

# MARIPOSA COUNTY

Board of Supervisors



## Ordinance 2023-1188

MEETING: December 19, 2023  
TO: The Board of Supervisors  
FROM: Steve Engfer, Planning Director  
RE: Waive the Second Reading and Adopt an Ordinance Titled "Add Chapter 17.106 Yosemite West Mixed-Use Zone" Pursuant to General Plan/Zoning Amendment Application No. 2020-096

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### RECOMMENDATION AND JUSTIFICATION

Waive the Second Reading and Adopt an Ordinance Titled "Add Chapter 17.106 Yosemite West Mixed-Use Zone" Pursuant to General Plan/Zoning Amendment Application No. 2020-096

This ordinance is required in order to codify a new chapter of the Mariposa County Zoning Ordinance Title 17.106 Yosemite West Mixed-Use Zone, pursuant to General Plan Zoning Amendment 2020-096 and it's related Site Plan Review Application No. 2023- 064 for the Yosemite Scenic Wonders project in Yosemite West, Assessor Parcel Number (APN) 006-150-003. Applicant Kenneth G. & Janet M. LeBlanc (Owner- K & L Water and Land LLC). The Board Adopted Resolution No. 2023-630 On November 21, 2023 approving the project and introduced this ordinance and waived the first reading on November 21, 2023.

An additional comment was received. Please see the attached memorandum.

### BACKGROUND AND HISTORY OF BOARD ACTIONS

The Board Adopted Resolution No. 2023-630 On November 21, 2023, introduced and waived the first reading of this ordinance on November 21, 2023.

### ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION

Second Reading: The Board may not change the ordinance text without returning to a new first reading. If the Board elects not to adopt the ordinance, the change will not be accomplished.

### FINANCIAL IMPACT

None. Applicant pays for project application costs.

### ATTACHMENTS

1. Draft Ordinance
2. Draft Summary Ordinance
3. BOS Memorandum Additional Comment

### VOTE RESULT

**RESULT:** Adopted (UNANIMOUS)  
**MOVER:** District I Supervisor Rosemarie Smallcombe  
**SECONDER:** District IV Supervisor Wayne Forsythe  
**AYES:** District V Supervisor Menetrey, District I Supervisor Smallcombe, District III Supervisor Toso, District IV Supervisor Forsythe, District II Supervisor Poe

**COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS**

**MARIPOSA COUNTY ORDINANCE NO. 1188**

**AN ORDINANCE ADDING CHAPTER 17.106 YOSEMITE WEST MIXED-USE  
ZONE**

**WHEREAS**, an application for a revised General Plan/Zoning Amendment application was received on the 29th day of August 2022 from Kenneth G. and Janet M. LeBlanc to reclassify and rezone a 6.22-acre parcel located at 7548 Henness Circle (APN 006-150-003), Yosemite CA 95389 within the Yosemite West Special Plan Area; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on General Plan/Zoning Amendment Application No. 2020-096 on the 15<sup>th</sup> day of September, 2023 which was continued to date-certain 6<sup>th</sup> day of October, 2023 in accordance with State law and County Code; and

**WHEREAS**, the Board of Supervisors held a duly noticed public hearing on General Plan/Zoning Amendment Application No. 2020-096 on the 21st day of, November 2023 in accordance with State law and County Code; and

**WHEREAS**, A Mitigated Negative Declaration was adopted in accordance with the California Environmental Quality Act (CEQA) and a Notice of Determination has been filed for the project.

**NOW THEREFORE BE IT ORDAINED**, the Board of Supervisors of the County of Mariposa, a political subdivision of the State of California, does hereby ordain as follows:

**Section I:** A New Chapter 17.106 Yosemite West Mixed-Use Zone is hereby added as follows:

Chapter 17.106

Yosemite West Mixed-Use Zone (YWMU)

Sections:

- 17.106.010 Purpose and Intent
- 17.106.020 Development standards for YWMU
- 17.106.030 Procedures for approval of a YWMU project

17.106.010 Purpose and Intent.

The Yosemite West Mixed Use Zone is designed to provide a land use for the location of facilities to enhance the provision of services to the vacation rental sector in the community of Yosemite West.

