

Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2010-005

A resolution conditionally approving Land Division Application No. 2008-185; Michael J. Richards, applicant. Modified Assessors Parcel Number 004-190-022 and 019

WHEREAS an application for land division was received on October 10, 2008 from Michael J. Richards for a property located at 10309 Park Circle Drive in Greeley Hill, near the intersection of Park Circle Drive and Greeley Hill Road, also known as modified Assessor Parcel Numbers 004-190-022 and -019; and

WHEREAS the project proposes the division of an approximately 16.32 acre parcel into four parcels: Parcel A of 2.81 acres, Parcel B of 3.85 acres, Parcel C of 4.40 acres and Parcel D of 5.26 acres; and

WHEREAS access to the project site is from Greeley Hill Road via Park Circle Drive; and

WHEREAS staff informed the applicant that Park Circle Drive did not meet the Road Improvement and Circulation Policy standards for residential roads (adequate capacity); and

WHEREAS as a result of several Lot Line Adjustments occurring on the subject parcels, new revised maps were submitted March 13, 2009 showing current parcel configuration; and

WHEREAS on May 4, 2009 the applicant proposed specific frontage and off-site improvements to Park Circle Drive to bring this section of the road to the paved Rural Class I standard and these improvements enable the county to find that the roads providing primary access to the project site have adequate capacity for existing traffic plus the traffic created by the project; and

WHEREAS the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS a duly noticed public hearing was scheduled for the 9th day of April 2010; and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act; and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Staff Report, the Initial Study, the project description, testimony presented by the public concerning the application, and the comments of the applicant.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby adopt a Mitigated Negative Declaration for the project.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Land Division Application No. 2008-185.

BE IT FINALLY RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1, and with the provisions and conditions set forth in Exhibit 2.

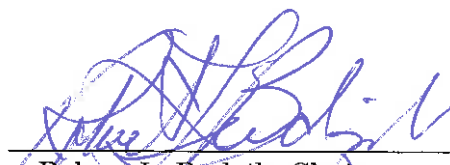
ON MOTION BY Commissioner Ross seconded by Commissioner Francisco, this resolution is duly passed and adopted this 9th day of April 2010 by the following vote:

AYES: Ross, Francisco, Tucker, Rudzik, Marsden

NOES: None

EXCUSED: None

ABSTAIN: None



Robert L. Rudzik, Chair
Mariposa County Planning Commission

Attest:



Judy Mueller, Secretary to the
Mariposa County Planning Commission

EXHIBIT 1
PROJECT FINDINGS
FOR
Land Division Application No. 2008-185

1. **FINDING:** The site is physically suitable for the type and density of development.

EVIDENCE: Based on site inspection and the proposed division of the existing parcel into four parcels of greater than two and a half (2.5) acres each, the site is physically suited for low-density homes and appurtenant improvements such as septic systems, which the soils reports and Health Department site visits have verified are feasible on-site. The proposed project is located within the Town Planning Area zone and the Interim Community Center land use of the Greeley Hill Community Planning Study Area. The subdivision density is designed in accordance with the Town Planning Area zone and Interim Community Center land use of the Greeley Hill Community Planning Study Area.

2. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

EVIDENCE: The Initial Study prepared for the project found that based on the approved project description and the proposed mitigation measures, it would have a less than significant effect on the environment. This project is fairly limited in its scope, and will result in four parcels being created, for a net gain of three parcels. There is access to the project site already, from Park Circle Drive, which connects to Greeley Hill Road. The land will be used primarily for residential purposes. There are no significant drainages on-site. Mitigation is incorporated into the project to protect existing protected sensitive biological species from project impacts, as well as sensitive habitats. The project is subject to the California Department of Fish and Game filing fees for a mitigated negative declaration as required by California Fish and Game Code §711.4(d)(4) and a County Clerk fee.

