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STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
PLANNING COMMISSION

Resolution

No. 2011-009      A resolution amending conditions of approval for Conditional Use Permit No. 259; First Baptist Church of Mariposa. Assessor Parcel Number: 012-142-025

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WHEREAS a request for amended conditions application was submitted by the First Baptist Church of Mariposa for approved Conditional Use Permit No. 259 on March 8, 2011; and

WHEREAS this application is known as Amended Conditions No. 2011-050; and

WHEREAS the request to amend various conditions of the use permit is based upon the project applicant's desire to occupy the sanctuary facility on the project site through issuance of a certificate of occupancy in order to use the \$3,500 per month currently expended in fees to rent an off-site structure for worship services to complete conditions of approval and develop the project; and

WHEREAS a duly noticed public hearing was scheduled for the 6<sup>th</sup> day of May, 2011; and

WHEREAS a Mitigated Negative Declaration was adopted for Conditional Use Permit No. 259 at a public hearing on July 20, 2001; and

WHEREAS a finding has been made pursuant to Sections 15162 and 15164 of CEQA Guidelines that the project's amended conditions do not add impacts or mitigation, and a new Mitigated Negative Declaration is not required to be re-circulated or approved;

WHEREAS a Staff Report for the Request for Amended Condition Application was prepared pursuant to the California Government Code, Mariposa County Code, 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, testimony presented by the public concerning the application, and the comments of the applicant;

BE IT THEREFORE RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve the request for amended conditions, by amending conditions as shown on Exhibit 1.

BE IT THEREFORE FURTHER RESOLVED THAT all other project conditions as established by the Planning Commission on July 20, 2001 and as modified on August 8, 2003 and July 23, 2004 remain unchanged.

BE IT THEREFORE FURTHER RESOLVED THAT the original findings for project approval (Conditional Use Permit No. 259) are still valid for this project as shown on Exhibit 2.

BE IT THEREFORE FINALLY RESOLVED THAT the following additional finding for approval of amended conditions for Conditional Use Permit No. 259 is made and supported by substantial evidence in the public record:

1. A Mitigated Negative Declaration was approved for Conditional Use Permit No. 259 on July 20, 2001. Substantial changes are not proposed in the project which will require revisions to the Mitigated Negative Declaration. There is no substantial increase in the severity of the previously identified significant effects. The project's amended conditions do not add impacts or mitigation, and a new Mitigated Negative Declaration is not required to be re-circulated or approved. The project primarily changes time frames for completion of certain required improvements subsequent to issuance of a Certificate of Occupancy for the sanctuary on the project site.

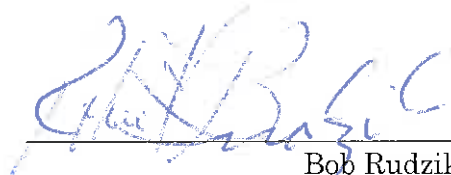
ON MOTION BY Commissioner Marsden, seconded by Commissioner Francisco; this resolution is duly passed and adopted this 6<sup>th</sup> day of May, 2011 by the following vote:

AYES: Francisco, Ross, Rudzik, Tucker, Marsden

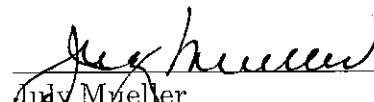
NOES: None

ABSENT: None

ABSTAIN: None

  
\_\_\_\_\_  
Bob Rudzik, Chair  
Mariposa County Planning Commission

Attest:

  
\_\_\_\_\_  
Judy Mueller  
Secretary to the Mariposa County Planning Commission

## Exhibit 1

(Additions to conditions shown in *underlined, italicized* type and deletions shown in ~~double-strike-through~~ type. Where the text "Condition deleted" appears, this refers to past Planning Commission actions on amended conditions applications for Conditional Use Permit No. 259.)

1. This use permit is approved for the following uses:

- a 20,223 sq. ft. structure housing a 4,795 sq. ft. sanctuary with fixed seating for 548 persons, nursery, offices, library, chapel, classrooms and other appurtenant uses
- two 4,380 sq. ft. school buildings with a total capacity of 150 students, and a small playground area
- a 14,444 sq. ft. multi purpose facility to be used for church banquets, school performances and other church related uses.
- A parsonage and a 2,400 sq. ft. structure to be used for vehicles and storage pavilion as shown on the project site plans.

