MARIPosa COUNTY ORDINANCE NO. 696

Not to be Codified

AN ORDINANCE ADOPTING A PLANNED DEVELOPMENT ZONE NO. 87-1
FOR THE MARIPosa INDUSTRIAL PARK

WHEREAS, pursuant to Mariposa County Code Sections, 17.10.010, et seq.,
public hearings have been held before the Mariposa County Planning Commission
and the Mariposa County Board of Supervisors, with due notice given as required
by law;

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

SECTION I
There is hereby created within Mariposa County a Planned Development
Zone pursuant to Chapter 17.10.010 of the Mariposa County Code to be known as
Planned Development Zone No. 87-1 with boundaries as described in Exhibit 1
attached hereto, which zone shall be added to the official zoning maps of Mariposa County.

SECTION II
Planned Development Zone No. 87-1 shall be governed by the standards set
forth in Exhibit 2 attached hereto.

SECTION III
The Board of Supervisors of Mariposa County hereby finds that the Planned
Development Zone 87-1 is consistent with the Mariposa County General Plan and
hereby adopts the Findings of Fact of the Mariposa County Planning Commission
set forth in Resolution No. 87-11, as required by Section 17.10.131 of the
Mariposa County Code.

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SECTION IV

This Ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

PASSED AND ADOPTED this 13th day of October, 1987 by the Board of Supervisors of Mariposa County by the following vote:

AYES: BAGGETT, DALTON, ERICKSON, RADANOVICH, TABER
NOES: NONE
ABSENT: NONE
ABSTAINED: NONE

[Signature]
LEROY RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:

[Signature]
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

[Signature]
JEFFREY G. GREEN, County Counsel
Mariposa Industrial Park

Bardini Planned Development Zone

Introduction and Background:
The following document is a development plan for the Mariposa Industrial Park planned development zone. This plan is prepared in accordance with requirements of Mariposa County Code, section 17.10.060 through 17.10.140. The project site is located on Highway 49 North, approximately 2.5 miles west of the community of Mariposa\(^1\) and 1.5 miles east of the Mariposa-Yosemite Airport.

The project site contains 17.1 acres and has approximately 1,435 feet of frontage along Highway 49 N. Access to the site is from an existing paved road which intersects with Highway 49 N. near the northeastern corner of the parcel. Plans call for continuing this road in a loop that will intersect Highway 49 N. near the northwest corner of the property. Prior development on the site has resulted in the creation of a parcel which now serves as the site of the Pro-Flame bulk storage propane facility. A one acre portion of the project site is presently being used by Outback Materials as a batch concrete facility.

The following application contains information on the project, required findings and a PD zoning plan. The project involves a rezoning, in accordance with Mariposa County Code. The zone will set the standards for the uses that can occur on the project site and will be administered like the described county zoning provision.

As a separate matter on which the zone is not dependent, the applicant is submitting a subdivision map to create separate interests in the property for possible sale. This subdivision will be served by a private road and water system which will be maintained by the property owners through a property owners association.

Surrounding Land Uses:
The attached area map, Exhibit "A", describes the site location and surrounding land uses. To the north of the project site, across Highway 49 N., is the Mykleoaks Ranches Subdivision. This subdivision contains 29 lots of an average of 4.03 acres per parcel. Parcel sizes range from 1.76 acres to 8.27 acres. To the south and west of the project area, the land is used for agricultural grazing and is in the Mountain General (40 acre minimum parcel size) land use classification on the Mariposa County General Plan Land Use Map. The 2.5 acre parcel adjoining the site to the east is used as a bulk storage site and further east is the Mariposa County animal shelter, solid waste landfill and PG & E utility substation.

Conceptual Development Plan
Included as part of this application is a Conceptual Development Plan which shows the general way in which the property might be developed. This Plan is included as an informational item that only identifies possible development and represents the maximum number of potential parcels that could be created on the project site. The applicant will be required to submit subdivision applications on the property to achieve this Conceptual Plan, and the actual subdivisions may vary from what is shown based upon terrain, access, improvements, and associated development issues.

