

1 MARIPOSA COUNTY RESOLUTION No. 82-147

2 APPROVING USE PERMIT NO. 165 WITH  
3 FINDINGS OF FACTS AND CONDITIONS OF APPROVAL

4 WHEREAS, Section 2.52.300 of the Mariposa County Code provides that  
5 the County may designate conditions of approval on use permits to secure the  
6 health, safety, peace, comfort and general welfare of persons residing in the  
7 area; and

8 WHEREAS, Use Permit No. 165 has been considered in accordance with  
9 the Mariposa County Code for Use Permits.

10 BE IT THEREFORE RESOLVED, that the Mariposa County Board of Supervisors  
11 does hereby approve said application with the following findings of fact/con-  
12 ditions of approval:

13 1. In accordance with Section 2.52.300 of the Mariposa County Code,  
14 the following findings are made:

- 15 A) The establishment and maintenance of the use applied for  
16 complies with the Specific Plan for the town of Mariposa,  
17 as adopted by the Board of Supervisors, with regard to  
18 traffic circulation, population density and distribution  
19 and other aspects of the General Plan considered by the  
20 Board of Supervisors to be pertinent.
- 21 B) Adequate utilities, access roads, drainage, and other neces-  
22 sary facilities have been or will be provided.
- 23 C) The proposed use will not under the circumstances of the  
24 particular case constitute a nuisance or be detrimental to  
25 the health, safety, peace, comfort, and general welfare of  
26 persons residing in the neighborhood.
- 27 D) The proposed use is not detrimental or injurious to property  
28 and improvements in the neighborhood and is appropriate to

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the location, the lot and the neighborhood.

2. In accordance with Section 3.403(c) of the Land Use Element the following findings are made:

- A) The proposed use or uses are determined to be compatible with the development policies of the land use designation in which it is located.
- B) The proposed use or uses are not a substantial detriment to adjoining land use classifications and existing uses in the area.
- C) The proposed use or uses will not create a nuisance, or will not be significantly detrimental to health, safety, peace, and comfort of present residents or future residents of the area.
- D) The proposed use or uses will not have more than a minimal detrimental effect on the property values in the area.
- E) The proposed use or uses are logical and desirable at the proposed site.
- F) The proposed use promotes and complements the goals, policies and standards of the Mariposa County General Plan and contributes to the orderly development of the area for which the use is proposed.

3. To ensure that Findings 1 and 2 are complied with, the following conditions are imposed:

- A) The use permit is approved for a three phase professional office complex which is to be developed in substantial conformance with the tentative site plan on file in the Mariposa County Planning Office.
- B) Each phase is to be developed with 5,000 square feet (+10%)

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of gross floor area.

- C) Each phase of the development shall provide parking at the ratio of one parking stall for each 200 square feet of floor area excluding storage. All parking areas shall be paved.
- D) The use permit shall apply to the entire 3.04 acres as shown on the tentative site plan.
- E) Prior to construction of Phase 3, a site plan shall be submitted to the Planning Commission for review and approval. Said site plan shall be in substantial conformance to the design of Phases 1 and 2.
- F) The individual phases of the project shall be completed with the following time frames:
  - Phase 1 - Three years from the date of approval.
  - Phase 2 - Four years from the date of approval.
  - Phase 3 - Five years from the date of approval.Nothing shall preclude the applicant or owner from requesting extensions of time for the time frames identified above.
- G) Sewage disposal shall take place in accordance with the requirements of the County Sanitarian. A septic disposal system, for Phase 1 and 2, shall be deemed acceptable, assuming it meets the Sanitarian's requirements, until such time as the subject property is serviced by sewers.
- H) Enforceable deed restrictions shall be placed on the entire parcel which would preclude its use for residential purposes.
- I) Prior to any earthwork, a grading plan shall be prepared which includes appropriate erosion control measures as may be required by the Soil Conservation Service.
- J) During all earthwork on site, the soil surface shall be adequately watered to reduce dust.

- 1 K) To reduce potential nighttime noise disturbance, the hours  
2 of operation for any office, to receive patients, clients or  
3 cutomers, shall be no earlier than 8 a.m. and no later than  
4 7 p.m.
- 5 L) Exterior security lighting shall be installed and designed  
6 in such a fashion so as not to be a nuisance to adjacent  
7 residential properties. High level lights in the parking lot  
8 shall be on a timer so that they do not remain on beyond  
9 9 p.m. Low level security lighting in the parking lot, walk-  
10 ways, and around the buildings may remain on during the  
11 evening and nighttime hours.
- 12 M) A landscape screen or fence shall be established on the  
13 southeasterly boundary of the site where it is adjacent to  
14 the residential properties.
- 15 N) All offices shall be of single story construction, and are to  
16 be in substantial compliance with the elevations submitted  
17 as part of the application and on file in the Mariposa County  
18 Planning Office.
- 19 O) Prior to their installation, all signs shall be reviewed and  
20 approved by the Planning Commission.
- 21 P) Potable water is to be provided in accordance with the  
22 requirements of the County Sanitarian.
- 23 Q) All setback requirements of the Mariposa Specific Plan shall  
24 be maintained.
- 25 R) Two standard fire hydrants be installed on six inch mains  
26 and connected to the M.P.U.D. water supply. Hydrant location  
27 to be determined by the County Fire Warden.
- 28 S) Each building shall have an automatic sprinkler system

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installed with a fire department hookup, with the hookup location to be determined by the County Fire Warden.


T) Only fire resistive building materials and methods shall be used in construction, with particular emphasis placed on roofing and siding materials.

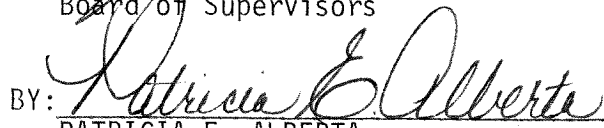
U) This use permit shall not become operative until the effective date of the zone change on the property as approved by County Ordinance 583.


PASSED AND ADOPTED THIS 13th day of July, 1982 by the Board of Supervisors of Mariposa County by the following vote:

- AYES: Supv. Barrick, Dalton, Erickson, Moffitt
- NOES: Supv. Taber
- ABSENT: None
- ABSTAINED: None

  
WILLIAM H. MOFFITT, Chairman  
Board of Supervisors

ATTEST:  
  
ELLEN BRONSON, County Clerk and  
Ex Officio Clerk of the Board

BY:   
PATRICIA E. ALBERTA  
Clerk of the Board

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:  
  
RICHARD K. DENHALTER, County Counsel