ORDINANCE NO. 314

AN INTERIM ZONING ORDINANCE OF THE COUNTY OF MARIPOSA, STATE OF CALIFORNIA, ESTABLISHING AN UNCLASSIFIED ZONE FOR THE LAND IN MARIPOSA COUNTY OUTSIDE THE BOUNDARIES OF YOSEMITE NATIONAL PARK AND OUTSIDE THE ZONE SPECIFICALLY ESTABLISHED IN MARIPOSA COUNTY ORDINANCE NO. 180, AS AMENDED; PROVIDING FOR CERTAIN USE PERMITS FOR CERTAIN USE OF LAND; AND PRESCRIBING PENALTIES FOR VIOLATIONS

The Board of Supervisors of the County of Mariposa do
ordain as follows:

SECTION 1: Unclassified Zone

All land in the County of Mariposa situate outside Yosemite National Park, and which is not zoned by Mariposa County Ordinance No. 180, as amended, is hereby established, and shall be known as "the unclassified zone".

SECTION 2: There are no regulations for lands within the unclassified zone except that the following land uses may be made only pursuant to a use permit issued as provided herein prior to construction, development, or commencement of such use or uses:

A) Wrecking or dismantling yards
B) Dumps or disposal areas
C) Other uses which might be objectionable by reason of production or emission of noise, offensive odor, smoke, dust, bright lights, vibrations, involving the handling of explosives, or dangerous materials, or which might constitute a public or private nuisance, as determined by the Planning Commission.

SECTION 3: Definitions

The phrases "wrecking yard", and "dismantling yard", shall be synonymous with "junk yard", and shall mean a place of more than two hundred (200) square feet in size used for the storage or keeping of junk, including scrap metals or other scrap materials, and/or for the dismantling or wrecking of automobiles or other vehicles or machinery. The word "junk" shall mean any worn out, cast off, or discarded article or material which
is ready for destruction or has been collected or stored for
salvage or conversion to some use. Any article or material which,
unaltered, or unchanged, and without further reconditioning can
be used for its purpose readily as or when new, shall not be
considered junk.

B) The terms "dump" and "disposal area" shall mean a
public or private "disposal area" as defined in Mariposa County
Ordinance No. 259 and shall also mean a place or places used
for the disposal of materials by methods including, but not
limited to, the following: disposal, incineration, or reduction.
"Materials" include "garbage" and "refuse" as those terms are
defined in Ordinance No. 259.

C) "Use Permit" means a written authorization issued by
the Planning Commission or other agency, officer, or employee
of the County of Mariposa, that the Board may designate, author-
izing the permittee to carry on a land use subject to the pro-
visions of Section 2 of this Ordinance.

SECTION 4: The provisions of this Ordinance shall not
affect land use commenced prior to the effective date hereof.

SECTION 5: Use permits may be revocable, conditional, or
valid for a term period, and may be issued only for use or pur-
poses for which permits are required or permitted by the terms
of this Ordinance and shall be governed by the following reg-
ulations:

A) Application for use permit shall be made to the
Planning Commission in writing on a form prescribed by the
Commission and shall be accompanied by plans and elevations
where necessary, and shall adequately describe the proposed
use. Such application shall be accompanied by a fee of ten
(10) dollars, no part of which shall be returnable to the
applicant.

B) The Planning Commission may hold such hearings
thereon as it may deem necessary.

C) The Planning Commission shall find that the establish-
ing or operation of the use applied for will or will not, under
the circumstances of the particular case, be detrimental to
public health, safety, and welfare, or contrary to provisions
of the County Master Plan or General Plan. The Planning Commission
may designate such conditions as it deems necessary to carry out
the purpose of this Ordinance, General or Master Plan, and may
require appropriate guarantees that such conditions will be
complied with.

SECTION 6: Any applicant, or other interest/party, not
satisfied with the action of the Planning Commission may, within
ten (10) days after the formal decision of the Planning Commission,
appeal in writing to the Board of Supervisors. A copy of such
appeal shall be submitted to the Commission. Said Board shall
render its decision within sixty-five (65) days after the filing of
such appeal. Appellant shall have the right of hearing before
the Board.

SECTION 7: Any use permit may be revoked in any case
where the conditions of such permit are not being complied with.
The Planning Commission shall give written notice
of intention to revoke such permit to the permittee at least ten
(10) days prior to a hearing thereof. Any revocation shall be
appealable in the same manner as the denial of a permit as above
specified. In any case where the use specified in the use permit
has not been commenced within six (6) months after the date of
such permit, then, without further action by the Commission, or
the Board, the use permit granted shall be null and void.

SECTION 8: A County Master Plan or General Plan has been
adopted. The Planning Commission and the Board of Supervisors
have conducted in good faith, and are conducting in good faith,

studies for the purpose of adopting a Countywide comprehensive
zoning regulations and specific plans consistent with a Master
or General Plan.

SECTION 9: Penalties for violation

Any person, firm, or corporation, whether as principal,
agent, employee, or otherwise, violating any of the provisions
of this Ordinance, shall be guilty of a misdemeanor and, upon
conviction thereof, shall be punishable by a fine of not more
than $300.00, by imprisonment in the County Jail for a term
not to exceed three (3) months, or by both such fine and imprison-
ment.

SECTION 10:
The Board of Supervisors of the County of Mariposa hereby
find that it is necessary for this Ordinance to take effect
immediately upon its passage as an urgency measure in the in-
terest of public safety, health, and welfare. For the foregoing
reasons, this Ordinance shall take effect immediately upon its
passage, as an urgency measure, in accordance with the provisions
of Government Code Section 65858, and other applicable laws and
Constitutional provisions.

PASSED AND ADOPTED by the Board of Supervisors of the
County of Mariposa, State of California, this 5th day of August,
1969, by the following vote:

AYES: Davis, Hurlbert, Long, Moffitt, Richardson

NOES: None

NOT VOTING: None

ABSENT: None

Herbert R. Davis, Jr., Chairman
of the Board of Supervisors of
the County of Mariposa, State of
California

ATTEST:

Gabrielle Wilson, County Clerk
and Ex Officio Clerk of the
Board of Supervisors