Daily hours of use on site shall be:

Weekends:	8:00 a.m. to 10:00 p.m.
Weekday evening:	5:00 p.m. to 10:00 p.m.
School Hours:	Monday – Thursday 8:30 a.m. to 5:30 p.m.
Office Hours:	Unlimited

Minor amendments to the configuration, materials, phasing, and periods of operation of the church development may be approved by the Planning Director provided that any expansion does not exceed 10% of the size of the approved facility (any amount of a reduction in size of area of the facility may be allowed), and provided a finding can be made that the modification does not create impacts which were not addressed in the original project approval. The Use Permit is granted for use of the site for religious worship and other church-related functions. The facilities can be used for non-church related events provided all conditions relating to the use permit are met.

The approved architectural style of the sanctuary and multi-purpose structure shall reflect the Mission period of California history with light sand and earth tone stucco exterior and terra cotta metal roofs. The parsonage and school building shall have stucco exterior and metal or composition roof, but shall follow the architectural theme of the project. The metal garage/storage structure shall have an earth tone color with brighter or darker trim.

The maximum height of the peak of the roof for all structures shall not exceed 35 feet from natural grade. The bell tower, as an architectural feature designed to enhance the project design, may extend above the peak of the roof of the sanctuary building.

2. Events shall not be held in the multi-purpose building during the periods in which worship services are held in the sanctuary to ensure that there is adequate on-site parking for each church or church-related activity.

3. All exterior lighting shall be of a hooded type, shall produce the minimum amount of light necessary to complete its intended function, and shall direct light only onto the project site. The permit holder may propose an alternative to hooded lighting providing the alternative achieves the desired goal of restricting light to the premises and not into the sky. The permit holder shall submit an outdoor lighting plan to the Planning Director for review and approval prior to the issuance of building permits for the structures on the site. The exterior lighting plan shall be reviewed by the Planning Director for conformance to the recommendations for night light reduction provided by the New England Light Pollution Advisory Group and International Dark-Sky Association. These recommendations are available for review at the Mariposa County Planning Department.
4. All exterior mechanical equipment on roof, building, and ground shall be enclosed or screened from public view either by utilizing materials compatible with the building or locating them away from public view. Refuse storage areas, service yards and exterior work areas shall be screened from public areas, such as streets.
5. All signage shall conform to the sign standards contained in Section 17.336.060(D), Mariposa County Zoning Code. The Planning Director shall review all signage for conformance to this section prior to installation of the signage. All signage for the church use shall be located on-site.
6. All outdoor activities at the site shall terminate no later than 10:00 p.m. Noise levels at the project site's property lines generated by activities approved under this conditional use permit shall not exceed the normally acceptable standard for residential uses as identified and defined in the Mariposa County General Plan currently effective in 2001. Acoustical testing may be required to verify that this condition has been met in the event a complaint from neighboring property owners regarding noise is filed with the Planning Department. The testing shall be performed at the permit holder's expense and the times and locations of the testing and the acoustical consultant to perform the testing shall be approved by the Planning Director.
7. Construction activities shall not commence prior to the hours of 7:00 a.m. Monday through Friday, and 8:00 a.m. on Saturdays. All construction activities shall cease by sunset Monday through Saturday, and no construction shall be permitted on Sundays.
8. An engineered grading plan for the entire development shall be required. The grading plan shall be prepared in accordance with Section 15.28.060.C.2 of the County Grading and Excavation Ordinance and submitted for review and approval to the Planning Department prior to any work being done on Phase I, with the exception of the garage/storage structure which can have a building permit issued for it prior to the approval of the grading plan. The grading plans shall identify, and be designed to, minimize cut and fill areas required for the construction of the parking areas and structures. The use of retaining walls is encouraged to minimize cut and fill. All grading and construction work shall be conducted in accordance with the County Grading Ordinance. The engineered grading plan shall ensure that temporary and final slopes are stable and that final slopes can sustain vegetative re-growth. Final

slopes, except for landscaped areas, shall be stabilized and seeded in accordance with the recommendations and standards of the Natural Resources Conservation Service and the County Grading Ordinance, unless other methods are determined necessary by the engineer. The payment of all fees associated with grading inspections shall be the responsibility of the permit holder through the grading permit process. The grading plan shall be approved by the Planning Director in accordance with the approved use permit site plan, and the criteria established by this condition, prior to the issuance of any grading or building permit for the project.

