DEPARTMENT: Planning  BY: Jay Pawlek  PHONE: (209) 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes  No XX )

Direct staff to file a Notice of Exemption for the project and Adopt a Resolution Approving Revised Planned Unit Development No. 1 with the recommended standards and findings.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

See memorandum to the Board for background information on the project.

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1  Modify the conditions applied to Revised Planned Unit Development No. 1
2. Deny Revised Planned Unit Development No. 1, leaving the developer with their originally approved PUD.

COSTS:  (X) Not Applicable  

A. Budgeted current FY  $ 
B. Total anticipated costs  $ 
C. Required additional funding  $ 
D. Internal transfers  $ 

SOURCE:  ( ) 4/5ths Vote Required

A. Unanticipated revenues  $ 
B. Reserve for contingencies  $ 
C. Source description: Balance in Reserve for Contingencies, if approved: $ 

SPECIAL INSTRUCTIONS:
List the attachments and number the pages consecutively:

Memorandum with Attachments:
1. Draft Board Resolution
2. Planning Commission Staff Report
3. Planning Commission Resolution 95-15
4. Planning Commission Minutes of 8/4/95

CLERK'S USE ONLY:
Res. No.: 45-481  Ord. No.  
Vote - Ayes: 4  Noes: 
Absents:  
Approved:  ( ) Denied: 
Minute Order Attached:  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.

Date:  
ATTEST:  MARGIE WILLIAMS, Clerk of the Board
          County of Mariposa, State of California
          By:  Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

☑ Recommended  ☐ Not Recommended
☐ For Policy Determination  ☐ Submitted with Comment
☐ Returned for Further Action  
Comment:  

A.O. Initials:  

Action Form Revised 5/92
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: ED JOHNSON, Planning and Building Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: PUBLIC HEARING Re Planned Unit Development No. 1, Mariposa Vista Estates, Glenn Thole and Peter Winslow, Applicants; Res. 95-431

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on October 3, 1995

ACTION AND VOTE:

11:04 a.m. Ed Johnson, Planning and Building Director;
   A) PUBLIC HEARING to Consider Directing Staff to File a
      Notice of Exemption for the Project and Resolution Approving
      Revised Planned Unit Development Number 1, Mariposa Vista
      Estates, Glenn Thole and Peter Winslow, Applicants.

BOARD ACTION: Jay Pawlek/Planner, presented staff report and
responded to questions from the Board relative to Standen Park
Road and the new configuration for the development and access and
emergency exits. Public portion of the hearing was opened and
input provided by the following: Bill Summermeier/Civil Engineer
for project, provided input relative to the emergency exits and
stated this will make it better for the area; and feels that with
the reconfiguration, the parcels fit the area better. Mr.
Summermeier responded to questions from the Board relative to
Fournier Road and future engineering and relative to emergency
access through Idle Wheels Mobile Home Park. Rachel
Oliver/resident on Standen Park Drive, commended the developers
for bringing back a better plan; expressed concern with the
"crash gates" for emergency access; requested that the developers
be required to save as many pine trees as possible; expressed
concern with fire danger; and requested that there be no street
lamps. Gene Mickel stated he supports the project and with the
removal of a pile of dirt, there is another emergency access that
comes in behind Yosemite Bank headquarters. Public portion of
the hearing was closed and Board commenced with deliberations.
Staff responded to questions from the Board relative to access to
the Trujillo property; road flooding problems in the area;
improvements to Standen Park Road; road maintenance; "crash
gates"; tree plan; street lights; and access. Ed Johnson advised
that following this process, the subdivision map will go through
MINUTE ORDER
October 3, 1995
Page Two

a hearing process. (M)Reilly, (S)Balmain, Res. 95-431 adopted
directing staff to file a Notice of Exemption for the project and
approving revised Planned Development Unit No. 1 with the
recommended standards and findings/Ayes: Reilly, Balmain,
Stewart, Parker; Noes: Taber. Hearing was closed.

cc: Mike Edwards, Public Works Director
    File
ATTACHMENT "1"

MARIPOSA COUNTY RESOLUTION NO. 95-431

A RESOLUTION REVISING PLANNED UNIT DEVELOPMENT 1
(MARIPOSA VISTA ESTATES)

WHEREAS, an application for a revised planned unit development in the Mariposa Town Planning Area has been submitted to the County of Mariposa; and

WHEREAS, said application proposes to revise Planned Unit Development 1 (Mariposa Vista Estates) established by Mariposa County Resolution No. 93-432; and

WHEREAS, the revised application proposes a residential subdivision of 30 parcels, one MPUD wellsite parcel and a remainder of 11.67 acres on a 40 acre parcel; and

WHEREAS, the Mariposa County Planning Commission has held a duly noticed public hearing on the project in accordance with State Law and County Code and has adopted Planning Commission Resolution No. 95-17 recommending approval of the revised development subject to development and subdivision standards; and

WHEREAS, the Board of Supervisors has held a duly noticed public hearing on the project in accordance with State Law and County Code and considered the Planning Commission recommendation and all input, written and verbal, delivered to the Board.

NOW THEREFORE BE IT RESOLVED, the Mariposa County Board of Supervisors hereby approves the revised Planned Unit Development No. 1 (Mariposa Vista Estates Subdivision) on the property described as Parcel A in Book
12 of Parcel Maps, Page 10, Mariposa County Official Records, with the
development and subdivision standards set forth in Exhibit B attached hereto and
incorporated by reference.

BE IT FURTHER RESOLVED, the Board of Supervisors hereby finds the
project is exempt from the requirements of the California Environmental Quality
Act (Section 15182 California Administrative Code, Section 65456 California
Government Code) and directs the Planning and Building Department to file a
Notice of Exemption for the Project.

BE IT FURTHER RESOLVED, these actions are based on the mandatory
findings established by Section 3.14(A) of the Mariposa TPA Specific Plan and
Section 18.328.030(B) of Title 17 of County Code as stated in Exhibit A attached
hereto and incorporated herein by reference.

