

DEPARTMENT: Planning

By: Jay Pawlek, Senior Planner

Phone: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes ___ No XXX)

SECOND READING

- Waive the second reading and adopt an Ordinance (Attachment #1) amending the Mariposa County Code and Mariposa County Zoning Map

The ordinance map reflects the legally defined zoning boundary.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

Resolution adopted and first reading conducted on February 8, 2000.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Negative Action would result in termination of the amendment and no change to the Mariposa County Code or General Plan. Development of mini-storage units within the Greeley Hill TPA would remain prohibited.

COSTS: () Not Applicable

A. Budgeted current FY \$ _____

B. Total anticipated Costs \$ _____

C. Required additional funding \$ _____

D. Internal transfers \$ _____

COSTS: () 4/5th Vote Required

A. Unanticipated revenues \$ _____

B. Reserve for contingencies \$ _____

C. Source description: _____

Balance in Reserve Contingencies, If Approved:
\$ _____

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Attachment #1 Draft Board Ordinance

CLERK'S USE ONLY

Res. No.: _____ Ord. No.: 945

Vote - Ayes: 5 Noes: 3

Absent: _____ Abstained: _____

Approved Denied

Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date: _____

ATTEST: _____
MARGIE WILLIAMS, Clerk of the Board

By: _____
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

_____ Recommended

_____ Not Recommended

_____ For Policy Determination

_____ Submitted for Comment

_____ Returned for Further Action

Comment: _____

A.O. Initials: Ju

MARIPOSA COUNTY BOARD OF SUPERVISORS
ORDINANCE NO. 945

**A ORDINANCE AMENDING THE MARIPOSA COUNTY ZONING ORDINANCE AND
ZONING MAP**

WHEREAS, the Board of Supervisors initiated an amendment to the Mariposa County General Plan and Zoning Ordinance including an amendment to the Land Use and Zoning Maps; and

WHEREAS, this amendment adds the Business District Overlay designation as Chapter 17.82 of County Code; and

WHEREAS, this amendment adds a definition of Self-service storage facility to Chapter 17.148 of County Code; and

WHEREAS, this amendment designates an area in the Greeley Hill Town Planning Area of approximately 30 acres in size as Business District Overlay; and

WHEREAS, the area designated Business District Overlay includes APN's 004-200-014, 015, 016, 017, 018, 020, 021, 022, 023, 026, 027, and 029, APN's 004-150-014, 016, 017, and 018, APN's 004-160-010, 013, and 014, a portion of APN 004-180-012 and APN 004-580-018; and

WHEREAS, the Planning Commission has conducted a duly noticed public hearing on the project in accordance with State Law and County Code, and recommends approval of the project to the Board of Supervisors; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the matter in accordance with State Law and County Code.

NOW THEREFORE BE IT ORDAINED, the Board of Supervisors hereby modifies the Mariposa County Zoning Ordinance as shown in Exhibit A of this ordinance.

BE IT FURTHER ORDAINED, the Board of Supervisors hereby modifies the Mariposa County Zoning Map as shown in Exhibit B of this ordinance.

BE IT FINALLY ORDAINED, this action is based on the findings mandated by Section 17.128.050.C of Mariposa County Code as stated and discussed in Exhibit C.

PASSED AND ADOPTED on this 14th day of March, 2000 by the following vote:


AYES: Reilly, Balmain, Stewart, Parker, Pickard

NOES: None

ABSTAINED: None

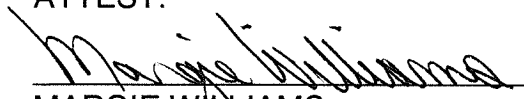
EXCUSED: None

NOT VOTING: None



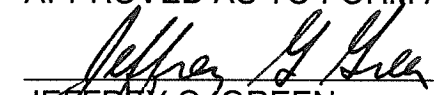
Garry R. Parker, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS,
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY G. GREEN,
County Counsel

ORDINANCE EXHIBIT A
ZONING ORDINANCE AMENDMENTS

Zoning Ordinance

Add the following Chapter:

Chapter 17.82

Business District Overlay (BDO)

Sections:

- 17.82.010 Purpose and intent.
- 17.82.020 Development standards for BDO.
- 17.82.030 Minimum setback standards.

17.82.010 Purpose and intent.

The Business District Overlay (BDO), hereinafter referred to as BDO, is an overlay district which is intended to be combined with the Town Planning Area (TPA) district to provide a location for a commercial core within Town Planning Areas. Development standards are established to ensure that structures and site development are compatible with surrounding properties and areas.

