

MARIPOSA COUNTY ORDINANCE NO. 870

AN ORDINANCE ADDING CHAPTER 2.90 TO THE MARIPOSA COUNTY  
CODE ESTABLISHING AN HISTORIC SITES AND RECORDS  
PRESERVATION COMMISSION

WHEREAS, the Mariposa County Board of Supervisors has  
previously established the Mariposa County Historic Sites and  
Records Preservation Commission by minute order and resolution;  
and

WHEREAS, pursuant to Chapter 15.12 of County Code the  
Historic Sites and Records Preservation Commission is charged  
with the responsibilities of nominating buildings, structures,  
sites and other historical resources for an historic designation  
of special significance and maintaining the official "Mariposa  
County List of Buildings or Structures with Special Historical or  
Architectural Significance"; and

WHEREAS, the Historic Sites and Records Preservation  
Commission is also charged with the responsibility of review and  
recommendation for all remodels, additions, maintenance and  
landscaping of the County's Historic Courthouse; and

WHEREAS, the Board of Supervisors desires to formalize the  
membership, duties, and responsibilities of the Commission and  
establish guidelines for Commission meetings and public  
participation.

NOW, THEREFORE, the Mariposa County Board of Supervisors  
does hereby ordain as follows:

SECTION I

Chapter 2.90 is hereby added to the Mariposa County Code as  
set forth in Exhibit "A" attached hereto and incorporated herein.

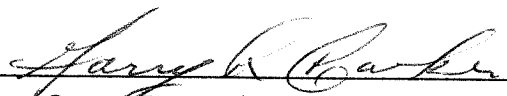
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SECTION II


This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 15th day of February, 1994 by the following vote:

AYES:	BALMAIN, ERICKSON, PARKER, TABER
NOES:	NONE
ABSTAINED:	NONE
EXCUSED:	BAGGETT

  
 By: Garry R. Parker, Vice-Chairman  
Arthur G. Baggett, Jr., Chairman  
 Mariposa County Board of Supervisors

ATTEST:

  
MARGIE WILLIAMS  
 Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
JEFFREY G. GREEN  
 County Counsel

**EXHIBIT "A"**

**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
- 2.90.070 Staff Support

**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".

**2.90.020 Membership.**

A. The Commission shall consist of nine (9) voting members consisting of the following members: one (1) member representing the Northern Mariposa County History Center, one (1) member representing the Butterfly Garden Club, one (1) member representing the Mariposa Historical Society, one (1) member representing the American Indian Community of Mariposa County, and five (5) at-large members. The specified members shall be nominated by the organizations they represent and shall be appointed by the Board of Supervisors. The member representing the American Indian Community and the at-large members of the Commission shall be appointed by the Board of Supervisors. Each at-large member appointed to the Commission shall have a demonstrated interest and knowledge of Mariposa County history and historic preservation.

B. The terms of office of the Commission members shall be continuous until resignation or removal by a majority vote of the Board of Supervisors.

C. If a member of the Commission is absent without cause from two (2) consecutive meetings, the office becomes vacant automatically. A member is not absent without cause if the absence is (1) due to illness or (2) unavoidable and the member either prior to or within 48 hours after the meeting gives the Chairman or Planning Director written or verbal notice that the member will be absent and giving the reason for the absence.

D. The members of the Commission shall serve without compensation.

**2.90.030 Officers.**

The members of the Commission shall elect a chairman and vice-chairman by a majority vote at the first meeting of the Commission who shall serve for a period of one (1) year or until

1 a successor is selected. The chairman, when present, shall  
2 preside at all meetings of the Commission and shall conduct the  
3 business of the Commission. The vice-chairman, in the absence of  
4 the chairman, shall perform all the functions and duties of the  
5 chairman.

6 **2.90.040 Commission Meetings.**

7 A. The Commission shall meet as necessary to perform the  
8 duties and responsibilities of the Commission. Meetings shall be  
9 held when necessary to act on matters requiring review by the  
10 Commission. Commission meetings shall be open to the public with  
11 published agenda and minutes and shall be held in a public place  
12 and advertised in advance in accordance with the California Open  
13 Meeting Act. The published agenda shall be mailed in advance of  
14 meetings to individuals and organizations who have requested such  
15 notice and to all property owners and applicants who may be  
16 affected by any item on the agenda. Written minutes of  
17 Commission meetings shall be kept on file in the Mariposa County  
18 Planning Department and be available for public inspection.

