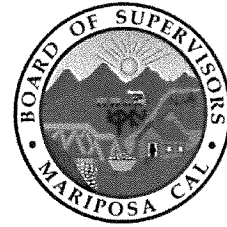




MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2021-1162

MEETING: March 16, 2021
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: General Plan/Area Plan/Zoning Amendment No. 2020-167

RECOMMENDED ACTION AND JUSTIFICATION:

Waive the Second Reading and Adopt an Ordinance Titled "An Ordinance Amending the Mariposa County Zoning Map for an approximately 0.50 acre portion of Assessor Parcel Number (APN) 012-140-023, from the Single Family Residential (9,000 Square Feet) Zone to the Multi-Family Residential Zone Pursuant to General Plan/Area Plan/Zoning Amendment No. 2020-167, Self-Help Enterprises, Project Proponent"

The recommended action is based on the Planning Commission's recommendation.

The project will change the zoning designation of an approximately 0.50 acre portion from the Single Family Residential (9,000 Square Feet) Zone to the Multi-Family Residential Zone in order to develop uses that are appurtenant to a multi-family rental housing development with 42 units.

Additional information can be found in the Staff report which can be found accompanying Resolution 2021-109 which was approved on March 2, 2021.

This ordinance was introduced on March 2, 2021.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Board of Supervisors approved General Plan/Zoning Amendment No. 2019-036 and Design Review No. 2019-035 in 2019 for the development of a 42 unit multi-family housing project on APN 012-140-024.

On March 2, 2021, the Board approved Resolution 2021-109 which approved the project.

March 2, 2021, this Ordinance was introduced.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Ordinance 2021-1162

FIRST READING: Do not approve and the amendment will not occur. A negative action on the General Plan/Area Plan/Zoning Amendment will result in Self-Help Enterprises not being able to apply for the necessary funding to complete the action.

SECOND READING: The Board may not make changes at the second reading and can only consider whether it will adopt the ordinance or not.

ATTACHMENTS:

Final - Ordinance E (Self Help Planning) (PDF)

RESULT: ADOPTED [UNANIMOUS]

MOVER: Rosemarie Smallcombe, District I Supervisor

SECONDER: Tom Sweeney, District II Supervisors

AYES: Smallcombe, Sweeney, Long, Forsythe, Menetrey

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS
MARIPOSA COUNTY ORDINANCE NO. 1162
(Not to be codified)

AN ORDINANCE AMENDING THE MARIPOSA COUNTY ZONING MAP FOR AN APPROXIMATELY 0.50 ACRE PORTION OF ASSESSOR PARCEL NUMBER (APN) 012-140-023, FROM THE SINGLE FAMILY RESIDENTIAL (9,000 SQUARE FEET) ZONE TO THE MULTI-FAMILY RESIDENTIAL ZONE PURSUANT TO GENERAL PLAN/AREA PLAN/ZONING AMENDMENT NO. 2020-167, SELF-HELP ENTERPRISES

WHEREAS, a proposal to amend the General Plan/Area Plan land use classification and zoning designation on an approximately 0.50-acre portion of Assessor's Parcel Number 012-140-023 (unassigned address) was submitted by Self-Help Enterprises on the 4th day of November 2020, and

WHEREAS, the application is known as General Plan/Area Plan/Zoning Amendment No. 2020-167. The application proposes to rezone the above-referenced approximately 0.50-acre portion from the Single Family Residential (9,000 square feet) Zone (SFR-9K) to the Multi-Family Residential Zone (MFR); and

WHEREAS, the Planning Commission held a duly noticed public hearing on General Plan/Area Plan/Zoning Amendment No. 2020-167 on the 12th day of February 2020, in accordance with State Law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on General Plan/Area Plan/Zoning Amendment No. 2020-167 on the 2nd day of March 2020, in accordance with State Law and County Code; and

WHEREAS, General Plan/Area Plan/Zoning Amendment No. 2020-167 is found to be exempt from environmental review.

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

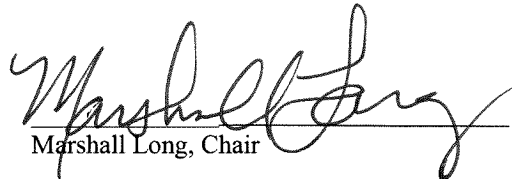
Section I: Amend the zoning designation of an approximately 0.50 acre portion of Assessor's Parcel Number 012-140-023, as shown and described in Exhibit A, to the Multi-Family Residential zone.

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 16th day of March 2020 by the following vote.

