



MARIPOSA COUNTY

Planning · 209-966-5151



ORDINANCE 2016-1117

MEETING: June 14, 2016
TO: The Board of Supervisors
FROM: Sarah Williams, Planning Director
RE: Zoning Amendment No. 2015-113 - Ordinance

RECOMMENDED ACTION AND JUSTIFICATION:

PUBLIC HEARING: Waive the Second Reading and Adopt an Ordinance Amending the Mariposa County Zoning Map for a 7.6 Acre Area Added to Assessor's Parcel Number (APN) 012-120-043 (Via a Previous Lot Line Adjustment) from the Mountain General Zone to the Public Sites Zone Pursuant to Zoning Amendment No. 2015-113; County of Mariposa, Project Proponent (as recommended by the Planning Commission)

The project will:

1. Change a 7.6 acre area from the Mountain General zone to the Public Sites zone for lands that were added to the Mariposa County landfill property through previously approved Lot Line Adjustment 2014-017.
2. Result in zoning conformance of the groundwater monitoring uses on the 7.6 acre area for the solid waste collection facility use.
3. Result in the appropriate zone (Public Sites) to reflect the public ownership.

Please see the memorandum attached to MT packet No. 5868 and the attachments for more information.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

May 24, 2016, the ordinance was introduced.

July 15, 2014, Board of Supervisors Resolution 2014-354 approved the purchase of the land which is the subject of this zoning amendment application.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Approve with modifications.

A negative action would result in non-conforming zoning designation and use.

ATTACHMENTS:
ZA 2015-113 Ordinance Draft (DOC)

CAO RECOMMENDATION
Requested Action Recommended



Mary Hodson, CAO 5/18/2016

RESULT: ADOPTED [UNANIMOUS]
MOVER: Rosemarie Smallcombe, District I Supervisor
SECONDER: Kevin Cann, District IV Supervisor
AYES: Rosemarie Smallcombe, Marshall Long, Kevin Cann, John Carrier
EXCUSED: Merlin Jones

(Not to be codified)

**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS**

MARIPOSA COUNTY ORDINANCE NO. 1117

AN ORDINANCE AMENDING THE ZONING MAP OF MARIPOSA COUNTY

WHEREAS, an application for a Zoning Amendment was received on the 28th day of August, 2015 from the Mariposa County Public Works Department for a property located at 5593 Highway 49 North in Mariposa, also known as Assessor Parcel Number 012-120-043; and

WHEREAS, this amendment is known as Zoning Amendment (ZA) No. 2015-113. The application proposed to rezone a 7.6 acre area added to APN 012-120-043 via a previous lot line adjustment from the Mountain General zone to the Public Sites Zone; and

WHEREAS, the Planning Commission held a duly noticed public hearing on Zoning Amendment No. 2015-113 on the 18th day of March, 2016 in accordance with State law and County Code; and

WHEREAS, the Board of Supervisors held a duly noticed public hearing on Zoning Amendment No. 2015-113 on the 24th day of May, 2016 in accordance with State law and County Code; and

WHEREAS, environmental review has been conducted on Zoning Amendment No. 2015-113 in accordance with the California Environmental Quality Act and a Notice of Exemption has been prepared for the project.

WHEREAS, the Board of Supervisors of the County of Mariposa wishes to amend the zoning map of Mariposa County pursuant to Zoning Amendment No. 2015-113.

NOW, THEREFORE, the Board of Supervisors of the County of Mariposa ordains as follows:

Section I: Amend the zoning designation of property legally described in the Grant Deed recorded as Document No. 20150741, Mariposa County Records, and shown on the map in Exhibit 1, from the Mountain General zone to the Public Sites zone.

Section II: If any provision of this ordinance is held to be unconstitutional, preempted by federal law, or otherwise invalid by any court of competent jurisdiction, the remaining provisions of the ordinance shall not be invalidated.

