

DEPARTMENT: Planning

BY: Bill King
PHONE: 966-0305

5/4/04 #9

RECOMMENDED ACTION AND JUSTIFICATION:

The Planning Commission recommends adoption of a resolution approving the project with the recommended findings, and a mitigated negative declaration. Waive the first reading and introduce an Ordinance approving the project's changes to the general plan land use map and the county's official zoning map.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

No prior action

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative action would result in no project; the property would remain designated for Mountain Home land uses.

Financial Impact? () Yes (X) No	Current FY Cost: \$	Annual Recurring Cost: \$
Budgeted In Current FY? () Yes () No () Partially Funded		
Amount in Budget: \$ _____		List Attachments, number pages consecutively
Additional Funding Needed: \$ _____		Staff Report (*)
Source:		Correspondence
Internal Transfer _____		Draft Resolution
Unanticipated Revenue _____ 4/5's vote		Draft Ordinance
Transfer Between Funds _____ 4/5's vote		Notice of Determination
Contingency _____ 4/5's vote		*** the 178 page Initial Study is available for review in the office of the Board of Supervisors
() General () Other _____		

CLERK'S USE ONLY:

2460 Res. No.: 04-169
Vote - Ayes: 4
Absent: _____
() Approved
4/20/04 Minute Order Attached () No Action Necessary

5/4 Ord. No. 1006
Noes: Bobby

COUNTY ADMINISTRATIVE OFFICER:

____ Requested Action Recommended
 No Opinion
Comments:

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____
Attest: MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By: _____
Deputy

CAO: 

MARIPOSA COUNTY ORDINANCE NO. 1006
(Not to be Codified)

AN ORDINANCE AMENDING THE MARIPOSA COUNTY ZONING MAP

WHEREAS, General Plan Zoning Amendment Application # 2003-271 was received from Yosemite Area Regional Transportation System proposing to modify the zoning designation for a portion of APN 8-400-023 from Mountain Home (MH) to Public Sites (PS); and

WHEREAS, the Planning Commission held a duly noticed public hearing on March 19, 2004 in accordance with State Law and County Code, and recommended approval of the project to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the matter in accordance with State Law and County Code; and


WHEREAS, environmental review has been conducted on the amendment in accordance with the California Environmental Quality Act and a Mitigated Negative Declaration has been adopted for the project.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors does hereby modify the Mariposa County Zoning Map pursuant to General Plan Zoning Amendment #2003-271 for the property described as the property located at 5033 Colorado Road, Midpines, on the southwest side of the highway at the intersection of State Highway 140 and Ponderosa Way (northwest of the Midpines Post Office, also known as Assessor's Parcel Number (APN: 8-400-023) from Mountain Home (MH) to Public Sites (PS).

BE IT FINALLY ORDAINED, this action is based on the findings mandated by Section 17.128.050 of the Mariposa County Zoning Ordinance as discussed in Exhibit A.

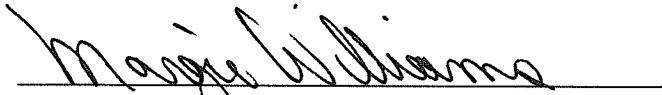
PASSED AND ADOPTED on this 4th day of May 2004 by the following vote. The ordinance will become effective 30 days after adoption:

AYES:	STETSON, BALMAIN, PARKER, PICKARD
NOES:	BIBBY
ABSTAINED:	NONE
EXCUSED:	NONE



GARRY R. PARKER, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

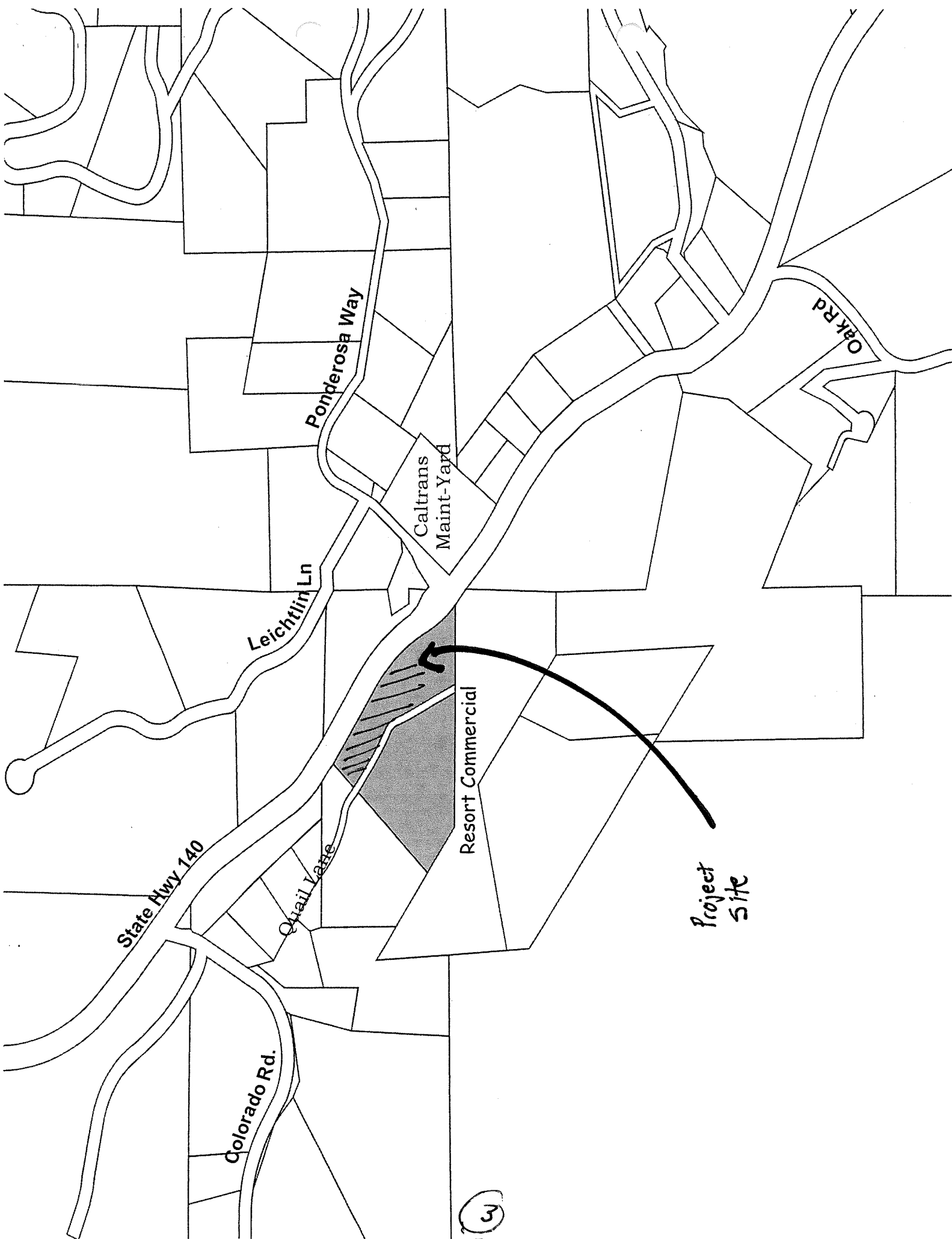


THOMAS GUARINO,
County Counsel

ORDINANCE No. 1006 EXHIBIT A

Pursuant to Mariposa County Zoning Ordinance, Section 17.128.050, and based on the evidence provided in the staff report and presented at the public hearing, the following Findings are made:

1. That such an amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare;
2. That such an 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;
3. That such an amendment conforms to the requirements of state law and county policy;
4. That such an amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County general plan;
5. In the case of an amendment to the zoning classification on an individual parcel or General Plan Land Use Map:
 - a. the subject parcel is physically suitable (including, but not limited to access, provision of utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development; and
 - b. the proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public. (Ord. 912 Sec.II, 1997; Ord. 704 Sec.1, 1988).



State Hwy 140

Colorado Rd.

Ponderosa Way

Leightlin Ln

Quail Lane

Caltrans
Maint-Yard

Resort Commercial

Oak Rd

Project
Site

(4)



COUNTY OF MARIPOSA

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


GARRY R. PARKER, CHAIR
DOUG BALMAIN, VICE-CHAIR
LEE STETSON
BOB PICKARD
JANET BIBBY

DISTRICT IV
DISTRICT II
DISTRICT I
DISTRICT V
DISTRICT III



MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Interim Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board 
SUBJECT: PUBLIC HEARING TO CONSIDER GENERAL PLAN/ZONING AMENDMENT
#2003-271, LAND DIVISION #2004-63, AND DESIGN REVIEW #2003-272, YOSEMITE
AREA REGIONAL TRANSPORTATION SYSTEM, APPLICANT
Resolution No. 04-169

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 20, 2004

ACTION AND VOTE:

C) PUBLIC HEARING to Consider General Plan/Zoning Amendment #2003-271, Land Division #2004-63, and Design Review #2003-272; Adopt Resolution Approving Project, and a Mitigated Negative Declaration; Waive First Reading and Introduce an Ordinance Amending the General Plan Land Use Map and Official Zoning Map for the Project Site from Mountain Home (MH) to Public Sites (PS); Approving a Land Division and the Construction of a Park-n-Ride Lot for a Property Located at 5033 Colorado Road, Midpines, on the Southwest Side of the Highway at the Intersection of State Highway 140 and Ponderosa Way (Northwest of the Midpines Post Office); Assessor Parcel Number 8-400-023; Yosemite Area Regional Transportation System, Applicant

BOARD ACTION: Bill King, Senior Planner, presented the staff report. Staff responded to a question from the Board as to whether any comments were received on this project. The public portion of the hearing was opened and no input was received. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to comments contained in correspondence that was received relative to visibility and the possible removal of trees and whether any changes were made in the project; relative to maintenance, including trash removal and restrooms and their location; what happens to the site if YARTS goes away; plans for water for the site; what will happen if the property is not suitable for the project due to archaeological resources; and relative to the condition to minimize exposure of diesel fumes from sensitive receptors such as the lobby of the Post Office. (M)Stetson, (S)Pickard, Res. 04-169 was adopted approving the project with the recommended findings, including a mitigated negative declaration; and the first reading was waived and an ordinance introduced approving the project's changes to the General Plan Land Use Map and the County's Official Zoning Map. The Clerk of the Board read the title of the ordinance into the record. Ayes: Stetson, Balmain, Parker, Pickard; Noes: Bibby. The hearing was closed.

cc: Tom Guarino, County Counsel
File