9. Grading on the site shall be minimized by using multiple buildings or buildings with stepped foundations conforming to the natural topography in accordance with Section 17.336.060(A)(1) of the Mariposa County Zoning Code. Representations regarding the proposed location and construction practices of project structures included in the application packet received by the Planning Department on April 16, 2001 and the location of the site improvements as identified on site and inspected by Planning Staff on May 10, 2001 shall be adhered to. These representations include the following:
  - The primary buildings for the project are located on a plateau area of the hill slope where the elevation change is reduced and allows for minimal grading for the buildings.
  - The sanctuary and multi-purpose building are within a 10' height elevation and stepped in the interior floor plan to take advantage of the slope.
  - The school buildings have been designed to follow the cross slope of the land thus minimizing the grading required.
  - Parking lots 1 and 2 will have different elevations and the area between the two parking lots shall be no steeper than a 4-1 slope (retaining walls may or not be used) and will be planted with slope planting for erosion control.

The location of structures during actual construction may be changed from their original location providing they remain in the same general area shown on the site plan reviewed and approved by the Planning Commission and they are not relocated to an area with a greater slope than the original location. If moved to a location where the slope is greater, the new location shall be reviewed by the Planning Director prior to the issuance of a building permit to determine if hillside development standards for grading and foundation construction applies.

10. All exposed and/or disturbed soils created by grading which requires a grading permit shall be watered down or suppressed during grading operations to reduce the generation of fugitive dust. During non-grading periods, all stockpiles of debris, soil, sand, or other materials shall be protected from wind erosion.
11. An erosion control plan shall be prepared and reviewed in accordance with the provisions of Section 12.2 of the Mariposa County Improvement Standards and Section 15.28.120 of County Code. The plan will be required for on-site construction work done between November 1 and April 1 of each year. The erosion control plan shall be prepared by a licensed engineer and approved by the Planning Director. The plan shall be approved prior to issuance of a grading or building permit for construction in the November 1 to April 1 time frame, and can be made part of the grading permit.

12. The project shall meet all applicable standards of State Responsibility Area Firesafe Requirements for driveway/road construction, gates, emergency water supply, fire hydrants, defensible space and requirements of Public Resources Code 4291. These standards shall be adhered to for the life of the project.
13. Prior to the any construction occurring at the project site, the permit holder shall contact the Mariposa County Fire Department for verification of current fire protection development requirements. All new construction shall comply with the existing Mariposa Public Utility District Fire Protection Ordinance requirements and all applicable statutes, codes, ordinances, or standards of the Fire Department.
14. Prior to the issuance of a building or grading permit and prior to issuance of a certificate of occupancy, all fees associated with the County's processing of this project and filing of associated documents shall be paid.
15. Tree removal on the site shall be limited to those trees marked to be removed at the time of submittal of the use permit application. If, during actual construction, it is determined that additional trees need to be removed, the Planning Director shall be notified and shall review and approve additional tree removal.
16. All utilities, with the exception of propane storage tanks, shall be underground within the project site.
17. All of the phases shall be complete ~~within ten (10) years of July 23, 2004~~ by May 6, 2017.
18. Any representations or commitments made by the applicant or agent at the Planning Commission meeting shall be incorporated as conditions of project approval.
19. The encroachment from Highway 49 shall be constructed to Caltrans standards. The encroachment shall be constructed to standard prior to issuance of a certificate of occupancy for the first School building to be used as offices during Phase I. The applicant shall provide the Planning Director with a copy of the encroachment permit issued by Caltrans signifying that all Caltrans requirements have been met prior to the Planning Department approving the issuance of a building permit for any stage of the project.
20. (Condition deleted.)
21. (Condition deleted.)
22. (Condition deleted.)
23. The application for MPUD to provide water and sewer service to the project site shall be approved by LAFCo, or the LAFCo annexation process shall be complete, prior to the issuance of a building permit for the sanctuary.

