

1 MARIPOSA COUNTY ORDINANCE NO. 622

2 AN ORDINANCE ADOPTING A PLANNED DEVELOPMENT ZONE
3 No. 84-1, FOR A 134 UNIT TOWNHOUSE COMPLEX ADJACENT
4 TO THE LAKE DON PEDRO GOLF COURSE.

5 WHEREAS, pursuant to Mariposa County Code Sections 17.10.
6 010 et seq., Public Hearings have been held before the Mariposa
7 County Planning Commission and the Mariposa County Board of Super-
8 visors, with due notice given as required by law;

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

12 SECTION I: There is hereby created within Mariposa
13 County a Planned Development Zone pursuant to Chapter 17.10 of the
14 Mariposa County Code to be known as Planned Development Zone No.
15 84-1 with boundaries as described in Exhibit A attached hereto,
16 and as shown on the map set forth in Exhibit B attached hereto,
17 which zone shall be added to the official zoning maps of Mariposa
18 County.

19 SECTION II: Planned Development Zone 84-1 shall be
20 governed by the conditions of approval set forth in Exhibit C
21 attached hereto.

22 SECTION III: The Board of Supervisors of Mariposa
23 County hereby finds that the Planned Development Zone No. 84-1 is
24 consistent with the Mariposa County General Plan and hereby adopts
25 the Findings of Fact of the Mariposa County Planning Commission
26 set forth in Resolution No. 84-26, Exhibit D attached, as required
27 by Section 17.10.030 of the Mariposa County Code.

28 SECTION IV: This ordinance shall become effective
THIRTY (30) days after final passage pursuant to Government Code

1 Section 25123.

2 PASSED AND ADOPTED by the Mariposa County Board of Supervisors
3 this 24th day of July, 1984 by the following
4 vote:

5 AYES: DALTON, TABER

6 NOES: NONE

7 ABSTAINED: ERICKSON

8 EXCUSED: BARRICK, MOFFITT

9 Gertrude R. Taber
10 GERTRUDE R. TABER, Chairman
Mariposa County Board of Supervisors

11 ATTEST
12 Gerald McCarthy
13 GERALD McCARTHY, County Clerk
Ex Officio Clerk of the Board

14 APPROVED AS TO FORM AND LEGAL
15 SUFFICIENCY:
16 Jeffrey Green
JEFFREY GREEN, County Counsel

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PLANNED DEVELOPMENT ZONE
THE LAKE DON PEDRO GOLF COURSE AREA

DESCRIPTION

All that certain real property situate in the County of Tuolumne, State of California, described as follows:

All that portion of Sections 30, 31 and 32 all in Township 3 South, Range 15 East, Mount Diablo Meridian, more particularly described as follows:

Parcel 1:

Beginning at the most Northerly corner of Lot 1797 as said lot is shown and so designated on the official map of "Lake Don Pedro Subdivision Unit No. 3-M", filed for record in the office of the Recorder of Mariposa County, California, in Book 1 of Maps at Page 1693, thence from said point of beginning, along the exterior boundary lines of said "Lake Don Pedro Subdivision Unit No. 3-M", the following twenty-five (25) bearings and distances: (1) South 75° 49' 33" East 809.67 feet, (2) North 85° 37' 03" East 195.22 feet, (3) North 60° 40' 28" East 306.97 feet, (4) South 62° 09' 58" East 76.32 feet, (5) North 27° 50' 02" East 926.95 feet, (6) along the arc of a tangent curve concave Westerly whose center bears North 62° 09' 58" West having a central angle of 22° 12' 43" and a radius of 950.00 feet, a distance of 368.29 feet, (7) along the arc of a tangent curve, concave Southwesterly whose center bears North 84° 22' 41" West having a central angle of 106° 57' 22" a radius of 25.00 feet, a distance of 46.67 feet, (8) South 78° 39' 57" West 40.70 feet, (9) South 68° 33' 06" West 103.28 feet, (10) North 48° 03' 47" West 167.19 feet, (11) along the arc of a tangent curve concave Southerly whose center bears South 41° 56' 13" West having a central angle of 75° 54' 00" a radius of 25.00 feet, a distance of 33.12 feet, (12) South 56° 02' 13" West 134.39 feet, (13) along the arc of a tangent curve concave Northerly whose center bears North 33° 57' 47" West having a central angle of 24° 48' 2" a radius of 555.00 feet, a distance of 240.29 feet, (14) South 09° 09' 22" East 56.28 feet, (15) South 45° 58' 24" West 150.88 feet, (16) North 78° 17' 03" West 410.42 feet, (17) North 33° 42' 01" West 384.49 feet, (18) North 41° 05' 06" East 86.66 feet, (19) North 48° 54' 54" West 167.60 feet, (20) along the arc of a tangent curve concave North-easterly whose center bears North 41° 05' 06" East having a central angle of 25° 03' 58" a radius of 405.00 feet, a distance of 177.18 feet, (21) South 74° 58' 06" West 32.98 feet, (22) North 19° 04' 16" West 545.02 feet, (23) North 61° 52' 49" West 875.74 feet, (24) North 01° 31' 25" West 300.11 feet, and (25) North 87° 14' 31" West 368.85 feet to a point in the West line of the East one-half of said Section 30; thence, along said West line South 00° 11' 08" West 726.63 feet to the North one-quarter corner of said Section 31; thence along the exterior boundary line of the Northwest one-quarter of the North-east one-quarter of said Section 31, the following two (2) bearings and distances: (1) South 00° 03' 36" West 1321.62 feet and (2) North 89° 05' 30" East 1331.98 feet to the Southeast corner thereof; thence along the West line of the Southeast one-quarter of the Northeast one-quarter of said Section 31, South 00° 03' 36" West 728.71 feet to the point of beginning.

