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MARIPOSA COUNTY ORDINANCE NO. 462

The Board of Supervisors of the County of Mariposa do ordain as follows:

Ordinance No. 429, commonly referred to as the SUBDIVISION ORDINANCE OF MARIPOSA COUNTY, be and the same is hereby amended as follows:

MINOR SUBDIVISIONS

SECTION 4.3: TENTATIVE PARCEL MAP REQUIREMENTS is amended as follows:

A. 16. Access route to the proposed division of land from a County highway, a state highway, access across federal and/or state lands which are open to the public, a public road on which the County has expended funds for maintenance and improvement from the Motor Vehicle License Fee Fund, a public road which has been adjudged as such by a court of competent jurisdiction, a private road which the County has improved pursuant to the provisions of Streets & Highways Code 969.5 and a grant of right-of-way has been made to the County of Mariposa for the use of the general public in perpetuity.

SECTION 4.3: TENTATIVE PARCEL MAP REQUIREMENTS is amended as follows:

- C. 1. a. No portion of a proposed road will exceed 15-percent grade upon completion of construction.
- b. The proposed road relates or will allow a relationship to existing or potential roads in the vicinity.
- c. The applicant shall identify the proposed easement by staking the outer margins of the easement at 200-foot intervals on straight alignments and at 50-foot intervals on curved

1 alignments with wooden stakes not below 36 inches from the ground  
2 which are tied with colored ribbons visible at a distance of 200  
3 feet.

4 d. There shall be an offer of road dedication for  
5 a road 30 feet, or more, on either side of the center line when the  
6 property fronts on a County road. If the property owner owns on  
7 both sides of the road, both sides of the road shall be offered for  
8 dedication. In the event that a County road passes through a par-  
9 cel of land, but does not form the boundary of said parcel or divi-  
10 sions thereof, a 30-foot or more dedication shall be offered on  
11 each side of the center line of the road. Then center line of said  
12 road shall be shown on the map and monumented in accordance with  
13 the requirements of the Road Department.

14 e. There shall be a non-exclusive easement for  
15 each parcel to one of the following:

- 16 (1) A County highway;
- 17 (2) A state highway;
- 18 (3) Access across federal and/or state lands which are open  
to the public;
- 19 (4) A public road on which the County has expended funds for  
20 maintenance and improvement from the Motor Vehicle  
License Fee Fund;
- 21 (5) A public road which has been adjudged as such by a court  
of competent jurisdiction; and
- 22 (6) A private road which the County has improved pursuant to  
23 the provisions of Streets & Highways Code 969.5 and a  
grant of right-of-way has been made to the County of  
Mariposa for the use of the general public in perpetuity.

24 Prior to any subdivision of land which contains an existing ease-  
25 ment, said easement shall be made a 60-foot non-exclusive easement  
26 as a condition of approval. The 60-foot width may be waived to  
27 such less width as required by the Planning Commission in relation-  
28 ship to ultimate usage and potential future development. An

1 irrevocable offer of dedication will be required on all easements.

2 f. Easement shall conform to Mariposa County  
3 Improvement Standards, adopted August 18, 1970, and Addendum to  
4 Standards, pursuant to Government Code Section 66462(b), which  
5 standards are in the office of the County Clerk, County of Mariposa,  
6 Mariposa, California, or such less standards determined by the  
7 Planning Commission in relationship to ultimate usage and potential  
8 future development. Width of road shall be specified by the  
9 Planning Commission. Road surface will be determined by grade and  
10 soil type. The easement shall lead from each parcel created by  
11 parcel map, including remainder, to a road described in Section  
12 4.3, C, 1, e.

13 g. The Planning Commission may require the appli-  
14 cant to construct a road on the easement prior to recordation of  
15 parcel map, and may require submittal of engineered plans for road  
16 improvement to County Engineer for approval. All road construction  
17 is subject to approval of County Engineer prior to recordation of  
18 parcel map.

19 SECTION 4.3: TENTATIVE PARCEL MAP REQUIREMENTS is amended  
20 as follows:

21 E. Rejection, Reinspection, and Burden of Proof:

22 1. Failure to comply with any or all of Section 4.3,  
23 A, B, C, and/or D shall be cause for the Planning Commission to re-  
24 turn such map for corrections. Should such map fail to comply with  
25 Section 4.3, A, B, C, and/or D, it shall be cause for rejection of  
26 a tentative map. Any applicant who fails to provide sufficient in-  
27 formation and markings on the property which results in the post-  
28 ponement of action on the application at a regular meeting of the

1 Planning Commission must pay a reinspection fee. The applicant  
2 shall have the burden of informing himself of the requirements for  
3 compliance with Section 4.3, A, B, C, and D.

4 SECTION 4.4: PARCEL MAP REQUIREMENTS, Subsection J, 1, 2,  
5 3, 4, 5, 6, 7, and 8 be and the same are hereby deleted.

6 SECTION 4.9: MINIMUM PARCEL SIZE is amended as follows:

7 C. Parcels shall have a minimum size of 9,000 square feet  
8 if:

9 1. They are within a recognized public or private  
10 utility district or a recognized service area which provides both  
11 domestic water and a sewage disposal system; or.

12 MAJOR SUBDIVISIONS

13 SECTION 6.2: LOTS is amended as follows:

14 A. 3. a. There shall be a minimum of one percolation  
15 test performed on each lot as described in Section 4.6, G.

16 SECTION 6.8: DEDICATION is amended as follows:

17 C. Streets which are proposed on the exterior boundaries  
18 of a subdivision shall have a dedicated width of not less than 60  
19 feet together with a strip of land one foot wide on its outer edge  
20 which shall be offered to the County for street purposes and over  
21 which access rights are relinquished.

22 SECTION 6.9: REQUIRED IMPROVEMENTS is amended as follows:

23 A. 3. That reasonable proof of water for a major subdivi-  
24 sion, wherein water is proposed to be developed by individual wells,  
25 shall be considered to be wells of proven capacity.

26 a. Proven capacity shall be a well or wells capa-  
27 ble of producing 1,000 gallons per lot per 12-hour day for each lot  
28 in the proposed subdivision.

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(1) Proof of production shall be a 10-day, 24-hour test of the well or wells certified by a licensed engineer.

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

- (1) Complete chemical analysis as compared to USPHS drinking water standards.
- (2) Bacteriological tests.

c. 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 said 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.

d. 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.

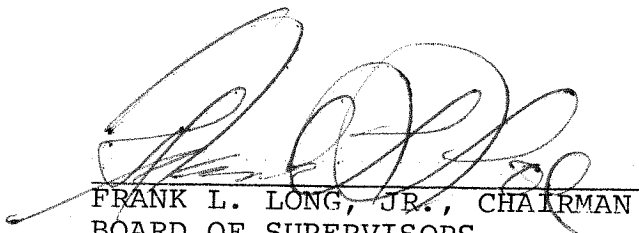
Any ordinance or part of an ordinance in conflict herewith is hereby repealed.

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PASSED AND ADOPTED by the Board of Supervisors of the  
County of Mariposa this 16th day of August, 1977, by the following  
vote:

AYES: Clark, Dalton , Long  
NOES: Owings  
NOT VOTING: None  
ABSENT: Walton

  
FRANK L. LONG, JR., CHAIRMAN  
BOARD OF SUPERVISORS

ATTEST:

  
ELLEN BRONSON, COUNTY CLERK AND  
EX OFFICIO CLERK OF THE BOARD