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\(^{1}\) At the intersection of Highway 140 and 49 North.
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This Plan shows the highest and best use of the property, but would not preclude the applicant from merging parcels, or in any way reducing the number of parcels, so that impacts and costs are reduced to an acceptable level. Such a reduction in parcels would not require that the applicant make application to amend this zone. Any subdivision would be subject to the review and approval of Mariposa County, and conditions could be imposed at that time to ensure the proper development of the property.

Mandatory Findings:
State Law\(^2\) requires that all zoning decisions be consistent with the general plan. Section 2.603 of the Mariposa County General Plan defines consistency as follows:

"1. An action, program or project is consistent or in conformance with the Mariposa County General Plan if it supports, accomplishes, or has no effect on the policies and standards and further, or has no effect on, the goals of the plan."

"2. An action, program or project is inconsistent or not in conformance with the General Plan if it results in achieving an effect that, in a material way, is contrary to the policies and standards of the plan or is determined by the county to have an overall negative effect on the goals of the general plan."

The plan further states that the county may adopt findings of consistency at the discretion of the Planning Commission or Board of Supervisors, whichever body hears and determines the matter. In the event that the county determines that findings are required, the following findings of general plan consistency are suggested:\(^3\)

1. The proposed uses are determined to be compatible with the development policies of the Mountain General (MG) Land Use Classification of the Mariposa County General Plan. This determination is based upon the regulations of the land use district which allows for diverse uses because of terrain characteristics and low residential densities common to the lands within the MG land use classification.

2. The proposed uses are not expected to be a substantial detriment to adjoining land used classifications and existing uses in the area due to the nature of the regulations applied to uses which may be established on the project site. These regulations are specifically designed to eliminate or minimize potential detrimental effects, or significantly reduce them to the point that they are not substantial.

3. The proposed uses will not expected to create a nuisance, or be significantly detrimental to health, safety, peace, and comfort of present residents or future residents of the area due to the general requirements of Mariposa County Code and the site specific regulations applied to this Planned Development (P-D) zoning district.

\(^2\) Government Code Section 65860.

\(^3\) The suggested findings are based upon the required industrial zoning findings as set forth in sections 3.403, subsections C & D, of the Mariposa County General Plan.
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4. Due to development design and regulation standards of the proposed P-D zone, the proposed uses will not have more than a minimal detrimental effect on the property values in the area.

5. The proposed uses are logical and desirable at the proposed site, given the general character of existing development in the area and the overall county need to provide for the types of uses proposed on the site.

6. The proposed uses, as set forth in the Mariposa Industrial Park zoning plan, promotes and complements the goals, policies and standards of the Mariposa County General Plan, including the Land Use Element, Open Space Element, and other elements of the plan. The P-D zone, as proposed, contributes to the orderly development of the area within which it is applied.

7. The proposed uses are logical and desirable to provide expanded employment opportunities and retain existing jobs, which may be lost due to the lack of suitable sites. The services and activities provided for within this P-D zone are necessary to the community and the region.

Section 17.10.030 of Mariposa County Code requires that certain findings must be made before a P-D zone application can be approved by the Mariposa County Board of Supervisors. The findings area as follows:

"a. Each individual unit of the development, can exist as an independent unit capable of creating a good environment in the locality and being in a stage as desirable and stable as the total development."

The phasing plan contained in Section IX of the following Mariposa Industrial Park Development Plan is designed to assure that development of the project results in construction of independent units capable of creating a good environment in the locality; additionally the project will be in a stage as desirable and stable as the total development.

"b. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect".

The proposed uses, and the overall project design, will not be a detriment to present and proposed surrounding land uses. The proposed project development standards create a buffer and a transition zone between the uses to the east of the site and those to the north and west of the Mariposa Industrial Park.

"c. Any deviation from the subdivision title requirements is warranted by the design and additional amenities incorporated into the development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted.

The development of the Mariposa Industrial Park will result in a deviation from the subdivision requirements of the Mariposa County Code to the extent that the minimum parcel size will be smaller than the stated size of the general plan. The use of the property is restricted to non-residential uses as a result of this zoning proposal. This deviation form the subdivision requirements of the county is warranted by the need to design parcels appropriate for industrial uses.
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"d. The principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under standard subdivision provisions."

