

1 MARIPOSA COUNTY ORDINANCE NO. 608

2 AN ORDINANCE ADOPTING A PLANNED DEVELOPMENT ZONE
3 NO. 83-1, FOR AN APARTMENT COMPLEX IN THE MARIPOSA
4 AREA.

5 WHEREAS, pursuant to Mariposa County Code Sections 17.10.
6 010 et seq., Public Hearings have been held before the Mariposa
7 County Planning Commission and the Mariposa County Board of Super-
8 visors, with due notice given as required by law;

9 NOW THEREFORE, the Board of Supervisors of Mariposa County,
10 a political subdivision of the State of California, does hereby
11 ordain as follows:

12 SECTION I: There is hereby created within Mariposa County
13 a planned development zone pursuant to Chapter 17.10 of the Mari-
14 posa County Code to be known as Planned Development Zone No. 83-1
15 with boundaries as described in Exhibit A attached hereto, and as
16 shown on the map set forth in Exhibit B attached hereto, which
17 zone shall be added to the official zoning maps of Mariposa County.

18 SECTION II: Planned Development Zone 83-1 shall be governed
19 by the conditions of approval set forth in Exhibit C attached here-
20 to.

21 SECTION III: The Board of Supervisors of Mariposa County
22 hereby finds that the Planned Development Zone No. 83-1 is consis-
23 tent with the General Plan and the Mariposa Specific Plan, and
24 hereby adopts the Findings of Fact of the Mariposa County Planning
25 Commission set forth in Resolution No. 83-35, Exhibit D attached,
26 as required by Section 17.10.030 of the Mariposa County Code.

27 SECTION IV: This Ordinance shall become effective THIRTY
28 (30) days after final passage pursuant to Government Code Section
29 25123.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

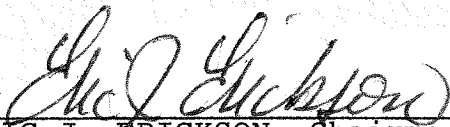
PASSED AND ADOPTED THIS 11th DAY OF OCTOBER , 1983, by
the Board of Supervisors of Mariposa County, by the following vote:

AYES: Barrick, Dalton Moffitt, Erickson

NOES:


EXCUSED:

ABSTAINED: Taber




ERIC J. ERICKSON, Chairman
Mariposa County Board of Supervisors

ATTEST:



ELLEN BRONSON, County Clerk
and Ex Officio Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



JEFFREY G. GREEN
County Counsel

DESCRIPTION

All that certain real property situate in the County of Mariposa, State of California, described as follows:

PARCEL ONE

Parcel A: BEGINNING at Corner No. 1, identical with Corner No. 4 of the Robert E. Fraser Tract as per deed from the Mariposa Commercial and Mining Company, a corporation to Robert E. Fraser, dated December 16, 1940 and recorded January 10, 1941 in Volume 8 of Official Records, page 385, Mariposa County Records; thence following along line 4 and 5 of the said Fraser Tract N. 52° 08' W. 95 feet to Corner No. 2; thence S. 44° 53' W. 391.91 feet to Corner No. 3, being a point on line 2 and 3 of said Fraser Tract; thence S. 1° 00' E. 131.26 feet to Corner No. 4, identical with Corner No. 3 of the said Fraser Tract; thence following along line 3 and 4 of the said Fraser Tract N. 44° 53' E. 494.85 feet to Corner No. 1 and the place of commencement.

Said tract is situated in the Northwest quarter of the Southeast quarter of Section 15, Township 5 South, Range 18 East, M.D.B.&M., Rancho Las Mariposas.

The above described tract is the Southerly portion of the said Fraser Tract.

