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MARIPOSA COUNTY RESOLUTION NO. 85-270

A Resolution approving Specific Plan No. 85-1, Timothy and Carol Manly, Applicant.

WHEREAS a Specific Plan as defined by Section 65450 of the California Government Code was submitted for consideration by the County by an individual property owner, and

WHEREAS the Planning Commission held a public hearing on the Specific Plan in accordance with California Government Code Section 65353 and recommended approval of the Specific Plan with modifications and additions as set forth in their resolution No. 85-15, and

WHEREAS this body held a public hearing on the Specific Plan in accordance with California Government Code Section 65355,

NOW THEREFORE be it resolved that the Board of Supervisors hereby adopts Specific Plan No. 85-1, Timothy and Carol Manly, property owners, and incorporate the findings and modifications and additions to the Specific Plan set forth in Planning Commission Resolution 85-15. Planning Commission Resolution No. 85-15 is Attachment A to this resolution and the Specific Plan text is Attachment B to this resolution.

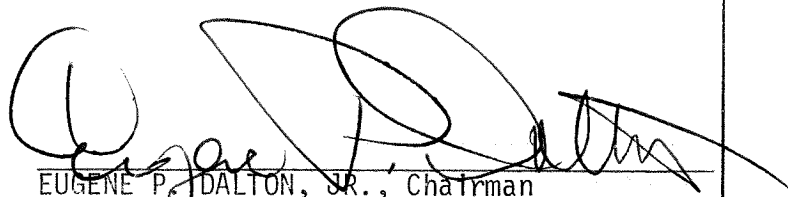
PASSED AND ADOPTED by the Mariposa County Board of Supervisors this 27th day of August, 1985 by the following vote:

AYES: Dalton, Erickson, Radanovich, Taber


NOES: None

ABSTAINED: None

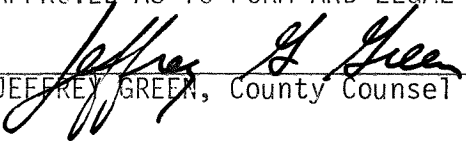
EXCUSED: Barrick


EUGENE P. DALTON, JR., Chairman
Board of Supervisors

ATTEST:


GERALD P. MC CARTHY, County Clerk and
Ex Officio Clerk of the Board

1 APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

2 
3 JEFFREY GREEN, County Counsel

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MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 85-15

A RESOLUTION RECOMMENDING APPROVAL OF SPECIFIC PLAN NO. 85-1, TIM AND CAROL MANLY, APPLICANTS.

WHEREAS, California Government Code Section 65450 provides local agencies the ability to adopt Specific Plans for the purpose of implementing the General Plan; and

WHEREAS, the Mariposa County General Plan established the Mountain Transition land use which specifically allows for the consideration of alternative land uses and increased densities with an adopted Specific Plan; and

WHEREAS, a Specific Plan has been submitted to the County for consideration by a private property owner; and

WHEREAS, the County has conducted environmental review on the Specific Plan and adopted a Negative Declaration in accordance with the California Environmental Quality Act; and

WHEREAS, the Planning Commission is responsible for formulating a recommendation to the Board of Supervisors regarding the Specific Plan; and

WHEREAS, the Planning Commission has held a duly notice public hearing as required by State Law.

NOW THEREFORE BE IT RESOLVED, the Mariposa County Planning Commission finds the Specific Plan in conformance with the intent of the Mountain Transition land use of the Mariposa County General Plan and recommends adoption of the Specific Plan with the following changes and additions:

ADDITION NO. 1. Page 4 (Development Regulations) The following shall be added to the end of the section.

A. A statement shall be placed on the final subdivision map as follows:

"Development on lots 1 through 8 shall be in accordance with the land

1 use standards established by the Rural Residential land use of the
2 Mariposa County General Plan."

3 B. "Setback areas, in accordance with the Rural Residential Land Use
4 Standards of the Mariposa County General Plan shall be delineated on
5 the final Subdivision Map."

6 Addition No. 2 Page 5 (Utilities) The following shall be added to the
7 end of the section:

8 A. "The approved percolation testing areas shall be identified on parcels
9 1 through 8 on the final Subdivision Map. The map shall also contain
10 the following statement regarding septic disposal:

11 "Additional soils testing and design recommendations may be re-
12 quired if a septic disposal system is proposed for an area of the
13 lot not previously tested."

14 BE IT FURTHER RESOLVED, that if approved, a notation shall be placed
15 upon the Mariposa County General Plan Land Use Map recognizing the Specific Plan
16 and stating where a copy of the Plan may be reviewed.