3. **FINDING:** The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

EVIDENCE: This land division and its subsequent and continued use for low-density residential purposes are not likely to cause serious health problems. Future residential uses will be required to comply with all Building Code regulations and Health Department standards for the proper installation of sewage disposal systems on the parcels to be developed. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site. The project includes improvements to bring a portion of Park Circle Drive up to "adequate capacity" standards from the proposed encroachment to Greeley Hill Road. All future residential uses will be required to comply with the State Fire Safe Standards as mandated by California Public Resource Code Sections 4290 and 4291, which will eliminate any potential health and safety issues related to fire protection.

4. **FINDING:** The proposed map is consistent with applicable general plan (Mariposa County General Plan, 2006) and specific plans as specified in Government Code Section 65451.

EVIDENCE: This project has been processed in accordance with the 2006 Mariposa County General Plan. The land division is the initial step in the process to help accomplish the General Plan's Housing Element overall goal to "...provide an adequate supply of sound, affordable housing units in a safe and satisfying environment for the present and future residents of the County..." The land division satisfies the following Housing Element Policy: "to ensure that there are adequate sites and facilities available to support future housing needs." There is no specific plan governing this property.

5. **FINDING:** The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.

EVIDENCE: This project has been processed in accordance with the 2006 Mariposa County General Plan. The minimum parcel size/density proposed by the project is consistent with standards contained in the 2006 General Plan (Interim Community Center land use within the Greeley Hill Community Planning Study Area) and the Zoning Ordinance (Town Planning Area zone). The land division's design complies with the County Subdivision Ordinance's maximum 4:1 length to width ratio for parcel configuration. The project site is not in an area governed by a Specific Plan. Based upon the applicant's proposal, the portion of Park Circle Drive

which serves the project will be improved to the appropriate classification (Chart A, Road Improvement and Circulation Policy) to serve the existing average daily traffic (ADT) plus the project ADT. Consequently, it is found that access to the project site has adequate capacity as required by the 2006 General Plan for a residential subdivision.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

EVIDENCE: The project will not conflict with any public easement. The project will cause no permanent conflict with public access rights. Affected utility companies have reviewed the proposed project, have not objected to the proposal and will be involved with review of future encroachment improvements. Necessary offers of dedication for the public roads which exist on this parcel are required for the project.

EXHIBIT 2
CONDITIONS OF APPROVAL
FOR
Land Division Application No. 2008-185

Project Name: Michael J. Richards

File Number: LDA No. 2008-185

Project Approval Date: April 9, 2010

The following conditions of approval were approved for this project in order to ensure compliance with county codes and policies. A completed and signed checklist indicates that the conditions have been complied with and implemented.

Sign-Off Checklist for List of Conditions of Approval and Mitigation Measures

	Monitoring Dept.	Verified Implemented
<p>Project Description</p> <p>Land Division Application No. 2008-185 proposes to divide an approximately 16.32 acre parcel into 4 parcels; Parcel A of 2.81 acres, Parcel B of 3.85 acres, Parcel C of 4.40 acres and Parcel D of 5.26 acres.</p> <p>The applicant proposes to make frontage improvements to Park Circle Drive to address the "adequate capacity" requirements for residential subdivisions of the Mariposa County General Plan. The applicant proposes to improve a portion of Park Circle Drive, between the intersection of Park Circle Drive and Greeley Hill Road and the most eastern, northeastern corner of Parcel B, to a paved Rural Class I road. The letter from the applicant proposing the improvements is attached.</p> <p>These frontage improvements will be done in accordance with standards established in the County Improvements Standards. An encroachment permit will be obtained for the work. All proposed improvements will be completed and "signed off" (approved) by the Public Works Department prior to filing of the parcel map.</p>		
CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT		
1. A variable width dedication of a minimum of 30 feet from the centerline of Park Circle Drive on-site shall be offered to the County		