THIS RESOLUTION is subject to referendum and shall become effective
thirty (30) days after passage.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors
on this 3rd day of October, 1995 by the following vote:

AYES: REILLY, BALMAIN, STEWART and PARKER
NOES TABER
ABSENT NONE
ABSTAINED NONE

Garry R. Parker
Mariposa County Board of Supervisors

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

JEFFREY G. GREEN
County Counsel
EXHIBIT “A”

FINDINGS

1. Pursuant to Section 15182 (CAC) of the California Environmental Quality Act (CEQA) Guidelines and Section 65457 (CGC) of the California Planning and Zoning Laws, the project is exempt from the requirements of CEQA. This finding is supported by the following:

   a. The project is consistent with the Mariposa TPA Specific Plan for which and Environmental Impact Report has been certified.
   b. Substantial changes have not occurred with respect to the circumstances under which the EIR was certified.
   c. The waivers or modifications to the Specific Plan standards which have been granted to the project are minor as described in the staff report and do not involve environmental impacts not considered in the EIR.
   d. There is no new information which demonstrates the project will result in significant adverse environmental impacts not discussed in the EIR or significant impacts which are substantially more severe than discussed in the EIR.

2. The project has been reviewed for consistency with the Mariposa County General Plan and Mariposa Town Planning Area Specific Plan. The project is found to support, accomplish, or have no effect on the goals, policies, and standards of the General Plan and the Specific Plan and is compatible with the General Plan and Specific Plan. This finding is made in accordance with Section 2.600 et. seq. of the General Plan and Section 66473.5 of the Subdivision Map Act. The project is consistent with the existing zoning and density standards.

3. The design of the proposed subdivision has been reviewed for passive or natural heating or cooling opportunities in accordance with Section 66473.1 of the Subdivision Map Act. The predominant east-west orientation of the subdivision lots provides to the extent feasible passive or natural heating opportunities by permitting the orientation of structures in a east-west alignment for southern exposure. The protection and replanting of native trees required as a condition of the subdivision provides to the extent feasible for passive or natural cooling opportunities by protecting trees so that structures may take advantage of tree shade.

4. The acceptance of the Joe Howard Street crossing into the County-maintained system is consistent with the Road Improvement and Circulation Policy based on the following:

   a. The crossing will be constructed to a Town Class III standard and in accordance with the County Improvement Standards.
   b. It is substantially in the general public interest to include the crossing within the County-maintained system.
c. The crossing will serve an area planned for substantial residential development in the Mariposa Town Planning Area.

d. The crossing will connect a County road (Joe Howard Street) with a future County arterial (Antone Road).

5. The following findings are made for approval of the Planned Unit Development pursuant to Section 3.14(A) of the Mariposa TPA Specific Plan and Section 17.328.030(B) of Title 17 of County code:

a. The principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under standard subdivision provisions:

The Board of Supervisors has determined by the adoption of the Specific Plan that the project site has been identified as a critical area and any subsequent development will have unique or unusual features which could not otherwise by addressed through the subdivision process and standards. These features include the moderate to steep terrain of the site, visibility of the site from the town planning area and State Highways 49 and 140, and the necessity for access across Mariposa Creek. Planned unit development have been adopted to address these unique or unusual features in a satisfactory manner.

b. Each individual unit of the development if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development:

The project has been designed as a single phase and is an independent project which provides for the orderly development of the site as a whole. Development of the individual parcels will be regulated by the planned unit development which has been adopted to ensure each parcel is developed appropriately as provided in the development and subdivision standards.

c. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the desirability of the area and have a beneficial effect:

The project is a single family residential development. The surrounding area is developed with single family residences and is planned for small-lot and rural-lot single family residential development. The planned unit development imposes development standards to reduce or eliminate detrimental impacts. The planned unit development will also result in substantial improvements which will upgrade access, including emergency access, to the surrounding area. These improvements include paved streets, pedestrian paths to Joe Howard Street, two all weather crossings on Mariposa Creek.

d. Any deviation from Title 16 (subdivision ordinance) requirements is warranted by the design and additional amenities incorporated in the
development plan which offer certain redeeming features to compensate for any deviations that may be permitted:

The planned unit development has been designed to substantially comply with the County Subdivision Ordinance and the standards of the Specific Plan. A minor deviation from the Subdivision Ordinance and Specific Plan is allowed in regards to front yard setbacks, however this is minor and permitted by the Subdivision Ordinance and Specific Plan. The planned unit development will apply more stringent standards to the subdivision and subsequent development which address the unique and unusual circumstances of the site and characteristics of the project and compensate for the minor deviations.

6. The project, upon compliance with Condition No. 19, will comply with the tree preservation standards of the Mariposa TPA Specific Plan.
EXHIBIT “B”

PLANNED UNIT DEVELOPMENT 1 STANDARDS

A. Development Standards.

1. All development on the site, including but not limited to grading, road construction, uses, and buildings, shall comply with the Mariposa TPA Specific Plan, the PUD development plan, and all standards contained herein. In those instances where there is a conflict between the standards contained herein and the Specific Plan and other County ordinances and resolutions, the standards contained herein shall govern. Any variation to the PUD development plan and standards, except as permitted by the PUD standards, shall be approved by the Board of Supervisors in accordance with Section 3.14(A)(2)(k) of the Mariposa TPA Specific Plan.

2. Construction of the subdivision improvements shall commence within six (6) months of the date of approval of the major subdivision application. The Planning Director may approve extension for commencement of construction of up to one (1) year upon written request from the property owners and a showing of good faith and effort by the property owners to complete the project. Construction of the improvements shall be completed within six (6) months of commencement of construction. The Planning Director may approve extension for completion of construction of up to six (6) months upon written request from the property owners; the Planning Director may impose any conditions on the extension to ensure such extension and non-completion of the improvements will not have substantially adverse impacts.

3. All each parcel shall comply with the minimum parcel size shown on the development plan except as modified by the following:

   Parcel No. 2—32,670 square feet (net)
   Parcel No. 3—45,738 sq. ft. (net)
   Parcel No. 6—38,115 sq. ft. (net)
   Parcel No. 7—21,780 sq. ft. (net)
   Parcel No. 14—37,026 sq. ft. (net)
   Parcel No. 15—16,012 sq. ft. (net)
   Parcel No. 23—28,314 sq. ft. (net)
   Parcel No. 24—14,570 sq. ft. (net)

4. All structures shall comply with the setback standards of the Mariposa TPA Specific Plan except as modified by the following:

   (a) The front yard setback shall be a minimum of ten (10) feet from the outermost edge of the access easement including associated slope easements.
   (b) Structures on Parcels No.—23 and 24 shall not be subject to a front yard setback from the off-site easement located along the rear property line.
5. All construction on all parcels shall comply with the Hillside Development Standards of the Specific Plan (Section 3.24, Specific Plan; Section 17.336.040, Zoning Ordinance) as may be amended from time to time.

