
**STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION**

Resolution

No. 2005-23 **A resolution conditionally approving Land Division Application No. 2004-140,
John Kim, applicant. Assessor Parcel Number 017-170-053**

WHEREAS an application for land division and lot line adjustment was received on July 7, 2004, from John Kim for property located at 4160 Ashworth Road, Assessor Parcel Number 017-170-053, and

WHEREAS the application for the lot line adjustment was to adjust the property lines between two parcels: Parcel A going from 61 acres to 220 acres and Parcel B going from 278 acres to 119 acres, with the result that Parcel B would have less than the minimum acreage required for its zoning designation of Agriculture Exclusive-160 acre minimum parcel size, and

WHEREAS the land division application was to subdivide proposed adjusted Parcel A into two parcels of five acres, one of 6.1 acres, one of 25 acres, and remainder of 179 acres, and

WHEREAS these two applications were not able to be processed due to proposed Parcel B not meeting the minimum acreage required for its zoning designation of Agriculture Exclusive-160 acre minimum parcel size, and

WHEREAS during the research of the subject parcels it was discovered there were two historic parcels: one of approximately 61 acres and one of approximately 280 acres; and

WHEREAS Lot Line Adjustment Application No. 2004-139 was withdrawn and a Certificate of Compliance application (No. 2004-217) was received by Planning on November 15, 2004 for these two parcels and approved by the Mariposa County Planning Director on November 29, 2004; and

WHEREAS Certificates of Compliance were recorded on December 17, 2004 for both historic parcels as Documents No. 2047885 and 2047886, Mariposa County Official Records; and

WHEREAS the Certificate of Compliance recorded as Document No. 2047886 recognizes the historic parcel containing approximately 61 acres that is the subject of Land Division Application No. 2004-140; and

WHEREAS a revised land division tentative parcel map was submitted on November 16, 2004 to the Mariposa County Planning Department to subdivide approximately 61 acres into four parcels and a Remainder: Parcel A being 6.14 acres, Parcel B being 5.02 acres, Parcel C being 5.00 acres, Parcel D being 25.28 acres, and a Remainder of 20.00 acres; and any future single family residences constructed on proposed parcels will utilize onsite well and septic systems. The subject property is zoned Mountain Home, with a minimum parcel size of five acres, and has a General Plan designation of Mountain Home; and

WHEREAS the subject property has frontage along Ashworth Road, designated a Local Street in the Mariposa County Regional Transportation Plan, and

WHEREAS the County Zoning Code and Subdivision Ordinance provides for the subdividing of land into five acre parcels in the Mountain Home Zone, and

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

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS during the Initial Study environmental review there was identified a potential impact related to emergency access and a mitigation measure was imposed to reduce this potential impact to a less than significant level, and

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

WHEREAS a duly noticed public hearing was scheduled for June 17, 2005; and

WHEREAS the Planning Commission did hold a public hearing on June 17, 2005 and considered all of the information in the public record, including the environmental Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant; and

WHEREAS at the public hearing of June 17, 2005, the applicant requested changes to his project, specifically a new road access for Parcels B and C; and

WHEREAS the Planning Commission continued the public hearing of this project to July 22, 2005 at 9:00 or as soon thereafter as possible, in order to give staff time to evaluate the proposed change; and

WHEREAS Planning staff met with the applicant, the road contractor, representatives of the Mariposa County Public Works Department and representatives of the California Department of Forestry and Fire Protection (CDF) on the project site on June 29, 2005; and

WHEREAS staff evaluated and modified the proposed project changes onsite at that meeting so that the modified proposal was acceptable to Public Works and to CDF; and

WHEREAS the applicant submitted a revised tentative parcel map to staff on June 30, 2005; and

WHEREAS Public Works and CDF responded to the revised application with new requirements relating to road improvements; and

WHEREAS staff prepared an amended staff report to the Planning Commission to incorporate these changes; and