Parcel B: All that certain lot, piece or parcel of land, situate lying and being in the Northwest quarter of the Southeast quarter of Section 15, Township 5 South, Range 18 East, M.D.B.&M., Rancho Las Mariposas, and bounded and particularly described as follows:

A fractional part of that certain tract of land known as the EDNA B. HALEY TRACT (as the said Edna B. Haley Tract is so designated by the deed recorded in the office of the County Recorder of the said County of Mariposa in Volume 12, page 118 of Official Records), bounded by a line particularly described as follows:

COMMENCING at Corner No. 1, a point on line 1-2 of the said Edna B. Haley Tract from which the quarter section corner in the center of said Section 15, bears N. 54° 43' W. 685.1 feet distant; thence S. 28° 26' E. 8.70 feet to Corner No. 2, identical with Corner No. 2 of the said Edna B. Haley Tract; thence S. 1° 00' E. 58.24 feet to Corner No. 3, identical with Corner No. 3 of the said Edna B. Haley Tract; thence N. 44° 53' E. 391.91 feet to Corner No. 4, identical with Corner No. 4 of the said Edna B. Haley Tract; thence N. 52° 08' W. 43.6 feet to Corner No. 5; thence S. 46° 03' W. 343.6 feet to Corner No. 1, the point of beginning.

EXCEPTING THEREFROM all that parcel of land as granted in the Deed from WILLIAM T. HARDWICK, et ux to the STATE OF CALIFORNIA, recorded July 3, 1953 in Book 43 of Official Records, page 541.

---DESCRIPTION CONTINUED ON NEXT PAGE---

COPY

DESCRIPTION CONTINUED

PARCEL TWO

COMMENCING at Corner No. 1, a point on the Southwesterly line of the Mariposa-Bagby Public Road, identical with Corner No. 4 of the so-called "Fraser Tract" conveyed by the Mariposa Commercial and Mining Company to Robert E. Fraser by deed recorded in the office of the County Recorder of Mariposa County in Volume 8 of Official Records at page 385; and running thence along the Southeasterly line of said Fraser Tract, S. 44° 53' 484.85 feet to Corner No. 2, identical with Corner No. 3 of said Fraser Tract; thence S. 14° 37' W. 438.83 feet to Corner No. 3, identical with Corner No. 3, and identical with Corner No. 6 of the so-called "James Addition North Tract", conveyed by the Mariposa Commercial and Mining Company to Sydney L. James and Harriet C. James, his wife, by deed recorded in Volume 8 of Official Records of Mariposa County, at page 426; thence along the Northwesterly line of said James Addition North Tract, N. 30° 53' E. 587.85 feet to Corner No. 4, identical with Corner No. 7 of said James Addition North Tract; thence along the Northwesterly line of said James Addition Tract, N. 54° 48' E. 327.58 feet to Corner No. 5, identical with Corner No. 8 of the said James Addition North Tract, and at a point on the said Southwesterly line of said Mariposa-Bagby Public Road; thence along the said Southwesterly line of the said Mariposa-Bagby Public Road; N. 53° 17' W. 136.70 feet to Corner No. 1 and the point of commencement. Magnetic variation 17° 40' E. and being a portion of the East half of Section 15, Township 5 South, Range 18 East, M.D.B.&M., Rancho Las Mariposas, as said Section, Township and Range are so designated in the Patent of Las Mariposas Grant to John C. Fremont.

EXCEPTING THEREFROM the Bowers Tract, as delineated on the Record of Survey entitled "ALBERT & LULU BOWERS", recorded September 30, 1965 as Map No. 1444, Mariposa County Records.

PARCEL THREE

A parcel of land situated in the East half of Section 15, Township 5 South, Range 18 East, M.D.B.&M., Rancho Las Mariposas, and being more particularly described as follows:

BEGINNING at the point of intersection of the Southwesterly line of State Highway 49 with the Southeasterly line of the Fraser Tract as said tract is described in deed recorded in Volume 8 at page 385, Mariposa County Records, and running thence from said point of beginning S. 53° 18' E. along the Southwesterly line of State Highway 49 a distance of 134.80 feet to a point on the Northwesterly line of the James Addition North Tract as said tract is described in deed recorded in Volume 8 at page 426, Mariposa County