The industrial use standards, in combination with the general design and lot sizes proposed within the Mariposa Industrial Park, could not have been proposed through the standard subdivision provisions of the county without the approval of the P-D zone.

The California Subdivision Map Act\(^4\) requires that the legislative body find that a subdivision map is consistent with the general plan. The proposed Conceptual Development Plan shows parcels with an average 1.7 acres per parcel in an area that is classified as by the Mariposa County General Plan as Mountain General with a 40 acre minimum parcel size. This apparent inconsistency is resolved in section 3.602A of the general plan where it states that the "...minimum lot size may be waived by the Planning Commission or Board of Supervisors where the parcel or lot is intended to be utilized for non-residential purposes."

The adoption of the Mariposa Industrial Park Planned Development Zone would make subsequent subdivision, in accordance with the Conceptual Development Plan, consistent with the General Plan. The following finding can be made:

The Mariposa Industrial Park Conceptual Plan would make it possible for a non-residential subdivision in accordance with section 3.602A of the Mariposa County General Plan and therefore the minimum parcel size standards, as required by the general plan, do not apply. As a result of the application of the Mariposa County Industrial Park Planned Development Zone to the property, residential uses of the property are precluded.

\(^{4}\) Government Code Section 66473.5.
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The Mariposa Industrial Park Development Plan

I. Project Description:
The following development plan details are provided as a supplement to the project plot plan (See Exhibit "B"). The Mariposa Industrial Park is a planned development which includes an industrial zoning proposal and a Conceptual Development Plan. In accordance with section 17.10.050, subsection "B", of Mariposa County Code, all uses of the site will require a use permit to be issued by the Mariposa County Planning Commission. The use permit will not require a public hearing provided that the use complies with the provisions and standards of this development plan. A deviation from the standards provided in this plan may be permitted by the planning commission following a public hearing being held on the matter.

The following sections set forth the standards by which all structures will be built and all uses will be conducted on the site.

II. Definitions:
With the exception of the following, specific words, terms and phrases contained in this plan shall have the meaning given to them by Mariposa County Code, with specific reference to Title 17 of Mariposa County Code.

a. Building Line. An imaginary line parallel to the street right-of-way line specifying the closest point from this street right-of-way line that a building structure may be located except for normal overhangs, stairs, and sunscreens.

b. Right-of-way Line. When reference is made to right-of-way line it shall mean the edge of the dedicated easement of all interior roads within the Mariposa Industrial Park and the right-of-way line of Highway 49N.

c. Sign. Any structure, device or contrivance, electric or non-electric, and all parts thereof which are erected or used for advertising purposes upon or within which any poster, bill, bulletin, printing, lettering, painting, device or other advertising of any kind whatsoever is used, placed, posted, tacked, nailed, pasted, or otherwise fastened or affixed.

d. Watchmen or Security Facilities. A building, structure or a portion of a structure designed to accommodate a watchmen to guard and protect property within the Mariposa Industrial Park. Such facilities shall not exceed 500 square feet in total floor area and must be approved as part of the overall development plan for the individual lot or parcel.

III. Improvement and Building Standards:
The following standards will apply to the development and improvement of the Mariposa Industrial Park. The standards will become part of the zone which will be applied to the project area. The standards will be utilized by the Mariposa County Planning Commission for approval of a development permit\(^5\) on the project site. Development projects, which are proposed on the project site and do not comply with these standards, may require a use permit and a public hearing, as

\(^5\) A development permit is the term that is used for a use permit that does not require a public hearing but otherwise requires planning commission review and approval.
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determined by the planning commission.

1. **Building Height** shall not exceed 45 feet for any structure within the Mariposa Industrial Park. This standard shall not apply to radio/communication towers, power transmission towers or similar utility structures. Maximum allowable height for these types of structures is seventy-five feet.

In no case shall these standards allow the construction of a building, tower or utility structure which encroaches into the approach zone established by the Mariposa County Airport Zone.