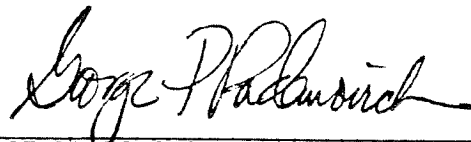
17 PASSED AND ADOPTED BY THE Mariposa County Planning Commission on the
18 19th day of July, 1985 by the following vote:

19 AYES: Martini, Fall, Chernoff, Radanovich.

20 NOES: None

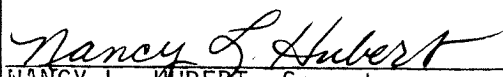
21 EXCUSED: Hotchkin

22 ABSTAINED: None



GEORGE P. RADANOVICH, Chairman
Mariposa County Planning Commission

25 ATTEST:

26 
NANCY L. HUBERT, Secretary
27 Mariposa County Planning Commission

28

ATTACHMENT "B" to County Res. 85-270

Specific Plan

Greeley Hill Area

Prepared For

Timothy R. and Carol L. Manly

March 1985

Revised 8/1/85

Summary

The proposed Specific Plan Amendment covers an area of approximately 127 acres, and is located on the south-east side of Greeley Hill Road (J-20), approximately 1/4 mile south-west of the town center of Greeley Hill. The Specific Plan, if approved, would permit the development of seven lots with an approximate average size of 2.68 acres; one lot of 8.38 acres, and possibly subject to further specific plan action; and there would be one parcel, Lot A, of approximately 129 acres, part of which may be subject to further Specific Plan action. A tentative Tract Map (Major Subdivision) has been submitted for concurrent consideration and support of the Specific Plan. The parcels would front on Greeley Hill Road, and be subject to road encroachment approval by the County. A Soils Report has been prepared for the property, and the results submitted along with the Tentative Map.

Introduction

This Specific Plan Amendment has been prepared in compliance with the provisions of the Government Code Sections 65450 to 65453 inclusive, which govern the content of such Specific Plans. The Mariposa County Code does not contain any specific reference to the development and content of a Specific Plan, and therefore the State Law will dictate content requirements. The Mariposa Specific Plan contains reference to the Government Code sections referenced above, and this particular Specific Plan is a direct requirement of the Mariposa County General Plan. To a certain extent, some of the discussion in this Specific Plan assumes that the County has adequate zoning to enforce the General Plan.

Project Location

The property covered by this Specific Plan is located on the south-east side of Greeley Hill Road, approximately 1/4 mile south-west of the town center of Greeley Hill. The property has approximately 3,200 feet of frontage on Greeley Hill Road, and approximately 800 feet of frontage on Holtzel Road. The property is located in Sections 19 and 30, Township 2 South, Range 17 East, M.D.B. & M.

Specific Plan Description

This Specific Plan covers 127 acres of land. The parcels proposed under the Proposed Tentative Map will serve as the basis for consideration of this Specific Plan. The existing parcel of land involved in this application is approximately 156.3 acres in size, and this Specific Plan applies to only 127

acres of the existing parcel. This Specific Plan applies to all of that portion of the property which is presently in the Mountain Transition (MT) Land Use; and it applies to that portion of the Tentative Map (see Exhibit D) which is proposed for 2.5+ acre parcels, and which is in the Greeley Hill Town Planning Area (TPA) Land Use of the General Plan. There are approximately 117 acres of land in the MT Land Use, and 10 acres (approximate, with exact acreage to be set at time of Final Map recordation) in the Greeley Hill TPA. That portion of Lot A (see Tentative Map, Exhibit D) which is presently in the TPA will not be covered by this Plan, and is approximately 29 acres. The reader is referred to the accompanying Map Exhibits for a visual representation of the area to which this Specific Plan applies. If approved as submitted, this Specific Plan would allow the creation of seven parcels of land which range in size from 2.53 to 3.06 acres, one parcel of 8.38 acres, and one parcel of approximately 129.1 acres. That portion of Lot A included in this Specific Plan may be subject to further Specific Plan review in the future. No speculation can be made here as to what such Plans might propose.

Environmental Setting

Elevation at the site ranges from approximately 3,125 to 3,190 feet. Slopes on the property range from one to twelve percent, with the vast majority of the property in the one to three percent range. Soils on the site have been found to be suitable for subsurface sewage disposal systems and residential construction, by a civil engineer who performed percolation tests and soils reports for the Tentative Map submitted on the property. The site has been used in the past for timber production and grazing. Seasonal drainages run primarily through the property in a south-west to north-east manner. A perennial stream is located at the extreme north-east corner of the property. These drainages were taken into account when the engineer performed the tests. The site is predominantly covered with annual and perennial grasses, weeds, a few pines, and clumps of brush. The property has had several controlled burns in the past, which accounts for its vegetation properties.