---DESCRIPTION CONTINUED ON NEXT PAGE---

COPY

DESCRIPTION CONTINUED

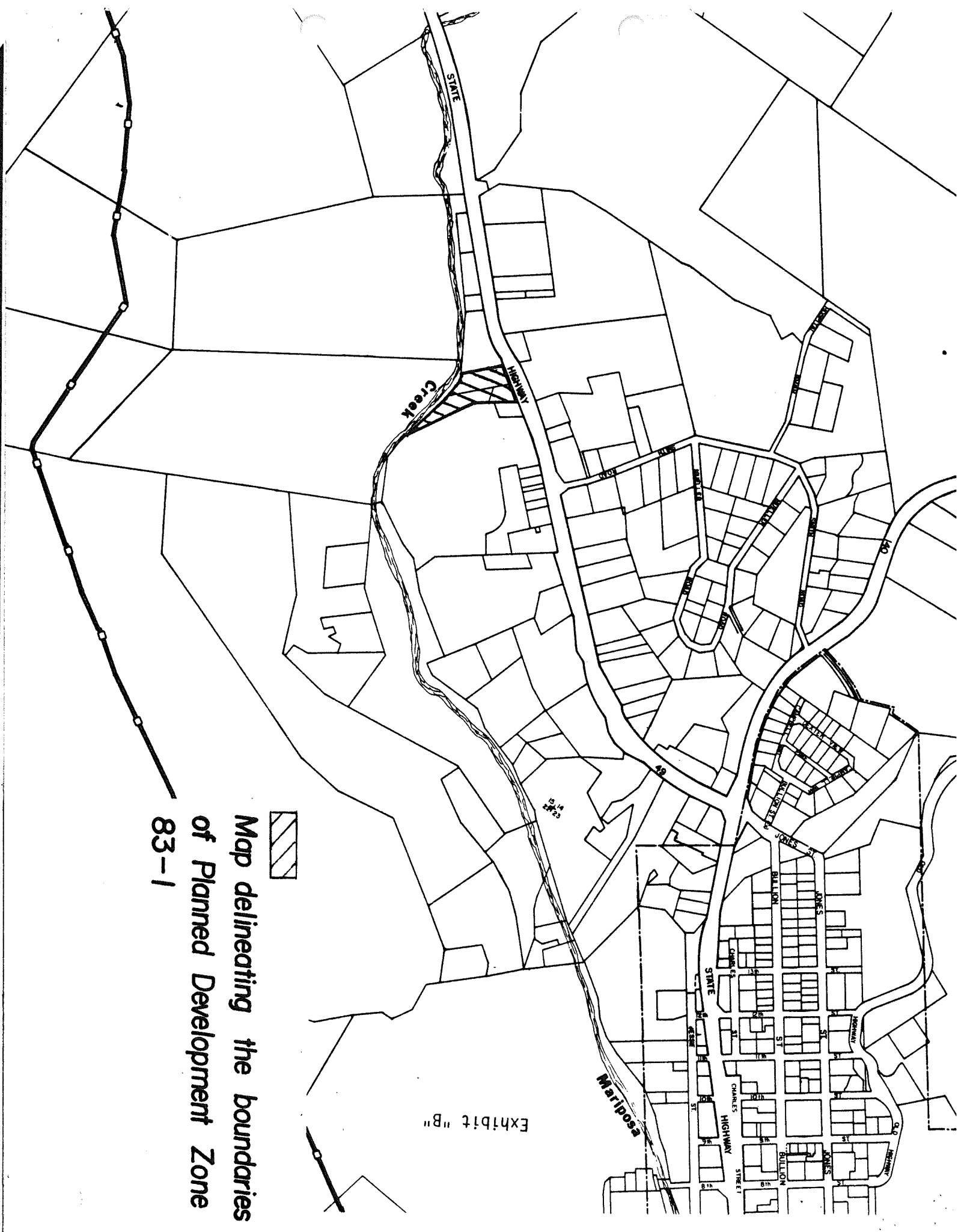
PARCEL THREE CONTINUED

Records, thence S. 56° 58' 50" W. along said Northwesterly line 208.67 feet; thence leaving said Northwesterly line and running N. 13° 33' 14" W. 110.96 feet to a point on the Southeasterly line of the aforesaid Fraser Tract; thence N. 47° 04' 30" E. along said Southeasterly line 126.86 feet to the point of beginning.

