



MARIPOSA COUNTY

Public Works • (209) 966-5356



RESOLUTION - ACTION REQUESTED 2013-107

MEETING: April 2, 2013

TO: The Board of Supervisors

FROM: Peter Rei, Public Works Director

RE: Approve Ponderosa Estates Subdivision Map

RECOMMENDATION AND JUSTIFICATION:

Approve the Subdivision Map for the Ponderosa Estates, Application Number 2008-151, Per Mariposa County Code, Title 16.20.232.

The Public Works Director and the County Surveyor have reviewed the Final Map and determined that said Final Map is in substantial conformance with the approved tentative map, that compliance with all conditions have been or will be completed by the project deadline and that all provisions of Mariposa County Code, Title 16, and the Government Code have been satisfied. Public Works is requesting that the Board of Supervisors approve the Ponderosa Estates Subdivision per Mariposa County Code, Title 16.20.232.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

The Board of Supervisors has historically approved all Final Maps (Subdivision Maps) as submitted per the requirements of the County Code.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

Do not approve the Final Map; recordation of said map by the County Recorder cannot take place.

ATTACHMENTS:

Ponderosa Estates Vicinity Map (PDF)

Title 16.020.232 (PDF)

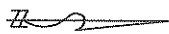
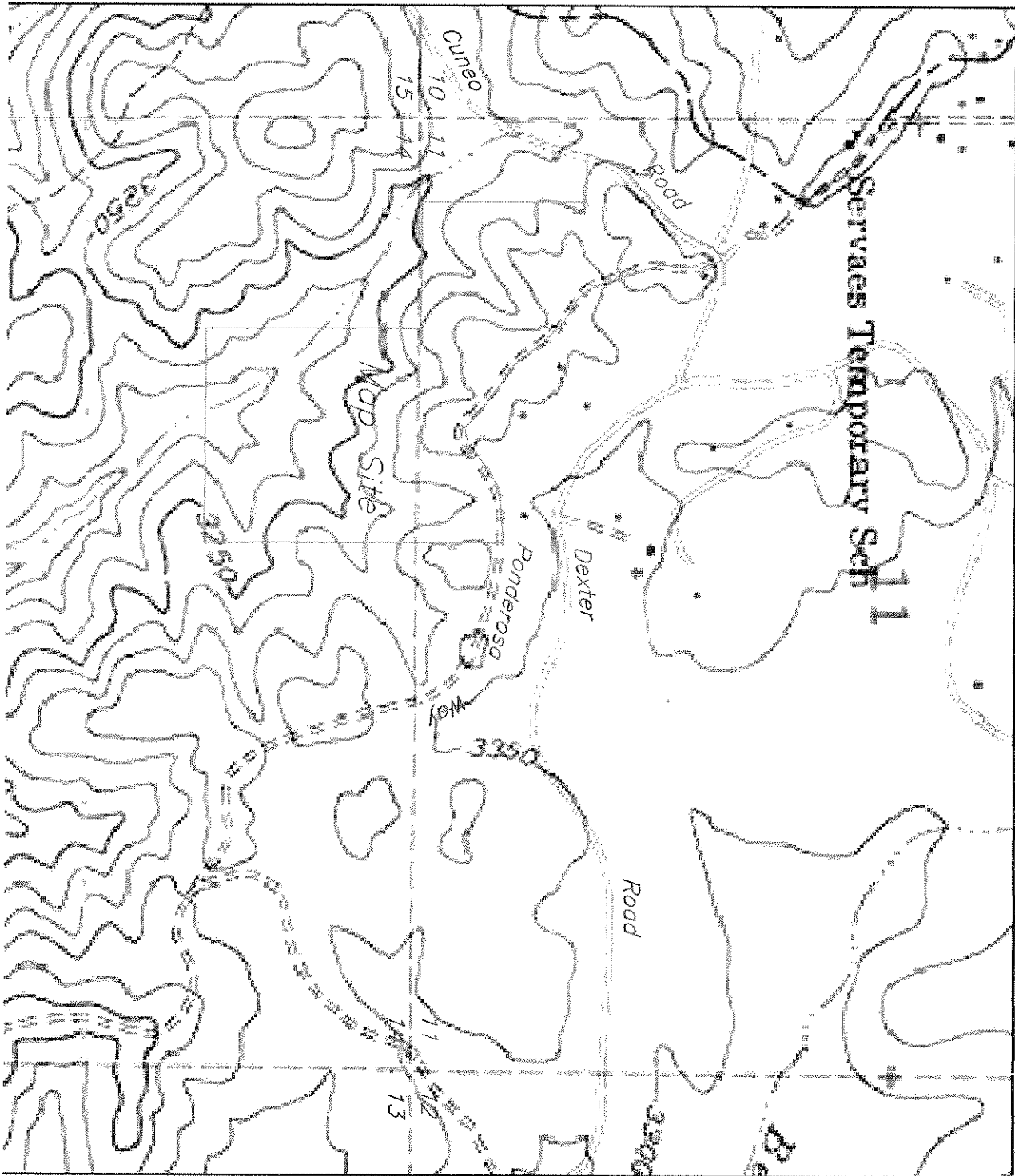
CAO RECOMMENDATION