6. All grading and residential buildings shall be constructed in compliance with the special foundation and grading requirements stated in the Soils Investigation Report and the information provided in the Geologic/Seismic Hazard Investigation and Preliminary Slope Stability Assessment Report, both prepared for the subdivision and on file in the Mariposa County Planning and Building Department. A building and/or grading permit shall not be issued unless the requirements of the Soils Investigation Report are incorporated into the building or grading plans and permits.

7. All buildings shall be constructed and permanently maintained with roof gutters and down spouts to ground level to properly dispose of roof runoff. The location of gutters and down spouts shall be shown on the building plans and be approved through the site plan review process.

8. All buildings shall be constructed and permanently maintained with non-reflective earth tone exterior finishes.

9. All residential units shall be served by a paved driveway with a minimum width of 10 feet and a maximum grade of 16% from the access road to each of the on-lot parking spaces. All grading associated with driveway construction shall comply with the provisions of the County Grading Ordinance (Chapter 15.28 County Code).

10. Each parcel shall contain a minimum of three (3) vehicular parking spaces within the confines of the parcel. All parking spaces shall have minimum dimensions of 10 by 20 feet with a paved surface and a maximum slope of 10% in any direction. The parking spaces may be designed in a tandem or stacked configuration. The parking spaces shall be provided and approved as part of the site plan review for each dwelling.

11. One on-site sign advertising the sale of parcels in the subdivision shall be permitted. The sign shall comply with the sign standards of the Design Review district of the Mariposa TPA Specific Plan and shall be approved by the Planning and Building Director through the sign design review process. All other real estate signs, except individual on-lot signs complying with County standards, shall be prohibited.
B. Subdivision Standards

1. Quartz Hill Road and Antone Road from Quartz Hill Road to Fournier Road shall be offered for dedication to the County of Mariposa for public access and utility purposes. The offer of dedication shall be non-revocable and specifically state the dedication is for “public road and utility purposes”. The location and width of the offer of dedication shall be approved by the Public Works Director.

2. All parties having record title interest in the easement known as Standen Park Road and Trujillo easement to be abandoned by the subdivision map shall sign a certificate on the map acknowledging they consent to the preparation and filing of the map or quitclaim their interests in the easement by a recorded document approved by the County Surveyor.

3. The applicant shall pay all costs associated with the acquisition of the necessary public easements and/or offers of dedication for the Joe Howard Street crossing including, but not limited to, the costs of the easement and/or offer of dedication, preparation of legal descriptions, appraisals, and staff time for County personnel.

4. No grading or earthwork on the project site or associated with the project shall occur until all required grading and improvement permits and approvals are issued for the earthwork. These include, but are not limited to, NPDES permit, road improvement plans, streambed alteration permit, and the tree preservation/landscaping plan.

5. An encroachment permit shall be obtained from the Public Works Department prior to any work being done on or adjacent to Fournier Road and Joe Howard Street. All grading and road improvement work required for the planned unit development shall comply with the Mariposa County Improvement Standards and County Grading Ordinance and all requirements contained therein. In addition, all grading shall comply with the grading standards contained in Section 17.336.080 of the County Zoning Ordinance. Engineered improvement plans prepared by a registered civil engineer shall be required for all road improvements, including grading and retaining walls, required by the planned unit development. The road improvement plans shall also contain specific provisions for maintaining access to existing residences during road construction. The engineered improvement plans shall be approved by the Public Works Director, the Planning and Building Director, and the California Department of Forestry prior to commencement of construction work or earthwork for the required road improvements. All required improvements shall comply with their respective improvement standard at the time of final map recordation.

6. All road improvements shall comply with the special grading requirements stated in the Soils Investigation Report prepared for the subdivision and on file in the Mariposa County Planning and Building Department. The road improvement plans shall not be approved unless the special grading requirements are incorporated into the road improvement plan.

7. A National Pollutant Discharge Elimination System permit or a waiver to such permit shall be obtained from the State Water Resources Control board for construction activities associated with the project. Evidence of such permit or waiver shall be
submitted to the Planning and Building Director prior to commencement of any earthwork for the project.

8. All retaining walls for cut banks and fill placements associated with road and/or driveway construction shall comply with the Mariposa TPA Specific Plan design review standards, including but not limited to items such as color, finish, material, and rounded surfaces.

9. 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.

10. All-weather crossings designed for a 100-year flood shall be constructed across Mariposa Creek at Fournier Road and at Joe Howard Street in accordance with the design and specifications of the Public Works Director. Exposed surfaces of the crossings shall be protected from erosion and scouring. The applicant shall submit engineered improvement plans for the crossings, and these plans shall demonstrate to the approval of the Public Works Director that the crossings will not disrupt or substantially alter the flow of floodwaters for a 100-year flood and will not impact downstream or upstream properties. The relocation and/or placement of sewer and water mains near the crossings shall be addressed in the plans, and the provisions for relocation and/or placement of the mains shall be approved by the Mariposa Public Utility District. A streambed alteration permit shall be issued by the California Department of Fish and Game prior to commencement of any earthwork.

11. Quartz Hill Road and Antone Road from Quartz Hill Road to Melones Road Standen Park Road shall be constructed to a Rural Class I standard with two nine (9) foot travel lanes. All portions of the road improvements exceeding 12% in grade shall be paved. All road improvements, including shoulders, shall be located a minimum of 50 feet from the apparent centerline of Mariposa Creek. Locked, breakaway emergency gates shall be installed across Quartz Hill Road near its intersection with Gold Strike Road Standen Park Road and across Antone Road near its intersection with Fournier Road. The location of the gates shall be approved by the Planning Director, and the gates shall comply with the SRA Fire Safe Regulations and be approved by the California Department of Forestry.