2. **Lot Area Coverage** shall not exceed 25% of total net lot area of any individual lot by buildings, sheds, barns, or similar structures.\(^6\)

3. **Distance Between Structures** shall be no less than twelve (12) feet.

4. **Minimum Setback** from interior lot lines, or from a fence or wall on the boundary of the property, shall be twelve (12) feet.\(^7\) Minimum setback from street right-of-way boundaries is ten (10) feet.

5. **Setback Improvements**, within an interior lot line setback area, may include fencing, landscaping and similar uses. An interior lot line setback area shall not be allowed to be improved with a building or similar above ground improvement. No improvements, with the exception of landscaping, directional signs of not over two feet in height, and site access improvements will be permitted within the street right-of-way setback area.

6. **Landscaping** shall be required on all parcels within the Mariposa Industrial Park in accordance with the following provisions. Natural vegetation may be deemed appropriate for landscaping purposes when properly maintained. Within fifty feet of all buildings and similar structures, dry grass, brush and other flammable vegetative matter shall be cleared and lower limbs of trees shall be removed to a height of eight (8) feet as may be required by the Mariposa County Fire Warden. Other landscaping provisions are as follows:
   a. The Front Yard Setback Area of each Site should be landscaped with an effective combination of trees, ground cover and shrubbery. All unpaved areas not utilized for parking shall be landscaped in a similar manner.
   b. Side and Rear Yard Setback Areas should be landscaped utilizing ground cover and/or shrub and tree materials.
   c. Undeveloped areas proposed for future expansion shall be maintained in a brush-free condition.
   d. Areas used for parking should be landscaped and/or fenced in such a manner as to interrupt or screen said areas from view from access Streets, State Highway 49, and adjacent properties where possible. Plant materials used for this

\(^6\) Within the context of this plan, maximum lot area coverage standards shall not apply to parking or outdoor storage areas.

\(^7\) The purpose of these setback provisions is to provide a clear unobstructed distance of no less than twelve feet around all buildings and structures, for emergency vehicle access.

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purpose shall consist of lineal or grouped masses of shrubs and/or trees.

7. **Outdoor Storage Areas** shall be visually screened from access Streets, State Highway 49 and adjacent property to the maximum feasible extent. Screening shall form a complete opaque screen up to a point eight (8) feet in vertical height but need not be opaque above that point. No storage shall be permitted between a frontage street and the Building Line.

8. **Security Lighting** shall be permitted on all lots within the Mariposa Industrial Park provided that such lighting is not located more than fifteen feet above ground or is directed off of the premises toward another site or building. Security lighting shall not be restricted from being used to light the exterior of a building or sign but it shall not be situated in such a manner as to reflect into a street or road and create a hazard to traffic.

9. **Fencing and Screening** may be erected at a height not to exceed twelve feet.

10. **Lot Access** will be achieved exclusively from within the development. Individual lots may not develop access directly to highway 49 N.

IV. **Signs and Advertising Displays:**
Signs and advertising displays shall not be erected or maintained on any lot or parcel except in accordance with the following provisions. The following standards shall not apply to directional or traffic safety signs. Construction signs or future tenant identification signs shall conform to the general sign provisions of this section.

1. Individual signs or advertising displays may be erected on a lot provided that they do not exceed twelve feet in height (unless they are attached to a building). If a sign or advertising display is attached to a building, it may not be placed above the building eaves or exceed twenty-five feet in height, whichever is the lesser of the two heights and shall be flush mounted.

2. Neon, rotating, gyrating blinking or signs moving in any animated fashion are not permitted within the Mariposa Industrial Park. The lighting of signs shall be by means of back-lighting or by indirect lighting techniques.

3. No sign or advertising display shall exceed 64 square feet of advertising display area on a single side. Total advertising display area on an individual lot shall not exceed 128 square feet in advertising display area.

4. All signs shall be erected in such a manner as to display their advertising surface(s) towards an interior street of the Mariposa Industrial Park and shall not be directed towards, or generally visible from, Highway 49 North.

