DEPARTMENT: Planning  BY: Duane Hall  PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item:  Yes ___ No X)

Adoption of a resolution denying the appeal and upholding the Planning Commission's adoption of a Negative Declaration for the project and approval of Major Subdivision Application No. 8/30/91 (Yosemite Views Estates) with conditions of approval.

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

ALTERNATIVES: 1) Continue matter for discussion; 2) Uphold appeal and modify mitigation measures and conditions of approval; 3) Uphold appeal and require preparation of EIR.

NEGATIVE ACTION as to the recommended action would uphold the appeal and overturn or modify the Planning Commission's action.

COSTS: (X) Not Applicable
A. Budgeted current FY $________
B. Total anticipated costs $________
C. Required Add'l funding $________

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

1) Memo to Board
2) Appeal Letter
3) Appeal Letter
4) Response from Applicant
5) Planning Dept Approval Letter
6) Planning Commission Minutes
7) Planning Commission Staff Report and Initial Study
8) Letters from Interested Parties

ADMINISTRATIVE OFFICER'S RECOMMENDATION

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

Comment: ____________________________

A.O. Initials: ________________________

Action Form Revised 12/89
MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: TONY LASHBROOK, PLANNING DIRECTOR
FROM: MARGIE WILLIAMS, CLERK OF THE BOARD
RE: MAJOR SUBDIVISION APPLICATION NO. 8/30/91

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on March 10, 1992

ACTION AND VOTE:

Tony Lashbrook, Planning Director;
PUBLIC HEARING to Consider an Appeal of the Planning Commission's Adoption of a Negative Declaration and Approval of Major Subdivision Application No. 8/30/91 (Yosemite View Estates) with Conditions of Approval; LoVerme, Applicant / Gordon Ranch Road Maintenance Association (Mortensen, President), Appellant
BOARD ACTION: Duane Hall/Associate Planner, presented staff report. Tony Lashbrook responded to questions by the Board. Public input was provided by: Lee Mortensen/representing Gordon Ranch Road Maintenance Association, appellant; John Amos/representing appellants on environmental issues; Frank LoVerme/applicant; Honor LoVerme; and Matthew Henley/agent for applicant. (M)Erickson, (S)Baggett,
Res. 92-127 adopted denying the appeal in part, and upholding the appeal in part, with the following direction given under mitigations measures based on the appeal: 1) Phase III of the project to be reconfigured, as agreed to by applicant and his agent, by combining lots 20, 21 and 22 into one parcel with access to be located within the 4800 foot allowable by the County for non-through streets; 2) turn-around to be installed at both points as recommended by applicant; 3) condition removed requiring a bridge across the Agua Fria Creek for emergency access, as agreed to by applicant and appellants; and 4) Initial Study to be modified to remove concern relative to Fire Safety Standards finding that this application was in process prior to the adoption of the Standards and the access meets County standards/Ayes: Punte, Baggett, Erickson; Abstained: Taber; Absent: Radanovich.

cc: File
MARIPOSA COUNTY RESOLUTION NO. 92-127

A RESOLUTION UPHOLDING IN PART AND DENYING IN PART
AN APPEAL OF MAJOR SUBDIVISION APPLICATION NO. 8/30/91
(YOSEMITE VIEWS ESTATES) AND MODIFYING THE PLANNING
COMMISSION'S ACTION ON SAID APPLICATION

WHEREAS, an appeal has been received by the Mariposa County
Board of Supervisors on the Planning Commission's action to adopt
a Negative Declaration and approve with conditions Major
Subdivision Application No. 8/30/91 (Yosemite Views Estates); and

WHEREAS, the Board of Supervisors has held a duly noticed
public hearing on the appeal in accordance with State Law and
County Code; and

WHEREAS, the Board of Supervisors has considered the
Planning Commission's action and all public comments received on
the project and appeal.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors
hereby upholds the appeal on the issue of traffic impacts to
Lakeview Drive and Heritage Lane. The Board of Supervisors
hereby modifies the Planning Commission's action on Major
Subdivision Application No. 8/30/91 (Yosemite Views Estates) as
follows:

1) Parcels #20, #21, and #22 shall be merged into one
   parcel;

2) The emergency access easement and road known as Easement
   #4B shall be eliminated as part of the project;

3) The Initial Study is hereby revised to (a) eliminate
   Mitigation Measures No. 1A and 1C; (2) remove any reference to
   road construction impacts on Agua Fria Creek as the emergency
   road and crossing have been eliminated as part of the project;
and (3) state the project as modified by the Board of Supervisors will not have a significant adverse effect on emergency access because all access roads comply with the standards of the County Road Improvement and Circulation Policy, said standards having been adopted to ensure safe and adequate emergency access for subdivision projects.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby denies the appeal on the issue of the legal sufficiency of the Initial Study and Negative Declaration adopted by the Planning Commission. The Board of Supervisors finds the Initial Study and Negative Declaration sufficiently addresses all potentially adverse environmental effects of the project, accurately determines the significance of each potential environmental effect, and requires mitigation measures and changes to the project to reduce all identified significant environmental effects to a less than significant level.