12. Melones Road, including that portion located off-site, Gold Strike Road, Standen Park Road (revised location) from Gold Strike Road to the eastern property line of the project site, and Antone Road from Melones Road Standen Park Road to Joe Howard Street, shall be improved to a Town Class III standard with curb and gutter and a Type II path. All road improvements for Antone Road, including shoulders, shall be located a minimum of 50 feet from the apparent centerline of Mariposa Creek except that road improvements may be constructed within the existing road bed of Antone Road provided they do not further encroach into the setback.

13. Chamise Road and Bobcat Road from Gold Strike Road Standen Park Road (revised location) to the western property line of the project site shall be improved to a Town Class II standard with curb and gutter and a Type II path.
14. Easements #1 and #2 shall be improved to a Paved Class I standard with two nine (9) foot travel lanes with permanent drainage control.

15. Turnarounds for Chamise Road, Melones Road, Bob Cat Road, Easement #1 and Easement #2, and on-street parking pockets shall be constructed as shown on the approved development plan.

16. Prior to recordation of the final subdivision map, driveways complying with the SRA Fire Safe Regulations, PUD standards, and Specific Plan Standards shall be constructed from the access road to the building sites on Parcels No. 1, 3, 49, and 28 OR the applicant shall submit engineered driveway improvement plans demonstrating to the approval of the Planning Director that driveways complying with the SRA Fire Safe Regulations, PUD standards, and Specific Plan standards may be constructed from the access roads to building sites on Parcels No. 1, 3, 49, and 28.

17. Prior to recordation of the final subdivision map, paved driveway access to each proposed parcel shall be constructed in accordance with Section 11.5(a)(1) of the mariposa County Improvement Standards. All parcels shall have driveways constructed to the outermost edge of the road easement. Adequate sight distance for each driveway encroachment shall be provided, and driveway locations shall be approved by the Public Works Director.

18. Street lights shall be installed in those locations where the Public Works Director determines that street lights are necessary for traffic safety. The lights shall be installed in accordance with the requirements and specifications of the Public Works Director and shall comply with the Mariposa TPA community design review standards and be approved by the Planning Director.

19. In conjunction with the road improvement plans, a tree preservation/landscaping plan shall be prepared by a landscape architect which specifically addresses the removal and replacement of trees, erosion control, and revegetation of the exposed surfaces associated with road and driveway construction. The plan shall also address the reclamation and revegetation of the exposed surface areas, including cut banks and fill placements, of those portions of Standen Park Road and the Trujillo easement to be abandoned except for those portions to be used as driveways or building sites. The plan shall include all information required by the Planning Director including, but not limited to, the following:

a) Identification of all mature native trees within the road easements and driveway locations.

b) Identification of mature native trees to be removed by road, driveway, and utility construction.

c) A program for the replacement of removed native trees at a ratio of four (4) replacement trees to one (1) removed tree.

The plan shall provide for the planting of trees and shrubs in cut and fill areas to replace vegetation removed and to provide for the long-term screening of these areas. The plans shall include an irrigation system and maintenance program. The tree
preservation/landscaping plan shall be implemented as an element of road
canstruction. The plan shall be approved by the Planning and Building Director prior
to commencement of any earthwork. All requirements of the plan shall be met prior
to recordation of the final map unless a deferment is approved through a Subdivision
Improvement Agreement.

20. Road name signs for the easement roads shall be installed as required by the Public
Works Director. The design and specifications of the signs shall be in accordance
with the Mariposa County Improvement Standards.

21. A sign stating “THIS ROAD IS NOT COUNTY MAINTAINED” shall be installed
on Melones Road Standen Park Road near its intersection with Antone Road. The
design and specifications of the sign shall be in accordance with the Mariposa County
Improvement Standards.

22. All required signs, with the exception of street name signs, shall be installed on
metal, break-away type posts. The design and placement of such signs shall be
approved by the Public Works Director prior to installation.

23. Road name request applications shall be submitted to the Planning Director and be
approved by the Board of Supervisors for Melones Road, Bob Cat Road, Quartz Hill
Road, Chamise Road, and for the remaining portion of Standen Park Road located
off-site. Naming of the roads shall comply with all requirements of County
Resolution No. 92-541.

24. The applicant shall file a completed petition (including, but not limited to, all
required signatures and attachments) with the County to form zones of benefit within
the Countywide County Service Area No. 1 for the following services:

a. Maintenance of road improvements for all roads within the project site, Quartz
   Hill Road, and Antone Road from Quartz Hill Road to Joe Howard Street.

b. Maintenance and operation of street lights within the project site.

c. Maintenance of the fuel modification strip along the southwestern property line
   of the project site.

The applicant shall be responsible for all costs associated with the filing of the
petition, including, but not limited to, preparation and cost estimates. The zones of
benefit shall include all parcels within the planned unit development.

25. If the Board of Supervisors denies one or more of the petitions, all conditions of the
Board of Supervisors shall be met and a homeowner’s association shall be formed to
provide those services not provided by a zone of benefit. The association provisions
shall be reviewed and approved by the Planning Director and County Counsel prior to
recordation of the final map. These provisions shall:

a) Be in effect for a period of not less than 30 years.
b) Provide for annual maintenance and the immediate correction of emergency and safety hazard situations.

c) Include 100% of the parcels within the subdivision.

26. Prior to recording of the final map, water and sewer infrastructure (off-site and on-site) shall be installed to each parcel in accordance with Mariposa Public Utility District (MPUD) specifications and requirements. Individual booster pumps and hydropneumatic tanks shall be installed on every parcel with inadequate water pressure as determined by MPUD; the pumps and tanks shall be installed in accordance with MPUD specifications and requirements. In addition, fire hydrants shall be installed within the subdivision in accordance with MPUD specifications and requirements. Construction work associated with the infrastructure improvements shall not commence until the road improvement plans are approved by the Public Works Director. A letter from the MPUD shall be submitted to the Planning Director stating there are at least 31 single family residential-equivalent water connections reserved for the subdivision.