17.82.020 Development standards for BDO.

Development standards for the BDO shall be as follows:

- A. **Uses:**
 - All uses shall be as established by the principal zone. In addition the following use will be considered subject to the use permit determination process contained in Chapter 17.116.
 1. Indoor self-service storage facilities.
- B. **Minimum parcel or lot size:** As established by the principal zone.
- C. **Density:** As established by the principal zone.
- D. **Signs:** As established by the principal zone.
- E. **Lighting:** As established by the principal zone.
- F. **Self-service Storage Facility development standards.**
 1. **Landscaping:** The purpose of the required landscaping is to break up views of storage buildings from adjoining properties and roadways. Landscaping shall be provided around the perimeter of all Self-service storage facilities. Along property lines abutting residentially zoned property a minimum of 1

tree and 2 shrubs shall be provided for every 30 lineal feet of property line. Along all property lines abutting a roadway a minimum of 1 tree and 2 shrubs shall be provided for every 30 lineal feet of frontage. Trees and shrubs may be grouped to avoid access driveways and for aesthetic purposes. For property lines abutting commercially or industrially zoned properties a minimum of 1 tree and 2 shrubs shall be provided for every 50 lineal feet of property line. All trees used in perimeter landscaping shall be a minimum of 15 gallons in size. All shrubs used in perimeter landscaping shall be a minimum of 5 gallons in size. All landscaped areas shall be provided with permanent irrigation systems. Utilization of indigenous and/or water conserving plants shall be encouraged. Existing vegetation, which is maintained by the project, may be considered to meet the landscaping requirements established by this section.

2. **Hours of Operation:** Hours of operation of Self-service storage facilities shall be limited to 6 a.m. to 10 p.m.

3. **Driveway surfacing:** All two-way driveways shall be a minimum of 26 feet wide. All one-way driveways shall be a minimum of 14 feet wide. All driveways and parking areas for Self-service storage facilities which contain 25 or less units shall be surfaced with a minimum of 2 inches of crushed rock. All driveways and parking areas for Self-service storage facilities which contain 26 or more units shall be surfaced with A.C. paving, concrete, or similar material.

4. **Parking:** 3 customer spaces plus one space per employee on maximum shift shall be provided. Parking spaces shall be a minimum of 9 feet by 19 feet in size and shall be provided with adequate area for backing and maneuvering.

5. **Building Design:** Self-service storage buildings shall be constructed of non-reflective materials which are of an earth tone color. Individual buildings shall not exceed one hundred (100) feet in length. Buildings shall not contain in excess of 1 story.

17.82.030 Minimum setback standards.

The setback standards shall be as established by the principal zone.

