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MARIPOSA COUNTY ORDINANCE NO. 405

AN ORDINANCE PROVIDING REGULATIONS FOR THE DIVISION OF LOTS IN
APPROVED SUBDIVISIONS IN THE COUNTY OF MARIPOSA

Mariposa County Ordinance No. 344 is hereby amended to
read as follows:

SECTION 1: LEGISLATIVE INTENT. It is hereby determined
that this Ordinance is necessary for the orderly development of
the County of Mariposa in that a chaotic situation is being
created, and will become more critical if not regulated, by the
division of lots and parcels of real property in approved major
subdivisions as delineated in Mariposa County Ordinance No. 395
and 201, and amendments thereto. By assuring proper access,
drainage provisions, lot size and design, water supply, sewage
facilities and utility easements on lot divisions, the public
peace, health, safety, comfort, convenience, interest and welfare
will be protected.

SECTION 2: The division of lots and parcels outside of
subdivisions which are approved pursuant to Mariposa County Ord-
inance No. 395, and amendments thereto, have been excluded because
it is felt that the public peace, health, safety, comfort, con-
venience, interest and welfare will not be affected since lot
sizes of major subdivisions approved pursuant to Mariposa County
Ordinance No. 395, and amendments thereto, are made on the basis
of available water and sewer requirements.

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1 SECTION 3: Definitions. Major subdivision shall mean
2 a subdivision of five or more lots which have been subdivided
3 pursuant to Mariposa County Ordinance No. 201 and 395, and any
4 amendments thereto, for which a parcel or final map has been
5 accepted by the County and filed with the Mariposa County Recorder.
6 Lots and parcels shall mean any division of land pursuant to an
7 approved parcel or final map of a major subdivision as delineated
8 on any final subdivision map approved and recorded pursuant to
9 Mariposa County Ordinance No. 201 and or 395 and any amendments
10 thereto.

11
12 SECTION 4: Every person acting as a grantor, grantee,
13 vendor, vendee, purchaser, buyer, broker for any such person,
14 escrow agent for any such person, or agent for any such person,
15 shall not divide or participate in the division of any lot or
16 parcel of land in a major subdivision as the same appears upon a
17 record of survey map approved and accepted by the County of
18 Mariposa, pursuant to Mariposa County Ordinance No. 201, and any
19 amendments thereto, or Mariposa County Ordinance No. 395, and any
20 amendments thereto, without obtaining a use permit issued as
21 provided herein, prior to such division.

22
23 SECTION 5: Use permit means a written authorization
24 issued by the Planning Commission or other agency, officer, or
25 employee of the County of Mariposa, that the Board may designate,
26 authorizing the permittee to divide land. Use permits may be
27 revocable, conditional, or valid for a term period, and may be
28 issued only for use or purposes for which permits are required or

1 permitted by the terms of this Ordinance and shall be governed by
2 the following regulations:

3 A) Application for use permit shall be made to the
4 Planning Commission in writing on a form prescribed by the
5 Commission and shall be accompanied by plans and elevations where
6 necessary, and shall adequately describe the proposed division and
7 shall show proposed access, sanitation facilities, water and
8 utility easements. Such application shall be accompanied by a fee
9 of ten dollars (\$10.00), no part of which shall be returnable to
10 the applicant.

11 B) The Planning Commission may hold such hearings
12 thereon as it may deem necessary.

13 C) The Planning Commission shall find that the estab-
14 lishing or operation of the use applied for will or will not,
15 under the circumstances of the particular case, be detrimental to
16 public health, safety, and welfare, or contrary to provisions of
17 the County Master Plan or General Plan. The Planning Commission
18 may designate such conditions as it deems necessary to carry out
19 the purpose of this Ordinance, General or Master Plan, and may
20 require appropriate guarantees that such conditions will be com-
21 plied with.

22
23 SECTION 6: Any applicant, or other interested party,
24 not satisfied with the action of the Planning Commission may,
25 within ten (10) days after the formal decision of the Planning
26 Commission, appeal in writing to the Board of Supervisors. A copy
27 of such appeal shall be submitted to the Commission. Said Board
28 shall render its' decision within sixty-five (65) days after the

1 filing of such appeal. Appellant shall have the right of hearing
2 before the Board.

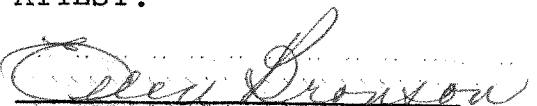
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4 SECTION 7: Any use permit may be revoked in any case
5 where the conditions of such permit are not being complied with.
6 The Planning Commission shall give written notice of intention to
7 revoke such permit to the permittee at least ten (10) days prior
8 to a hearing thereof. Any revocation shall be appealable in the
9 same manner as the denial of a permit as above specified. In any
10 case where the use specified in the use permit has not been commen-
11 ced within six (6) months after the date of such permit, then,
12 without further action by the Commission, or the Board, the use
13 permit granted shall be null and void.


14
15 SECTION 8: Penalties for violation. Any person, firm,
16 or corporation, whether as principal, agent, employee, or otherwise,
17 violating any of the provisions of this Ordinance, shall be guilty
18 of a misdemeanor and, upon conviction thereof, shall be punishable
19 by a fine of not more than \$300.00, by imprisonment in the County
20 Jail for a term not to exceed three (3) months, or by both such
21 fine and imprisonment.

22
23 PASSED AND ADOPTED by the Board of Supervisors this
24 5th day of August, 1975, by the following vote:

25 AYES: Clark, Dalton, Long, Moffitt, Richardson
26 NOES: None
27 ABSENT: None
28 NOT VOTING: None

ATTEST:


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


TOM R. RICHARDSON, Chairman
Board of Supervisors