27. Prior to the recording of the final map, the necessary infrastructure and utilities to provide electric, telephone, and cable television service shall be installed to each parcel in accordance with the specifications and requirements of the respective utility company. If the cable television service provider does not wish for cable television utilities to be installed at this time, a letter from the cable television service provider shall be submitted to the Public Works Director stating they do not wish their utilities to be installed by the subdivider prior to recording of the final map. The utilities shall be installed underground from the nearest overhead line and shall be coordinated with road construction. Suitable conduit for utilities may be allowed in lieu of utility lines if specifically approved and allowed by the required utility service provider (e.g. Sierra Telephone). Construction work associated with utility improvements shall not commence until utility layout plans approved by the affected utility service provider are submitted to the Public Works Director and road improvement plans are approved by the Public Works Director.

28. Fuel modification shall be conducted on all those portions of the project site within 30' of the southwestern property line of the project site as shown on the approved development plan. The method and type of fuel modification shall be done in accordance with the Mariposa County Road Improvement and Circulation Policy. The fuel modification shall be approved by the California Department of Forestry prior to recording of the final subdivision map.

29. All fuel and brush piles shall be removed from the project site prior to recording of the final map. Prior to the burning of any fuel and brush piles, the Mariposa County Air Pollution Control District and the California Department of Forestry shall be notified and such burning shall be approved by those offices. The burning of fuel and brush piles shall be done in accordance with Mariposa County Air Pollution Control District and California Department of Forestry burning procedures and requirements.

30. Securities for the subdivision shall be posted in the following amounts:
a) $5,000 to guarantee reimbursement to the County for court costs and attorney’s fees of any civil action brought to enforce any provisions of the PUD.

b) 15% of total construction costs of the project or 150% of an engineer’s estimate of the cost of site preparation and grading to restore the property to nearly its natural and original state in the event of abandonment after construction has begun.

The securities shall be made by the method determined by County Counsel. The applicants shall submit all information and documents necessary to post the securities as required by the Planning and Building Director and shall pay all costs associated with processing and posting of the security including, but not limited to, County costs to review the required information and documents. Upon completion of the subdivision and all required improvements, the required security shall be returned to the applicants.

31. The following statement designating the remainder shall be placed on the final subdivision map:

“A Certificate of Compliance must be obtained prior to issuance of a development permit on the designated remainder in accordance with Section 16.04.030 of Mariposa County Code.”

32. Prior to recordation of the final map, all fees associated with the County’s processing of the map, including review of plans and improvements, and filing of associated documents shall be paid. Direct costs as determined by the Planning and Building Director shall be paid by the applicant for the Planning Director’s review of all required subdivision plans and inspection of landscaping and improvements prior to recordation of the final map.

33. Traffic control devices shall be installed near the intersection of Antone Road and Fournier Road effectively control traffic generated by the project from utilizing Fournier Road except in times of emergency. The type and location of the traffic control devices shall be approved by the Public Works Director and Planning and Building Director.

34. The improvements to Antone Road shall be designed in a manner approved by the Public Works Director which will accommodate the existing access road to the Idle Wheels Mobile Home Park.
MEMORANDUM

September 15, 1995

TO:       Mariposa County Board of Supervisors

FROM:     Jay Pawlek, Assistant Planner
          Ed Johnson, Director

RE:       Revised Planned Unit Development No. 1, Mariposa Vista Estates, Glenn
          Thole and Peter Winslow applicants

RECOMMENDED ACTION

Staff recommends that the Board of Supervisors adopt the Planning Commission’s
recommendation which includes:

1. Direct staff to file a Notice of Exemption for the project;
2. Adopt a Resolution Approving Revised Planned Unit Development No. 1 with the
   recommended standards and findings.

BACKGROUND

- July 23, 1993 Planning Commission adopts Resolution 93-06 recommending
  approval of PUD 1.
- August 10, 1993 Board adopts Resolution 93-432 approving PUD 1.
- September 10, 1993 Planning Commission approves Major Subdivision No. 11-4-92
  (Mariposa Vista Estates).
- March 24, 1995 Revised PUD 1 and Revised Major Subdivision No. 11-4-92
  submitted to the Planning Department.
- August 4, 1995 Planning Commission adopts Resolution 95-15 recommending
  approval of Revised PUD 1.
DISCUSSION

Planned Unit Development 1 was originally approved by the Board of Supervisors in August of 1993. The original PUD 1 allowed for the development of 32 lots and an MPUD well site to be located off of a relocated Standen Park Drive. The revised PUD 1 proposes to reduce the number of lots from 32 to 30 and to relocate the main access road for the subdivision to be located in the same configuration as the existing Standen Park Drive. The redesign is necessary because the project applicants were unable to obtain the required authorization from adjacent property owners to relocate (and abandon portions of) Standen Park Drive. See the project Staff Report for additional discussion regarding the revised project.

PROCESS

In order to revise the Planned Unit Development the applicant is required to have public hearings at both the Planning Commission and Board of Supervisors. If approved the applicant is required to have a second public hearing at the Planning Commission to consider the revised Major Subdivision application. There are no significant changes in the recommended development and subdivision standards.

ATTACHMENTS

1. Draft Board Resolution including recommended findings and conditions
2. Planning Commission Staff Report
3. Planning Commission Resolution 95-15
4. Planning Commission minutes of August 4, 1995
APPLICATION: Revised Planned Unit Development 1 (Mariposa Vista Estates)

The intent of the revisions is to extend project timelines as well as to revise the parcel and roadway configurations.

APPLICANTS: Glenn Thole and Peter Winslow

STAFF RECOMMENDATION: Staff recommends that the Planning Commission adopt a resolution recommending to the Board of Supervisors the following:

1. Filing of a Notice of Exemption for the project.
2. Approval of Revised PUD 1 with the revised development standards (Exhibit B of the Draft Resolution).
3. Adoption of the recommended findings (Exhibit A of the Draft Resolution).

PROJECT DESCRIPTION: Revision of PUD 1 to reduce the number of lots from 32 to 30 and to reconfigure road alignments.

LOCATION: The subject property is located southwest of Antone Road north of Joe Howard Street in the Mariposa Town Planning Area (APNs 012-240-006 & 007).