Parcel 2:

Beginning at the Southwest corner of Lot 1547, as said lot is shown and so designated on the aforementioned map of "Lake Don Pedro Subdivision Unit No. 3-M"; thence from said point of beginning along the exterior boundary line of said "Lake Don Pedro Subdivision Unit 3-M", the following sixteen (16) bearings and distances: (1) North 28° 09' 00" East 151.80 feet, (2) North 33° 32' 19" West 420.45 feet, (3) North 40° 40' 00" West 290.00 feet, (4) North 03° 33' 05" West 222.55 feet, (5) North 48° 00' 23" West 198.39 feet, (6) North 67° 15' 36" West 353.42 feet, (7) North 40° 27' 47" West 520.27 feet, (8) North 60° 47' 15" West 400.08 feet, (9) North 82° 04' 24" West 339.21 feet, (10) South 01° 39' 57" West 90.89 feet, (11) along the arc of a tangent curve concave Westerly whose center bears North 88° 20' 03" West having a central angle of 26° 10' 04" and a radius of 1050.00 feet, a distance of 479.55 feet, (12) South 27° 50' 02" West 432.02 feet, (13) South 62° 09' 58" East 77.72 feet, (14) South 27° 08' 36" East 423.09 feet, (15) South 58° 54' 13" East 685.72 feet, and (16) South 02° 42' 03" East 134.56 feet to a point in the South line of the North one-half of said Section 32; thence along said South line, North 89° 59' 05" East 132.77 feet to the point of beginning.

EXCEPTING THEREFROM all that portion thereof more particularly described as follows:

That certain parcel of land being shown as Parcel A on that certain Parcel Map filed in the office of the Recorder of Mariposa County in Book 5 of Parcel Maps at Page 17, and being further described as follows:

Beginning at the most Northerly corner of Lot 1747 of Lake Don Pedro Unit No. 3-M, as shown on the official plat thereof filed in the office of the recorder of Mariposa County in Book 1 of Maps, at page 1693, said point being also a point in the Easterly line of Ranchito Drive; thence, from said Point of Beginning along said Easterly line of Ranchito Drive, North 27° 50' 02" East 166.00 feet; thence, leaving said Easterly line, South 27° 49' 12" East 170.00 feet; thence South 69° 37' 19" West 94.00 feet to an angle point in the Northeasterly line of the aforementioned Lot 1747; thence along said Northeasterly line, North 62° 09' 58" West 77.72 feet to the point of beginning.

For Area Code
510
5020

PORTION SECTIONS 30, 31 & 32, T.3 S., R.15 E., M.D.B. & M.

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51017

Bk 1

Bk 1



PROPERTY ON WHICH THE PD ZONE IS TO BE ESTABLISHED

AS 1693
1675

EXHIBIT B

Assessor's Map Bk 21 - Pg 350
County of Mariposa, Calif
1978

NOT TO SCALE

52.29
34.32

FACHALA WAY
HERNANDEZ DRIVE

RANCHO DRIVE
CANTON DRIVE

BAILEY HILL DRIVE

Exhibit "C"