<p>of Mariposa. The centerline to be considered shall be based on the full width of the easement shown in Record of Survey Map 1192, including that portion labeled "20' to be deeded by County." The offer of dedication shall be non-revocable and specifically state on the parcel map that the dedication is for "public road and public utility purposes." The location and width of the offer of dedication shall be approved by the County Engineer. The offer of dedication shall include all dedication required to encompass the existing slopes.</p> <p>(Section 16.12.150, County Subdivision Ordinance; Section II.A.3, Road Improvement and Circulation Policy).</p>	<p>Public Works</p>	
<p>2. The proposed on-site easement from Park Circle Drive to Parcel D shall be made 50 feet wide and non-exclusive. A turnaround easement with a radius of 60 feet shall be provided as proposed, to encompass the required turnaround improvements. The easement shall be designated for access for the use and benefit of the subject property. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. Provisions for a public utility easement along the access easement shall be made; the public utility easement shall be offered for dedication to the County of Mariposa and shall specifically state on the parcel map that the dedication is for public utility purposes only. Prior to map recordation, the location and width of the easements shall be approved by the County Engineer.</p> <p>(Section 16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Section II.A.3, Road Improvement and Circulation Policy)</p>	<p>Public Works</p>	
<p>3. The on-site easement from Park Circle Drive to Parcel D shall be improved to a Rural Class I SRA standard and shall meet this standard at the time of parcel map recordation. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer prior to the recordation of the parcel map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road</p>	<p>Public Works</p>	

<p>improvements.</p> <p>(Section 16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy)</p>		
<p>4. A cul-de-sac shall be constructed at the terminus of the required road improvements at the intersection of Parcels C and D as shown on the tentative parcel map. The cul-de-sac shall be improved to meet county standards and shall meet these standards at the time of parcel map recordation. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by the County Engineer prior to recordation of the parcel map. Calfire requirements for the cul-de-sac shall be met as well. At the time of recordation of the parcel map, the County Surveyor shall confirm that this condition has been met.</p> <p>(Section 11.4(B)(9) County Improvement Standards)</p>	<p>Public Works</p>	
<p>5. An encroachment permit shall be obtained from Public Works prior to any work being done on or adjacent to Park Circle Drive pursuant to the project description (frontage / encroachment improvements) described above. All encroachment improvements shall be completed as required by Public Works prior to the filing of the parcel map.</p> <p>The encroachment improvements shall be completed within the existing county right-of-way or the new on-site dedication. In addition, all grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Road Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvements plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.</p> <p>Chapter 11, County Improvement Standards / Project Description</p>	<p>Public Works</p>	

<p>6. Prior to the commencement of any encroachment improvements described in the project description, a consultation meeting with the Public Works Department, Cal Fire, the applicant, and the road contractor shall occur. This meeting shall be conducted on-site. This consultation meeting shall be set up by the applicant and/or agent. Any and all costs associated with the consultation shall be the responsibility of the applicant.</p> <p>Public Works shall verify that this condition has been met prior to construction of any encroachment or road improvements approved for this project and prior to the scheduling of any on-site inspection of the encroachment or road improvements.</p> <p>Public Works Recommendation</p>	<p>Public Works</p>	
<p>7. Immediately upon completion of the encroachment, frontage and road improvements, the applicant shall re-vegetate all exposed soils and install other erosion control as recommended by the Resource Conservation District (RCD). The applicant shall also contact the RCD for an inspection. Inspection fees shall be the responsibility of the applicant. A letter shall be submitted to the County Surveyor by RCD stating that the re-vegetation and erosion control provisions have been completed.</p> <p>§15.28.120, Mariposa County Buildings and Construction Code</p>	<p>Public Works</p>	
<p>8. All grading, frontage and road and encroachment improvement work approved for this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvement required as a conditional of approval for this project. If engineered improvement plans are required, the plan shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.</p> <p>A drainage plan will be required for the drainage crossed by the proposed access easement on the easterly portion of Parcel B.</p> <p>Mariposa County Improvement Standards</p>	<p>Public Works</p>	
<p>9. A road maintenance association shall be formed to provide for the maintenance of the on-site easement road. Maintenance shall include, but not be limited to, drainage and erosion control devices,</p>	<p>Public Works</p>	