WHEREAS staff re-evaluated the whole of the project record and found that the cultural resources survey commissioned for this project had found a cultural resource and that mitigation measures had been suggested to reduce the impact of this project on that resource; and

WHEREAS staff included these mitigation measures in the amended staff report to the Planning Commission, and also amended the Initial Study to include an evaluation of the potential impact to the cultural resource; and

WHEREAS the Planning Commission reopened the public hearing for this project on July 22, 2005 and considered all of the information in the public record, including the amended Initial Study and amended Staff Report, 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, and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Land Division Application #2004-140; and

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

ON MOTION BY Commissioner Ludington, seconded by Commissioner Skyrud, this resolution is duly passed and adopted this 22nd of July, 2005, by the following vote:

AYES: Commissioners De Santis, Ludington, Ross, Rudzik, and Skyrud

NOES: None

EXCUSED: None

ABSTAIN: None


Robert L. Rudzik, Chair
Mariposa County Planning Commission

Attest:

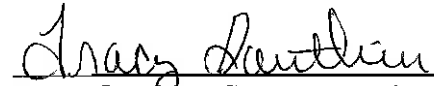

Tracy Gauthier, Secretary to the
Mariposa County Planning Commission

EXHIBIT 1
PROJECT FINDINGS
FOR
LAND DIVISION APPLICATION #2004-140

Pursuant to Mariposa County Zoning Ordinance, Section 16.16.040, the following Findings are made for Land Division Application No. 2004-140:

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 three parcels that are all approximately five to six acres, one parcel that is approximately twenty-five acres, and a Remainder of twenty acres, the site is physically suited for low-density homes and appurtenant improvements such as septic systems provided that the conditions of approval regarding the septic systems and approved locations are met. The proposed project is located within the Mountain Home zone. The subdivision density is designed in accordance with the Mountain Home zone.

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, it would have a less than significant effect on the environment. According to the Department of Fish and Game's Natural Diversity Data Base and Areas of Special Biological Importance Map for Mariposa County, there are no special, rare, or endangered animal or plant species, or wildlife resources located on the project site and the surrounding area that would be affected by approval of this project. The land is currently and will continue to be used primarily for residential purposes. The project may have an adverse impact on wildlife resources and potential habitat areas, and is therefore subject to the California Department of Fish and Game filing fees of (\$1,250) for a negative declaration as required by AB 3158 and a County Clerk fee of (\$25).

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 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 wells and sewage disposal systems. The proper location and implementation of these improvements will ensure that serious health problems will not occur on the site.

4. **FINDING:** The proposed map is consistent with applicable general and specific plans as specified in Government Code Section 65451.

EVIDENCE: 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: The minimum parcel size proposed by the project is consistent with standards contained in the General Plan and the Zoning Ordinance. 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.

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. Parcel A, B, D and the Remainder have frontage on Ashworth Road and the proposed access easement for Parcels B and C will take access from Ashworth Road, but the project has been designed in such a way that public easements are not affected. Affected utility companies have reviewed the proposed project and have not objected to the proposal.

EXHIBIT 2
CONDITIONS OF APPROVAL AND MITIGATION MEASURES
FOR
LAND DIVISION APPLICATION #2004-140.

Project Name: John Kim
Project Approval Date: July 22, 2005

File Number: LDA No. 2004-140

The following conditions of approval and mitigation measures were approved for this project in order to ensure compliance with county codes and policies, and to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist indicates that the conditions and mitigation measures have been complied with and implemented, and fulfills the County of Mariposa's Mitigation Monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

Sign-Off Checklist for List of Conditions of Approval and Mitigation Measures		
	Monitoring Dept.	Verified Implemented
CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT		
1. The road easement from Ashworth Road to Parcel C shall be made 60 foot wide and non-exclusive. A cul-de-sac easement with a radius of 60 feet shall be provided at the end of the onsite easement road to encompass the required cul-de-sac improvements. 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. The easement shall be offered for dedication to the County of Mariposa. The offers of dedication shall be non-revocable and specifically state on the parcel map that the dedications are for "public road and utility purposes." §16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Road Improvement and Circulation Policy.	Public Works	
2. A dedication of 30 feet on both sides of the centerline of Ashworth Road through the project site shall be offered to the County of Mariposa. The offer of dedication shall be non-revocable and shall specifically state on the parcel map that the	Public Works	