RELATIONSHIP TO GENERAL PLAN: The subject property is located in the Single Family Residential 9,000 square foot minimum parcel size (SFR-9K) land use and zoning district as designated by the Mariposa TPA Specific Plan. The property is also located within the Planned Unit Development (PUD) overlay land use and zoning district which requires a PUD approval by the Board of Supervisors prior to development.

ENVIRONMENTAL REVIEW: Pursuant to Section 15182 (CAC) of the California Environmental Quality Act (CEQA) Guidelines and Section 65457 (CGC) of the California Planning and Zoning Laws, it is staff's determination that the project is exempt from the requirements of CEQA as stated in Finding #1 of Exhibit A of the Draft Resolution. Staff recommends a Notice of Exemption be filed for the project.

DISCUSSION:

Project History -- On July 23, 1993 the Mariposa County Planning Commission adopted Resolution 93-06 recommending approval of Planned Unit Development 1 which contained standards for site development. On August 10, 1993 the Mariposa County Board of Supervisors adopted Resolution 93-432 approving Planned Unit Development 1 ratifying the
recommendation of the Planning Commission. On September 10, 1993 the Mariposa County Planning Commission approved Major Subdivision Application No. 11-4-92 (Mariposa Vista Estates) which allowed for the subdivision of the 40 acre parcel into 32 parcels and 1 MPUD well site. On March 24, 1995 revised PUD 1 and revised Major Subdivision 11-4-92 were submitted by the applicants to the Mariposa County Planning Department.

The intent of the revised Planned Unit Development is to reconfigure the lots within the subdivision in order to incorporate more of the existing Standen Park Road into the subdivision configuration. The original PUD 1 proposed to relocate Standen Park Road towards the middle of the project site. In order to accomplish this those with record interest in Standen Park Drive needed to relinquish their interests. The applicants were unable to accomplish this. The approved subdivision allowed for the development of 32 lots and a MPUD well site on a 40 acre parcel, with an 11.67 acre remainder. The revised subdivision configuration involves the development of 30 lots and an MPUD well site on the 40 acres, again with an 11.67 acre remainder.

MINIMUM PARCEL SIZE/DENSITY

The project has been designed to comply with the minimum parcel size and slope density requirements of the Specific Plan. All of the proposed parcels comply with these standards.

BUILDING DESIGN

The approved project was subject to the hillside development standards and conditions related to roof gutters, non-reflective materials, and earthen color exterior colors. Staff finds these conditions still apply to the revised map.

SETBACKS

The project is designed to comply with all setback requirements, however in order to provide more flexibility the approved project was granted a reduction in the front yard setback requirements to 10' from the outermost edge of the access easement. Staff finds this condition to apply to the revised map.

IMPROVEMENTS

Access to the site in the revised map is the same as in the approved map. Primary access to the project site is proposed via an all-weather crossing across Mariposa Creek at Joe Howard Street. Emergency access is via an all-weather crossing across Mariposa Creek at Fournier Road. The recommended improvements for the revised map are essentially the same as those required from the approved map and are necessary for health, safety, or welfare reasons. Please see the Staff Report for the original PUD 1 (Attachment A) for an in-depth analysis. The requirements are as follows (specific standards are contained within Exhibit B of the Draft Resolution, the note in brackets references the relevant standard):
Road Standards

- All Weather Crossing unchanged
  Fournier Rd. (B-10)

- All Weather Crossing unchanged
  Joe Howard St. (B-10)

- Town Class III (two-12’ travel lanes paved) revised
  Antone Rd. from Standen Park Rd. to Joe Howard St. crossing (B-12)

- Town Class III (two-12’ travel lanes paved) revised
  Standen Park Rd. (revised location) from Quartz Hill Rd. to Antone Rd. (B-12)

- Town Class II (two-10’ travel lanes paved) unchanged
  Chamise Rd. (B-13)

- Town Class II (two-10’ travel lanes paved) revised
  Bobcat Rd. from Standen Park Rd. to the southerly property line (B-13)

- Rural Class I (two-9’ travel lanes graveled) unchanged
  Quartz Hill Rd. (B-11)

- Rural Class I (two-9’ travel lanes graveled) revised
  Antone Rd. from Quartz Hill Rd. to Standen Park Rd. (B-11)

- Class I (paved) (two-9’ travel lanes paved) unchanged
  Easement #1 (adjacent to MPUD parcel) (B-14)

- Class I (paved) (two-9’ travel lanes paved) revised
  Easement #2 (adjacent to Oliver parcel) (B-14)
General Standards

- Paved driveway access to each parcel (B-17)  
  unchanged

- Turnarounds as shown on the map (B-15)  
  unchanged

- Street lights at intersections and the end of cul-de-sacs (B-18)  
  unchanged

- Water and Sewer to each parcel (B-26)  
  unchanged

- Electric, Telephone, and Cable television to each parcel (B-27)  
  unchanged

- Road Names for all new roadways (B-23)  
  revised

- National Pollution Elimination System (NPDES) permit (B-7)  
  unchanged

- Retaining Walls to reduce the height of cut banks (B-8)  
  unchanged

- Revegetation/Replanting of disturbed areas and to replace removed trees (B-19)  
  unchanged

- Parking Pockets as shown on the plan and three parking spaces on each parcel (B-15, A-10)  
  unchanged

- Roof gutters and down spouts on all buildings (A-7)  
  unchanged

- Individual booster pumps and tanks on water pressure deficient parcels (B-26)  
  unchanged

- Fire hydrants to MPUD specifications (B-26)  
  unchanged
• Fuel Modification strip along the southwestern property line (B-28)
  unchanged

• Formation of a Zone of Benefit to maintain all facilities constructed to satisfy project
  conditions (B-24)
  unchanged

TIMELINES OF DEVELOPMENT

The proposed timelines for the revised map are as follows:

Construction of the subdivision improvements shall commence within six (6) months of the
date of approval of the revised major subdivision application. The Planning Director may
approve extensions for commencement of construction of up to one (1) year upon written
request from the property owners and a showing of good faith and effort by the property
owners to complete the project. Construction of the improvements shall be completed within
six (6) months of commencement of construction. The Planning Director may approve
extensions for completion of construction of up to six (6) months upon written request from
the property owners; the Planning Director may impose any conditions on the extension to
ensure such extension and non-completion of the improvements will not have substantially
adverse impacts.

