ORDINANCE NO. 321

AN ORDINANCE PROVIDING REGULATIONS FOR THE DIVISION OF LOTS IN
APPROVED SUBDIVISIONS IN THE COUNTY OF MARIPOSA

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

SECTION 1: LEGISLATIVE INTENT. It is hereby determined
that this Ordinance is necessary for the orderly development of
the County of Mariposa in that a chaotic situation is being
created, and will become more critical if not regulated, by the
division of lots and parcels of real property in approved sub-
divisions as delineated in Mariposa County Ordinance No. 201, and
amendments thereto. By assuring proper access, drainage provisions,
lot size and design, water supply, sewage facilities and utility
easements on lot divisions, the public peace, health, safety,
comfort, convenience, interest and welfare will be protected.

SECTION 2: The division of lots and parcels outside of
subdivisions which are approved pursuant to Mariposa County Ord-
inance No. 201, and amendments thereto, have been excluded be-
cause it is felt that the public peace, health, safety, comfort,
convenience, interest and welfare will not be affected since lot
sizes of subdivisions approved pursuant to Mariposa County Ord-
inance No. 201, and amendments thereto, are made on the basis of
available water and sewer requirements.

SECTION 3: Definitions. Subdivision shall mean any
land or portion thereof which has been subdivided pursuant to
Mariposa County Ordinance No. 201, and any amendments thereto,
for which a final map has been accepted by the County and filed
with the Mariposa County Recorder. Lots and Parcels shall mean
of land
any division/on an approved and filed subdivision map as delin-
eated on any final subdivision map approved and recorded pursuant
to Mariposa County Ordinance No. 201.

SECTION 4: Every person acting as a grantor, grantee,
vendor, vendee, purchaser, buyer, broker for any such person, escrow agent for any such person, or agent for any such person, shall not divide or participate in the division of any lot or parcel of land as the same appears upon a record of survey map approved and accepted by the County of Mariposa, pursuant to Mariposa County Ordinance No. 201, and any amendments thereto, without obtaining a use permit issued as provided herein, prior to such division.

SECTION 5: 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, authorizing the permittee to divide land. Use permits may be revocable, conditional, or valid for a term period, and may be issued only for use or purposes for which permits are required or permitted by the terms of this Ordinance and shall be governed by the following regulations:

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 division and shall show proposed access, sanitation facilities, water and utility easements. Such application shall be accompanied by a fee of ten dollars ($10.00), 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 establishing 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 interested 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: Penalties for violation. Any person, firm,
or corporation, whether as principal, agent, employee, or otherwise,
vviolating 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 imprisonment.

SECTION 9: 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 interest 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 13th day of
January, 1970, by the following vote:

AYES: Davis, Hurlbert, Long, Moffitt, Richardson

NOES: None

NOT VOTING: None

ABSENT: None

Frank L. Long, 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