

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

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

Resolution

No. 2008- 025      **A resolution conditionally approving Land Division Application 2007-190, Merlin and Miriam Jones, applicants. Assessor Parcel Number 004-160-017**

WHEREAS an application for Land Division Application 2007-190 was received on December 07, 2007 from Merlin and Miriam Jones for a property located at 6417 Greeley Hill Road, also known as Assessor Parcel Number 004-160-017; and

WHEREAS Land Division Application No. 2007-190 proposes the division of a 11.05± acre parcel into 4 parcels, Parcel A of 2.59 acres, Parcel B of 2.70, Parcel C of 2.67, and Parcel D of 3.09; 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 August 22, 2008; and

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

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Land Division Application 2007-190.

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

ON MOTION BY Commissioner Rudzik, seconded by Commissioner Francisco, this resolution is duly passed and adopted this by the following vote:

AYES:    Rudzik, Francisco, DeSantis, Skyrud

NOES: None

EXCUSED: Ross

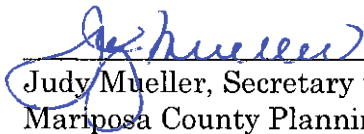
ABSTAIN: None



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Skip Skyrud, Chair  
Mariposa County Planning Commission

Attest:



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Judy Mueller, Secretary to the  
Mariposa County Planning Commission

***EXHIBIT 1***  
***PROJECT FINDINGS***  
***FOR***  
***Land Division Application 2007-190***

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

**EVIDENCE:** Based on site inspection, existing issued development permits, compliance with project conditions, and the proposed division of the existing parcel into four parcels that are two and one-half (2.5) acres or greater, the site is physically suited for low-density homes and appurtenant improvements such as septic systems. The proposed project is located within the Town Planning Area zone and the Greeley Hill Planning Area Land Use. The subdivision density is designed in accordance with the Town Planning Area zone and the Planning Area Land Use.

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. 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 for a mitigated negative declaration as required by AB 3158 and Senate Bill 1535 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 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 opportunities for an adequate supply of sound, affordable housing units for ownership and for rent in a safe and satisfying environment for the present and future residents of the County."* The land division satisfies the following Housing Element Objectives, including: *"Provide Adequate Sites and Services"*. There is no specific plan governing this property.

Based upon input from the Mariposa County Public Works Department, Greeley Hill Road in the vicinity of the project site is maintained and has adequate capacity for the potential traffic volume generated by the total number of existing lots and those which are proposed by the project.

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

**EVIDENCE:** The minimum parcel size, minimum density, and building intensity proposed by the project is consistent with standards contained in the Greeley Hill Planning Area Land use of the General Plan and the Town Planning Area zone of 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 any special, specific, community or area Plan at this time.

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. 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 2007-190**

**Project Name: Merlin and Miriam Jones      File Number: LDA No. 2007-190**

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

**Project Approval Date: August 22, 2008**

**Sign-Off Checklist for Conditions of Approval**

| CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT   | MONITORING DEPARTMENT | VERIFIED IMPLEMENTED |
|--|-----------------------|----------------------|
| <p>1. The easement from Greeley Hill Road to the cul-de-sac shall be made 40 feet wide and non-exclusive. The easement shall be designated for access for the use and benefit of the subject property. A cul-de-sac easement with a radius of 40 feet shall be provided 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. 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>[COUNTY SUBDIVISION ORDINANCE SECTION 16.12.160.B; SECTION II.A.3, ROAD IMPROVEMENT AND CIRCULATION POLICY]</p> | <p>Public Works</p>   |                      |

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| <p>2. The easement from Greeley Hill Road to the cul-de-sac shall be improved to a Rural Class I SRA "A" 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>[SECTION 16.12.170, COUNTY SUBDIVISION ORDINANCE; CHART A AND SECTION II.D.2.A, ROAD IMPROVEMENT AND CIRCULATION POLICY]</p> | <p>PUBLIC WORKS</p> |  |
| <p>3. A cul-de-sac shall be constructed at the terminus of the on-site easement road. The cul-de-sac shall be improved to meet county standards and shall meet this standard 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 Cal Fire, 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>PUBLIC WORKS</p> |  |
| <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 Greeley Hill Road 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</p>   | <p>PUBLIC WORKS</p> |  |