During the preliminary planning for the tentative map and specific plan, which has been performed over more than a four year period, field inspections and evaluations have taken place by professionals from fields including U.S. Department of Agriculture soil specialists and engineers; a private civil engineer; County and State Sanitarians; a licensed surveyor and planner; a representative of the County Road Department; a Registered Professional Forester; and a consulting archeological technician. At no time during any of these consultations, or in any ensuing reports, was any condition identified which would lead to the conclusion that a project of this nature would cause any adverse impacts to the general environment of the site or area; or result in the degradation of any resource whether natural or cultural.

General Plan

The subject Specific Plan is mandated upon the applicant to receive approval of the proposed Tentative Map. The Mariposa County Specific Plan designates the subject property as being in both the Mountain Transition Land Use and the Greeley Hill Town Planning Area (TPA). This division of the property is shown on Exhibits B and D. Within the existing TPA Land Use (see attached excerpt from the County General Plan, Exhibit E), the applicant has the possibility of creating parcels down to a minimum of 2.5 acres, subject to the requirements of the General Plan, the Subdivision Ordinance, Health Codes, etc. The Mountain Transition Land Use (see Exhibit F), has a minimum parcel size of twenty (20) acres, except where there is an approved Specific Plan allowing for smaller parcels. This Specific Plan has been prepared in accordance with the provisions of the General Plan for the approval of the proposed Tentative Map, which would create parcels smaller than twenty acres in size.

Development Regulations

Uses and development standards on the property will be those permitted by specific land use regulations as provided by the County General Plan. The smaller parcels are intended for residential purposes, in accordance with the provisions of the Rural Residential (RR) Land Use (see Exhibit G). Residences on these smaller parcels will have to be located in close proximity to those areas in which percolation and soils tests were performed. That portion of the 129 acre parcel covered by this Plan, or approximately 100 acres, will be governed by the regulations of the MT Land Use.

All of the smaller parcels (2.53 to 8.38 acres) will be subject to the development restrictions of the Rural Residential Land Use; and the permitted, conditional and prohibited uses, minimum parcel sizes, and densities (Exhibit G). The 100 acre portion of the Lot A, as covered by this Specific Plan, will have the development restrictions of the Mountain Transition Land Use applied. Future development, if below twenty acres in size, will be subject to the amendments to this Specific Plan. The 29 acre portion of Lot A, which is in the Greeley Hill TPA, will be subject to the restrictions of that land use, and is not a part of this Specific Plan.

Setbacks for development on the property will be in compliance with those of the Mariposa County General Plan. The General Plan does not set bulk or building density standards, largely due to the large lot nature of development in the County. There are no such bulk and density regulations proposed by this Specific Plan, because of the parcel sizes involved. No development is proposed within any possible areas of inundation by the seasonal drains on the property. The Tentative Map will be subject to review by the County Engineer. In the past, the County Engineer has required drainage plans for Major Subdivisions, and it is anticipated that one may be required for the Tentative Map under consideration. Such a drainage plan should identify those areas where building development should be restricted. Said drainage plan shall be made as an addendum to this Specific Plan. Setback areas, in accordance with the Rural Residential Land Use Standards of the Mariposa County General Plan shall be delineated on the final Subdivision Map.

A statement shall be placed on the final subdivision map as follows:

"Development on Lots 1 through 8 shall be in accordance with the land use standards established by the Rural Residential land use of the Mariposa County General Plan.

Traffic and Circulation

The applicant is not proposing the development of any new roads to the area. Access to the eight smaller parcels will be off of Greeley Hill Road. The owner may have to develop road encroachments, to Greeley Hill Road, depending upon the requirements of the County Engineer. The owner intends to propose shared encroachments so that the number of encroachments are kept to a minimum. Access to the 129 acre lot is by way of either Holtzel Road, Greeley Hill Road, or an existing easement road which reaches Greeley Hill Road at the far western boundary of the property. Street numbers for Greeley Hill Road will be assigned in the 6256 to 6376 range.

Utilities

Domestic water will be provided by private wells on the individual parcels. Septic disposal will be provided by on-site sewage disposal systems which are designed in accordance with the requirements of the County Health Department. Electricity to the property will be provided by Pacific Gas and Electric, and propane will serve as the main gas supply in individual on-site tanks.