<p>dedication is for "public road and utility purposes." The location and width of the offer of dedication shall be approved by the County Engineer.</p> <p>§16.12.150, County Subdivision Ordinance; Section II.A.3, Road Improvement and Circulation Policy</p>		
<p>3. Ten (10)-foot public utility easements adjacent to and on each side of the Ashworth Road easement within the project site shall be offered for dedication to the County of Mariposa. The offer of dedication shall be non-revocable and shall specifically state that the dedication is for public utility purposes only.</p>	Public Works	
<p>4. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Ashworth Road. In addition, all grading and road improvement work required as a condition of approval of 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 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 improvements.</p> <p>Chapter 11, County Improvement Standards</p>	Public Works	
<p>5. The easement from Ashworth Road to Parcel C shall be improved to a Rural Class I A 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 at the time of 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 improvements</p> <p>§16.12.170, County Subdivision Ordinance; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy.</p>	Public Works	
<p>6. A cul-de-sac shall be constructed at the terminus of the on-site easement road at the Parcel B/C property line. The cul-de-sac shall be improved to meet county standards and shall meet these</p>	Public Works	

<p>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. If construction of a cul-de-sac is impractical due to the on-site terrain as determined by the County Engineer with the concurrence of CDF, the applicant may request permission to construct a hammerhead T turnaround. Prior to 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>7. A bench cut shall be made in the northerly portion of proposed Parcel A that is adjacent to Ashworth Road. The precise location of this bench cut shall be determined by the County Engineer with the concurrence of CDF, and shall be inspected by the County Engineer through the encroachment permit process and approved by the County Engineer at the time of recordation of the parcel map.</p> <p>Public Works Recommendation; CDF Recommendation</p>	Public Works	
<p>8. A declaration shall be recorded with the parcel map, referenced on the final map and made appurtenant to Parcel A. The declaration shall state the following: "Access for residential development of Parcel A as shown on the Parcel Map for John Kim, recorded in Book ___ of Parcel Maps at Page ___, Mariposa County Records shall be limited to one residential driveway for Parcel A with the location of the driveway to be approved by the Public Works Department through the encroachment permit process, and no additional encroachments shall be granted to this parcel from Ashworth Road."</p> <p>The County Engineer will confirm that this condition has been met prior to map recordation.</p> <p>Public Works Recommendation</p>	Public Works	
<p>9. Access to Parcels B and C shall be limited to the proposed onsite easement. No further encroachment permits to Ashworth Road for these parcels will be granted. A declaration shall be recorded with the parcel map, referenced on the final map and made appurtenant to Parcels B and C. The declaration shall state the following: "Approved access for residential development of Parcels B and C as shown on the Parcel Map for John Kim, recorded in Book ___ of Parcel Maps at Page ___, Mariposa County Records is from</p>	Public Works	

