BOARD OF SUPERVISORS - COUNTY OF MARIPOSA
STATE OF CALIFORNIA
ORDINANCE NO. 201

AN ORDINANCE PROVIDING REGULATIONS FOR THE SUBDIVISION OF LAND IN THE COUNTY OF MARIPOSA, STATE OF CALIFORNIA, AND FOR THE PREPARATION AND PRESENTATION OF SUBDIVISION MAPS THEREOF AND PROVIDING FOR THE ENFORCEMENT THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF.

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

PART 1 - PURPOSE

Section 1.00
General Purpose

A subdivision ordinance for the County of Mariposa is hereby adopted in order to promote:

(a) Public health, safety, and general welfare.
(b) Orderly growth and development of the County.
(c) Proper use of land.
(d) Conservation, stabilization and protection of the value of property, and
(e) Adequate provisions for necessary utilities and conveniences.

PART 2 - DEFINITIONS

Section 2.00
Authority

Pursuant to Chapter 2, Part 2 of Division 4 of the Business and Professions Code of the State of California, referred to herein as the "Subdivision Map Act", and in addition to any other regulations provided by law, the provisions of the ordinance are supplementary to those of said Act, and shall apply to all subdivisions of land thereafter made when said land is entirely, or partially within the limits of the County of Mariposa; and all terms used herein which are defined in the said "Subdivision Map Act" shall have the same meaning as ascribed thereto in said Act, and as the said Act may hereinafter be amended. The Mariposa County Planning Commission is hereby
designated as the "advisory agency" referred to in the said Act and is charged with the duty of making investigations and reports on the design and improvements of proposed subdivisions; and is hereby authorized to approve, conditionally approve or disapprove tentative maps of subdivisions prepared and filed according to this ordinance and the said "Subdivision Map Act", to recommend the kinds, nature, and extent of the improvements required to be installed in subdivisions, and to report direct to the subdivider the action taken on tentative maps.

Section 2.01
Definitions

"Subdivider" shall mean any individual, firm, association, copartnership, corporation, trust or any other legal entity commencing proceedings under this ordinance to effect a division of land for himself or others.

"Subdivision" shall mean any land or portion thereof shown on the last preceding tax roll as a unit or as contiguous units which is divided into five (5) or more parcels of less than five (5) acres in area in each such parcel, for the purpose of transfer of title by contract or sale, whether immediate or future, by any subdivider.

PART 3
Section 3.00
Subdivision Standards

All subdivisions shall conform to the following regulations except in those cases where the Mariposa County Planning Commission determines that the size or shape of the land, topographical conditions, or proposed land use makes compliance therewith impractical. Six (6) copies of a subdivision map must be filed with the Planning Commission prior to the subdivision of any property into five (5) or more parcels of less than five (5) acres in area in each such parcel, for present or future sale. The subdivision of any property as defined in Section 2.00, "Definitions", under the subheading "Subdivision", and as outlined in this section may be approved by the Planning Commission, provided it complies with the provisions of this ordinance.

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Section 3.01
Streets and Roads

The street system in a proposed subdivision shall relate to the existing streets in the area adjoining the subdivision. All existing streets adjacent to a subdivision need not necessarily be carried into the new subdivision.

A. Freeways, limited-access and other state highways shall conform to the standards of the Division of Highways, Department of Public Works, State of California, and shall receive special attention when within or adjacent to the limits of any subdivision. Such standards shall be deemed to be the minimum requirements.

B. Major streets shall be not less than 100 feet wide, between property lines.

C. Secondary streets shall be not less than 60 feet wide between property lines.

D. Local streets shall not be less than 40 feet wide, between property lines.

E. Short, minor streets and cul-de-sac streets shall be not less than 40 feet wide, between property lines.

F. Special local streets where railroads, parkways, grade separations, freeways, hills, or other dominant factors are involved shall receive special consideration.

G. Permanent dead-end streets shall be terminated by a turn-around of not less than 40 foot radius with minimum lot depth of 80 feet at the end of the street.

H. Along major highways, a service roadway separated from the traffic roadway by an acceptable separation strip, when determined by the County Road Department, will be required for access to abutting private property and local streets. All dimensions on such multiple roadway thoroughfares shall be as defined by the County Road Department.