BE IT FURTHER RESOLVED that the Board of Supervisors hereby takes the following actions:

1) The Board of Supervisors hereby adopts a Negative Declaration with mitigation measures for the project with modifications to the Initial Study and mitigation measures as described in this resolution;

2) Major Subdivision Application No. 8/30/91 and Lot Line Adjustment No. 359, subject to the conditions of approval stated in Exhibit "A" attached hereto, are hereby approved by the Board of Supervisors.
BE IT FURTHER RESOLVED that the Board of Supervisors approval of the subdivision application is based on the findings contained in Exhibit "B" attached hereto.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on this 10th day of March, 1992 by the following vote:

AYES: Baggett, Erickson, Punte
NOES: None
ABSTAINED: Taber
EXCUSED: Radanovich

SALLY S. PUNTE, Chairperson
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEFFREY G. GREEN, County Counsel
EXHIBIT "A"

The following conditions are applicable to all phases of the subdivision unless otherwise noted:

1) Lot Line Adjustment No. 359 shall be finalized prior to or concurrently with the recordation of the final map for Phase 1. If the property within Phase 3 after adjustment is not monumented and shown on the final map for Phase 1, a written legal description prepared by a licensed surveyor or other qualified individual and describing the property within Phase 3 after adjustment shall be submitted to the Planning Department as part of the lot line adjustment process.

2) The property in Phases 2 and 3 shall be designated as a remainder on the final map for Phase 1. The following statement designating the property in Phases 2 and 3 as a remainder shall be placed on the final map for Phase 1:

"If a final map(s) or parcel map(s) is/are not recorded on the property within Phases 2 and 3, 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."

3) A declaration designating Parcel #2 shall be recorded in the Official Records concurrently with the final map for Phase 1 and shall reference Parcel #2 on the final map. The declaration shall state that permitted uses on Parcel #2 shall be restricted to public uses operated by a public agency, open space, parks, playgrounds and other similar uses unless prohibited by County ordinances. The declaration may state these restrictions shall not apply if Parcel #2 is merged with an adjacent parcel(s). The declaration shall be prepared by the applicant and shall be approved by the Planning Director prior to recordation of the declaration and final map for Phase 1.

4) Parcels #20, #21, and #22 shall be merged into one (1) parcel and shall be shown on the final map for Phase 3 as one (1) parcel.

5) EASEMENT AND OFFER OF DEDICATION REQUIREMENTS

Phase 1

a) Easement #1A shall be offered for dedication to the County of Mariposa. The offer of dedication shall be non-revocable and specifically state the dedication is for "public road and utility purposes". The dedication shall be offered by a parcel map recorded on the underlying parcel or by a document approved by the County Surveyor. The offer of dedication shall be referenced on the final map for Phase 1.
b) Easement #1B shall be made 60 feet wide, non-exclusive. A turnaround easement shall be provided at the end of the required road improvements for Easement #1 to encompass the required turnaround improvements. Additional easement width may be required to encompass the required road and turnaround improvements, including cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The location and width of the easement shall be approved by the County Engineer. The easement shall be offered for dedication to the County of Mariposa. The offer of dedication shall be non-revocable and specifically state the dedication is for "public road and utility purposes".

c) Easement #2 within Parcel #16 shall be made 30-feet wide along the southern property line of Parcel 16 and shall be made non-exclusive. The easement shall be designated for access for the use and benefit of Parcels #4 and #15. 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 that the dedication is for public utility purposes only. The location and width of the easements shall be approved by the County Engineer.

d) Easement #3 shall be made 60-feet wide, non-exclusive. The easement shall be designated for access for the use and benefit of Parcel #18. 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 that the dedication is for public utility purposes only. The location and width of the easements shall be approved by the County Engineer.

Phase 2

e) Easement #2 shall be made 60-feet wide, non-exclusive. The easement shall be designated for access for the use and benefit of Parcels #4 and #15. 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 that the dedication is for public utility purposes only. The location and width of the easements shall be approved by the County Engineer.