<p><u>(insert approved road name)</u>, and no additional encroachments shall be granted to these parcels from Ashworth Road.”</p> <p>The County Engineer will confirm that this condition has been met prior to map recordation.</p> <p>Public Works Recommendation</p>		
<p>10. Access to Parcel D and the Remainder shall be limited to the proposed shared onsite driveway easement as approved by Public Works and CDF. This driveway easement shall be shown on the parcel map. The existing northerly encroachment onto Parcel D shall be abandoned in accordance with the County Improvement Standards and the Road Improvement and Circulation Policy. No permits will be granted for additional encroachments to Ashworth Road for this parcel or the Remainder. A declaration shall be recorded with the parcel map, referenced on the final map and made appurtenant to Parcel D and the Remainder. The declaration shall state the following:</p> <p>“Access for residential development of Parcel D and the Remainder as shown on the Parcel Map for John Kim, recorded in Book ___ of Parcel Maps at Page ___, Mariposa County Records shall be from the approved shared driveway easement as shown on the Parcel Map, and no additional encroachments shall be granted to this parcel or the Remainder from Ashworth Road.”</p> <p>The County Engineer will confirm that this condition has been met prior to map recordation.</p> <p>Public Works Recommendation</p>	Public Works	
<p>11. A road maintenance association shall be formed to provide for the maintenance of the road in the onsite easement. Maintenance shall include, but not be limited to, drainage and erosion control devices, 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 roads 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> <p>a. Be in effect for a period of not less than thirty (30) years unless said maintenance is taken over by the County, a special district, or other governmental entity.</p> <p>b. Provide for annual maintenance and the immediate</p>	Public Works	

<p>correction of emergency and hazard situations.</p> <p>c. Include 100% of the parcels in the subdivision served by the access road.</p> <p>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 with the power of sale.</p> <p>e. Provide a mechanism for new parcels to be added to the association.</p> <p>Public Works Recommendation</p>		
<p>12. 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 and prior to issuance of any encroachment permit for the required improvements, a consultation meeting with the Public Works Department, the applicant, the agent, and the road contractor shall occur. This meeting shall be conducted onsite. 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. The County Engineer shall verify that this condition has been met prior to issuance of any road improvement or encroachment permit required for this project and prior to the scheduling of any onsite inspection of road improvements.</p> <p>Public Works Recommendation</p>	Public Works	
<p>13. 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 Regional Water Quality Control Board to determine if a General Permit for Discharges of Storm Water Associated with Construction Activity is required. If required, the applicant shall obtain the permit prior to commencement of construction activities. A copy of the approved permit or evidence that a permit is not required shall be submitted to the Public Works Department by the applicant prior to the onsite consultation meeting required by Condition of Approval No. 10. If a permit is required, all provisions and requirements of the permit shall be completed prior to recordation of the parcel map. The applicant shall submit to the Public Works Department evidence that the permit requirements have been met to the satisfaction of the RWQCB.</p> <p>State Water Quality Control Board Order No. 99-08-DWQ,</p>	Public Works	

National Pollutant Discharge Elimination System (NPDES)		
<p>14. 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) to determine if a Section 1603 Streambed Alteration Notification is required. If required, the applicant shall obtain the notification or permit prior to the commencement of construction activities. A copy of the approved permit or evidence that a permit is not required shall be submitted to the Public Works Department prior to the onsite consultation meeting required by Condition of Approval No. 10. If a permit is required, all provisions and requirements of the permit shall be completed prior to recordation 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>CDFG recommendation; Fish and Game Code section 1603</p>	Public Works	
<p>15. Immediately upon completion of the required road and encroachment improvements, the applicant shall re-vegetate all exposed soils and install other erosion control as recommended by the Natural Resource Conservation Service/Resource Conservation District (NRCS/RCD). The applicant shall also contact the NRCS/RCD for an inspection. Inspection fees shall be the responsibility of the application. A letter shall be submitted to the County Surveyor by NRCS/RCD stating that the re-vegetation and erosion control provisions have been completed.</p>	Public Works	
<p>16. All required signs shall be installed on metal, break-away 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>	Public Works	
<p>17. A stop sign shall be placed at the intersection of the onsite easement and Ashworth Road. 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>	Public Works	
<p>18. A sign stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of the onsite easement and Ashworth Road prior to map recordation. The design and specifications of the sign shall be in accordance with the County Improvement Standards and shall be approved by the County engineer prior to installation.</p> <p>(Section III.A.4, Road Improvement and Circulation Policy)</p>	Public Works	