I. Curves on major streets shall have centerline radius of not less than 500 feet.
J. Street intersections shall be as near right angles as possible.

K. Street grades between 6 per cent and 10 per cent will be approved only for such distances as topographical conditions make a lesser grade impractical. A grade exceeding 10 per cent will be approved only when conclusive evidence shows that a lesser grade is impractical.

L. Street corners shall have a property line radius of not less than 10 feet or an equivalent angle.

Section 3.02
Alleys

A. Alleys not less than 20 feet wide shall be provided at the rear of all lots classified for and to be used for commercial purposes unless adequate off-street parking areas to serve such property are reserved for such purpose and are approved by the County Planning Commission. Alley intersections shall have a property line radius of not less than 10 feet or an equivalent angle.

B. Alleys at the rear of industrial or unlimited multiple residential property shall have special consideration as to design, location and possible increase width, for the development of the particular use involved.

Section 3.03
Lots

A. Lots shall have a minimum area of 6,000 square feet and a minimum width at the front building line of 60 feet, where neither the domestic drinking water system or the sewage disposal system is developed on the lot.

A(1). If the sewage disposal system is developed on the lot and the domestic drinking water is furnished by a public utility company, then the minimum lots size shall be 10,000 square feet.

A(2). If both the sewage disposal system and the domestic drinking water system are developed on the same lot, then the minimum lot size shall be 20,000 square feet.

A(3). In either sub section A(1) and A(2), approval of the sewage and water system shall first be obtained from the Mari-
posa County Health Department.

B. No lot shall be divided by a county, city, or school district boundary line.

C. The side lines of lots shall be approximately at right angles to the street line of straight streets or to the tangent on curved streets.

D. When large lots are proposed, the shape, building locations and building lines may be required to be so established as to make it practical to resubdivide the lot into building sites which would conform to the requirements of this ordinance without injury to adjoining lots.

Section 3.04
Blocks

A. Blocks more than 1,200 feet in length may be cause for disapproval of a tentative map.

B. Pedestrian ways at least 10 feet wide may be required in long blocks.

Section 3.05
Utility Easements

Where alleys are not provided, utility easements 10 feet wide shall be provided at the rear of all lots.

PART 4

Section 4.00
Tentative Map

A "Tentative Map" is a map prepared in accordance with the provisions of the "Subdivision Map Act" of the State of California and with the provisions of this ordinance for the purpose of showing the design of a proposed subdivision and the existing conditions in and around it and need not be based on a detailed final survey of the property. The scale of the map shall be not less than 200 feet to the inch.

Section 4.01
Requirements

Each tentative map shall contain the following information:

A. Tract number or name of the subdivision.
B. Sufficient legal description of the land to describe the location of the proposed subdivision.
C. Name and address of the owner or owners.
D. Name and address of registered civil engineer, licensed surveyor or other person who prepared the map.
E. Approximate acreage and boundary lines of the subdivision.
F. North point, scale and date.
G. Location, width and proposed names of all streets within the boundaries of the subdivision, and approximate radii of curves.
H. The approximate grade of any street or part of street having a grade of more than 6 per cent.
I. Location and width of alleys and easements.
J. Lot lines and approximate dimensions.
K. Classification of lots as to intended residential, commercial, industrial, or other uses.
L. The approximate location of areas subject to storm water overflow and the location, width and direction of flow of all water courses.
M. Location of all existing buildings and structures.
N. Location of existing and proposed public utilities.
O. Contours where topography controls the layout of streets and lots.
P. Proposed source of water supply.
Q. Proposed method of sewage disposal and storm water drainage.
R. If lots comprising less than ten thousand (10,000) square feet each in area are considered, a letter of agreement from a public utility agency for domestic water and/or sewage disposal hookup is required.
S. Proposed street improvements.
T. Proposed protective covenants regarding the use of property and building lines.
U. Proposed tree planting.
V. Proposed public areas.
W. Existing use and ownership of property immediately surrounding the subdivision.
X. Location, names, and widths of existing and proposed streets, highways, alleys, easements, railroads, and other open spaces in adjacent areas.