OR

A contract or agreement for provision of new services to the project site shall be approved by LAFCO pursuant to Government Code 56133, prior to the issuance of a building permit for the sanctuary. The contract or agreement shall be approved by MPUD prior to LAFCO action.

24. (Condition deleted.)
25. The project shall be connected to MPUD water and sewer service prior to the issuance of a certificate of occupancy for the sanctuary in Phase I.
26. ~~Prior to any construction on the site, a driveway meeting the requirements of CDF and County Fire for the purposes of providing services during construction shall be in place. Prior to issuance of a certificate of occupancy for the sanctuary building,~~ The driveway, 1,140 feet from its intersection with Highway 49N, shall have a minimum of an oil/chip seal surface with the remainder of the driveway to the entrance to Parking Lot 2 *(east) and up to the entrance to Parking Lot 3 as these lots are identified on the revised development proposal approved by Mariposa Planning on September 19, 2008* being paved with asphalt or concrete. The completed driveway shall have a minimum 22-foot travel surface in accordance with commercial driveway standards contained in the Mariposa Specific Plan. *The driveway shall be allowed to be fully constructed subsequent to issuance of an unconditional certificate of occupancy for the sanctuary providing the requirements of condition nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259.*
27. The driveway shall meet the minimum 20-ton load capacity in accordance with State Fire Safe Standards. Verification shall be provided to CDF and the Planning Department that the road meets this load capacity ~~prior to an issuance of a certificate of occupancy for the sanctuary building,~~ *upon completion. The driveway shall be allowed to be fully constructed subsequent to issuance of an unconditional certificate of occupancy for the sanctuary providing the requirements of conditions of approval nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259.*
28. Parking Lots ~~±~~ 2 (east) and 3, *as identified on the revised development proposal approved by Mariposa Planning on September 19, 2008*, including drive aisles, ~~and~~ driveways within the parking areas, *and the porte cochere in front of the sanctuary* shall be paved with asphalt or concrete ~~prior to the issuance of a certificate of occupancy for the sanctuary.~~ The parking areas shall be designed and constructed in accordance with Section 17.336.030, Parking Standards, Mariposa County Zoning Ordinance. *Parking Lot 2 (west), as identified on the revised development proposal approved by Mariposa Planning on September 19, 2008, shall be temporarily improved to a graded /graveled standard. The parking lots shall be allowed to be fully constructed subsequent to issuance of an unconditional certificate of occupancy for the sanctuary providing the requirements of condition nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259.*

