the following standards:
1. Building Code Standards
In addition to the standards set forth in here and below emergency shelters shall also be required to comply with the California Building Standards Code in effect at the time of permit application or issuance.
 2. Management Plan
Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be approved by the Planning

- Director. The management plan must include the following:
- a. Provisions for staff training
 - b. Resident identification process
 - c. Policies regarding pets
 - d. The timing and placement of outdoor activities
 - e. Temporary storage of residents' personal belongings
 - f. Safety and security
 - g. Screening of residents to insure compatibility with services provided at the facility
 - h. A description of training, counseling and social service programs for residents, as applicable.
3. Location
An emergency shelter shall not be located within 300 feet of another emergency shelter.
4. Occupancy Load and Bathroom Facilities
Each resident shall be provided a minimum of 50 gross square feet of personal living space per person, not including space for common areas. In no case shall occupancy exceed 15 residents at any one time. Bathing facilities shall be provided in quantity and location as required in the California Plumbing Code (Title 24 Part 5), and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2).
5. Parking
Off-street parking shall be provided at the ratio of 1 space per 6 beds, plus 1 space per manager or staff person on duty.
6. Lighting
Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and the public right-of-way, utilize full cut-off lighting meeting International Dark Sky Standards, and be of an intensity compatible with the neighborhood.
7. Laundry Facilities
The shelter shall provide laundry facilities or services adequate for the number of residents.
8. Refuse
A refuse storage area shall be provided that is screened from view by the public right-of-way.
9. Storage
Storage outside of the shelter facilities shall be in a structure or shall be screened from surrounding properties.
10. Common Facilities and Services

- The emergency shelter facility may provide one or more of the following specific facilities and services, including but not limited to:
- a. Adequate kitchen facilities designed and operated in compliance with the California Retail Food Code;
 - b. Dining area;
 - c. Laundry;
 - d. Recreation facilities;
 - e. Support services, (e.g., training, counseling)
 - f. Child Care Facilities
11. On-site Waiting and Intake Areas
If the emergency shelter provides on-site waiting and intake areas, such areas shall be located either inside the facility or fully screened from the view of the public right-of way and neighboring properties.
12. Length of Stay
Occupancy in an emergency shelter is limited to 6 months.

BE IT THEREFORE FURTHER RESOLVED THAT project approval is based on the following findings supported by substantial evidence in the public record:

1. **FINDING:** This amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare.

EVIDENCE: The proposed amendments will implement Housing Element Program 8.2 for emergency shelters, and Housing Element Program 8.3 for transitional and supportive housing. These Housing Element programs have been required by the State Department of Housing and Community Development for consistency with the Housing Element guidelines and regulations. These Housing Element Programs will bring Title 17, Zoning, and the Mariposa Town Plan into consistency with the Statutes of 2007 (Senate Bill 2) and the Statutes of 2001 (Senate Bill 520), Government Code Sections 65580 through 65589.8.

2. **FINDING:** This 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.

EVIDENCE: The proposed amendments will create internal consistency between Title 17, Zoning, the Mariposa Town Plan, the certified Housing Element, and all other General Plan Elements. The proposed amendments will implement Housing Element Programs 8.2 and 8.3 and provide long term policies on emergency shelters, transitional

and supportive housing, and community care facilities in Mariposa County. The amendments will also provide standards that can be used for day-to-day decision making with respect to emergency shelters regulations. The amendments clarify and provide clear regulations with respect to residential uses for transitional and supportive housing and community care facilities.

- 3. **FINDING:** This amendment conforms to the requirements of State law and County policy.

EVIDENCE: The proposed amendments will implement State mandated regulations with respect to emergency shelters and the provisions for affordable housing in Mariposa County. These amendments will implement Housing Element Programs 8.2 and 8.3, and are required by State law and the Housing Element Guidelines.

- 4. **FINDING:** This amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa County General Plan.

EVIDENCE: The proposed amendments will implement General Plan Housing Element programs, and provide standards to support the goals and policies of the General Plan. The amendments will establish clear standards, provide implementation tools consistent with the General Plan and area plans, and provide housing opportunities for households of all income levels in the County.

BE IT THEREFORE FINALLY RESOLVED THAT all other text in these Sections of County Code and the Mariposa Town Plan shall remain unchanged.

ON MOTION BY Commissioner Rudzik, seconded by Commissioner Francisco, this resolution duly passed and adopted this 6th day of April, 2012 by the following vote:

AYES: Tucker, Marsden, Francisco, Rudzik

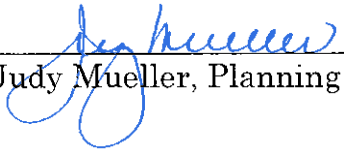
NOES: None

ABSENT: None

ABSTAIN: None

Les Marsden, Chairman
Mariposa County Planning Commission

Attest:



Judy Mueller, Planning Commission Secretary