Any of the foregoing required data which is impossible or impractical to place upon the tentative map shall be submitted in writing with the map.

Section 4.02
Procedure

The tentative map shall be prepared in accordance with the "Subdivision Map Act" and the provisions of this Ordinance, and shall be filed with the County Planning Commission not less than ten (10) days before the date of the Planning Commission meeting at which it is to be considered. Such filing should be prior to the completion of final surveys of streets and lots and before the start of any grading or construction work within the proposed subdivision.

Upon filing with the County Planning Commission the required number of copies of the tentative map, one copy thereof shall be immediately forwarded to each of the following: County Road Department, County Surveyor, County Health Department, Local Utility Companies, and if a State Highway is involved, one copy to the State Division of Highways.

Each copy shall be accompanied by a statement of the date upon which the Planning Commission is scheduled to consider the tentative map. Within ten (10) days after each County Officer, department, or public agency has received a copy of the tentative map, the officer, department, or public agency shall make a report in writing to the County Planning Commission as to any recommendations in connection with the tentative maps and its bearing on the particular function of that official, department or agency. Failure to so report shall be deemed approval.

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After the tentative map has been considered by the County Planning Commission, the Planning Commission shall report in writing to the Subdivider, the County Board of Supervisors, the County Surveyor, the County Road Department, the County Health Department and the Real Estate Commissioner of the State of California, the approval, the conditional approval, or disapproval of the map and the conditions on which such action is based.

Section 5.00

Final Map

After approval of a tentative map by the County Planning Commission, the subdivider may cause a final map to be prepared in accordance with the completed survey of the subdivision and in substantial compliance with the "Subdivision Map Act" and this Ordinance.

Section 5.01

Requirements

The following shall be required on all final maps:

A. If more than three sheets are used, an index, showing entire subdivision of lots numbered consecutively shall be included.

B. Number of tract, date of preparation, North point and scale.

C. Description of land included.

D. Location of names, without abbreviations, of all: Proposed Streets and alleys, proposed public areas and easements and adjoining streets and subdivisions.

E. Dimensions of all lots.

F. Each lot shall be numbered, each block may be lettered or numbered.

G. Center line data including bearings and distances.

H. Radius, tangent, arc and central angle of curves.

I. Suitable primary survey control points.

J. Location of all permanent monuments.

K. Ties to and names of adjacent subdivisions.

L. Ties to any city or county boundary lines involved.
M. Required certificates.

N. Net acreage of all lots of one acre or more.

Section 5.02
Size and Materials

The final map shall be clearly and legibly delineated upon tracing cloth of good quality. All lines, letters, figures, certificates and acknowledgements and signatures shall be made in black waterproof India ink, except that affidavits, certificates and acknowledgements may be legibly stamped or printed upon the map with black opaque ink. The size of each sheet shall be 18 by 26 inches. A marginal line shall be drawn completely around each sheet, leaving an entirely blank margin of one inch. The scale of the map shall be large enough to show all details clearly and enough sheets shall be used to accomplish this end. Each sheet shall be numbered, the relation of one sheet to another clearly shown and the number of sheets used shall be set forth in each sheet. The tract number and name, if used, scale, North point and sheet number shall be shown on each sheet of the final map.

Section 5.03
Title Sheets

Below the title shall be a subtitle consisting of a general description of all the property being subdivided by reference to deeds, subdivisions or to sectional surveys. Reference to tracts and subdivisions shall be spelled out and worded identically with original records with complete reference to proper book and page of the record. In addition, the title sheet shall show the basis of bearings. Maps filed for the purpose of reverting subdivided land to acreage shall be conspicuously marked under the title "The Purpose of this Map is a Reversion to Acreage".

Section 5.04
Certificate

Forms for certificates required by the "Subdivision Map Act" and this Ordinance may be secured from the County Surveyor.

Section 5.05
Surveying Data For Lots

Sufficient data shall be shown to determine readily the
bearing and length of each line. Dimensions of lots shall be the net dimensions. No ditto marks shall be used. Lots containing one acre or more shall show net acreage to nearest hundredth.