29. ~~The driveway, from the entrance to Parking Lot 2 to Parking Lot 3, and Parking Lot 3 itself, shall be surfaces with aggregate base prior to the issuance of a certificate of occupancy to the sanctuary building.~~ Parking Lot 2 (west) as identified on the revised development proposal approved by Mariposa Planning on September 19, 2008 shall be ~~This portion of the driveway and Parking Lot 3 shall be paved with asphalt or concrete~~ when the occupancy of the sanctuary exceeds 400 persons on a weekly basis, and meet all other standards for parking areas in accordance with Section 17.336.030, Mariposa County Zoning Ordinance, (one time per week for a period of four consecutive weeks), or at the time the multi-purpose building is constructed, whichever comes first. ~~Landscaping for Parking Lot 3 shall be installed at the time Parking Lot 3 is paved with asphalt or concrete.~~ The parking lot shall be allowed to be fully constructed subsequent to issuance of an unconditional certificate of occupancy for the sanctuary providing the requirements of condition nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259.
30. Prior to the issuance of a certificate of occupancy for the sanctuary to be constructed during Phase I, Stage 2, as identified in the original project approval on July 20, 2001, the project permit holder shall submit a final landscaping plan for the entire project site for review and approval by the Planning Director. The landscaping plan shall be in accordance with landscaping standards shown in Section 17.336.060 of Mariposa County Zoning Ordinance. Submittal and approval of the landscaping plan can occur subsequent to issuance of an unconditional certificate of occupancy for the sanctuary providing the requirements of condition nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259.
31. The landscaping for ~~School Building No. 1, the sanctuary and the three parking lots,~~ Parking Lots ~~1 and 2~~ (east) and 3 ~~shall~~ can be installed prior ~~subsequent~~ to the issuance of a certificate of occupancy for the sanctuary to be constructed in Phase I, Stage 2, as identified in the original project approval on July 20, 2001, providing the requirements of conditions nos. 42-44 are satisfied. Non compliance with this condition of approval may be grounds for revocation of Conditional Use Permit No. 259. All trees utilized in landscapes shall be from the approved tree list for the Mariposa Specific Plan (unless alternative species are approved) and shall be a minimum of fifteen (15) gallons in size at the time of planting.
32. To address fire safety issues, all of the following conditions shall be met, as approved by the County Fire Chief and Planning Department:
- a) An area of “refuge on-site” shall be created with two zones of vegetation management. Vegetation management shall be provided for the life of the project, for a 160-foot perimeter area surrounding and contiguous to the parking lots and structures.
  - b) Zone 1 shall consist of an 80 foot perimeter area surrounding and contiguous to the parking lots and structures. Zone 1 shall receive intensive vegetation management, including irrigated landscaping.
  - c) Zone 2 shall consist of an 80 foot perimeter area surrounding Zone 1. Zone 2 shall receive moderately intensive vegetation management, including a ten foot “limb-



up” requirement on trees, and elimination of all ladder fuels including native shrubs such as Manzanita, chamise, and chaparral. Natural grasses shall be mowed to 3 inches.

- d) A vegetation management proposal shall be submitted by the applicant, and reviewed and approved by the County Fire Department and the Planning Department, and implemented by the applicant, prior to issuance of a certificate of occupancy for Phase 1. The vegetation management proposal does not waive landscaping requirements established by applicable design review standards.
  - e) The access road to the project site shall be a net 22 foot wide, asphalt paved road with no speed bumps.
  - f) The access road to the project site shall not exceed grades above 14%.
33. A stormwater drainage plan for the entire development site, prepared and approved in accordance with Section 15.28.110 of the County Grading and Excavation Ordinance, shall be required prior to issuance of a grading or building permit for Phase I, Stage 2. The purpose of the stormwater drainage plan shall be to ensure the project will not have any negative impacts on any downstream properties or drainage facilities (Mariposa Creek) and that all downstream drainage facilities will be adequate to handle any increase in runoff associated with the project.
34. Prior to the issuance of a building or grading permit or commencement of any site development activity subsequent to Phase I, Stage 1, (with Phase I, Stage 1 limited to the construction of School Building No. 1 to be used as an office and the garage/storage structure), the project applicant shall complete a traffic study to Caltrans specifications to determine any impacts from the project on Highway 49N. Prior to the issuance of a certificate of occupancy for any structure subsequent to Phase I, Stage 1 the permit holder shall comply with all requirements of the traffic study, including making any improvements to the encroachment and/or to Highway 49N.

OR

If Lot Line Adjustment No. 2003-158 and Parcel Merger No. 2003-157 are completed and certificates of compliance are recorded, then the following shall be required:

Prior to the issuance of a building or grading permit or commencement of any site development activity subsequent to Phase I, Stage 1 (with Phase I, Stage 1 limited to the construction of School Building No. 1 to be used as an office and the garage/storage structure), an encroachment permit shall be obtained from the Mariposa County Public Works Department for encroachment improvements adjacent to the new County road (which will ultimately connect Highway 49N and Hospital Road). This encroachment permit requirement shall be deferred to the building permit final, if the new County road section is not yet constructed. All encroachment improvement work required as a condition of approval of this permit 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 encroachment improvement required. 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 encroachment improvements.

Prior to the issuance of a certificate of occupancy for any structure subsequent to Phase I, Stage 1, the construction of the first 350 feet of the new County road (350 feet from Highway 49N) shall be completed by Mariposa County.