Soils and percolation tests were performed on the property on January 14, 15, and 16, 1985, by Mr. Robert J. Bliss, Civil Engineer. The results of these tests have been submitted along with the Tentative Map, and for detailed information the reader is referred to the Major Subdivision application now on file in the Planning Office. These tests were performed during the rainy season after a seasonal rainfall total of 11.9 inches. Additional soils tests were performed February 25, 26, and 27th, 1985 at the request of Mr. Barry Bell, Mariposa County Sanitarian, after an additional 5.31 inches of rain had fallen (seasonal total to that date was 17.3 inches). In these supplementary tests, soil profile holes were dug to depths of up to nine feet on all of the lots 1 through 8, and allowed to remain open for the full period of the tests to check for groundwater seepage and stabilization. At the end of the two day period, the profile holes were inspected by a State Sanitarian and the results accepted by Mr. Bell. The average percolation rate for lots one through eight is 8.75 minutes per inch. The excellent percolation rates, combined with the type of material encountered in the deep bore holes indicate no problems with high ground-water or saturated soils in the disposal areas. Although soil and percolation tests may be performed at any time of the year in Mariposa County, these tests were purposely performed during the rainy season to alleviate any concerns regarding sewage disposal or environmental impact due to saturation or high ground-water in the disposal areas of lots one through eight.

The approved percolation testing areas shall be identified on parcels 1 through 8 on the final Subdivision Map. The map shall also contain the following statement regarding septic disposal:

"Additional soils testing and design recommendations may be required if a septic disposal system is proposed for an area of the lot not perviously tested."

Conservation of Natural Resources and Open Space

While the property has been used for grazing, the MT Land Use is not specifically identified in the General Plan as part of the Agricultural Resources of the County. This could be because the MT Land Use is used in areas where special considerations of the future land use is important, such as property adjacent to TPA's, as with this Specific Plan. Under this plan, approximately 27.3 acres would be placed in a residential density which would restrict the use of the property as grazing land, but this does not represent a significant reduction in grazing land.

Given the gentleness of the terrain involved, and the low to moderate erosion potential of the soil types present, there will be little or no impact to the environment or any degradation of the soil or vegetation resources through soil erosion or siltation. Encroachments to Greeley Hill Road will require proper consideration to prevent erosion and avoid conflicts with any drainages. The seasonal and perennial streams will have to be dealt with in the drainage plan for the Tentative Map. The perennial stream lies on the large 129 acre parcel, and is approximately 180 feet from the closest 2.53 acre parcel.

The parcel sizes are not in conflict with the open space provisions of the County General Plan, largely due to the parcel sizes. Given the property's proximity and location within the Greeley Hill TPA, the development of 2.53 acre parcels would not be out of line with what one might expect, since the minimum parcel size in the TPA Land Use is 2.5 acres, and the Rural Residential Land Use Restrictions apply.

Cultural Resources

Since American Indian bedrock mortars exist on lots 2 and A, and there is evidence of an Indian burial area on Lot A, an independent archeological survey and mapping of the site was performed during December of 1983 by D. Colston, an Archeological Technician. Copies of the report and maps are on file at the Mariposa County Planning Office and the Stanislaus National Forest Office. Lot lines in the affected area of Lot 2 have been laid out considering the bedrock mortar, and adequate precautions will be taken to preserve it intact, and to protect its historical and archeological significance. The other bedrock mortar and the burial ground site are on Lot A, the large 129 acre parcel, and will be protected should there be any further development of this parcel.

PORTION T. 2 S., R. 17 E., M.D.B.&M.

