

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No 2008-40

A resolution of intention to initiate an amendment to Title 2, Administration and Personnel, to add provisions to County Code for canceling or rescheduling of Planning Commission meetings and to amend the scope of matters to be heard by commission

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

WHEREAS, Title 2, Chapter 2.52 establishes provisions for the Mariposa County Planning Commission; and

WHEREAS, Section 2.52.070 establishes provisions for meetings of the Planning Commission; and

WHEREAS, Section 2.52.070 requires that there shall be a minimum of two (2) meeting held by the Planning Commission each month; and

WHEREAS, there are occasions when it may be appropriate to cancel or reschedule a meeting of the Planning Commission and the current County Code section for meetings of the Planning Commission does not contain provisions for this; and

WHEREAS, Section 2.52.180 establishes the scope of matters to be heard by the commission; and

WHEREAS, applications involving the Williamson Act are not included in the list of applications in this section, even though these applications have been routinely brought before the commission; and

WHEREAS, other applications for which the commission makes a recommendation to the Board of Supervisors are not included in the list of applications in this section, even though these applications have been routinely brought before the commission; and

WHEREAS, the authority for the Planning Commission's review of applications involving the Williamson Act and other applications for which the Planning Commission makes a recommendation to the Board of Supervisors should be included in the list of applications listed in Section 2.52.180 based on past practice.

NOW BE IT THEREFORE RESOLVED THAT the Planning Commission of the County of Mariposa does hereby initiate an amendment to Section 2.52.070 and Section 2.52.180 of Mariposa County Code.

BE IT THEREFORE FURTHER RESOLVED THAT the proposed amendment to Section 2.52.070 is worded to be similar to code language contained in Chapter 2.04, Mariposa County Code establishing provisions for cancelled or rescheduled meetings of the Mariposa County Board of Supervisors.

BE IT THEREFORE FURTHER RESOLVED THAT the amendment to Section 2.52.070 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type* and deleted text shown in ~~strike-thru type~~):

SECTION 2.52.070 Meetings-Date and time

Regular meetings of the planning commission during the year shall be held scheduled a minimum of two (2) times each month, the date and time to be set by the planning commission. Notwithstanding anything to the contrary contained in this section, the planning commission may, by majority vote, cancel or reschedule any regular meeting of the commission. Any cancellation or rescheduling of a regular planning commission meeting shall be conducted in open session at a regular meeting of the commission.

BE IT THEREFORE FINALLY RESOLVED THAT the amendment to Section 2.52.180 of the Mariposa County Code will read as follows (new text shown in *italicized underlined type*):

SECTION 2.52.180 Applications-Scope of matters to be heard by commission

A. The planning commission shall hear and decide:

1. Each application for conditional use permit, use permit determination or variance permit, including applications for amended conditions or an amended map or site plan;
2. An appeal from an order; requirement, permit, decision, or determination made by the planning department staff;
3. Each application for a tentative tract map, or revised tentative tract map, including amended conditions;
4. Each application for a parcel map, or revised parcel map, including amended conditions referred to the commission;
5. Applications for time extensions;
6. Applications for a mining permit, reclamation plan and financial assurances, including amendments, as specified in Section 18.02.030, County Code;
7. Applications for planned residential developments, as specified in Section 17.108.100, County Code;
8. Applications for planned unit developments, as specified in Section 17.328.030, County Code;

9. Environmental determinations pursuant to the California Environmental Quality Act and county policy adopted to implement said Act;
 10. Recommendations on filing "tentative notices of violation", and "notices of violation", in accordance with Government Code Section 66499.36
- B. The planning commission shall hear and make a recommendation to the board of supervisors for action on the following:
1. Any application involving land conservation act applications or applications involving amendments or cancellations to existing land conservation act contracts;
 2. Any application involving a general plan, area plan, specific plan or zoning amendment;
 3. Any application involving a timber exclusive zone, including amendments to existing zones;
- C. The planning commission shall hear and decide any other matter that may be designated by resolution or by ordinance;
- D. The planning commission shall hear and decide, or shall hear and make a recommendation to the board of supervisors for action on items as assigned or as established by California Government Code;
- E. Where this title designates the planning director as the approval authority for any permit or approval, the planning director may refer the decision to the planning commission.

ON MOTION BY Commissioner Francisco, seconded by Commissioner Ross, this resolution duly passed and adopted this 5th day of December 2008 by the following vote:

AYES: Francisco, Ross, Rudzik, Skyrud, and DeSantis

NOES: None

ABSENT: None

ABSTAIN: None



Skip Skyrud, Chairman
Mariposa County Planning Commission

Attest:



Judy Mueller, Secretary to the
Planning Commission