<p>fuel modification, and upkeep of road surfaces. The Road Maintenance Association provisions shall be developed by the applicant so those parcels served by the easement road shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to recordation of the parcel map and shall:</p> <ol style="list-style-type: none"> a. Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, or other governmental entity. b. Provide for annual maintenance and the immediate correction of emergency and hazard situations. c. Include 100% of the parcels in the subdivision served by the access roads. d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties. e. Provide a mechanism for new parcels to be added to the association. <p>(Public Works Department Recommendation; Section II.I, Road Improvement and Circulation Policy)</p>		
<p>10. All required signs shall be installed on metal, break-away type posts. The design and placement of signs shall be approved by the County Engineer prior to installation.</p> <p>(Public Works Department Recommendation)</p>	<p>Public Works</p>	
<p>11. A stop sign shall be placed at the intersection of the on-site easement and Park Circle Drive. The stop sign shall be installed on metal breakaway type posts prior to map recordation. The design and placement of signs shall be approved by the County engineer prior to installation.</p> <p>(Public Works Recommendation)</p>	<p>Public Works</p>	
<p>12. A sign stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of Park Circe Drive and the on-</p>		

<p>site easement. The design and specifications of the sign shall be in accordance with the County Improvement Standards.</p> <p>(Section III.A.4, Road Improvement and Circulation Policy)</p>	<p>Public Works</p>	
<p>13. A road name sign for the on-site easement road shall be placed at the intersection of the easement road and Park Circle Drive. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards.</p> <p>(Section 16.12.175, County Subdivision Ordinance).</p>		
<p>14. A Verification of Taxes Paid Form, acquired no sooner than 30 days prior to the filing of the parcel map, shall be submitted to the County Surveyor.</p> <p>§16.12.395, Mariposa County Subdivision Code</p>	<p>Public Works</p>	
<p>CONDITIONS OF APPROVAL / MARIPOSA PLANNING</p>		
<p>15. Project approval is valid for a period of three years from April 9, 2010. This approval shall expire on April 9, 2013, unless a time extension is approved by the Planning Commission. An application for a time extension must be submitted by the applicant prior to the expiration date.</p> <p>§16.12.430, Mariposa County Subdivision Code</p>	<p>Mariposa Planning</p>	
<p>16. The on-site easement road from Park Circle Drive to Parcel D shall be named in accordance with the criteria of County Resolution No. 92-541. A Road Name Request application shall be submitted to the Planning Department and be approved by the Planning Director. The name of the road shall be shown on the parcel map.</p> <p>(County Resolution No. 92-541)</p>	<p>Mariposa Planning</p>	
<p>17. Prior to recordation of the final map, all fees associated with the County's processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee (\$2,010.25 as of January 1, 2010) and County Clerk fee (\$50 as of January 1, 2010) shall be paid by the applicant within five (5)</p>	<p>Mariposa Planning</p>	

<p>working days of the approval of the application (by Friday, April 16, 2010), because if the fee is not paid within 5 working days, and the Notice of Determination is not filed with the County Clerk prior to close of business on Friday, April 16, 2010 the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code).</p> <p>The County Clerk requires that one check be submitted to cover both of these fees, for a total of \$2,060.25 (effective January 1, 2009), and that it be in the form of a cashiers check or money order payable to "Mariposa County;" The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning who will file this fee and other required documents with the County Clerk.</p> <p>These fees WILL INCREASE effective January 1st, 2011.</p> <p>(§16.12.390, Mariposa County Subdivision Code; (California Department of Fish and Game Requirement)</p>		
<p>18. Subdivision Map Act Section 66434.2 applies to the filing of the parcel map for this project.</p> <p>Planning Department Recommendation</p>	<p>Mariposa Planning</p>	
<p>19. The Property Owner (Owner) shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner's project is subject to that other governmental entity's approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in</p>	<p>Mariposa Planning</p>	