<p>19. A road name sign for the on-site easement road shall be placed at the intersection of the easement road and Ashworth Road prior to map recordation. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards and shall be approved by the County engineer prior to installation.</p> <p>§16.12.175, County Subdivision Ordinance</p>	<p>Public Works</p>	
<p>20. A Verification of Taxes Paid Form, acquired no sooner than 30-days prior to the recordation 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>CONDITION OF APPROVAL / MARIPOSA PLANNING</p>		
<p>21. The onsite easement road 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 within the project site shall be shown on the parcel map.</p> <p>County Resolution 92-541</p>	<p>Mariposa Planning</p>	
<p>22. Project approval is valid for a period of three years from July 22, 2005. This approval shall expire on July 22, 2008.</p> <p>§16.12.430, Mariposa County Subdivision Code</p>	<p>Mariposa Planning</p>	
<p>23. Prior to recordation of the Parcel 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 (\$1,250) and County Clerk fee (\$25) should be paid within five (5) working days of the approval of the application, because if the fee is not paid within 5 working days, 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 \$1,275.00, 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>§16.12.390, Mariposa County Subdivision Code</p>	<p>Mariposa Planning</p>	
<p>24. 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</p>	<p>Mariposa Planning</p>	

<p>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 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>		
CONDITION OF APPROVAL/ MARIPOSA COUNTY HEALTH DEPARTMENT		
<p>25. Soil profile holes shall be excavated on Parcel A to the standards of the County Health Department and in the presence of the County Sanitarian, his authorized representative, or an authorized consultant to verify the feasibility of installing an on-site septic system on the parcels. If the County Sanitarian approves the parcel for septic disposal based on the soil profile holes, a letter from the County Sanitarian stating no additional tests are required and this condition has been fulfilled for that parcel shall be submitted to the County Surveyor.</p> <p>If the results of the soil profile holes do not demonstrate to the approval of the County Sanitarian that a conventional septic system can be installed on the parcel, percolation tests and additional soils analysis tests shall be performed on the parcel in accordance with Health Department rules and regulations. The results of these tests shall be submitted to the Mariposa County Health Department and be approved by the County Sanitarian prior to recordation of the parcel map. A letter from the County Sanitarian shall be submitted to the County Surveyor stating that approved percolation tests and soils analysis tests have been performed on the parcel(s). A statement shall be recorded in</p>	<p>Environmental Health</p>	

<p>Official Records concurrently with the parcel map and referenced on the parcel map as follows:</p> <p>"Approved percolation tests and soils analysis tests have been performed on Parcel A as shown on the Parcel Map for Kim, recorded in Book ____ of Parcel Maps at Page ____, Mariposa County Records, to verify the feasibility of installing an on-site septic disposal system. A map identifying the location of the approved percolation tests is on file in the County Health Department. If an on-site septic system is proposed for a portion of a parcel that has not had approved percolation tests, additional percolation tests and design recommendations may be required."</p> <p>§16.12.330, County Subdivision Ordinance; Health Department Recommendation</p>		
<p>26. Percolation tests and soils analysis tests shall be performed on Parcels B and C in accordance with Health Department rules and regulations. The results of these tests shall be submitted to the Mariposa County Health Department and be approved by the County R.E.H.S. prior to recordation of the parcel map. A letter from the County R.E.H.S. shall be submitted to the County Surveyor stating that approved percolation tests and soils analysis tests have been performed on the parcel(s). A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map as follows:</p> <p>"Approved percolation tests and soils analysis tests have been performed on Parcels B and C as shown on the Parcel Map for Kim, recorded in Book ____ of Parcel Maps at Page ____, Mariposa County Records, to verify the feasibility of installing an on-site septic disposal system. A map identifying the location of the approved percolation tests is on file in the County Health Department. If an on-site septic system is proposed for a portion of a parcel that has not had an approved percolation tests, additional percolation tests and design recommendations may be required."</p> <p>§ 16.12.330, County Subdivision Ordinance</p>	<p>Environmental Health</p>	
<p>CEQA MITIGATION MEASURES</p>		
<p>27. An open space easement shall be designated on the parcel map for the cultural resource site identified in the cultural resource survey prepared for the site. The easement shall be shown on the parcel map and shall be established a minimum of fifty (50) feet from all portions of the site, unless the consulting archaeologist determines that a lesser easement is adequate to protect the site from potential impacts. The easement, including</p>	<p>Public Works/ Mariposa Planning</p>	

