

1 MARIPOSA COUNTY ORDINANCE NO. 543

2 AN INTERIM EMERGENCY ORDINANCE EXTENDING ORDINANCE NO. 497
3 AND 524 AND AMENDING PROCEDURES OF ORDINANCE 524
4 PERMIT PROCEDURE ORDINANCE FOR COMMUNITY PLANNING AREAS

5 The Board of Supervisors of the County of Mariposa,
6 State of California, do hereby ordain as follows:

7 SECTION I: FINDINGS AND DECLARATION OF INTENT

8 A. The Mariposa County Planning Commission is at pre-
9 sent developing concise plans for the development of the
10 Community Planning Areas of Fish Camp and Mariposa to be duly
11 adopted as specific plans to the Mariposa County General Plan
12 adopted February 14, 1978.

13 B. It has been deemed essential by the Planning
14 Commission that development projects within these above-mentioned
15 Community Planning Areas be reviewed to insure the compatibility
16 of the development projects with such planning documents being
17 drafted.

18 C. In order to avoid potential conflict between pro-
19 posed development and specific plans being proposed and for the
20 purpose of protecting the public health, safety, and welfare, the
21 Board of Supervisors finds that it is necessary to adopt the re-
22 gulations set forth in this ordinance.

23 D. That changes in circumstance and in light of progress
24 made in the developments of the Mariposa and Fish Camp plans have
25 made it necessary to make minor modifications to the original in-
26 terim emergency ordinance to insure that the original ordinance
27 intent and purpose can be maintained.

28 SECTION II: AREAS AFFECTED

A. The Community Planning Areas of (1) Fish Camp, and

1 (2) Mariposa, as generally described in the Mariposa County General
2 Plan adopted February 14, 1978, with boundaries described in Ex-
3 hibits "A", and "B", and attached hereto, hence forth referred to
4 as CPAs, shall be affected by the provisions of this ordinance.

5 B. Upon motion of the individual CPA advisory groups
6 and upon Board adoption of a Planning Commission recommendation,
7 the boundaries of the affected CPA may be revised for the purposes
8 of this ordinance.

9 SECTION III: PERMIT APPROVAL PROCEDURE

10 A. Permits

- 11 1. All construction, major modification and erection
12 of signs, conducted for purposes of developing
13 commercial or multi-family residential improve-
14 ments shall require a permit. Multi-family
15 development shall be interpreted to mean a
16 dwelling or dwelling group intended to house four
17 or more individual family units.
- 18 2. All grading, not conducted under the supervision
19 of the Mariposa County Engineer's office or Calif-
20 ornia Division of Highways, which involves the
21 moving of 50 or more yards of earth on any given
22 site shall require a permit.

23 B. Review

- 24 1. All permits, development proposals, use permits
25 subdivisions, zoning and General Plan amendments
26 shall conform with standards and specifications
27 contained in a report, plan or proposal prepared
28 by a Community Planning Council of Mariposa or
Fish Camp, for their respective Community Plan-
ning Area (CPA) and where such report, plan or
proposal is accepted by the Planning Commission
of Mariposa County.

C. Planning Commission Determination

1. Any questions regarding interpretation and appli-
cation of such standards, procedures, specifica-
tions or policies contained in a report, plan or
proposal, as accepted by the Planning Commission,
shall be resolved by determination of the Planning
Commission and is subject to Board appeal.

1 2. Where a question of interpretation and application
2 arises, and a Community Planning Council is duly
3 organized and active in the area affected, the
4 Planning Commission may refer the question to the
Community Planning Council for review and comment
prior to action being taken.

5 3. All permits and development proposals, not subject
6 to Planning Commission approval, shall be pro-
cessed administratively by County officials and
7 employees provided that:

8 a. Such County officials and employees shall not
9 approve any permit or development proposal
that is inconsistent with any Planning Com-
mission approved report, plan or proposal and

10 b. Any question regarding permit or development
11 proposal consistency by a County official or
12 employee shall be referred to the Planning
Commission for resolution; such question of
13 consistency will be raised in the best judge-
ment of the County official or employee.

14 D. PLANNING COMMISSION AND BOARD ACTIONS:

15 The Mariposa County Planning Commission and the
16 Mariposa County Board of Supervisors shall conduct all public
17 hearings, environmental review, conduct project review and approve
18 or deny and process appeals on subdivision proposals, use permits,
19 rezonings and variances in accordance with established County pro-
20 cedures and policies established for such matters. No subdivision,
21 use permit, rezoning or variance shall be approved where such
22 matter is inconsistent with such duly approved report, plan or
23 proposal. Such staff reports prepared pursuant to actions on
24 these matters shall contain a report on plan, report or proposal
25 consistency.

26 SECTION IV: URGENCY AND TAKING EFFECT

27 This ordinance is an urgency ordinance and is for the
28 immediate preservation of the public peace, health and welfare.

1 The facts constituting the urgency are these:

- 2 a. Significant concerns have been registered by members of
3 the residents of Mariposa and Fish Camp over the impact of
4 development in the Mariposa and Fish Camp Community Plan-
5 ning areas prior to adoption and implementation of the
6 Community Plan.
- 7 b. It would be destructive of the proposed policies, proced-
8 ures, standards and specifications contained in such re-
9 ports, plans or proposals recommended by the Mariposa and
10 Fish Camp Community Planning Councils, if during the
11 period they are being studied and subject to enactment,
12 parties seeking to evade the operation of these regulations
13 in the form they may be adopted, should be permitted to
14 subdivide, construct, redevelop or develop, which progress
15 so far as to defeat in whole or in part the ultimate
16 objectives of these policies, procedures, standards and
17 specifications.
- 18 c. It is entirely possible that subdivision, construction,
19 redevelopment or development activity contemplated or in
20 progress on land contained within the Mariposa and Fish
21 Camp Community Planning Area may not conform to the pol-
22 icies, procedures and standards under study and any regu-
23 lations imposed pursuant thereto, thereby destroying the
24 usefulness of the regulations and creating a hazard to
25 the public peace, health and welfare.

26 SECTION V: PENALTY

27 Violation of any provision of this ordinance shall con-
28 stitute a misdemeanor and shall be punishable under Chapter 1.28,

1 the General Penalty provisions, of the Mariposa County Code.

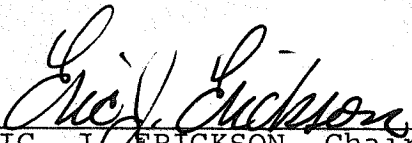
2 PASSED AND ADOPTED by the Mariposa County Board of
3 Supervisors this 20th day of May, 1980, by the following vote:

4 AYES: Erickson, Dalton, Moffitt, Clark, Taber

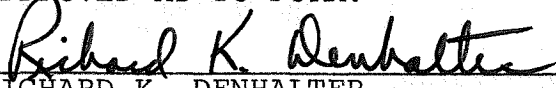
5 NOES: None

6 ABSTAINED: None

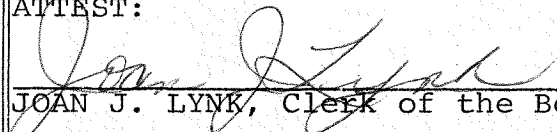
7 ABSENT: None

8 
9 ERIC J. ERICKSON, Chairman
Board of Supervisors

10 APPROVED AS TO FORM:

11 
12 RICHARD K. DENHALTER
County Counsel

13 ATTEST:

14 
15 JOAN J. LYNK, Clerk of the Board

16
17
18
19
20
21
22
23
24
25
26
27
28

There are two large maps attached to the original Ordinance on file.