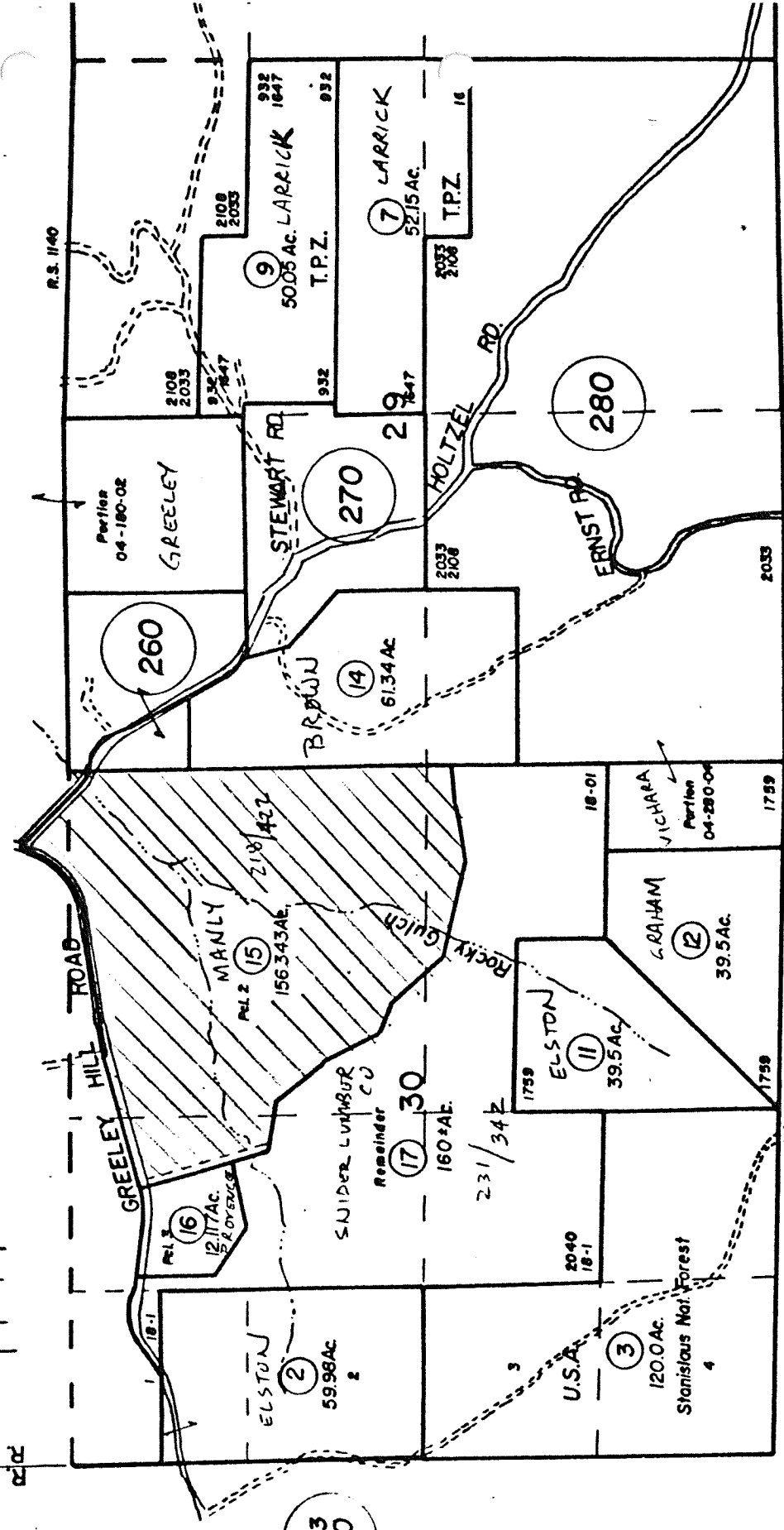
PROPERTY BOUNDARIES & LOCATION

| Parcel | is new |
|--------|--------|
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| 6 | 13 |
| 13 | 14 |
| 15 | 19 |
| 10 | 15 |
| 17 | 17 |
| 11 | 11 |

R 17
R 16
R 15

150

180



Bk. 3
190

280

300

EXHIBIT "A"

290

P.M. 18-1

R.S. 669
932
1140

PORTION T. 2 S., R. 17 E., M.D.B.&M.

EXISTING LAND USES
ON SPECIFIC PLAN PROPERTY

| Parcel History | |
|----------------|----------|
| Map | is now |
| Pl | Page Blk |
| 1 | 10 |
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| 13 | 14 |
| 270-01 | 19 270 |
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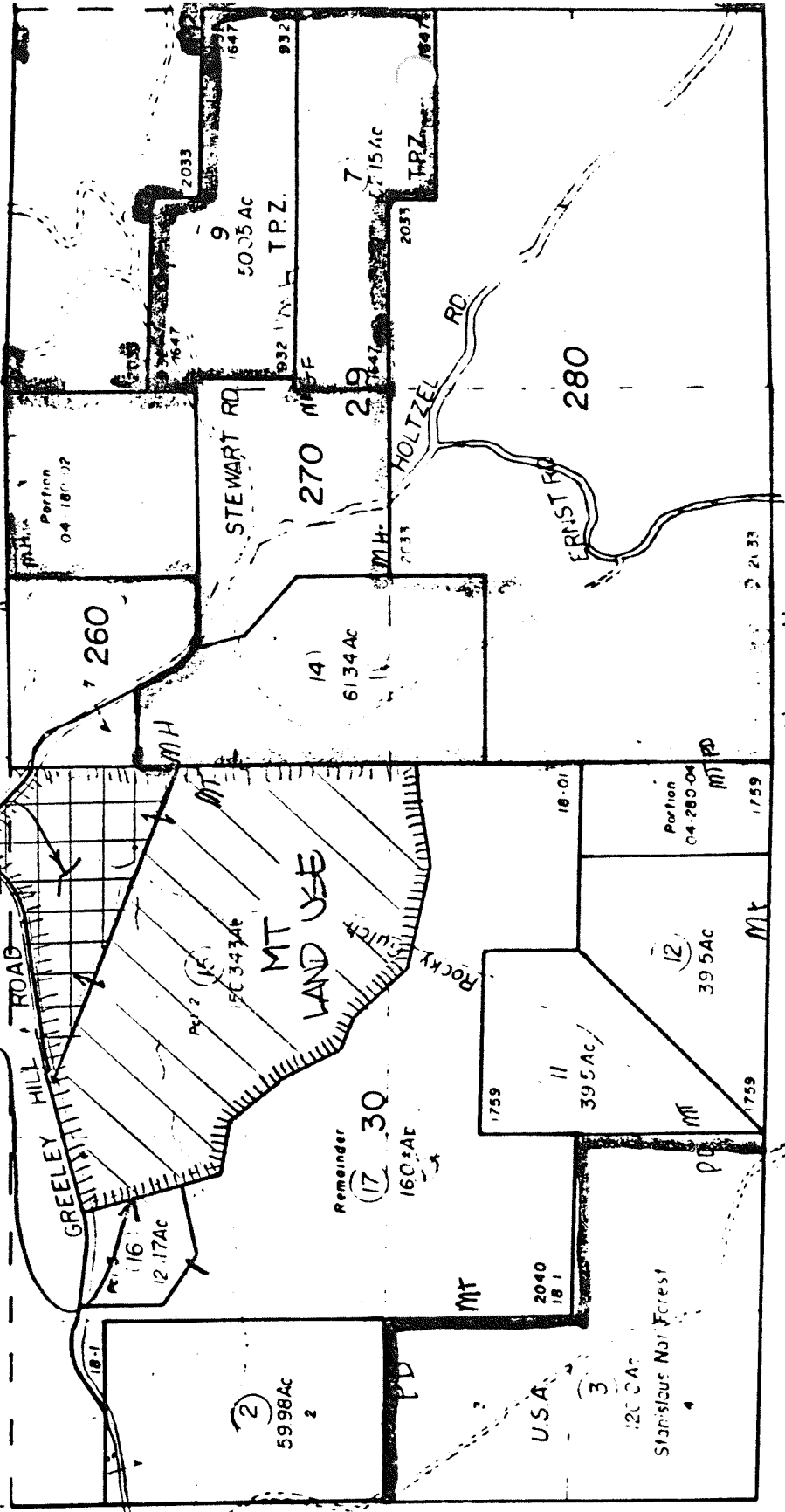
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PROPERTY BOUNDARIES

