

**MARIPOSA COUNTY BOARD OF SUPERVISORS
ORDINANCE NO. 940
(Not to be Codified)**

A ORDINANCE AMENDING THE MARIPOSA COUNTY ZONING MAP

WHEREAS, an application to amend the Mariposa County General Plan Land Use and Zoning Map has been submitted to the County; and

WHEREAS, this application proposes to modify the general plan land use and zoning designation on APN 014-430-024 from Mountain Home to Resort Commercial; and

WHEREAS, the Planning Commission has conducted a duly noticed public hearing on the project in accordance with State Law and County Code, and recommends approval of the project to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the matter in accordance with State Law and County Code.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors hereby modifies the Mariposa County Zoning Map as shown in Exhibit A of this ordinance.

BE IT FINALLY ORDAINED, this action is based on the findings mandated by Section 2.504 of the Mariposa County General Plan as stated and discussed in Exhibit B.

PASSED AND ADOPTED on this 1st day of December, 1998 by the following vote:

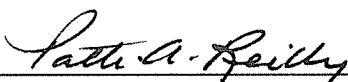
AYES: Pickard, Balmain, Stewart, Parker

NOES: Reilly

ABSTAINED: None


EXCUSED: None

NOT VOTING: None




PATTI A. REILLY, Chair
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN,
County Counsel

ORDINANCE EXHIBIT A

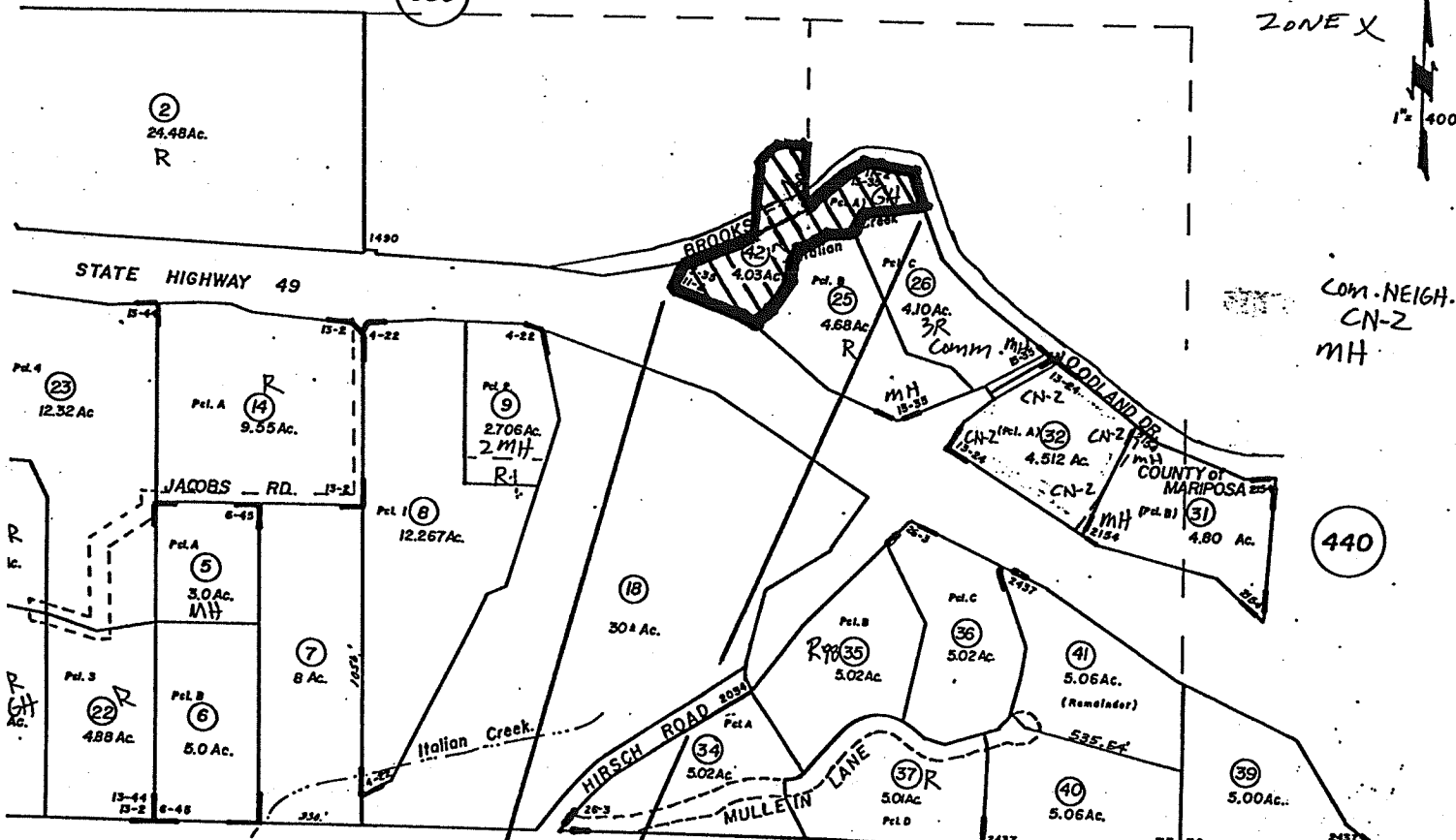
S 1/2 SECTION 35, T.5 S., R.19 E., M.D.B.&M.