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

PASSED AND ADOPTED on this 14TH day of June, 2016, by the following vote:


AYES: SMALLCOMBE, LONG, CANN, CARRIER

NOES: NONE

ABSTAINED: NONE

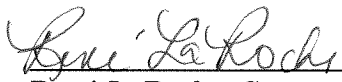
EXCUSED: JONES

NOT VOTING: NONE




John Carrier, Chairman
Mariposa County Board of Supervisors

Attest:



René LaRoche, Secretary to the
Board of Supervisors

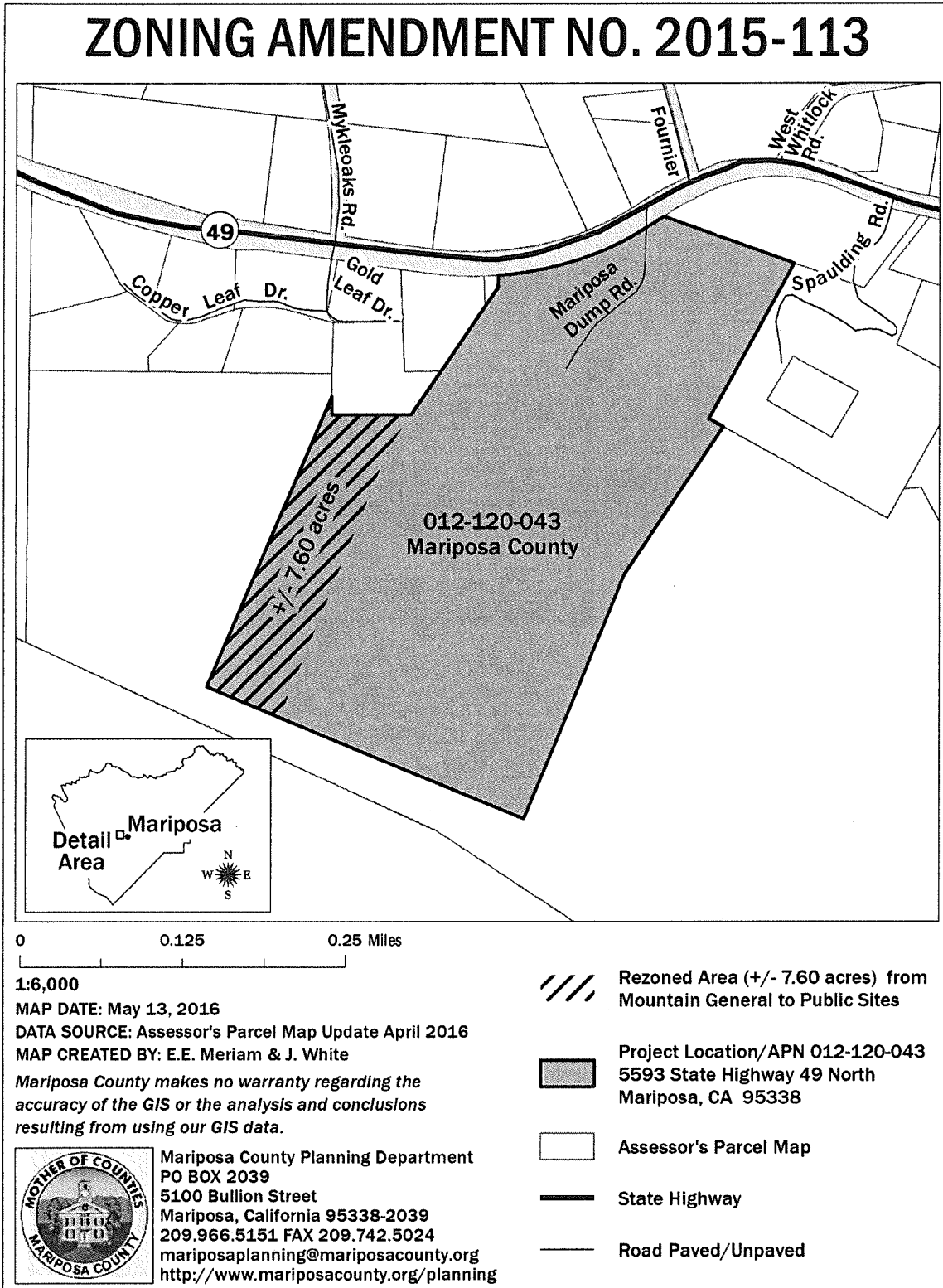
Approved as to Form:



Steven W. Dahlem
County Counsel

Exhibit 1

ZONING AMENDMENT NO. 2015-113



0 0.125 0.25 Miles

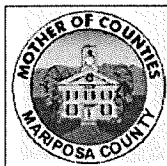
1:6,000

MAP DATE: May 13, 2016


DATA SOURCE: Assessor's Parcel Map Update April 2016


MAP CREATED BY: E.E. Meriam & J. White


Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data.



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 Rezoned Area (+/- 7.60 acres) from Mountain General to Public Sites

 Project Location/APN 012-120-043
5593 State Highway 49 North
Mariposa, CA 95338

 Assessor's Parcel Map

 State Highway

 Road Paved/Unpaved