TPA
LAND USE



Bk. 3

EXHIBIT "B"

PM 18-1

R.S. 669
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1140

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300

MANLY SPECIFIC PLAN

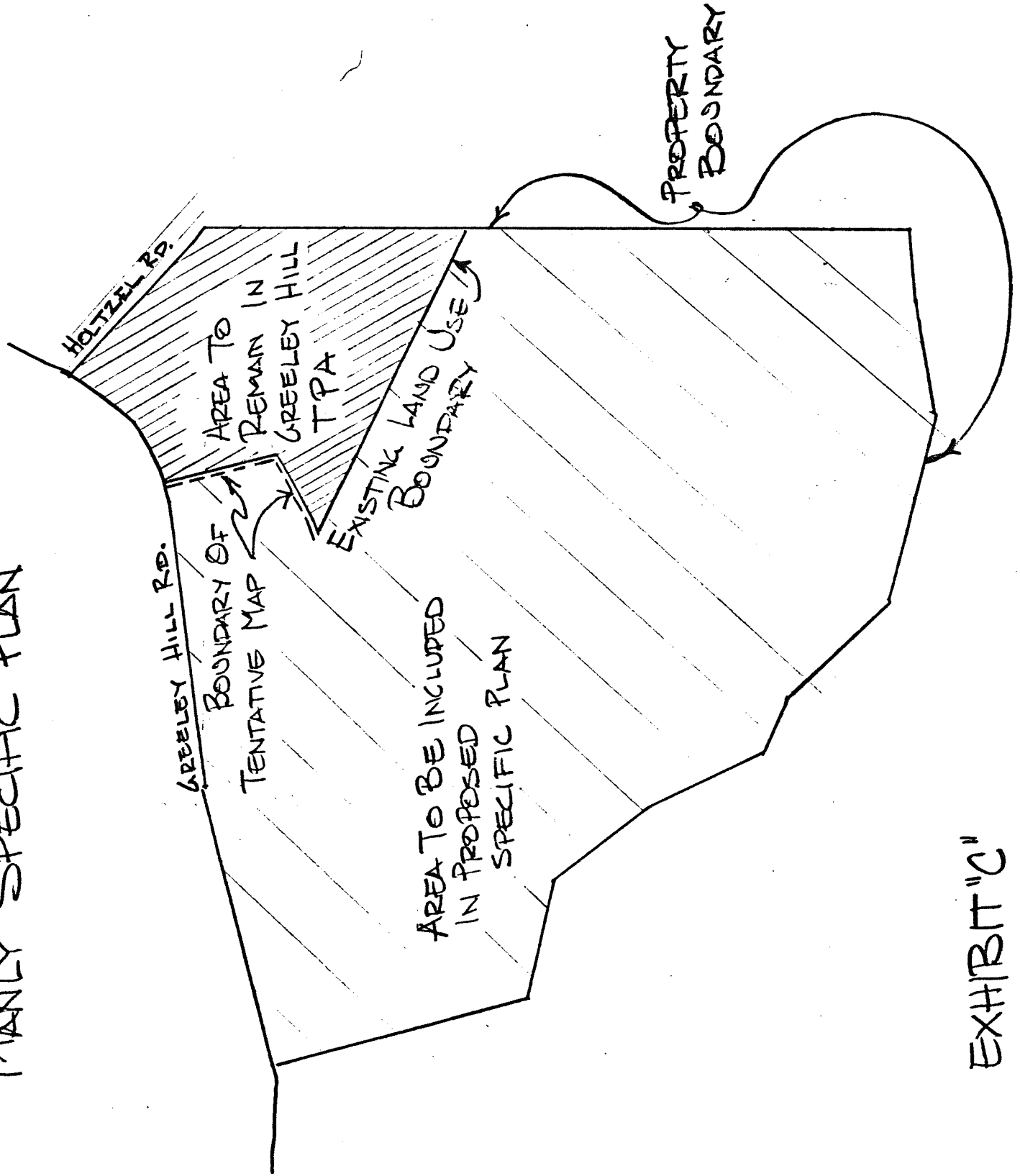
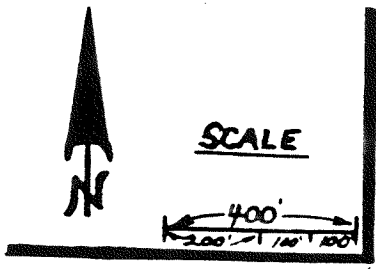