Tax Area Code
51000

14-430
375B
ZONE X

380

1" = 400'



Parcel History

was	to now
380-30	10
	11
	12
380-31	12
	13
4	14
	15
11	16
	17
	18
12	19
13	20
15	21

Bk.17
330

(continued)

was	to now
10	24
	25
	26
16	27
	28
17	29
	30
	31
28	32
30	33
27	34
29	35
2	36
380-6	33

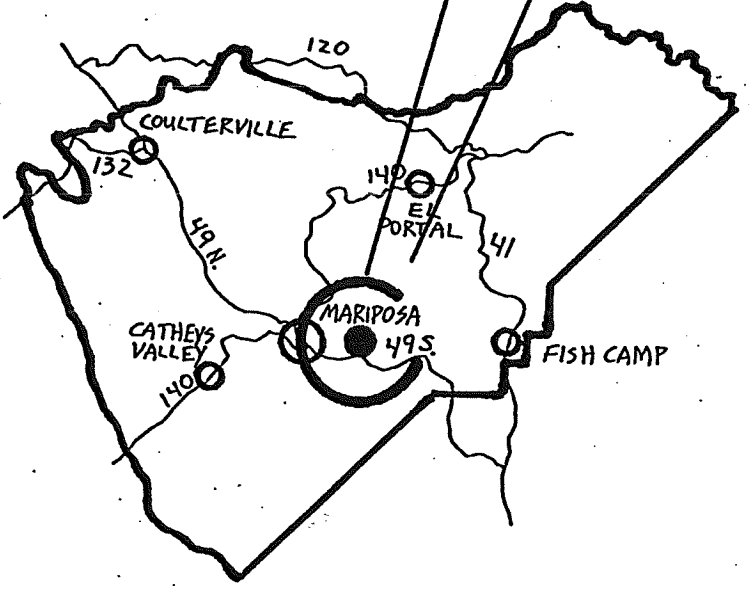
Parcel History

was	to now
38	38
	39
	40
	41
24	42
382-03	42

NOTE-Assessor's Parcel Numbers Shown in Small Circles.

ASSESSOR'S PLATS ARE FOR GENERAL PROPERTY LOCATION AND TAX PURPOSES ONLY. THEY MAY NOT BE USED AS A BASIS FOR LEGAL PROPERTY DESCRIPTIONS.

Assessor's Map Bk.14-Pg.430
County of Mariposa, Calif.
1994



LOCATION MAP
GENERAL PLAN / ZONING AMEND. #98-1
APPLICANT: KAY HEWITT
APN: 014-430-042 / 3483 BROOKS ROAD
FROM: MOUNTAIN HOME
TO: RESORT COMMERCIAL
PROJECT SIZE: 4.1 ACRES +

56

ORDINANCE EXHIBIT B

1. *“That such an amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare”*

The project will provide additional lodging opportunities for the touring public. The subject property is located within the Woodland area at the intersection of Brooks Road and Highway 49 South. The property is approximately 750 feet west of the major intersection of Woodland Drive, Hirsch Road, and Highway 49 South. This intersection serves a 4.5 acre Neighborhood Commercial complex, the Woodland Elementary School, and access numerous residential properties. Also within the area, approximately 1,000 feet to the north along Highway 49, is the entrance to the Tavis industrial complex. The area surrounding the subject property currently serves as the commercial, industrial, and social center of the greater Woodland area.

Due to the sites location and access situation, the lack of residential structures which would be significantly negatively impacted by the rezoning, and the parcel size the subject property is appropriate for location within the Resort Commercial designation. Additionally the project will be provided with adequate water, wastewater, garbage, and parking facilities to insure that it will not negatively impact the area.

2. *“That such an amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making”*

The intersection of Woodland Drive, Hirsch Road, and Highway 49 South as the center of the Woodland Community. This project being adjacent to this center enhances the Woodland Community as a service provider. Additionally the project involves a rezoning of a successful transient rental business into the Resort Commercial designation to allow for the business to grow and prosper. This rezoning will allow for the existing transient rental building, which is not designed like a conventional single family residence, to become a motel structure and be joined by the addition of a second motel structure. The amendment will insure that on-site development is in accordance with commercial development standards.

3. *“That such an amendment conforms to the requirements of state law and county policy”*

The amendment was processed in accordance with state law and County Code with regards to notice, hearing, and findings.

4. *“That such an amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan”*

The development of tourist serving facilities and the preservation of open space provided by this development are consistent with the Goals, Policies, and Standards of the County general plan. Section 3.200.4 provides for “The strengthening of the economic and

employment opportunities of Mariposa County through encouragement of appropriate commercial” development.

5. *“The subject parcel is physically suitable (including, but not limited to access, provision or utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development”*

The project site is generally gently sloping in topography, has good access from a County Road, and is well served by existing utilities. The subject properties location provides for good buffering of adjacent uses by the location of Brooks Road, Highway 49S, and Italian Creek surrounding the property on all sides. The subject property is located adjacent to property within the Light Industrial designation and within a short distance of property within the Neighborhood Commercial designation.

6. *“The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public”*

The intersection of Woodland Drive, Hirsch Road, and Highway 49 South as the center of the Woodland Community. This project being adjacent to this center enhances the Woodland Community as a service provider. Additionally the project will allow for an existing transient rental business to grow and provide the touring public the opportunity to find lodging within a small motel. Additionally the project will expand the lodging options available to tourists between Mariposa and Oakhurst.