<p>the defense of the action.</p> <p>An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-compliance with this condition may result in revocation of project approval by the county.</p> <p>§16.36.030, Mariposa County Subdivision Ordinance</p>		
<p>20. Parcel A, B, C, and D shall have a minimum parcel size of 2.5 acres, exclusive of easement. At the time of recordation the applicant shall provide evidence and the County Surveyor shall verify that the minimum parcel size has been complied with. If this condition cannot be met, parcels shall be merged so that all parcels are at least 2.5 acres, exclusive of easement. Any conditions containing reference to Parcels A, B, C, and D shall be modified accordingly, and under the direction of the Planning Department (where there is a determination by the Planning Director that there is no substantial change to the project or impacts).</p> <p>Section 17.12.C.1, Mariposa County Zoning Ordinance, Title 17, Planning Department Recommendation</p>	<p>Mariposa Planning</p>	
<p>21. An open space setback for the ephemeral drainages on Parcels B, C, and D shall be established and shown on the Parcel Map as shown on Figure 5 of the "Richards Project Biological Assessment" prepared by ESR, Inc. and dated September 11, 2008. The width of the setback area shall be 25 feet from the banks of the ephemeral drainage to protect the riparian corridor, native plants, species habitat, oak woodlands, and to prevent soil erosion. The setback shall exclude the proposed road crossings as shown in Figure 5 of the "Richards Project Biological Assessment" prepared by ESR, Inc. and dated September 11, 2008. A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map as follows:</p> <p>"No structure shall be constructed within the open space setbacks as shown on the Parcel Map for ___, filed in Book ___ of Parcel Maps at Page ___, Mariposa County Records. No portions of a sewage disposal system shall be constructed within the open space setback. A well or wells, water pipes, underground and above ground power lines, fencing, and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director in consultation with a qualified biological</p>	<p>Mariposa Planning</p>	

<p>consultant, whose services shall be paid for the property owner. No grading shall be allowed within the setback, except as needed to implement the uses described in the following paragraphs.</p> <p>Residential driveway construction encroaching into the setback area of or crossing the ephemeral drainage on these parcels, including expansion of any existing crossings, may be subject to a Stream Alteration Agreement (SAA) with the Department of Fish and Game. Should it be determined that a SAA is required, the Agreement may involve site specific biological study of the proposed disturbed area including wetland delineation. Owners of these affected parcels are encouraged to contact the Department of Fish and Game to determine if an SAA is needed prior to any residential driveway construction within this setback area.</p> <p>This setback shall be in perpetuity and shall restrict the use of the land within the setback.”</p> <p>(Mitigation Measure)</p>		
<p>22. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project, the applicant shall contact the California Department of Fish and Game (CDFG) and file a Stream Alteration Notice to determine if a Section 1603 Stream Alteration Agreement is required. If required, the applicant shall obtain the agreement prior to the commencement of construction activities. A copy of the approved Agreement or evidence that an Agreement is not required shall be submitted to the Public Works Department prior to the onsite consultation meeting required by Condition of Approval No .6 [number to be inserted based upon any final approval]. If an Agreement is required, all provisions and requirements of the permit shall be completed prior to the filing of the parcel map. The applicant shall submit to the Public Works Department evidence that all permit requirements have been met to the satisfaction of the Department of Fish and Game.</p> <p>(Mitigation Measure)</p>	<p>Mariposa Planning</p>	
<p>23. Any tree removal that is necessary to implement the project as described in the project’s conditions of approval shall occur between September 15 and January 31, the time-frame which is outside of the general avian nesting season. Should such tree removal occur between February 1 and September 15 a pre-construction survey</p>	<p>Mariposa Planning</p>	

<p>conducted by a qualified biologist/botanist shall be required to determine if such removal violates the provisions of Fish and Game Code sections 3503, 3503.5 and 3513. The survey shall be conducted no more than 30 days prior to tree removal. If these code sections will be violated by tree removal between February 1 and September 15, mitigation measures established through consultation with applicable regulatory agencies shall be implemented to reduce impacts of this tree removal to less than significant levels. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to such tree removal on the site.</p> <p>(Mitigation Measure)</p>		
<p>24. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement project conditions of approval, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and American Indian Council of Mariposa County shall be notified should human remains be discovered. Representatives of the American Indian Council of Mariposa County shall be requested to be on-site during disturbance and/or removal of human remains.</p> <p>(Mitigation Measure)</p>	<p>Mariposa Planning</p>	
<p>25. Prior to the recordation of the parcel map, the Certificates of Compliance required to complete Lot Line Adjustment No. 2009-026, which was approved November 23, 2009 shall be recorded.</p>	<p>MARIPOSA PLANNING</p>	