<p>its location, shall be approved by the Planning Director. Declarations shall be recorded prior to or concurrently with the parcel map which states:</p> <p>“Grading, driveways, roads, and structures shall be prohibited within the open space easements on Parcel ___ as shown on the Parcel Map for Kim, recorded in Book ___ of Parcel Maps at Page ___, Mariposa County Records.”</p> <p>“If archaeological materials are uncovered during future ground disturbance of construction on any parcel or the remainder as shown on the Parcel Map for Kim, recorded in Book ___ of Parcel Maps at Page ___, Mariposa County Records, Mariposa County authorities and/or a qualified archaeologist shall be notified immediately.”</p> <p>Mitigation Measure 5.a.1</p>		
<p>28. During any and all construction required as a condition of approval for this project, the required open space easement shall be temporarily fenced with snow fence or similar plastic fencing to provide physical protection for the cultural resources onsite. This fencing must be in place prior to the Public Works consultation meeting as required by Condition No. 10 of the land division.</p> <p>Mitigation Measure 5.a.2</p>	Public Works	
<p>29. The existing northerly encroachment from Ashworth Road to proposed Parcel D on the project site shall be abandoned and removed, as required by the Public Works Department through the encroachment permit process. All required work shall be conducted in accordance with County standards, and completed prior to parcel map recordation as approved and inspected by the County Engineer.</p> <p>Mitigation Measure 15.e.1</p>	Public Works	
RECOMMENDATION ON OFFERS OF DEDICATION		
<p>Staff recommends that the Planning Commission recommend that the Public Works Director accept the offer of dedication for public access and utilities, but reject the offer for public maintenance for the onsite easement road.</p> <p>Mariposa Planning Recommendation</p>	Public Works	
<p>Staff recommends that the Planning Commission recommend that the Public Works Director accept the offer of dedication for public access, utilities, and maintenance for the re-offer for dedication on Ashworth Road within the project site.</p> <p>Mariposa Planning Recommendation</p>	Public Works	

Agency Contact List				
AGENCY	CONTACT	PHONE NUMBER EMAIL	SITE ADDRESS	MAILING ADDRESS
Mariposa Planning	Megan Tennermann	209-742-1219 mtennermann@mariposacounty.org	5100 Bullion Street Mariposa CA 95338	P.O. Box 2039 Mariposa CA 95338
Public Works	Jerry Freeman	209-966-5356	4639 Ben Hur Road Mariposa CA 95338	Same as site
Health Department	Dave Conway	209-966-2220	5100 Bullion Street Mariposa CA 95338	P.O. Box 5 Mariposa CA 95338
Regional Water Quality Control Board	JoAnne Kipps	559-445-5035	1685 E Street Fresno CA 93706	Same as site
Mariposa County Resource Conservation District	Jerry Progner	209-966-3431	5009 Fairgrounds Rd Mariposa CA 95338	P.O. Box 746 Mariposa CA 95338
County Assessor	Eddie Ellis	966-2332	4982 10th Street Mariposa CA 95338	P.O. Box 35 Mariposa CA 95338
County Fire	Blaine Shultz	209-966-4330	5082 Bullion Street Mariposa CA 95338	P.O. Box 162 Mariposa CA 95338
Cal. Dept of Forestry	Dennis Townsend	209-966-3622	5366 Highway 49 North Mariposa CA 95338	Same as site

Certificate of Completion:

By signing below, the environmental coordinator confirms that the required conditions of approval and mitigation measures 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 mitigation measure.
 Verified Implemented: When a mitigation measure has been implemented, this column will be initialed and dated.