These timeline standards for the revised PUD are the same as those on the original PUD.

AMENDED DEVELOPMENT STANDARDS

In order to accomplish the proposed modifications the following Planned Unit Development 1
standards are recommended to be amended as described in Exhibit B:

A  3, 4; and

B  2, 11, 12, 13, 14, 15, 16, 21, and 23.
MARIPOSA COUNTY PLANNING COMMISSION
RESOLUTION NO. 95-15

A RESOLUTION RECOMMENDING APPROVAL OF
REVISED PLANNED UNIT DEVELOPMENT 1;
MARIPOSA VISTA ESTATES
GLENN THOLE AND PETER WINSLOW, APPLICANTS.

WHEREAS, an application for a Revised Planned Unit Development in the Mariposa Town Planning Area has been submitted to the County of Mariposa; and

WHEREAS, said application proposes to revise a previously approved Planned Unit Development to extend project timelines and to revise the parcel and roadway configurations; and

WHEREAS, said application reduces the number of parcels within Planned Unit Development 1 from 32 parcels and one MPUD wellsite parcel to 30 parcels and one MPUD wellsite parcel; and

WHEREAS, the Planning Commission is responsible for formulating a recommendation to the Board of Supervisors relative to the approval or denial of the requested planned unit development; and

WHEREAS, the Planning Commission has held a duly noticed public hearing on the matter in accordance with State Law and County Code and considered all input, written and verbal, delivered to the Commission.

NOW THEREFORE BE IT RESOLVED, the Planning Commission recommends that the Board of Supervisors approve revised Planned Unit Development 1 with the development and
subdivision standards set forth in Exhibit B attached hereto and incorporated herein by reference.

BE IT FURTHER RESOLVED, the Planning Commission recommends that the Board of Supervisors find the project is exempt from the requirements of the California Environmental Quality Act and file a Notice of Exemption for the project.

BE IT FURTHER RESOLVED, these recommendations are based on the mandatory findings established by Section 3.14(A) of the Mariposa TPA Specific Plan and Section 17.328.030(B) of Title 17 of County Code as stated in Exhibit A attached hereto and incorporated by reference.

PASSED AND ADOPTED by the Mariposa County Planning Commission by the Following vote:

AYES: STEWART, MILLER, and RUDZIK
NOES: NONE
ABSTAINED: NONE
EXCUSED: McFADEN and STEAGALL

[Signature]
BOB RUDZIK, Acting-Chair
Mariposa County Planning Commission

ATTEST:

[Signature]
Suzan Banchero, Secretary
Mariposa County Planning Commission
EXHIBITS "A" AND "B" OF
PLANNING COMMISSION RESOLUTION 95-15
ARE IDENTICAL TO EXHIBITS "A" AND B" OF
THE DRAFT BOARD RESOLUTION
MARIPOSA COUNTY PLANNING COMMISSION MEETING

MINUTES OF AUGUST 4, 1995

The Mariposa County Planning Commission met in regular session on the fourth day of August, 1995 in the Board Room of the Superior Court House, Mariposa, California. The meeting was called to order at 10:06 AM by Acting-Chair, Bob Rudzik, with the following Commissioners present: Stewart, Miller, and Rudzik Absent: None. Excused: McFaden and Steagall.

The Minutes of July 21, 1995, were tabled for later action.

There was no correspondence.

There were no persons present who wished to speak on any item of interest within the subject matter jurisdiction of the Commission including items on the agenda.

ATTENTION MATTERS:

A. Lot Line Adjustment No. 485; Seastrom, et al, applicants. PROJECT PLANNER: Todd R. Lewis, Planner I.

There was no comment nor discussion by the public on the above Attention Matters, therefore, staff’s approval was ratified.

ACTION ITEMS:

A. Certificates of Compliance #11-060-6,7,9,13, etc.; Fuller, applicant. PROJECT PLANNER: Todd Lewis, Planner 1.

Ed Johnson, Planning Director, wished to bring the above item to the Commission’s attention as, once again, a large area of 1,486 acres was being divided into 19 historic parcels without any requirements for street access being placed on the parcels at this time.

There was no comment nor discussion by the public on the above Action Item, therefore, staff’s approval was ratified.

Johnson informs those applicants in attendance that in order for their projects to be approved all the Commissioners present would have to vote for their projects, therefore, if anyone wanted to wait until such time as all 5 Commission members were present, they were certainly welcome to do so.

Don Starchman, who represents Catheys Valley Baptist Church, states he wants to proceed. There were no other comments from the public.

PUBLIC HEARINGS:
A. Use Permit No. 237; Catheys Valley Baptist Church, applicant. PROJECT PLANNER: Jay Pawlek, Assistant Planner.

Pawlek presents staff report, using a revised site plan and wall maps for clarification; applicant is proposing a church development on a 5.0 acre parcel; Project location, relationship to the General Plan, expected times of operation, setback standards, lighting, access, road improvements and maintenance, parking, Caltrans, Health Department, and CDF comments all discussed with recommended findings and conditions, as outlined in Staff Report; staff recommends approval.

PUBLIC PORTION OF PUBLIC HEARING OPENED

Don Starchman, Attorney at Law, states that the applicant worked closely with staff prior to submission of his application and just wanted to thank staff for its cooperation and dedication.

Rudzik asks for clarification of the lighting to which Pawlek responds that staff wants to make sure the light from the project is contained on the parcel.

PUBLIC PORTION OF PUBLIC HEARING CLOSED

STEWART MOVES to adopt a Negative Declaration for the project and approve the project with the recommended findings and conditions. MILLER SECONDS the motion and it passes with the following vote: AYES: MILLER, RUDZIK and STEWART. NOES: NONE. ABSTAIN: NONE. NOT VOTING: NONE. ABSENT: NONE. EXCUSED: McFADEN and STEAGALL.

B. Land Division Application No. 1462; Powers, applicant. PROJECT PLANNER: Greta Hudak, Assistant Planner.

Hudak presents Staff Report using wall map for clarification. Location, site characteristics, access, road improvements, and Health Department, CDF and Fish and Game comments all discussed with recommended findings and conditions, as outlined in Staff Report; staff recommends approval.