EXHIBIT "C"



TENTATIVE PARCEL MAP
of

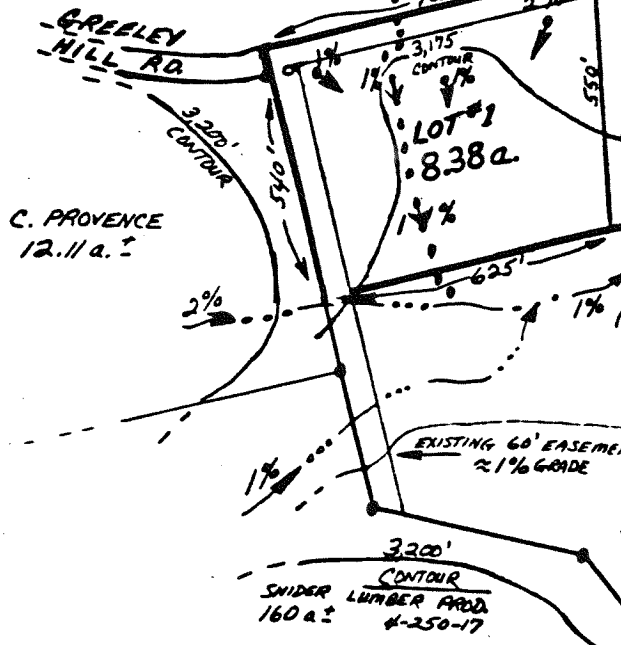
TWO of PARCEL MAP 18-1 (being portion of Section 30, Township Range 17 East, m.d.b.& m.), of 156.343 acres.

MARIPOSA COUNTY, CALIFORNIA

and APPLICANTS:

Anthony H. Manly
 Al L. Manly
 Box 1102
 Coltonville, CA 95311

January, 1985



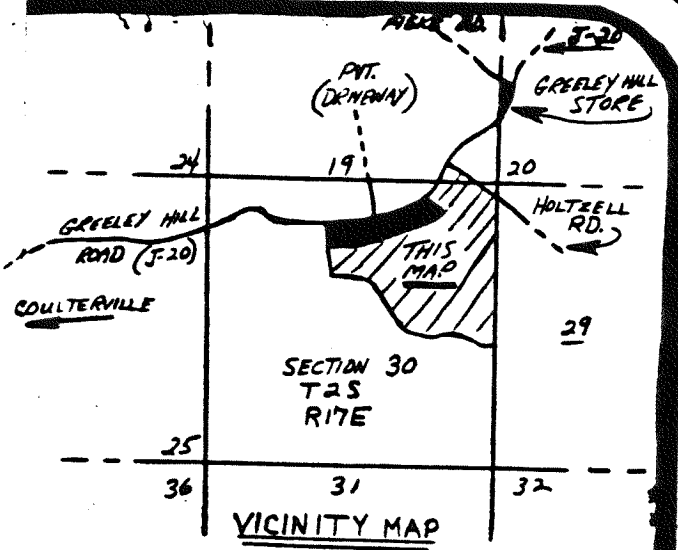
Water to be supplied by individual wells.