5. Signs shall be restricted to advertising only the person, firm, company or corporation operating the use conducted on the Site or the products produced or sold thereon.

6. Signs advertising the sale, lease, or hire of a lot or parcel shall be permitted in addition to the other permitted signs listed in this section provided that said sign does not exceed thirty-two (32) square feet in total advertising area.
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7. A sign will be erected at each of the two Mariposa Industrial Park entrances at a site designated on the site plan for the project (Exhibit "B"). The entrance signs shall generally conform to the design as shown on Exhibit "C".

V. On-Site Parking Standards:
All present and future vehicle parking, including trucks, trailers, employee and visitor parking, shall be provided on individual lots within the Mariposa Industrial Park. Parking areas may be graveled or surfaced. When parking areas are not designated by stripping or other means, parking spaces shall be calculated on the basis of 500 square feet of parking area per required parking space. Designated parking spaces shall be a minimum of 10 feet wide by 20 feet in length. No parking area will be permitted within building set back lines. On-site parking will be provided on each lot in accordance with the following table of uses.

1. Manufacturing, Processing and Fabricating Uses:
   a. One space per 800 square feet of active use area within a building; and
   b. One space per 1,000 square feet of storage area within a building; and
   c. One space per 2,000 square feet of outdoor active use area; and
   d. One space per 5,000 square feet of outdoor storage area.

2. Warehousing:
   a. One space per 2,000 square feet of use area for the first 10,000 square feet; and
   b. One space per 5,000 square feet of use area thereafter.

3. Mini-Storage:
   a. Two spaces for the Management office.

4. Wholesaling and Distribution:
   a. One space per 1,000 square feet of use area for the first 10,000 square feet; and
   b. One space per 3,000 square feet of use area thereafter

5. Agricultural Processing:
   a. One space per 1,000 square feet of use area.

6. Wineries:
   a. One space per 1,000 square feet of active use area; and
   b. One space per 3,000 square feet of storage.

7. Farm Equipment and Supplies:
   a. One space per 500 square feet of floor area; and
   b. One space per 1,000 square feet of outdoor use area.

8. Nurseries:
   a. One space per 1,000 square feet of floor area; and
   b. One space per 3,000 square feet of outdoor use area.

9. Auto and Vehicle Dealers:
   a. One space per 400 square feet of showroom; and
   b. One space per 3,000 square feet of outdoor use area; and
   c. Two spaces per service bay; and
   d. One space per employee.
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10. Building Materials and Hardware:
   a. One space per 200 square feet of floor area; and
   b. One space per 10,000 square feet of outdoor use area; and
   c. One space per employee.

11. Auto Repair and Service:
   a. Two spaces per service bay; and
   b. One space per 800 square feet of floor area; and
   c. One space per 1,000 square feet of outdoor vehicle storage area.

12. Equipment Rental:
   a. One space per 300 square feet of floor area; and
   b. One space per 1,000 square feet of outdoor use area.

13. Contract Construction Services:
   a. One space per 500 square feet of floor area; and
   b. One space per employee.

14. Business Office Uses:
   a. One space per 350 square feet of floor area; but
   b. Not less than 2 spaces per office.

15. Other Uses:
   a. Parking requirements will be determined by the Mariposa Planning Commission based upon the similarity of the proposed use and the standards described above.

Designated parking areas shall have a maximum grade of 3%. Off-street loading facilities will be developed on each parcel as necessary to accommodate the needs of the use established on the parcel.

VI. Use Standards:
Each and every lot within the Mariposa Industrial Park shall be subject to the following provisions with respect to the uses of buildings, structures or lot area.

A. Permitted Uses. The following uses are deemed to be permitted uses and are allowed to be conducted within the Mariposa Industrial Park subject to the other provisions of this plan.

1. Manufacturing Uses to include but not limited to:
   a. Automotive, boat and other vehicle assembly, repair and painting.
   b. Boat and boating equipment manufacturing and repair.
   c. Ceramic products, sign manufacturing, electrical parts and components manufacture/assembly and engine rebuilding and assembly.
   d. Machinery and shop uses including cabinet and carpentry shops, machine shops, paint shops, sheet metal shops and similar shop uses.