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| <p>construction work on the required road improvements.</p> <p>[ROAD IMPROVEMENT AND CIRCULATION POLICY SECTION II.C.5 &amp; COUNTY IMPROVEMENT STANDARDS SECTION 11]</p>   |                     |  |
| <p>5. Prior to 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 road contractor shall occur. This meeting shall be conducted on-site. This consultation meeting shall be setup by the applicant and/or agent. Any and all costs associated with the consultation shall be the responsibility of the applicant. They 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 on-site inspection of road improvements.</p> | <p>PUBLIC WORKS</p> |  |
| <p>6. 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 improvement required as a condition of approval for this project. If engineered improvement plans are required, the plan shall be approved by the County Engineer <u>prior</u> to commencement of construction work on the required road improvements.</p>   | <p>PUBLIC WORKS</p> |  |
| <p>7. 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 Resource Conservation District. The applicant shall also contact 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>Public Works Recommendation</p>   | <p>PUBLIC WORKS</p> |  |



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| <p>[COUNTY IMPROVEMENT STANDARDS, SECTION 12]</p>   |                     |  |
| <p>8. 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. [ROAD IMPROVEMENT AND CIRCULATION POLICY SECTION III.A., COUNTY IMPROVEMENT STANDARDS SECTION 11.5(D)]</p>  | <p>PUBLIC WORKS</p> |  |
| <p>9. A STOP sign shall be placed at the intersection of the off site easement road and Greeley Hill Road. The design and placement of this STOP sign shall be approved by the County engineer prior to installation.<br/>[ROAD IMPROVEMENT AND CIRCULATION POLICY SECTION III.A., COUNTY IMPROVEMENT STANDARDS SECTION 11.5(D)]</p>  | <p>PUBLIC WORKS</p> |  |
| <p>10. A sign stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of the easement road and Greeley Hill 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.<br/><br/>[ROAD IMPROVEMENT AND CIRCULATION POLICY SECTION III.A., COUNTY IMPROVEMENT STANDARDS SECTION 11.5(D)]</p>                         | <p>PUBLIC WORKS</p> |  |
| <p>11. A road name sign for the on-site easement road shall be placed at the intersection of the easement road and Greeley Hill 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.<br/>[COUNTY SUBDIVISION ORDINANCE SECTION 16.12.175; COUNTY IMPROVEMENT STANDARDS SECTION 11.5(D)]</p>                                     | <p>PUBLIC WORKS</p> |  |
| <p>12. A road maintenance association shall be formed to provide for the maintenance of the easement road. 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</p> | <p>PUBLIC WORKS</p> |  |

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| <p>Engineer prior to recordation of the parcel map and shall:</p> <ul style="list-style-type: none"> <li>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.</li> <li>b. Provide for annual maintenance and the immediate correction of emergency and hazard situations.</li> <li>c. Include 100% of the parcels in the subdivision served by the access road.</li> <li>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.</li> <li>e. Provide a mechanism for new parcels to be added to the association.</li> </ul> <p>If an existing Road Maintenance Association (RMA) that performs these same functions exists, and if additional parcels can join the existing RMA, this shall be an acceptable alternative for meeting this condition.</p> <p>(ROAD IMPROVEMENT AND CIRCULATION POLICY)</p> |                     |  |
| <p>13. 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. [COUNTY SUBDIVISION ORDINANCE SECTION 16.12.395]</p>  | <p>Public Works</p> |  |

| CONDITION OF APPROVAL / MARIPOSA PLANNING   | MONITORING DEPARTMENT | VERIFIED IMPLEMENTED |
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| <p>14. Project approval is valid for a period of three years from August 22, 2008. This approval shall expire on August 22, 2011.</p> <p>[MARIPOSA COUNTY SUBDIVISION CODE SECTION 16.12.430]</p>   | MARIPOSA PLANNING     |                      |
| <p>15. The Property 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 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> | MARIPOSA PLANNING     |                      |

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| <p>[COUNTY ORDINANCE NO. 1017]</p>  |                              |  |
| <p>16. 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<br/>PLANNING</p> |  |
| <p>17. Prior to filing 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 (\$1,876.75 as of 1/1/08) and the County Clerk fee (\$50.00 as of 1/1/08) shall be paid by the applicant within five (5) working days of the approval of the application (by Friday, August 29, 2008), 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, August 29, 2008 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 \$1,926.75 (effective 1/1/08), 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 to file this fee and other required documents with the County Clerk.</p> <p>Note, the filing fees are adjusted annually, effective January 1<sup>st</sup> of each year, pursuant to Fish and Game Code.</p> <p>§16.12.390, Mariposa County Subdivision Code; 711.4(c) of the State Fish and Game code</p> | <p>MARIPOSA<br/>PLANNING</p> |  |
| <p>18. The on-site easement road from Greeley Hill Road to the cul-de-sac shall be named in accordance with the criteria of County Resolution No.</p>   | <p>MARIPOSA</p>              |  |

