

# MARIPOSA COUNTY

Planning · 209-966-5151



## ORDINANCE 2019-1146

MEETING: October 15, 2019  
TO: The Board of Supervisors  
FROM: Sarah Williams, Planning Director  
RE: General Plan/Zoning Amendment No. 2016-208

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### **RECOMMENDED ACTION AND JUSTIFICATION:**

Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map for Adjusted Assessor's Parcel Number 012-180-013 and Portions of Adjusted Assessor's Parcel Numbers 012-180-014, 012-180-042 (legal with 012-180-026 and 012-180-011), Pursuant to General Plan/Area Plan/Zoning Amendment No. 2016-208; MCUSD, Imrie, and Long, Project Proponents

The recommended action is based on the Planning Commission's recommendation and the Board of Supervisors adoption of Resolution No. 2017-583, which approved Lot Line Adjustment No. 2016-209, Land Conservation Act (LCA) Contract Modification No. 2016-210 and the proposed zoning map amendment along with the necessary General Plan map amendments (General Plan/Zoning Amendment No. 2016-208). **The waiving of the first reading and introduction of an ordinance amending the zoning map were delayed until the lot line adjustment and LCA Contract Modification were completed to avoid rezoning portions of parcels that did not coincide with existing boundaries.** The lot line adjustment and LCA Contract Modification portions of the project have now been completed.

This ordinance was introduced at the October 1, 2019, Board meeting.

### **BACKGROUND AND HISTORY OF BOARD ACTIONS:**

The Board of Supervisors adopted Resolution No. 2017-583 (attached) on August 22, 2017 approving the project (General Plan/Zoning Amendment No. 2016-208, Lot Line Adjustment No. 2016-209, and LCA Contract Modification No. 2016-210). The resolution directed that the Waiving of the First Reading and Introduction of the Ordinance be scheduled upon completion of the lot line adjustment and LCA Contract Modification.

October 1, 2019: This ordinance was introduced.

## Ordinance 2019-1146

### **ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:**

Do not approve and the amendment will not occur. The zoning map amendments necessary to comply with General Plan policies and Williamson Act Contract policies would not occur and the parcels would not be in conformance with those policies. The Board of Supervisors took action to approve the project and completion of this procedural step would allow completion of the approved project.

### **ATTACHMENTS:**

**Ordinance (DOC)**

**Board of Supervisors Resolution No. 2017-583 (PDF)**

**RESULT: ADOPTED [3 TO 0]**

**MOVER:** Merlin Jones, District II Supervisor

**SECONDER:** Kevin Cann, District IV Supervisor

**AYES:** Merlin Jones, Kevin Cann, Miles Menetrey

**EXCUSED:** Rosemarie Smallcombe

**RECUSED:** Marshall Long

**STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS**

**MARIPOSA COUNTY ORDINANCE NO. 1146  
(Not to be codified)**

**AN ORDINANCE AMENDING THE MARIPOSA COUNTY ZONING MAP**

**WHEREAS**, the application known as General Plan/Zoning Amendment No. 2016-208, proposes to amend the General Plan land use and zoning designation of the subject parcels to coincide with the adjusted boundaries of parcels configurations adjusted through Lot Line Adjustment No. 2016-209; and

**WHEREAS**, the Board of Supervisors adopted Resolution No. 2017-583 finding the project exempt from environmental review and approving General Plan/Zoning Amendment No. 2016-208 after a notice public hearing on the 22<sup>nd</sup> day of August 2017; and

**WHEREAS**, Resolution No. 2017-583 delayed the waiving of the first reading and introduction of an ordinance to amend the zoning map until Lot Line Adjustment No. 2016-209 was completed.

**NOW THEREFORE**, the Board of Supervisors of the County of Mariposa ordains as follows:

**Section I:** Amend the zoning designation of adjusted Assessor's Parcel Number 012-180-013 and portions of Assessor's Parcel Numbers 012-180-014, 012-180-042 as shown in Exhibit A and approved by General Plan/Zoning Amendment No. 2016-208. The amendments are as follows:

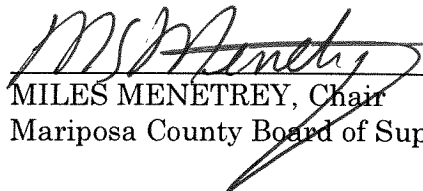
- Amend the zoning designation of all property as described in Certificate of Compliance Document No. 20191161, Mariposa County Official Records to the Public Sites Zoning District.
- Amend the zoning designation of all property as described in Grant Deed Document No. 20181717 and Grant Deed Document No. 20181719, Mariposa County Official Records to the Resort Commercial Zoning District. This is a portion of the property as described in Certificate of Compliance Document No. 20191162, Mariposa County Official Records.
- Amend the zoning designation of all property as described in Grant Deed Document No. 20181716, Mariposa County Official Records to the Agriculture Exclusive Zoning District. This is a portion of the property as described in Certificate of Compliance Document No. 20191164, Mariposa County Official Records.

**Section II:** If any provisions of this ordinance is held to be unconstitutional, preempted by federal law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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

PASSED AND ADOPTED on this 15th day of October, 2019, by the following vote.

AYES: JONES, CANN MENETREY  
NOES: NONE  
ABSTAINED: NONE  
EXCUSED: SMALLCOMBE  
RECUSED: LONT

  
MILES MENETREY, Chair  
Mariposa County Board of Supervisors

Attest:

  
RENÉ LAROCHE, Clerk of the Board  
Mariposa County Board of Supervisors

APPROVED AS TO FORM:

  
STEVEN W. DAHLEM, County Counsel

# Exhibit A

## General Plan / Zoning Amendment No. 2016-208