2. Compounding, and Assembly Uses to include but not limited to:
   a. The manufacturing, compounding, and packaging of products such as bakery good, candy, cosmetics, health foods and pharmaceuticals.
   b. The manufacturing, compounding, assembly and treatment of articles or merchandise from previously prepared materials such as canvas, cellophane, cloth, glass, plaster, plastics or synthetics, etc.
   c. Radio, television and other communication equipment storage, assembly, repair and wholesale.
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d. The manufacturing of rubber or metal stamps, shoes and other footwear.

3. Processing Uses to include, but not limited to, bottling plants, creameries, wineries, laboratories, tire retreading, and cleaning, laundry and dyeing plants.

4. Fabrication Uses to include, but not limited to, fabrication of products from finished rubber, metal or plastic or assembly of electric and electronic equipment.

5. Warehousing Distribution and Wholesaling Uses including the bulk storage and/or sale of gasoline, propane or similar petroleum products.


8. Outdoor Sales such as farm equipment sales, farm supplies, nurseries, vehicle sales, boat sales, building materials and hardware sales, equipment rental yards and similar uses.

9. Resource Recovery Yards including, but not limited to, auto dismantling and storage yards, used materials recycling centers, scrap yards, etc.

10. Contract Construction Services and Equipment Yards including concrete batch plants, aggregate storage and sales, etc.

11. Public Utility Facility Uses including maintenance yards, substations and other public utility facilities.

12. Other manufacturing, processing, treatment, fabrication or assembly activities similar to those enumerated above.

13. General Business and Administrative Offices, other than professional service offices such as doctors, attorneys and similar professional offices.

14. Research, Development and Electronic Testing Uses to include research laboratories and facilities, developmental laboratories and facilities and compatible light manufacturing relating to the following examples:

a. Bio-Chemical
b. Chemical
c. Film and Photography
d. Medical or Dental
e. Metallurgy
f. Pharmaceutical
g. X-Ray

B. Accessory Uses. Unless otherwise prohibited, accessory uses are permitted to include:

1. Loading and unloading facilities, parking areas and shipping terminals.
2. Water and wastewater treatment facilities and systems.
3. Incidental services, such as cafeterias etc., to exclusively serve employees in the area.
4. Watchmen accommodations and other security facilities.
5. Accessory buildings and uses customarily appurtenant to a permitted or conditional use such as an incidental storage facility, garage, etc.
6. Communication facilities and structures.
7. Sales offices, showrooms, business offices, etc.

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C. Prohibited Uses. Within the Mariposa Industrial Park the following uses are prohibited:

1. All residential uses except for watchmen accommodations.
2. Asphalt batch plants, sand and gravel or rock crushing plants, and mineral processing stamp or ball mills.
3. Abattoir, blast, cupola or metal furnace (except gas or electric fired for limited use) coke ovens, dehydrators, distillation of bone, dog or cat food factory, fat rendering, garbage or refuse disposal (except solid waste collection sites), refining of petroleum products, rolling mills, salt works, sand blasting (when conducted outside of a building or structure), smelting, soap works, tanning or wood distillation and slaughter houses.
4. The manufacture of acetylene gas, acid, ammonia, asbestos, asphalt or explosives.

VII. Activity Standards:
All uses within the Mariposa Industrial Park are subject to the following use activity standards. The intent and purpose of these restrictions is to allow the location of general manufacturing activities and other similar uses within the Mariposa Industrial Park. Through the enforcement of the following standards it is expected that permitted activities will not contribute excessive noise, dust, smoke or vibration to the surrounding environment nor create a high hazard potential to surrounding uses and property.

A. Noise. Within the Mariposa Industrial Park the following regulations, regarding the production or generation of sound, shall apply:

1. Noise levels at any interior property line shall not exceed the 70 dBA level. 8
2. Noise levels at the boundary of State Highway 49 North shall not exceed the 55 dBA level.
3. Noise levels at all other external boundaries of the Mariposa Industrial Park shall not exceed the 70 dBA level.