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| <p>92-541. A Road Name Request application shall be submitted to the Planning Department and approved by the Board of Supervisors prior to the recordation of the parcel map.</p> <p>(County Resolution No. 92-541)</p>   | <p>PLANNING</p>                         |  |
| <p>19. Subdivision Map Act Section 66434.2 applies to the recordation of the parcel map for this project.</p> <p>Planning Department Recommendation</p>   | <p>MARIPOSA<br/>PLANNING</p>            |  |
| <p>20. Prior to recordation of the parcel map, the applicant shall provide satisfactory evidence to the County Surveyor that the project parcel has a minimum frontage of forty (40) feet along Greeley Hill Road, west of Bean Creek for legal access to the project parcel.</p> <p>Planning Department Recommendation</p>   | <p>MARIPOSA<br/>PLANNING</p>            |  |
| <p><b>CONDITION OF APPROVAL/ HEALTH DEPARTMENT</b></p>  | <p><i>MONITORING<br/>DEPARTMENT</i></p> | <p><i>VERIFIED<br/>IMPLEMENTED</i></p> |
| <p>21. Prior to recordation 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> <ul style="list-style-type: none"> <li>a. an approved connection from an approved public water provider; or</li> <li>b. a proposed connection to a shared well which has been pre-approved by the Health Department; or</li> <li>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</li> </ul> | <p>HEALTH<br/>DEPARTMENT</p>            |  |

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| <p>installed pump equipment; or</p> <p>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</p> <p>e. other satisfactory proof and wells drilled and tested prior to sale to demonstrate the quantities described in "Section d." above.</p> <p>Additionally, if the property is to be served in the future by a well, the applicant shall record a disclosure statement concurrently with the map and referenced on the map stating the following:</p> <p>"Water supplies for residential lands are derived from private wells on Parcels A, B, C, and D as shown on the Parcel Map for _____, recorded 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."</p> <p>(Mariposa County General Plan, Section 5.3.02.E(4))</p> |                                   |  |
| <p>22. Percolation tests and soils analysis tests have been performed on Parcels A, B and D in accordance with Health Department rules and regulations and Health Department Policy 03-01. A report meeting the requirements of Health Department Rules and Regulations was submitted to the Mariposa County Health Department and has been tentatively approved by the County Environmental Health Specialist. However, there is some question as to whether the sewage reserve areas identified in the report meet all required setbacks. Prior to recordation of the parcel map the applicant shall demonstrate to the satisfaction of the Mariposa County Health Department that the minimum required area per Health Department Policy 03-01 is available for use on parcels A, B &amp; D adjacent to the areas tested. This may include excavating additional profile holes at the discretion of the Health Department. If the Health Department does not approve the pre-tested site then additional percolation tests and soil profile analysis shall be performed on those parcels not approved by the Health Department. In the event that one of the parcels does not have</p>  | <p>HEALTH<br/>DEPARTM<br/>ENT</p> |  |

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| <p>adequate space meeting the requirements of Health Department Policy 03-01 it shall be merged with one or more adjoining parcels.</p> <p>Health Department Policy 03-01</p>   |   |   |
| <p>23. If the Health department approves the sewage reserve areas required in the above condition (number 22) then 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 A, B and D as shown on the Parcel Map for ____, 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 test, additional soils analysis tests and design recommendations may be required.”</p> <p>Health Department Policy 03-01</p> | <p>HEALTH<br/>DEPARTM<br/>ENT</p>                 |   |
| <p>24. If the applicant proposes to dispose of any brush, tree trimmings or other vegetation by burning they must obtain a burn permit from the Mariposa County Air Pollution Control District.</p> <p>Health Department Recommendation</p>   | <p>HEALTH<br/>DEPARTM<br/>ENT</p>                 |   |
| <p><b>CONDITION OF APPROVAL/</b></p> <p><b>CALIFORNIA DEPARTMENT OF FOREST AND FIRE PROTECTION</b></p>  | <p><i>MONITORI<br/>NG<br/>DEPARTME<br/>NT</i></p> | <p><i>VERIFIED<br/>IMPLEMENT<br/>ED</i></p> |
| <p>25. Prior to filing of the parcel map, all applicable State Fire Safe Regulations shall be met. A letter shall be submitted to the County Surveyor by CDF stating this condition has been met.</p> <p>(California Public Resource Code)</p> <p>Planning Department Recommendation</p>  | <p>COUNTY<br/>SURVEYO<br/>R</p>                   |   |