17.106.020 Development Standards for YWMU.

A. Uses:

- 1. Permitted uses:
  - a. Multi-family housing;
  - b. Laundromats not for public use;
  - c. Maintenance support facilities for servicing local home enterprises and vacation rentals;
  - d. Private office space;
  - e. Self-storage facilities for private use;
  - f. One (1) single family residence and one (1) secondary residence with appurtenant accessory structures, including, but not limited to, equipment sheds and detached garages;
  - g. Vacation rental and bed and breakfast facilities in accordance with all applicable standards of Mariposa County Code.
- 2. Conditional uses:
  - a. Bulk storage of gasoline, propane, or similar petroleum products for private use.
- 3. Prohibited uses:

All other uses not listed above are prohibited, except similar uses in compliance with section 17.108.120 and 17.108.030 of this title.

B. Structure height

No building or structure shall be erected, placed, or structurally altered to a height in excess of 35 vertical feet above natural uphill grade.

C. Structure setbacks from property lines and streets for all uses:

- a. Street and front yard: the front yard setback shall be a minimum of fifty-five (55) feet from the centerline of a local street and a minimum of twenty-five (25) feet from the nearest point on a front property line or edge of any right-of-way boundary of a local street;
- b. Side yard: the side yard setback shall be a minimum of fifteen (15) feet from a side property line;
- c. Rear yard: the rear yard setback shall be a minimum of twenty (20) feet from a rear property line.
- d. Uses permitted in setback areas:

1. Wells, traffic signs, signs, rural mail boxes, fences, gates, propane tanks, uncovered walkways, driveways, and underground utilities and appurtenant above-ground structures. (Any use placed in a front yard setback shall not interfere with vehicle sight distance along roadways.)
2. All other uses are prohibited in setback areas.

D. Building to building setbacks:

Building to building setbacks shall be a minimum of fifteen (15) feet.

E. Building intensity and density:

- a. Commercial structure development, such as laundromat facilities, shall not exceed a total of 5,000 sq. ft.
- b. Multi-family housing development shall not exceed a total of 4,000 sq. ft. per building.
- c. Total development on a parcel shall not exceed 25,000 sq. ft. of building space.
- d. Multi-family housing shall not exceed four dwelling units per acre.

F. Signage and lighting:

- a. Project signage, excluding address and traffic signs, shall be not exceed three separate signs on a parcel. Total signage shall not exceed 50 sq. ft. Neon signs shall be prohibited.
- b. Exterior lighting shall conform to International Dark Sky Standards.

G. Minimum parking space requirements:

- a. Studio or one-bedroom apartments – one and one-half (1.5) parking spaces per unit.
- b. Two (2) or more bedroom apartments or single family residential – two (2) parking spaces per unit.
- c. Laundry facilities not for public use – two (2) per facility.
- d. Minimum spaces for vacation rental and bed and breakfasts shall be as required by appropriate sections of County code.

H. Internal driveways and parking space surfacing:

Internal driveways serving multi-family and commercial uses shall be surfaced with concrete or asphalt paving.

I. Permitting and construction:

Septic/sewage systems shall be installed prior to the issuance of building permits for structures served by those systems.

J. Minimum parcel or lot size:

Minimum size of a parcel or lot shall be five (5) acres.

17.106.030 Procedures for approval of a YWMU project.

- a. Site plans for single family residential and appurtenant uses, such as private office space and self-storage facilities for private use, in the YWMU zone shall be prepared in accordance with the standards contained in Section 17.08.140 of this title. Site plans for additional permitted uses in


- the YWMU zone, excluding vacation rental and bed and breakfast uses, shall be prepared in accordance with Section 17.08.150 of this title.
- b. Site plans described in a. above are subject to the processing procedures contained in Section 17.08.160 of this title.
  - c. Application and approval of vacation rental and bed and breakfast uses are subject to the provisions of Section 17.108.180 of this title.
  - d. Conditional uses are subject to the provisions of the Conditional Use Permit process contained in Section 17.112 of this title.

**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.

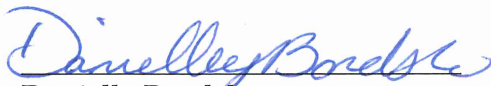
**Section III:** This ordinance shall become effective thirty (30) days after final passage pursuant to Government Code Section 25123.

**PASSED AND ADOPTED** on this 19<sup>th</sup> day of December 2023, by the following vote:


AYES: SMALLCOMBE, POE, TOSO, FORSYTHE, MENETREY  
NOES: NONE  
ABSTAINED: NONE  
EXCUSED: NONE

  
\_\_\_\_\_  
Miles Menetrey, Chair  
Mariposa County Board of Supervisors

Attest:

  
Danielle Bondshu,  
Clerk of the Board of Supervisors

Approved as to Form:

  
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Steven W. Dahlem  
County Counsel