Requested Action Recommended


Rick Benson, County Administrator 3/27/2013

RESULT: ADOPTED [UNANIMOUS]
MOVER: John Carrier, District V Supervisor
SECONDER: Janet Bibby, District III Supervisor
AYES: Janet Bibby, Kevin Cann, John Carrier
EXCUSED: Lee Stetson, Merlin Jones

VICINITY MAP



B. That the subdivider install or agree to install all drainage and flood control structures and facilities required by the county engineer, which drainage and flood control structures and facilities shall conform to the Mariposa County Standards;

C. That reasonable proof of water for a major subdivision, wherein water is proposed to be developed by individual wells, shall be considered to be wells of proven capacity.

1. Proven capacity shall be a well or wells capable of producing one thousand gallons per lot per twelve-hour day for each lot in the proposed subdivision. Proof of production shall be a ten-day, twenty-four-hour test of the well or wells certified by a licensed engineer.

2. Report of a completed well shall include the following:

a. Complete chemical analysis as compared to USPHS drinking water standards;

b. Bacteriological tests.

3. Where the services of an existing public or private utility are proposed to be utilized, the environmental impact report or negative declaration must address the ability of the utility to serve the subdivision. The applicant shall provide written documentation from the district in the form of a "can and will serve letter" indicating the district has the ability to serve the proposed subdivision and will serve the proposed subdivision.

4. Where the services of a proposed public utility are to be utilized, the subdivider must demonstrate that an adequate and potable supply of water is available and that a water purveyor's permit has been applied for. A chemical analysis must be submitted with the tentative map, and a bacterial analysis must be submitted prior to placing the water system in operation;

D. That the subdivider provide all necessary easements and rights-of-way to accommodate all streets, drainage, and flood control structures and facilities and sewer systems extending beyond the boundaries of the subdivision. (Ord. 462 (part), 1977; Ord. 429 Sec.6.9(A), 1976).

16.20.232 Action by the board of supervisors.

A. Following a determination by the director of public works that the final map is in substantial conformance with the approved tentative, that compliance with all conditions has been completed, and that all other provisions of this title and the government code have been satisfied, the map shall be filed with the clerk of the board of supervisors. The clerk shall schedule the map for consideration by the board of supervisors, at which time the map shall be approved if it is determined to be in conformance with the requirements of this title and the Subdivision Map Act.

B. The board of supervisors shall also consider offers of dedication and easements. Acceptance of such dedications shall be in accordance with the provisions of this title and policies established by the board of supervisors.

1. Public utility easements shall be accepted on behalf of the county and the public. Acceptance shall be solely for the purpose of permitting development of necessary public utilities, and shall not obligate the county to assume any responsibility or liability related to the easements.

2. Offers of dedication shall be accepted, accepted subject to improvement, or rejected. Offers of dedication for road right-of-way shall be accepted by the county for purposes of access, circulation, and public utility purposes within the subdivision and for use by the public. Roads accepted for access may be accepted into the county road system for maintenance at the direction of the board of supervisors providing it has been constructed to an acceptable improvement standard.

3. Offers of dedication for road rights-of-way accepted for public access and circulation but not for maintenance, shall not obligate the county to assume any liability or responsibility related to the right-of-way.

4. Any offers of dedication which are rejected shall remain open and may be accepted at any later date based on specific direction by the board of supervisors.

C. The clerk of the board of supervisors upon the approval of the final map, and after the signatures and seals have been affixed, shall transmit the map to the county recorder who shall certify and file the same as prescribed by this title and the Subdivision Map Act. (Ord. 688 Sec., 1987).

16.20.235 Payment of taxes.

Prior to the recordation of a final map or other document finalizing a subdivision, and as a condition thereof, all real property taxes assessed against any parcel or portion of a parcel set forth on said map, or other document, which at the time the map or other document is recorded are a lien against the property, but which are not yet payable, shall be paid. The burden of producing evidence to establish payment in full shall be upon the person or persons submitting such map for recording. (Ord. 684 Sec.2, 1987).

16.20.240 Surfacing of street--Required when.

If the board of supervisors rejects the offer of dedication of streets delineated on the map pursuant to Section 66477.1 of the Subdivision Map Act, no surfacing shall be required on any street so rejected by said board; provided, however, this provision shall not be construed as relieving the subdivider of the obligation of:

A. Grading such rejected streets to grades and widths required by the Mariposa County standards;