CONDITIONS OF APPROVAL
PLANNED DEVELOPMENT ZONE 84-1
LAKE DON PEDRO TOWNHOUSES

1. DENSITY - The Planned Development Zone shall be limited to a maximum of 134 dwelling units on individual parcels on a total area of 9.7 acres.
2. OPEN SPACE AREAS - The area identified on the Lake Don Pedro Townhouse Major Subdivision Tentative Map as the Lake Don Pedro Golf Course, totaling 141+ acres shall be considered open space reserved for recreational uses. Any future expansion of commercial facilities on this open space area shall be subject to Planning Commission approval.
3. DESIGN - Plot plans and elevations for all townhouse units shall be reviewed and approved by the Planning Commission prior to construction on the site and prior to final approval of the tentative subdivision map. Such plans shall establish setbacks, building heights, and distances between buildings. In no case shall any building exceed 35 feet in height. A minimum of two vehicle parking spaces shall be provided on each residential lot.
4. DEVELOPMENT SCHEDULE - The applicant shall submit a development schedule for construction of all improvements and residential units on the site. Such construction must be initiated within two years and completed no later than 5 years from the approval of the tentative subdivision map for this project. Failure to comply with the development schedule shall be grounds for the County to re-zone the property. The Board of Supervisors may extend the time limits of the development schedule in accordance with the provisions of County Code.
5. UTILITIES - Each residential unit shall be served by a community water and sewage disposal system. Adequate access roads shall be constructed to serve each residential unit. Specific road improvement requirements shall be established by the Planning Commission when the tentative subdivision map is approved. All roads within the development are private and shall be maintained by the developer and/or developer's successor.
6. FIRE PREVENTION MEASURES - All requirements of the County Fire Warden, including but not limited to, fire hydrant location, water flows and design, and material recommendations, shall be incorporated into the construction plans for this project.

MARIPOSA COUNTY PLANNING COMMISSION

STATE OF CALIFORNIA

RESOLUTION NO. 84-26

A Resolution recommending approval of Planned Development Zone No. 84-1, T.C.E., Incorporated, Applicant.

WHEREAS an application has been submitted for the creation of a Planned Development Zone in an area to allow for the construction of 134 Town-house residential units, and

WHEREAS the application has been submitted to expand a previously approved 105 residential unit Planned Development Zone on the property, and

WHEREAS, the Planning Commission has considered the project and held a public hearing in accordance with the requirements of Division I, Chapter 4 of the California Government Code and Chapter 17.10 of the Mariposa County Code, and

WHEREAS, the Planning Commission has reviewed the project relative to all policies and standards contained within the Mariposa County General Plan.

THEREFORE, BE IT RESOLVED that the Planning Commission recommends approval of Planned Development Zone 84-1 to the Board of Supervisors with the following findings of fact:

A. The Planned Development Zone is found to be consistent with the Goals, policies and standards contained within the Mariposa County General Plan.

B. A negative declaration has been adopted in accordance with Section 15000 et seq. of the California Administrative Code and the County's adopted Environmental Review policies and procedures.

C. That each individual unit of the development if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in

EXHIBIT D

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any stage as desirable and stable as the total development;

D. That 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;

E. That any deviation from the subdivision ordinance requirements is warranted by the design and additional amenities incorporated in the development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted; and

F. That the principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under standard subdivision provisions.

G. The project proposal promotes the preservation of open space and results in improving the residential environment of the area through the provision of better access, fire protection, water and sanitation facilities.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends to the Board of Supervisors the adoption of the attached ordinance with conditions of approval considered necessary to assure compliance with the above findings of fact.

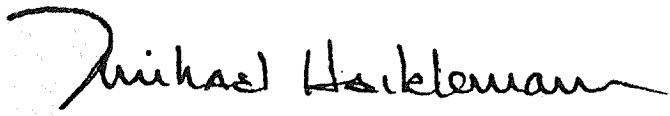
PASSED AND ADOPTED ON THE 18th Day of May, 1984 by the Mariposa County Planning Commission by the following vote:

AYES: Martini, Hackleman, Hickman, Radanovich, Kendrick

NOES: None

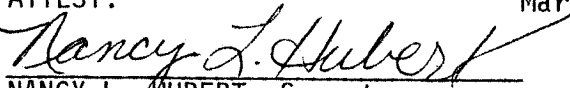
NOT VOTING: None

ABSENT: None



MICHAEL HACKLEMAN, Chairman
Mariposa County Planning Commission

ATTEST:


NANCY L. HUBERT, Secretary
Mariposa County Planning Commission

MARIPOSA COUNTY BOARD OF SUPERVISORS

MEMORANDUM

TO: MARIPOSA GAZETTE
FROM: MARGIE WILLIAMS, DEPUTY CLERK OF THE BOARD *MW*
RE: ORDINANCE NO. 622

The following is referred to you for publication:

Ordinance No. 622, an Ordinance Adopting a Planned Development Zone No. 84-1, for a 134 Unit Townhouse Complex Adjacent to the Lake Don Pedro Golf Course.

↙
cc: File