Section 5.06
Survey Data

The final map shall show the center lines of all streets, lengths, tangent, radii and central angles or radial bearings of all curves; the total width of each street, the width of the portion being dedicated and the width of existing dedication, and the width each side of the center line, also the width of rights-of-way of railroads, flood control or drainage channels and any other easements dedicated or existing. Surveys in connection with the preparation of subdivision maps as in this Ordinance provided shall be made in accordance with standard practices and principles for land surveying. A traverse of the boundaries of the subdivisions and all lots and blocks shall close within a limit of error of one (1) foot in 10,000 feet of perimeter.

Section 5.07
Record of Easements

The final map shall show the center line data, width and side lines of all easements to which the lots are subject. If the easement is not definitely located of record, a statement as to the easement shall appear on the title sheet. Easements for storm drains, sewers, and other purposes shall be designated by broken lines. Distances and bearings on the side lines of the lots which are cut by an easement shall be so shown as to indicate clearly the actual lengths of the lot lines. The width of the easement and the lengths and the bearings of the lines thereof and sufficient ties to locate the easement definitely with respect to the subdivision shall be shown. The easement shall be clearly labeled and identified and if already of record, proper reference to the records given. Easements being dedicated shall be so indicated in the certificate of dedication.

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Section 5.08
Existing Monuments

The final map shall show clearly what stakes, monuments or other evidence were found on the ground to determine the boundaries of the tract. The corners of adjoining subdivisions or portions thereof shall be identified and ties shown.

Section 5.09
Established Lines

Whenever the County Road Commissioner has established the center line of a street or alley, those data shall be considered in making the surveys and in preparing the final map, and all monuments found shall be indicated and proper references made to field books or maps of public record, relating to the monuments. If the points were reset by ties, that fact shall be stated. The final map shall show city boundaries crossing or adjoining the subdivision clearly designated and tied in.

Section 5.10
Lot Numbers

The lots shall be numbered consecutively, commencing with the number 1, with no omissions or duplications, provided that where the subdivision is a continuation of or an addition to an existing subdivision, the lot number may commence with the number immediately following the last or highest number of such existing subdivision and in all other respects shall conform with the preceding requirements. Each lot shall be shown entirely on one sheet. Blocks may be used. They shall be numbered or lettered consecutively.

Section 5.11
Procedure

After receipt of the report of the County Planning Commission approving or conditionally approving the tentative map, the subdivider may submit to the Planning Commission the original final map and two blue line prints on paper, one for the County Surveyor's office and one for the County Planning Commission office. The final map shall be filed with the Planning Commission not less than five (5) days before the date of the County Planning Commission meeting at which it is to be presented for review. The County Planning
Commission shall transmit the map to the County Surveyor together with its report and recommendation not more than fifteen (15) days following its first regular meeting after receiving such map. The final map shall be completed in accordance with the "Subdivision Map Act" and this Ordinance, and shall be accompanied by:

A. Traverse sheets and work sheets showing the closure, within the allowable limits of error, of the exterior boundaries and of each irregular block and lot of the subdivision.

B. Plans and specifications of the proposed improvements together with the necessary bonds or guarantees as provided herein.

C. A copy of the protective covenants to be recorded.

D. A memorandum in duplicate showing:
   a. The total area of the subdivision.
   b. The total area in streets.
   c. The total area in lots.
   d. The area in parks, school sites or other lands offered for dedication or reserves for future public or quasi public use.

The fee for examining a final map shall be ten dollars, ($10.00) provided however that where a large amount of checking is required and/or field surveys are necessary to check the accuracy of the data shown on the final map, an additional fee estimated by the County Surveyor as being sufficient to cover the actual cost in excess of required ten dollar ($10.00) fee shall be deposited with the County Surveyor. Provided further, that any balance of said additional deposit shall be returned to the subdivider, or in case the fee is not sufficient, the subdivider shall pay the difference between the estimated and actual cost of examination.

After issuance of a receipt for the final map, the County Surveyor shall examine it as to sufficiency of affidavits and acknowledgements, correctness of surveying data, mathematical data and computations and such other matters as require checking to insure compliance with the provisions of the "Subdivision Map Act" and of this Ordinance.