All as delineated on Record of Survey entitled "ALBERT & LULU BOWERS", recorded September 30, 1965 as Map No. 1444, Mariposa County Records.

EXCEPTING THEREFROM all that parcel of land as granted in the Deed from ALBERT M. BOWERS, et ux to the STATE OF CALIFORNIA, recorded May 25, 1953 in Book 43 of Official Records, page 188.

COPY



Map delineating the boundaries
of Planned Development Zone
83-1

Exhibit "B"

EXHIBIT "C"

STANDARDS AND CONDITIONS, PLANNED DEVELOPMENT ZONE 83-1

1. Density: Shall not exceed 47 residential units on the 3.03 acre site.
2. Building Design: Actual building elevations shall be approved by the Planning Commission prior to construction on the site.
3. Roads: All proposed driveways within the Planned Development Zone shall be constructed and surfaced in accordance with Mariposa County Improvements Standards. Adequate surface and subsurface drainage improvements shall also be provided in accordance with such standards.
4. Parking: Two paved parking spaces shall be provided on-site for each residential unit constructed. All parking spaces must have adequate ingress and egress and be adequately marked to insure safe traffic flow.
5. Flood Plain: Prior to any building construction on the site, the applicant shall submit a complete engineering analysis of the location of the 100 year flood level on the property. All structures shall be located above the 100 year flood level. Parking and recreational facilities (excepting structures) shall be considered appropriate uses within the flood area.
6. Domestic Water: The proposed on-site domestic water system shall meet all standards and requirements of the County and State relative to design, water quality, and water quantity, prior to the construction of any residential units on the site.
7. Waste Water: The project site shall connect with the M.P.U.D. sewer system.
8. Fire Prevention Measures: All recommendations from the County Fire Warden including fire hydrant location, water flow and storage requirements, building requirements, fuel breaks, and design recommendations shall be incorporated into the construction plans for this project.
9. Open Space Areas: Landscaping and recreation areas shall be provided in a similar ratio to those indicated on the concept site plan.
10. Revision of Plans: Revisions to the site plan, including relocation of buildings, roads, parking areas and open space may be considered and approved by the Planning Commission provided that all listed conditions can be met and the basic intent of the project is maintained.

Exhibit "C" (cont'd)

11. Future Subdivision: A future subdivision proposal on the site, separating ownership of the residential units may be considered consistent with the Planned Development Zone. Such a determination would be made at the time a specific subdivision proposal is submitted.
12. Development Standards: Front, side and rear yard setbacks, setbacks between buildings, building height, and fence height shall be in conformance with the Mariposa Town Planning Area Specific Plan.
13. Development Schedule: A development schedule, delineating time frames involved in the full buildout of the project shall be submitted by the applicant for review and consideration by the Planning Commission.
14. Design Requirements: Any proposed fences or walls to be located along the front of the property adjacent to Hwy 49N shall be designed to allow access by Emergency Vehicles to the southeast corner of the property.

MARIPOSA COUNTY PLANNING COMMISSION

Exhibit "D"

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA
RESOLUTION NO. 83-35

A Resolution recommending approval of Planned Development Zone No. 83-1, Standen Company, Applicant.

WHEREAS, an application has been submitted for the creation of a Planned Development Zone on a parcel of land to allow for the construction of 45 apartment units; and

WHEREAS, the Planning Commission has considered the project and held a Public Hearing in accordance with the requirements of Division I, Chapter 4 of the California Government Code and Chapter 17.10 of the Mariposa County Code; and

WHEREAS, the Mariposa Town Planning Area Specific Plan provides for Multi-Family residential developments within the Transitional Residential land use classification in which the subject property is located.