35. The landscaping for the multi-purpose building and pavilion and School Building No. 2 shall be installed prior to the issuance of a certificate of occupancy for these structures. All trees utilized in landscapes shall be from the approved tree list for the Mariposa Specific Plan (unless alternative species are approved by Mariposa Planning) and a minimum of fifteen (15) gallons in size at the time of planting.
36. Prior to the issuance of a certificate of occupancy for the multi-purpose building, the driveway from the entrance of Parking Lot 2 to Parking Lot 3 and Parking Lot 3 itself shall be paved with asphalt or concrete surfacing.
37. The woodstove and/or fireplace installed in the parsonage shall comply with the Phase II standards of the United States Environmental Protection Agency. The parsonage shall have a maximum of one (1) chimney.
38. The landscaping for School Building No. 2 shall be installed prior to the issuance of a certificate of occupancy for the structure.
39. Processing fees for the Request for Amended Conditions shall be paid to Mariposa Planning by August 22, 2003. These fees total \$294.00.
40. 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, of 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.

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.

41. Parking Lot 1, as identified on the revised development proposal approved by Mariposa Planning on September 19, 2008, shall be paved with asphalt or concrete and landscaping for Parking Lot 1 shall be installed prior to the issuance of a certificate of occupancy for a school building.
42. The completion of driveway, parking lot, and landscaping improvements as required by condition nos. 26-31 shall be installed by November 30, 2013.
43. A minimum of \$3,500 per month beginning on June 1, 2011 and ending on December 1, 2013 shall be placed in a building fund held by First Baptist Church of Mariposa, and that money shall be available and used only for completing driveway, parking lot, and landscaping requirements established by condition nos. 26-31. First Baptist Church of Mariposa shall provide the Planning Department proof on a bi-monthly basis that the money has been deposited into the building fund.
44. The applicant shall provide bi-monthly written reports to the Planning Department on the progress made on completing the improvements described in conditions of approval nos. 26-31. The first progress report shall be submitted on or before July 1, 2011 and on or before of the first of a required month thereafter ending on December 1, 2013.
45. Prior to the issuance of a temporary certificate of occupancy for the sanctuary structure, for emergency ingress/egress purposes any unimproved portions of the driveway described in condition nos. 26-27 shall be surfaced with a minimum of two inches of aggregate base and shall be a minimum of 18 feet wide with two foot wide supporting shoulders in accordance with minimum access standards contained in the county Road Improvement and Circulation Policy and Improvement Standards. The driveway shall comply with all applicable road/driveway standards contained in State Responsibility Area Fire Safe Regulations (Title 14, Natural Resources, Division 1.5, Chapter 7, Subchapter 2, Article<sup>1</sup>2, California Code of Regulations.)  
Prior to issuance of a temporary certificate of occupancy for the sanctuary structure any unimproved portions of Parking Lots 2 (east) and 3 shall be surfaced with a minimum of two inches of aggregate base.
46. Prior to issuance of a temporary certificate of occupancy for the sanctuary structure, the project applicant shall obtain a Frank Wilson Road address for the project site from the Mariposa County Assessor.

## Exhibit 2

1. Pursuant to Sections 15162 and 15164, CEQA Guidelines, it is found that:

A Mitigated Negative Declaration was approved for Conditional Use Permit No. 259 on July 20, 2001. Substantial changes are not proposed in the project which will require revisions to the Mitigated Negative Declaration. There is no substantial increase in the severity of the previously identified significant effects. The project's amended conditions do not add impacts or mitigation, and a new Mitigated Negative Declaration is not required to be re-circulated or approved. The project primarily changes time frames for completion of certain required improvements subsequent to issuance of a Certificate of Occupancy to the sanctuary on the project site.

2. Findings were adopted for the original and amended Conditional Use Permit Project by the Planning Commission. The Commission hereby re-adopts the previous findings for approval of the project, as no changes are necessary based upon the amendments to the project's conditions of approval relating to time frames for completion of improvements subsequent to issuance of a certificate of occupancy for the sanctuary facility. The previously adopted findings are available at the Mariposa County Planning Department.