PUBLIC PORTION OF PUBLIC HEARING OPENED

There were no comments from the public.

PUBLIC PORTION OF PUBLIC HEARING CLOSED

STEWART MOVES to adopt a Negative Declaration for the project and approve the project with the recommended findings and conditions. MILLER SECONDS the motion and it passes with the following vote: AYES: MILLER, RUDZIK and STEWART. NOES: NONE. ABSTAIN: NONE. NOT VOTING: NONE. ABSENT: NONE. EXCUSED: McFADEN and STEAGALL.

C. Land Division Application No. 1457/Use Permit No. 236; Long/Assembly of God Church, applicants. PROJECT PLANNER: Greta Hudak, Assistant Planner.

Hudak explains that even though these projects are two separate applications, they are being presented together as one of the parcels created by the land division will contain the church development; each application will have its own findings and conditions. Hudak presents Staff Report for the Land Division using a parcel map for emphasis and
clarification; states that she was notified yesterday that Condition No. 5 had already been met; project conforms with the guidelines established in the General Plan.

PUBLIC PORTION OF PUBLIC PORTION OPENED

David Thornton, brother of Merle Thornton (Use Permit Applicant) states he is in agreement with staff’s report and all conditions.

Frank Long, property owner and applicant, clarifies that the lower parcel split is for financing purposes only; that banks are reluctant to loan money on larger acreages; states he will not be using the Highway 140 entrance and has a letter from the State Highway Department which indicates the entrance on Highway 140 is already sufficient.

Philip Helm, neighbor, states concern relative to future development of the parcel and expected traffic.

Mr. Larson, neighbor, states he does not understand why the property is being divided; Long and Hudak explain Williamson Act Contracts relative to land division and Long states he already has an agreement with Public Works Department to quit claim to the County the land they have requested for easement purposes.

PUBLIC PORTION OF PUBLIC HEARING CLOSED

MILLER MOVES to adopt a Negative Declaration with Mitigation Measures and approve the project with the recommended findings and conditions. STEWART SECONDS the motion and it passes with the following vote: AYES: MILLER, STEWART, and RUDZIK. NOES: None. EXCUSED: McFADEN and STEAGALL. ABSENT: NONE. ABSTAIN: NONE. NOT VOTING: NONE.

Hudak gives an overview of the 15 Conditions for Use Permit No. 236; staff recommends approval of the project.

Miller asks for clarification of the signage for the project; Hudak explains that the church will sit on a knoll overlooking the Highway, therefore, an on-site sign will be sufficient. Applicant and staff have discussed the signage issue and agree with the on-site requirement.

PUBLIC PORTION OF PUBLIC HEARING OPENED

Lloyd Hansen, School District employee, states that the District’s only concern is with the access road in that the public will be going to the School looking for the church - project needs directional signs only. Further concern is with dust that may be created; recommends paved or oiled road.

Thornton states that the applicant has no problem with directional signs only.

Jan Holderfield, adjacent property owner, states that traffic is her major concern but is in agreement with the project and is comfortable with signage.

Bill Schroeder, property owner, inquires as to whether or not there is a school sign to slow traffic; it was answered by Long that there wasn’t.

PUBLIC PORTION OF PUBLIC HEARING CLOSED
Rudzik asks if the landscaping will be natural vegetation; Hudak responds that it will.

STEWART MOVES to adopt a Negative Declaration with Mitigation Measures for the project and approve the project with the recommended findings and conditions. MILLER SECONDS the motion and it passes with the following vote: AYES: MILLER, RUDZIK and STEWART. NOES: NONE. ABSTAIN: NONE. NOT VOTING: NONE. ABSENT: NONE. EXCUSED: McFADEN and STEAGALL.

11:05 A.M. RECESS

11:10 A.M. RECONVENE

D. Revised Planned Unit Development 1 (Mariposa Vista Estates); Thole/Winslow, applicants. PROJECT PLANNER: Jay Pawlek, Assistant Planner.

Pawlek presents Staff Report using wall maps for clarification and emphasis. Pawlek incorporates history of project into report; relationship to General Plan, setback requirements, density, improvements, road/general standards, and timelines of development all discussed as outlined in staff report. Further, supportive letters are presented from adjacent property owners.

PUBLIC PORTION OF PUBLIC HEARING OPENED

Jimmy Gillis, Surveyor, states he is representing the applicants and believes the revision brings about a better subdivision; is under the impression that only one bridge would be needed. Pawlek explains that when he said "bridge" it was in the generic sense only. Gillis states he is in total agreement with Staffs Report and recommendations.

Rudzik states he would like to see revegetation with natural plants and as many trees as possible left; Gillis assures Commission that this is applicants’ goal, they will not encroach on anyone’s property.

Bill Summermeier, Civil Engineer for the project, states his concern relative to the crossing on Fournier; proposes a double arch bridge for Joe Howard Road.

Bill Schroeder, who lives on Standen Park Drive, expresses concern relative to potential renaming of this road; all of his legal documents contain the Standen Park Drive address, therefore, he would like the road name to remain the same; further concern relative to cul-de-sacs and potential for misuse by teenagers. Asked for clarification of “crash gate”. Pawlek explains the functional use of a crash gate and the fact that it would be used as an emergency access only. Summermeier states that, typically, crash gates are used by firefighters first.

PUBLIC PORTION OF PUBLIC HEARING CLOSED

MILLER MOVES to adopt a resolution recommending to the Board of Supervisors the following: 1. Filing of a Notice of Exemption for the project. 2. Approval of Revised PUD 1 with the revised development standards. 3. Adoption of the recommended findings. STEWART SECONDS the motion and it passes with the following vote: AYES: MILLER, STEWART, and RUDZIK. NOES: None. EXCUSED: McFADEN and STEAGALL. ABSENT: NONE. ABSTAIN: NONE. NOT VOTING: NONE.
INFORMATION ITEMS:

Johnson reports that Jean Clark has been hired by Planning and is expected to start in approximately two weeks.

There being no further business, the meeting adjourned at 11:37 a.m.

BOB RUDZIK, Vice-Chair
Mariposa County Planning Commission

ATTEST:

Suzan E. Banchero
Planning Commission Secretary