19 B. Meetings shall be scheduled by the Chairman after  
20 conferring with the Planning Director regarding the agenda items  
21 and necessary noticing and advertising.

22 C. A quorum shall consist of five (5) members. In the  
23 absence of a quorum, a meeting may be cancelled or continued to a  
24 date, time, and place certain by the members present. All  
25 actions and decisions of the Commission shall result from a  
26 motion fully stated by the moving party, followed by a second,  
27 and passed by five (5) votes.

28 **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.

**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

1 regular basis as the condition and importance of historic sites  
2 may change. Survey activities to update previously surveyed  
3 resources and identify non-inventory resources shall be  
4 coordinated with and complementary to the State program and  
5 Mariposa County Historic and Cultural Resources Inventory to  
6 ensure that survey results produced by the Commission will be  
7 readily integrated into the statewide comprehensive historic  
8 preservation planning process and Mariposa County Historic and  
9 Cultural Resources Inventory. The Commission shall make  
10 recommendations to the Board of Supervisors on County procedures  
11 to facilitate the use of survey results in the planning process  
12 by County officials and departments and other governmental  
13 agencies. The Commission shall submit and file survey results  
14 with the Mariposa County Planning and Building Department where  
15 such surveys shall be deposited and maintained. Copies of the  
16 surveys shall be forwarded to the State Office of Historic  
17 Preservation.

9 B. The Commission shall be responsible for overseeing the  
10 compiling, recording, and updating of information on cultural and  
11 historic resources within the County. The information shall  
12 be based on comprehensive surveys of historic properties and  
13 shall be in a form that collates the survey results into a usable  
14 document. This information shall be available to the public to  
15 the extent that historic properties will not be vandalized or  
16 harmed by the release of such information as determined by the  
17 Commission.

14 C. The Commission shall maintain the official "Mariposa  
15 County List of Buildings or Structures, Sites and other  
16 Historical Resources with Special Historical or Architectural  
17 Significance" which shall list all buildings and structures  
18 determined by the Board of Supervisors to be historically or  
19 architecturally significant. The Commission may nominate  
20 buildings, sites, structures, and other historical resources for  
21 listing to the Board of Supervisors.

18 D. The Commission may publish procedural rules for  
19 registering historic properties which are identified in the  
20 County historic and cultural resources survey program in the  
21 National Register of Historic Places in accordance with the  
22 requirements of the National Historic Preservation Act, Section  
23 101(c)(2). However, the Commission does not have the authority  
24 to nominate properties directly to the National Register. The  
25 Commission shall review all nominations to the National Register  
26 which involve County property.

22 E. The Commission shall review all discretionary private  
23 development projects which may impact an historic or  
24 archaeological site in the County upon referral from the Board of  
25 Supervisors, Planning Commission, or a County Department Head.  
26 The Commission shall determine the significance of the site and  
27 the project's impact on the site, if any, and recommend  
28 appropriate mitigation measures to mitigate any impact. The  
Commission shall formulate a recommendation to the referring body  
on these findings and shall make a recommendation within three  
(3) weeks after referral.

1 F. The Commission shall review all public projects  
2 undertaken by the County or other government agency which may  
3 impact an historic or archaeological site upon referral from the  
4 Board of Supervisors or a County Department Head. The Commission  
5 shall formulate a recommendation to the Board of Supervisors  
6 within three (3) weeks after referral.

7 G. The Commission may review County policies and ordinances  
8 which regulate or affect historic or archaeological sites and may  
9 make recommendations to the Board on historic site preservation  
10 policies and ordinances.

11 H. The Commission may review new names proposed for roads  
12 in the County-maintained system for historical significance and  
13 may make recommendations to the Board of Supervisors on the  
14 proposed road name.

15 I. The Commission shall evaluate County records for  
16 historical content and recommend to the Board of Supervisors  
17 measures to preserve such historical records.

18 J. The Commission may recommend to the Board of Supervisors  
19 measures designed to preserve and/or restore the integrity of  
20 historic buildings, structures, sites, and other historical  
21 resources.

22 **2.90.070 Staff Support.**

23 Technical and secretarial support to the Commission shall be  
24 provided by the Mariposa County Planning and Building Department.  
25 Its responsibilities include the preparation of public notices,  
26 agendas, and minutes as can be reasonably provided; and the  
27 preparation of informational reports and Board agenda packets and  
28 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.