B. Fire Hazard. Within the Mariposa Industrial Park, the handling, storage and use of flammable and explosive materials or products are subject to the following regulations:

1. Occupancy Combustibility Class C-1 through C-3 9
   There will be no restrictions or special operating standards applied to uses within these three Occupancy Combustibility Classes.
2. Occupancy Combustibility Class C-4
   All uses within this Occupancy Class shall be conducted within buildings equipped with automatic sprinkler systems installed to the specifications of the Mariposa County Fire

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8 A decibel (dB) is the most commonly used unit to express sound relative to a reference pressure of 20 microwatts per square meter. A zero dB "A" scale is the threshold of hearing and a 140 dB "A" is the threshold of pain. Sound levels in decibels are calculated on a logarithmic basis, hence an increase in 10 dB is perceived as a doubling of noise; i.e. 50 dB is twice as noisy as 40 dB.

The "A" weighted sound level is the sound pressure level in decibels, as measured on a sound level meter using an "A"-weighting filter network. The "A"-weighting filter de-emphasizes the very low and very high frequency components of sound in a manner similar to the response of the human ear. This gives good correlation with subjective reactions to noise by individuals.

9 Refers to the Occupancy Combustibility Classifications contained in the Fire Suppression Rating Schedule Edition 6-80 which refers to the Commercial Fire Rating Schedule published by the Insurance Services Office.
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3. Occupancy Combustibility Class C-5
   All uses within this Occupancy Class shall:
   a) be conducted within a building equipped with automatic sprinkler system installed to
      the specifications of the Mariposa County Fire Warden, and
   b) the building within which the activity is conducted must be of Construction Class 3\textsuperscript{10}
      (Non-Combustible) or higher.

4. Fuel Modification
   Fuel modification on all exterior property boundaries within the Mariposa Industrial
   Park, including Highway 49 N., will be thirty (30) feet. Buildings located within the
   thirty foot fuel modification area will conform to the following:
   a) Type 1 and 2\textsuperscript{11} buildings will be permitted no closer than twelve (12) feet to an
      exterior property line.
   a) Type 3 and 4 buildings will be permitted no closer than twenty (20) feet to an exterior
      property line.
   a) Type 5 and 2 buildings will be permitted no closer than twenty-five (25) feet to an
      exterior property line.

4. Sprinkler Systems Required
   Maximum size of a nonsprinkled building shall be three thousand (3,000) square feet.

No building or structure over 400 square feet in floor area, or any building used for the
storage or handling of freeburning to intense burning materials\textsuperscript{12}, can be constructed within
the Mariposa Industrial Park which would be classified as belonging to Construction
Class 1 of the Commercial Fire Rating Schedule.

C. Toxic Material. Within the Mariposa Industrial Park, the handling, storage and use
of Toxic materials or products are subject to the regulations of the State of California and the
County of Mariposa.

D. Odor. Within the Mariposa Industrial Park, any condition which results in the creation
of odors of such intensity and character as to be detrimental to the health and welfare of the
public or which interferes unreasonably with the comfort of the public shall be removed,
stopped or so modified as to remove the odor.

E. Nuisance. Within the Mariposa Industrial Park, no portion of the of the property
shall be used in such a manner as to create a nuisance to adjacent sites, such as but not
limited to vibration, sound, electro-mechanical disturbance and radiation, electro-magnetic
disturbance, radiation, air or water pollution, dust emission of odorous, toxic or noxious
matter.

\textsuperscript{10} Ibid

\textsuperscript{11} Building types are per the 1982 Edition of the Uniform Building Code, Chapters 18, 19, 20, 21 and 22.

\textsuperscript{12} Free burning to intense burning materials includes all liquids with an open cup flash point of less than 182 degrees F.
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VIII. Design Standards.
The Mariposa County General Plan requires site and design review for non-residential
development proposed along all State Highways in the county.\textsuperscript{13} The plan states that the Planning
Commission may approve development proposals within the project does not significantly detract
from the natural scenic qualities of the travel highway. The Mariposa Industrial Park project
site is situated along a low ridge effectively blocking any natural vista to the south of the project
site. The project site itself does not contain any unique view or scenic resource other than its land
form and oak Woodland Vegetative cover.