CONDITIONS OF APPROVAL/ MARIPOSA COUNTY HEALTH DEPARTMENT

<p>26. A statement shall be filed in Official Records concurrently with the Parcel Map and referenced on the Parcel map as follows:</p> <p>"Percolation tests and soils analysis tests show that conventional on-site sewage disposal systems can be constructed on lot(s) _____, as shown on the Map for _____, filed in Book __ at Page __, Mariposa County Records, A map showing the approved location and a report including percolation test and soil profile analysis results is on file at the Mariposa County Health Department. If an on-site sewage disposal system is proposed for an area other than the approved sewage reserve area additional soils tests will be required. Any new site must meet the minimum criteria for new lot creation based on Health Department Policy 03-01. The State of California is in the process of developing Statewide on-site sewage disposal regulations that could affect the future installation of design on-site sewage disposal systems; therefore, buyers are encouraged to check with the Mariposa County Health Department regarding State or local regulation changes that could affect the installation of an on-site sewage disposal system on any of these parcels."</p> <p>(Section 16.12.330, County Subdivision Ordinance; Health Department Recommendation)</p>	<p>Environmental Health</p>	
<p>27. If Ultramafic Rock is discovered on the site it shall be reported to the Mariposa County Air Pollution Control District within 24 hrs and all grading activities shall comply with California Code of Regulations Title 17 section 93105. Asbestos Airborne Toxic Control Measure for Construction, Grading, Quarrying, and Surface Mining Operations</p> <p>Air Pollution Control District Recommendation</p>	<p>Environmental Health</p>	
<p>28. Prior to filing of the parcel map, the applicant shall prove to the satisfaction of the Health Department that Parcels A, B, C and D have a supply of potable water meeting requirements for quantity and quality. Proof is as follows:</p>	<p>Environmental Health</p>	

- a. an approved connection from an approved public water provider; or
- b. a proposed connection to a shared well which has been pre-approved by the Health Department; or
- c. a well, for which appropriate permits and inspections have been approved by the Health Department, has been drilled on the subject property and developed with appropriate casings, and for which improvements may or may not include permanently installed pump equipment; or
- d. a demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit , which will be contained within any combination of (a) a potable water storage tank, (b) a static water supply in the well; or
- e. other satisfactory proof and wells drilled and tested prior to sale to demonstrate the quantities described in "Section d." above.

Additionally, if the properties are to be served in the future by a well or wells, the applicant shall file a disclosure statement concurrently with the map and referenced on the map stating the following:

"Water supplies for residential lands are derived from private wells on Parcels A, B, C, and D as shown on the Parcel Map for _____, filed in Book ____ of Parcel Maps at Page ____, Mariposa County Records. Mariposa County groundwater supplies are found in fractures in the bedrock. The costs associated with drilling and developing a private well is highly variable because it is unknown how much or if any additional water can be found on these parcels. There is no guarantee additional potable water supply of adequate quality or quantity can be found or sustained on any parcel shown on this map."

(Mariposa County General Plan, Section 5.3.02.E(4))

29. The project proponent shall obtain a burn permit from the Mariposa County Air Pollution Control District if any brush or other