| CEQA MITIGATION MEASURES   | MONITORING DEPARTMENT    | VERIFIED IMPLEMENTED |
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| <p>26. A drainage setback shall be established and shown on the Parcel map for Bean Creek that runs through Parcels A, B, and D. The width of the setback shall be 50 feet from the centerline of the creek, to protect native plants and amphibians and riparian habitat and prevent soil erosion. A statement shall be filed 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 setback as shown on the Parcel Map for _____ filed in Book ___ at Page _____, Mariposa County Records. No portions of a sewage disposal system shall be constructed within the open space setback. No grading shall be allowed within the setback, except that which is necessary for access to building sites, the maintenance or improvements of County Maintained Roads, or the maintenance or improvements of the 40 foot access easement. A well or wells, water pipes, underground and above ground power lines, fencing, and other similar structures or improvements may also be constructed within the open space setback subject to approval by the Planning Director. This setback shall be in perpetuity and shall restrict the use of the land within the setback.”</p> <p>Mitigation Measure; Planning Staff Recommendation</p> | <p>MARIPOSA PLANNING</p> |                      |
| <p>27. Based on available data, such as Flood Insurance Rate Map dated September 9, 1990 (Map No. 06043C0125 B); Parcels A, B, and D may be located within Flood Zone A as delineated on the FIRM map. In order to give constructive notice to potential buyers of the potential 100-year frequency flood zone one of the following conditions shall be met prior to filing of the parcel map:</p> <p>A. Two copies of the Parcel Map, delineating all required setbacks, sewage reserve areas as approved by the</p>  | <p>MARIPOSA PLANNING</p> |                      |



Health Department, and the 100-year flood zone boundaries based on Flood Insurance Rate Maps of the area shall be submitted to the Planning Department to determine if buildable areas exist outside of the above mentioned areas. If it is determined that reasonable building areas do not exist on a parcel, the parcel shall be merged with another adjacent parcel. This map shall be kept with the application files at both the Health Department and the Planning Department for future reference if necessary. A statement shall be filed with the Parcel Map and referenced on the parcel map as follows:

"Portions of Parcels A, B, and D as shown on the Parcel Map for \_\_\_\_\_ filed in Book \_\_\_\_ at Page \_\_\_\_\_, Mariposa County Records may be located within the boundaries of a 100-year flood zone for Bean Creek. There are building areas on these parcels which are outside of the 100-year flood zone. Mariposa County does not currently participate in the FEMA flood insurance program, and this affects the availability of flood insurance. A map delineating required setbacks from property lines, sewage reserve areas as approved by the Health Department, and the flood zone boundaries based on \_\_\_\_\_ (Flood Insurance Rate Maps, and/or an engineered survey of the area) is on file with the Planning Department and the Health Department in Land Division Application No. 2007-190's application file. Building within the flood zone area is at the property owner's own risk.

-OR-

Prior to the recordation of the parcel map, the applicant may have an engineered survey of the property prepared to determine the actual boundaries of the flood zone for Bean Creek, if any exists. The survey shall be submitted to the Planning Department. If no flood zone exists on the property, based on the engineered survey, this condition shall not be applicable upon approval of the survey's determination by the Planning Department. If a flood zone exists on the property that lies outside of the setback required by Mitigation Measure No. 26 above, then condition No. 27.A shall be followed.

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| Mitigation Measure; Planning Staff Recommendation  |  |
| <p>Staff recommends that the Planning Commission recommend that the Public Works Director accept the offer of dedication for public utilities.</p> <p>Mariposa Planning Recommendation</p> |  |

| Agency Contact List                            |               |   |  |                                    |
|--|---------------|---|--|------------------------------------|
| AGENCY   | CONTACT       | PHONE NUMBER                              | SITE ADDRESS                               | MAILING ADDRESS                    |
|  |               | EMAIL                                     |  |                                    |
| Mariposa Planning                              | Alvaro Arias  | 209-742-1218<br>aarias@mariposacounty.org | 5100 Bullion Street<br>Mariposa CA 95338   | P.O. Box 2039<br>Mariposa CA 95338 |
| Public Works                                   | Jerry Freeman | 209-966-5356                              | 4639 Ben Hur Road<br>Mariposa CA 95338     | Same as site                       |
| Health Department                              | Dave Conway   | 209-966-2220                              | 5100 Bullion Street<br>Mariposa CA 95338   | P.O. Box 5<br>Mariposa CA 95338    |
| Mariposa County Resource Conservation District |               | 209-966-3431                              | 5009 Fairgrounds Rd<br>Mariposa CA 95338   | P.O. Box 746<br>Mariposa CA 95338  |
| County Assessor                                | Sarah Wise    | 966-2332                                  | 4982 10th Street<br>Mariposa CA 95338      | P.O. Box 35<br>Mariposa CA 95338   |
| County Fire                                    | Jim Wilson    | 209-966-4330                              | 5082 Bullion Street<br>Mariposa CA 95338   | P.O. Box 162<br>Mariposa CA 95338  |
| Cal. Dept of Forestry                          | Matt Watson   | 209-966-3622                              | 5366 Highway 49 North<br>Mariposa CA 95338 | Same as site                       |

**Certificate of Completion:**

Revised: March 17, 2004

pages

August 22, 2008

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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:***

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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.