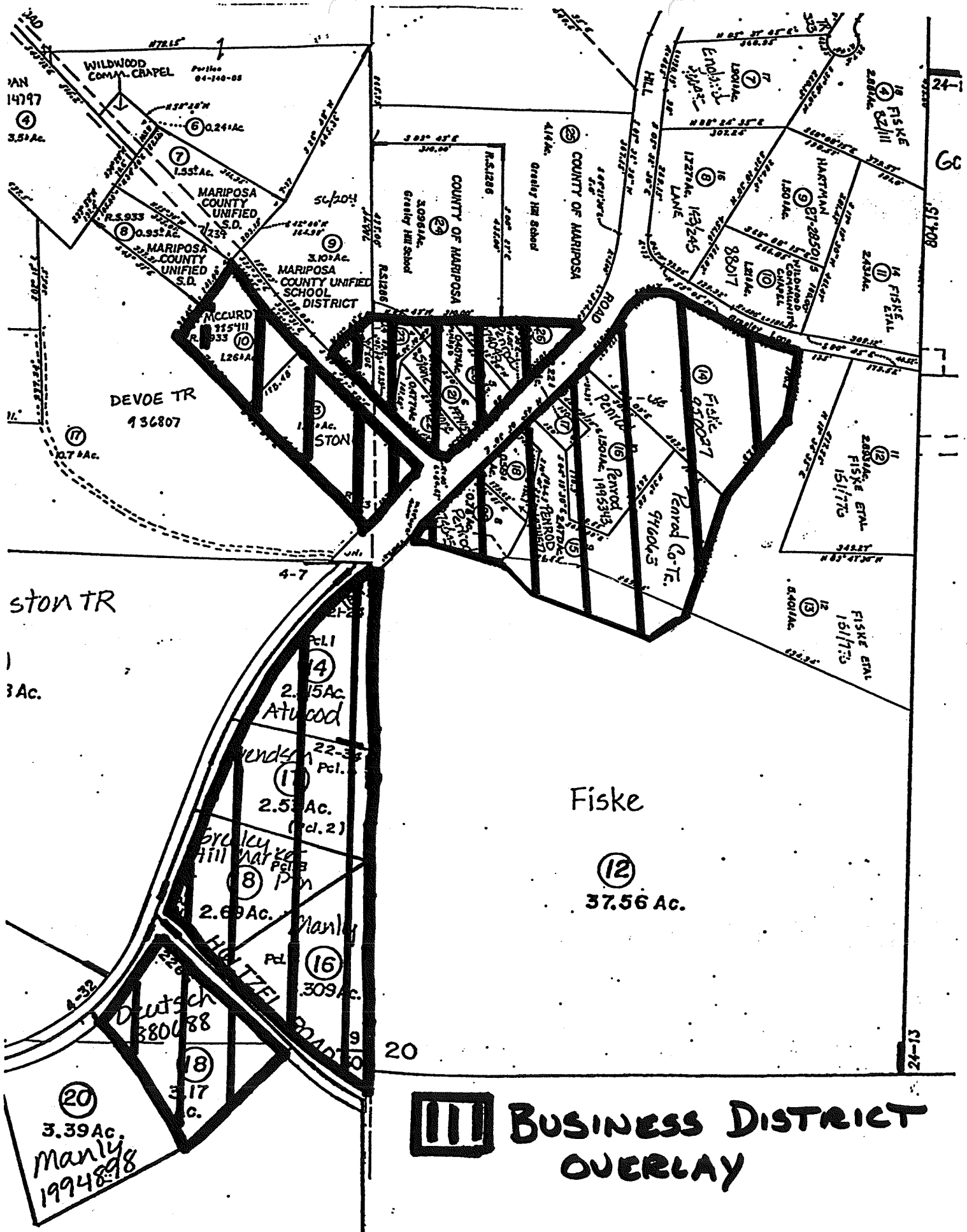
Chapter 17.148, DEFINITIONS

Add the following definition:

Self-service storage facility:

A building or group of buildings consisting of individual, small, self-contained units that are leased for the storage of business and/or household goods.

ORDINANCE EXHIBIT B
ZONING MAP AMENDMENTS



MAN
14797
3.51 Ac.
④

DEVOE TR
136807
⑦
1.07 Ac.

STON TR
1
3 Ac.
③

⑳
3.39 Ac.
Manly
19948-98

⑦
1.55 Ac.
MARIPOSA
COUNTY
UNIFIED
S.D.

⑧
0.952 Ac.
MARIPOSA
COUNTY
UNIFIED
S.D.

⑩
L261A
MCCURDY
115411
R. 933

④
2.15 Ac.
Atwood
Pel. 1

⑦
22-33
Pel.
Wendson

⑧
2.52 Ac.
(Pd. 2)
Pel. 2

⑧
2.69 Ac.
Pel. 3
Broley Hill

⑩
309 Ac.
Manly
Pel.

⑩
309 Ac.
Manly
Pel.

⑩
309 Ac.
Manly
Pel.

⑩
309 Ac.
Manly
Pel.

⑩
309 Ac.
Manly
Pel.


⑩
309 Ac.
Manly
Pel.

COUNTY OF MARIPOSA
30961 Ac.
Greely Hill School
R.S. 12886
418 Ac.
Greely Hill School

COUNTY OF MARIPOSA
418 Ac.
Greely Hill School

⑮
1995313
Penrod
91606-5

Fiske
⑫
37.56 Ac.

 BUSINESS DISTRICT
OVERLAY

ORDINANCE EXHIBIT C

ORDINANCE FINDINGS

1. *“That such an amendment is in the general public interest, and will not have a significant adverse affect on the general public health, safety, peace, and welfare”*

The project will provide a location for the development of self-service storage facilities (mini-storage) within the Greeley Hill Town Planning Area. The location of commercial activities within the Greeley Hill Town Planning Area is consistent with the Goals of the Mariposa County General Plan.

The scope and scale of the development allowed by the ordinance is consistent with the existing allowable development in the area. The development standards included within the Ordinance will insure on-site development is consistent and compatible with existing development within the area.

2. *“That such an amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for county development and a short term basis for day-to-day decision making”*

The project addresses a shortcoming of the General Plan and Zoning Ordinance which prohibits development of mini-storage within Town Planning Areas. Development of commercial uses within town areas is a goal of the General Plan which is hindered by the prohibition on development of mini-storage. This shortcoming has had the practical effect of forcing mini-storage development outside of Town Planning Areas to operate as Rural Home Industries.

3. *“That such an amendment conforms to the requirements of state law and county policy”*

The amendment was processed in accordance with state law and County Code with regards to notice, hearing, and findings.

4. *“That such an amendment is consistent with other guiding policies, goals, policies, and standards of the Mariposa County General Plan”*

The project is consistent with the Town Planning Area designation of the Mariposa County General Plan. Additionally the project is consistent with Land Use Goals A, D, and I of the Mariposa County General Plan by providing a suitable location for the development of Commercial activities in a location which provides for protection of the natural environment.

5. *“The subject parcel is physically suitable (including, but not limited to access, provision or utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development”*

The area affected by the amendment is generally gently sloping in terrain and contains largely previously disturbed or developed areas. Few physical constraints to development have been identified and those that do will be addressed through the Use Permit Determination process. The boundaries of the amendment and development standards provide for buffering between the affected properties and adjoining land uses.

6. *“The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public”*

The project provides a location for the development of self-service storage facilities within the Greeley Hill area which is a service to the immediate residential population.