Water disposal by individual septic tank.

Topography on Greeley Hill Road at this location is under 3%; Holtzell Road is under 7%. Both roads have 60' easements.

Source of data is PM 18-1, USGS Coltonville Quadrangle, USDA Aerial photos, and field studies.

Comments will be offered for consideration to Mariposa County.



— Perennial stream.

· Intermittent stream.

— Epemeral draw.

— Direction of slope.

— Existing power line.

Town Planning Area Land Use Description

Excerpt, Section 3.401 Mariposa County General Plan, 1983

3.401 Town Planning Areas

A. Throughout the County of Mariposa, there are 11 established communities, designated as Town Planning Areas (TPA), that serve the purpose of providing basic services, centers of commercial activity, and population concentration. These communities are listed alphabetically as follow:

- | | |
|-------------------|-----------------|
| 1. Bear Valley | 7. Fish Camp |
| 2. Bootjack | 8. Greeley Hill |
| 3. Mt. Bullion | 9. Hornitos |
| 4. Catheys Valley | 10. Mariposa |
| 5. Coulterville | 11. Wawona |
| 6. El Portal | |

B. These town planning areas (TPAs) shall be subject to the following land use policies:

1. The town planning areas shall be considered centers of service, commerce, industry and population.
2. Specific Land Use policies shall be developed for each TPA indicating the location of low density residential, multi-family residential, commercial, and industrial land use; such specific land use policies shall be developed and implemented as appropriate and necessary to ensure orderly growth within each TPA.
3. Maximum feasible citizen participation shall be encouraged throughout the development and implementation within the TPAs.

3.502 "MT" Mountain Transition

A. General Description

The "MT" Classification, designated on the Mariposa County General Plan Land Use Map, is applied to lands with diverse development potential, as opposed to other classifications within which development policies are necessarily specific, to allow primarily for unique circumstances or needs within an area.

B. Development Policy

1. Uses

a. Permitted Uses

Permitted uses include residential, home enterprise, rural home industry, limited agriculture, public schools, parks, and other facilities including volunteer fire department facilities.

b. Other Uses

Other uses shall be considered permitted provided such uses are included within an approved specific plan which has been prepared for a subject site.

c. Prohibited Uses

- i. Wrecking, dismantling or junk yard or waste disposal site.
- ii. Mineral or construction material processing, quarrying or aggregate processing unless minimum mineral or construction material processing site standards can be met (see Section 3.606); to the same degree, on sites whereon mining has been established by approved permit, residential or otherwise uses that are incompatible with mineral or construction material processing, quarrying or aggregate processing uses shall be prohibited.
- iii. Outdoor rifle ranges, skeet or trap shooting or similar public or private shooting range uses.
- iv. Motorcycle or other vehicular racing or other similar uses.
- v. Feed lots or pig farming.

2. Minimum Parcel or Lot Size

No parcel of real property shall be divided or split into two or more parcels by voluntary transfer, court action, or other conveyance where any one of the parcels so created will be less than twenty (20) acres or one-half of one legal quarter-quarter section in gross area unless an approved specific plan allows smaller parcel sizes for the subject site.

3. Density

One single family residence per twenty acres or one-half of one legal quarter-quarter section unless an approved specific plan allows a higher density for a subject site.

3.501 "RR" Rural Residential

A. General Description

The "RR" Classification, as designated on the Mariposa County Land Use Map, is applied to lands best suited to rural residential development uses of a moderately high density located adjacent to or near town planning areas (TPAs) or in isolated rural areas where existing community sewer and/or water systems have been developed.

B. Development Policy

1. Uses

a. Permitted Uses

Permitted uses include residential, home enterprises, limited agriculture, public schools, public parks, and other public facilities including volunteer fire department facilities.

b. Conditional Uses

Other uses may be permitted subject to the provisions set forth in Section 3.403.C.

c. Prohibited Uses

- i. Wrecking, dismantling or junk yard or waste disposal sites.
- ii. Kennels, animal hospitals, menageries.
- iii. Campgrounds and recreational vehicle parks, private airport land strips, helicopter landing pads excepting in conjunction with emergency medical facilities.
- iv. Commercial bulk storage of hazardous, flammable or explosive materials.
- v. Mineral or construction material processing, quarrying or aggregate processing.
- vi. Outdoor rifle ranges, skeet and trap shooting or similar public or private shooting range uses.
- vii. Motorcycle or other vehicular racing or other similar uses.
- viii. Feed lots, pig or poultry farming (as defined in Section 3.100).

2. Minimum Parcel or Lot Size

No parcel or real property shall be divided or split into two or more parcels by voluntary transfer, court action or other conveyance where any one of the parcels so created will be less than two and one half (2 1/2) acres in gross area.

3. Density

One single family residence per two and one half (2 1/2) acres.