THEREFORE BE IT RESOLVED, that the Planning Commission recommends approval of the Planned Development Zone No. 83-1, to the Board of Supervisors with the following findings of fact:

- A. The Zone Change is found to be consistent with the Mariposa Town Planning Area Specific Plan and the Mariposa County General Plan in accordance with Section 65850 of the California Government Code.
- B. The Project, as submitted, has been reviewed and considered exempt from the provisions of the California Environmental Quality Act in accordance with Section 65453(b) of the California Government Code.
- C. That each individual unit of the development, if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development.

1 D. That the uses proposed will not be a detriment to the present and
2 proposed surrounding land uses, but will enhance the desirability of
3 the area and have a beneficial effect.

4 BE IT FURTHER RESOLVED, that the following conditions of approval are
5 considered necessary to assure compliance with the above findings:

6 Density: Shall not exceed 47 residential units on the 3.03 acre site.

7 Building Design: Actual building elevations shall be approved by the
8 Planning Commission prior to construction on the site.

9 Roads: All proposed driveways within the Planned Development Zone shall
10 be constructed and surfaced in accordance with Mariposa County Improvements
11 Standards. Adequate surface and subsurface drainage improvements shall
12 also be provided in accordance with such standards.

13 Parking: Two parking spaces shall be provided on site for each residential
14 unit constructed. Parking areas may be both paved and gravelled as shown
15 on the site plan. No more than 25% of the total required parking can be
16 located in the gravelled parking area. All parking spaces must have
17 adequate ingress and egress and be adequately marked to ensure safe traffic
18 flow.

19 Flood Plain: Prior to any building construction on the site, the applicant
20 shall submit a complete engineering analysis of the location of the 100
21 year flood level on the property. All structures shall be located above
22 the 100 year flood level. Parking and recreational facilities (excepting
23 structures) shall be considered appropriate uses within the flood area.

24 Domestic Water: The proposed on-site domestic water system shall be
25 required to connect with the Mariposa Public Utility District Water System
26 prior to any residential construction on the site. If such a connection
27 is found to be infeasible, the County may approve alternative water
28 systems for the site.

1 Domestic Water (cont'd): Any water system proposed for the site shall
2 meet all requirements of the County Sanitarian and State Law relative
3 to design, water quality and water quantity.

4 Waste Water: The project site shall connect with the M.P.U.D. sewer
5 system.

6 Fire Prevention Measures: All recommendations from the County Fire Warden
7 including fire hydrant location, water flow and storage requirements,
8 building requirements, fuel breaks, and design recommendations shall be
9 incorporated into the construction plans for this project.

10 Open Space Areas: Landscaping and recreation areas shall be provided in
11 a similar ratio to those indicated on the concept site plan.

12 Revision of Plans: Revisions to the site plan, including relocation of
13 buildings, roads, parking areas and open space may be considered and
14 approved by the Planning Commission provided that all listed conditions
15 can be met and the basic intent of the project is maintained.

16 Future Subdivision: A future subdivision proposal on the site separating
17 ownership of the residential units may be considered consistent with the
18 Planned Development Zone. Such a determination would be made at the
19 time a specific subdivision proposal is submitted.

20 Development Standards: Front, side and rear yard setbacks, setbacks
21 between buildings, building height, and fence height shall be in conformance
22 with the Mariposa Town Planning Area Specific Plan.

23 PASSED AND ADOPTED This 19th day of August 1983 by the Mariposa County

24 Planning Commission by the following vote:

25 AYES: Hickman, Martini, Kendrick, Hackleman

26 NOES: None

27 ABSENT: None

28 ABSTAIN: None

Janice T. Hickman

JANICE T. HICKMAN, Chairman
Mariposa County Planning Commission

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

ATTEST:

Nancy L. Hubert
 NANCY L. HUBERT, Secretary
 Mariposa County Planning Commission

Exhibit "D"