Environmenta

<p>vegetation is disposed of by burning.</p> <p>(Mariposa County Air Pollution Control District Regulations)</p>	<p>1 Health</p>	
<p>30. A grading setback of 4 times the height of any cut must be maintained from the sewage reserve area as identified on the map referenced in condition 24.</p>	<p>Environmenta 1 Health</p>	
<p>CONDITIONS OF APPROVAL/CALIFORNIA DEPARTMENT OF FORESTRY & FIRE PROTECTION</p>		
<p>31. Prior to recordation of the parcel map, the applicant shall have complied with all applicable SRA Fire Safe Regulations. A letter shall be submitted to the County Surveyor from CalFire to confirm this requirement.</p> <p>Additionally, a document shall be recorded and referenced on the Parcel Map that states:</p> <p>“Future residential development on Parcels A, B, C, and D as shown on the Parcel Map for _____, filed in Book _____ of Parcel Maps at Page _____ Mariposa County Records shall be required to conform with all applicable SRA Fire Safe Regulations (Public Resource Code 4290 and 4291). Furthermore, the development of the parcels is subject to all applicable SRA Fire Safe Regulations and the risk of fire hazards shall be reduced through compliance with Public Resource Code 4291, including the requirement to maintain fire protection or firebreaks within 100 feet from buildings or structures or to the property line unless an alternative mitigation measure is approved by CDF at the time of issuance of a residential building permit.”</p> <p>(California Public Resource Code)</p>	<p>Cal Fire</p>	
<p>RECOMMENDATION ON OFFERS OF DEDICATION</p>		
<p>The Planning Commission recommends that the Public Works Director accept the offer of dedication for public access, maintenance and utilities for Park Circle Drive.</p> <p>Mariposa Planning Recommendation</p>	<p>Public Works</p>	

<p>Based on the Red Cloud Park Subdivision Map (existing parcels along Park Circle Drive) and based on the Record of Survey Map 1192, the Planning Commission further recommends that the County Public Works Director take such necessary action to formally dedicate (unless already dedicated) for public access, maintenance and utilities for Park Circle Drive the portion labeled "20' to be deeded by County" as shown on the approved Red Cloud Park Subdivision map, also known as Record of Survey Map 1192. The Planning Commission recommends the Public Works Director accept the offer of dedication for public access, maintenance and utilities for this section of Park Circle Drive.</p> <p>Mariposa Planning Recommendation</p>	<p>Public Works</p>	
---	---------------------	--

<p align="center">Agency Contact List</p>				
<p>AGENCY</p>	<p>CONTACT</p>	<p>PHONE NUMBER EMAIL</p>	<p>SITE ADDRESS</p>	<p>MAILING ADDRESS</p>
<p>Mariposa Planning</p>	<p>Alvaro Arias</p>	<p>209-742-1218 aarias@mariposacounty.org</p>	<p>5100 Bullion Street Mariposa CA 95338</p>	<p>P.O. Box 2039 Mariposa CA 95338</p>
<p>Public Works</p>	<p>Jerry Freeman</p>	<p>209-966-5356 jfreeman@mariposacounty.org</p>	<p>4639 Ben Hur Road Mariposa CA 95338</p>	<p>Same as site</p>
<p>Health Department</p>	<p>Dave Conway</p>	<p>209-966-2220 dconway@mariposacounty.org</p>	<p>5100 Bullion Street Mariposa CA 95338</p>	<p>P.O. Box 5 Mariposa CA 95338</p>
<p>Regional Water Quality Control Board</p>	<p>JoAnne Kipps</p>	<p>559-445-5035</p>	<p>1685 E Street Fresno CA 93706</p>	<p>Same as site</p>
<p>Mariposa County Resource Conservation District</p>	<p>Dawn Afman</p>	<p>209-966-3431</p>	<p>5009 Fairgrounds Rd Mariposa CA 95338</p>	<p>P.O. Box 746 Mariposa CA 95338</p>
<p>County Assessor</p>	<p>Sarah Brewster</p>	<p>966-2332 swise@mariposacounty.org</p>	<p>4982 10th Street Mariposa CA 95338</p>	<p>P.O. Box 35 Mariposa CA 95338</p>

County Fire	Jim Middleton	209-966-4330 jmiddleton@mariposacounty.org	5082 Bullion Street Mariposa CA 95338	P.O. Box 162 Mariposa CA 95338
Cal. Dept of Forestry	Matt Watson	209-966-3622	5366 Highway 49 N Mariposa CA 95338	Same as site

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required conditions of approval have been implemented as evidenced by the "Schedule of Tasks and Sign-Off Checklist", and that all direct and indirect costs have been paid. This act constitutes the issuance of a *Certificate of Completion*.

 Environmental Coordinator

 Date

Explanation of Headings:

Monitoring Dept: Department or Agency responsible for monitoring a particular condition.

Verified Implemented: When a condition has been implemented, this column will be initialed and dated.