AYES:	SMALLCOMBE, SWEENEY, LONG, FORSYTHE, MENETREY
NOES:	NONE
ABSTAINED:	NONE
EXCUSED:	NONE
NOT VOTING:	NONE


Marshall Long, Chair

Attest:


René LaRoche, Clerk of the Board

Approved as to Form:


Steven W. Dahlem, County Counsel

Exhibit A

All that certain real property situated in Projected Section 22 Township 5 South, Range 18 East, M.D.B.&M, Rancho Los Mariposas, County of Mariposa, State of California, said tract of land more particularly described as follows:

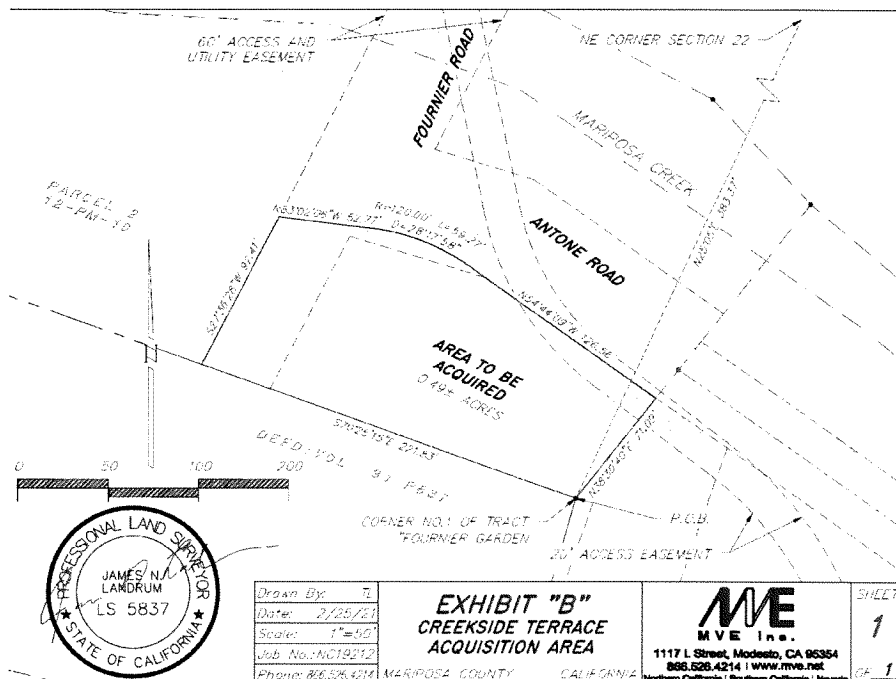
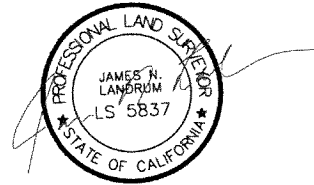
BEGINNING at Corner No.1, of that tract known as "Fournier Garden" as described in Grant Deed recorded as Document No. 20200757 Mariposa County Records, on the Westside of Mariposa Creek, from whence the NE corner of Projected Section 22 Township 5 South, Range 18 East, M.D.B.&M. (as said section, township and range are so designated in Patent to John C. Fremont of the tract known as Las Mariposas grant, in Book "M" of Patents, at pages 1 to 17, Mariposa County Records) bears N25°05'E a distance of 383.37 feet, and running thence the following 6 courses:

- N38°30'40"E a distance of 71.09 feet;
- Thence N54°44'09"W a distance of 126.56 feet to point on a 120.00 foot radius tangent curve concave southerly;
- Thence along said 120.00 foot radius curve through a delta angle of 28°17'58" and an arc distance of 59.27 feet to the point of tangency;
- Thence N83°02'08"W a distance of 52.77 feet;
- Thence S27°36'28"W a distance of 92.41 feet to a point on the northerly line of said Fournier Garden;
- Thence S70°25'15"E along the northerly line of said Fournier Garden a distance of 221.83 feet to the **POINT OF BEGINNING**.

CONTAINING 21,241 SQUARE FEET OR 0.49 ACRES, MORE OR LESS, and is subject to any rights-of-way or easements of record or legally acquired.

This conveyance is made pursuant to Lot Line Adjustment No. 2020-166 approved by the Mariposa County Planning Director on February 16th, 2021. It is the intent of the parties hereto that the above described tract of land merge with that certain real property conveyed to Self Help Enterprises, a California Corporation, recorded as Grant Deed recorded as Document No. 20200757 on February 28th, 2020 in Mariposa County Official Records

END OF DESCRIPTION



Drawn By: JL	EXHIBIT "B" CREEKSIDE TERRACE ACQUISITION AREA	 MVE Inc. 1117 L Street, Modesto, CA 95354 866.626.4214 www.mve.net Northern California Southern California Nevada	SHEET
Date: 2/25/21			1
Scale: 1"=50'			
Job No.: NC19E12			
Phone: 866.626.4214			OF 1