If the final map is found to be in correct form and the matters shown thereon sufficient, the County Surveyor shall endorse his approval thereon and transmit it to the County Board of Supervisors, together with plans and specifications of proposed improvements and such other matters as are required including the recommendations of the Planning Commission or return the final map to
the subdivider together with a statement setting forth the grounds for its return.

Section 5.12
Dedication

All streets, highways, and parcels of land shown on the final map and intended for any public use shall be offered for dedication for public use.

Section 5.13
Improvements

The subdivider shall improve or agree to improve all land dedicated for streets, highways, public ways and easements as a condition precedent to acceptance thereof and approval of the final map. Such improvements shall include such grading, surfacing, sidewalks, curbs, gutters, culverts, bridges, storm drains, sanitary sewers, permanent subdivision monuments or such other structures, or improvements as set forth therein, or as recommended by the County Planning Commission and/or deemed by the Board of Supervisors to be necessary for the general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs. All improvements shall be installed to grades approved by the County Road Commissioner. Plans, profiles, and specifications of proposed improvements shall be furnished to the Planning Commission prior to the time of submitting the final map to said Commission and be approved by the County Surveyor before the map shall be filed with the Board of Supervisors. These plans and profiles shall show full details of the proposed improvements which shall be according to the standards established by the County of Mariposa.

If such improvement work be not completed satisfactorily before the final map is approved, the owner or owners of the subdivision shall, immediately upon approval of the final map, enter as contractor into an agreement with the Board of Supervisors whereby, in consideration of the acceptance by the Board of Supervisors of the streets and easements offered for dedication, the contractor agrees to furnish the equipment and material necessary and to complete the work within the time specified in the agreement. To assure the County that this work will be completed and lien holders paid,
a bond shall be furnished guaranteeing faithful performance and guaranteeing payment for labor and materials. The amount of such bond shall be determined by the County Road Commissioner.

Section 5.14
Improvements Required

The minimum improvements which the subdivider will be required to make, or enter into an agreement to make, in the subdivision prior to the acceptance and approval of the final map by the Board of Supervisors shall be:
A. Adequate drainage for the subdivision streets, highways and alleys.
B. Adequate grading and surfacing of streets, highways and alleys.
C. Curbs, gutters, and sidewalks where required.

All such improvements shall conform to the dimensions and material specifications established by the County Road Commissioner and the Board of Supervisors.

Section 5.15
Additional Requirements

Whenever domestic water and/or sewage disposal hookup to public utility distribution lines is anticipated and these lines have to be installed in the road right-of-way, the subdivider shall furnish to the County Road Department a letter from the Public Utility Agency which states that satisfactory installation and hookup of domestic water and/or sewage disposal lines have been completed. This is to be accomplished before preparation of road base is started.

PART 6

Section 7.00
Validity

If any section, sub-section, paragraph, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Supervisors of the County of Mariposa, State of California, hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared invalid or unconstitutional.

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PART 7

Section 7.00
Repeals

All Ordinances of the County of Mariposa inconsistent herewith to the extent of such inconsistency, and no further, are hereby repealed.

The repeal of any of the above mentioned Ordinances does not revive any other Ordinances or portion thereof repealed by said Ordinance.

Such repeals shall not affect or prevent the prosecution or punishment of any person for the violation of any Ordinance repealed hereby for an offense committed prior to the repeal.

PART 8

Section 8.00
Violations

Any person violating any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than Five Hundred Dollars ($500.00), or by imprisonment for a period not to exceed six (6) months, or by both said fine and imprisonment.

PART 9

Section 9.00
Adoption

This Ordinance shall take effect and be in full force at the expiration of thirty (30) days from date of adoption, and within fifteen days of said adoption shall have been published in the Mariposa Gazette, a newspaper of general circulation printed and published in the County of Mariposa, State of California.

PASSED AND ADOPTED this 26th day of October, 1959, by the following vote:

AYES: Supervisors McGregor, Ellis, McCoy, Miller, Conrad

NOES: None

ABSENT: None

ATTEST: [Signature]

Chairman of the Board of Supervisors

County Clerk and Clerk of the Board

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