For purposes of review, the following standards shall be applied to the project site:
1. All excavation shall be done with a cut and fill scope that does not exceed a 2:1 (Rise:Run)
   ratio. All cut and fill slopes shall be revegetated.
2. All outdoor storage or sales areas shall be screened from the view of Highway 49 North.
   Appropriate screening techniques include the use of fencing or vegetation or a combination of
   both.
3. All buildings and structures, that are visible from Highway 49 North, shall be painted or
colored with an earth tone color such as a shade of brown or green.

Due to the nature of the area, and the development that has occurred near the site, there will be no
architectural review standards for buildings and structures erected or proposed to be erected on the
site.

IX. Development Phasing:
The project will be developed in phases based upon submittal and consideration of subdivision
maps. Each phase will be designed so that it can stand as a separate unit for the purposes of
improvements and conditions. The entire project will be completed within five years of approval
of the Zone by the County of Mariposa.

X. Enforcement/Implementation:
The Mariposa Industrial Park PD zone shall become an uncodified section to Title 17 of
Mariposa County Code. All provisions of the zone shall be enforceable by the county as is any
other zoning provision of County Code. Review will occur upon application for a building permit.
Any change in use or occupancy status requires building and planning review as a matter or normal
review. Any violation of the provisions of this zone shall be subject to the penalties and
enforcement provisions of applicable section of Mariposa County Code and State Law. For
purposes of enforcement of the provisions of this Planned Development Zone, any violation by an
individual, or group of individuals, shall not constitute a violation on other land owners or
individual businesses operated within the Mariposa Industrial Park.

XI. Infrastructure:
Within the Mariposa Industrial Park, water, wastewater and road systems will be maintained
in accordance with the follow provisions.

1. Water System:
The Park water system will be owned and maintained by the Park developer who will set up a
private water company. The existing water system is pressurized, and provisions have been
made for fire hydrants and extensions. At some future point in time, when the Park is fully
developed, a mutual water company will be formed and ownership will be transferred to Park
property owners. A total of 45,000 gallons of water storage will be developed within the
Mariposa Industrial Park prior to the approval of any further building permits on the

\textsuperscript{13} Section 6.504 of the Conservation Element of the Mariposa County General Plan.
Mariposa Industrial Park

property. Fire hydrants, cul-de-sacs, and property entrances will comply with the requirements of the Mariposa County Fire Warden.

2. Wastewater Disposal:
Wastewater disposal will be by means of individual septic system installed on each parcel. Percolation tests will be conducted at the time of construction on each parcel. Tests will be conducted at the location of the proposed septic system for each parcel. Percolation testing will not be conducted at the tentative map for final map stage of development due to the fact that not all parcels will require on-site wastewater disposal and some projects will have unique development proposals which could require specially designed or engineered systems.

3. Streets and Roads:
All roads within the the Mariposa Industrial Park will be constructed to full county improvement standards as identified by the approved tentative map or by the Planning Commission during review of the development permit, shall be in place prior to the issuance of any building permits for additional commercial or industrial development. The road system will be maintained by a property owners association in accordance with covenants that will be developed for the subdivision of the property. All road encroachments shall be issued by the Mariposa County Road Department, at the time of issuance of a construction permit, and shall conform to the design and construction standards of the County of Mariposa.

The California Department of Transportation shall be contacted as part of the development permit process identified in Section III herein relative to the adequacy of the highway encroachment for the proposed use. Should CalTrans find that the encroachment requires upgrading to accommodate the increased traffic associated with the proposed use, then the necessary improvements shall be completed prior to occupancy of the use as a requirement of this Planned Development Zone.

Other improvements and plans for the Mariposa Industrial Park will be developed as follows:

1. Solid Waste Collection Sites shall be provided on each individual parcel.

2. Drainage, and Grading Plans shall be developed, and approved by the Mariposa County Planning Commission, for Phase II of the subdivision prior to recordation of the final map for Phase II.