Phase 3

f) Easement #4A from Easement #1B to the southern property line of Parcel #20 shall be made 60 feet wide, non-exclusive. Additional easement width may be required to encompass the required road improvements, including cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The
location and width of the easement shall be approved by the County Engineer. The easement shall be offered for dedication to the County of Mariposa. The offer of dedication shall be non-revocable and specifically state the dedication is for "public road and utility purposes".

6) Easement #4C shall be made 60 feet wide, non-exclusive. The easement shall begin at the existing encroachment of the abandoned road on Lot 19 of the Gordon Ranch Estate Subdivision and angle towards the northeast corner of Parcel #24. The easement shall be designated for access for the use and benefit of Parcels #23 and #24 and for emergency access use. 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 that the dedication is for public utility purposes only. The location and width of the easements shall be approved by the County Engineer. For those portions of the easements located off-site, the document(s) establishing the easements and offer of dedication shall be approved by the County Surveyor prior to recordation of the final map for Phase 3. The document shall be recorded concurrently with the final map for Phase 3 and shall be referenced on the final map.

h) Easement #4B shall not be established and shall not be shown on the final map for Phase 3.

6) Ten (10)-foot public utility easements adjacent to and on each side of Easements #1B, #2, #3, #4A, and #4C within the project site shall be offered for dedication to the County of Mariposa. The offer of dedication shall be non-revocable and shall specifically state that the dedication is for public utility purposes only. The ten (10)-foot public utility easement on one or both sides of the access easement shall not be required if the applicant can demonstrate to the approval of the Public Works Department that all utilities have been constructed to the parcels and are not necessary to serve those parcels.

OR

Additional public utility easements to assure that all utilities have been or will be constructed outside of the improved roadway (beyond the limits of grading) as determined by the Public Works Department shall be offered for dedication to the County of Mariposa. Utility layout plans, prepared by the affected utility agencies, shall be submitted to the Public Works Department to demonstrate the utilities have been or can be constructed outside the required road improvements. The offer of dedication shall be non-revocable and shall specifically state that the dedication is for public utility purposes only.
7) The greenbelt area as shown by the applicant on the approved tentative map shall be designated as an open space easement. In addition, that portion of Parcel #23 within 50 feet of the centerline of Agua Fria Creek shall be designated as an open space easement. A declaration shall be recorded in the Official Records concurrently with the final map for Phase 3 and shall be referenced on the final map. The declaration shall state the following:

a) All structures designed for habitation as defined by the Uniform Building Code and all buildings with a building envelope area equal to or greater than 400 square feet shall be prohibited in the open space easement.

b) An engineered grading plan prepared in accordance with the County Grading Ordinance shall be required for all grading within the open space easement area for which a grading permit is required in accordance with Section 15.28.030 of the County Grading Ordinance. The engineered grading plan shall be approved by the Chief Building Official prior to commencement of any grading.

The declaration shall be prepared by the applicant and shall be approved by the Planning Director prior to recordation.

8) ROAD IMPROVEMENT REQUIREMENTS

Phase 1

a) Easement #1 from Old Highway to the eastern property line of Parcel #14 shall be improved to a Rural Class II standard.

b) An improved turnaround with a radius of 45 feet shall be constructed near or at the end of the required road improvements on Wilbur’s Way for Phases 1 and 2. The location of the turnaround shall be approved by the Planning Director. An alternative turnaround design may be constructed subject to approval by the Public Works Director and Planning Director.

Phase 2

c) Easements #2 from Easement #1 to the northern property line of Parcel #4 shall be improved to a Rural Class I standard.

d) Easement #3 from Easement #1 to the eastern property line of Parcel #18 shall be improved to a Rural Class I standard.

Phase 3

e) Easements #1B and #4A from the turnaround constructed for Phase 1 to the southern property line of Parcel #20 shall be improved to a Rural Class II standard.
f) Easement #4C from Lakeview Drive to the southeast corner of Parcel #23 shall be improved to a Rural Class I standard. The easement road shall be surfaced with penetrating oil meeting County standards to control dust.
g) Lakeview Drive and/or Heritage Lane from Easement #4C to Yaqui Gulch Road shall meet a Rural Class II standard and shall meet this standard at the time of final map recordation for Phase 3.

All Phases

h) The easements shall meet their required road standard at the time of final map recordation for their respective phase. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards. Any portions of the road exceeding 12% grade shall be paved, and no portion of the roads shall exceed the allowed maximum grade of 15%.

i) An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Old Highway and Yaqui Gulch 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 which engineered improvement plans are not specifically required. If required by the County Engineer, the engineered improvements plans for the roads within Easements #2 and #3 shall be approved by the County Engineer prior to commencement of road work for Easement #1.

j) Fuel modification shall be performed within the easements in conjunction with the required road improvements. The method and type of fuel modification shall be done in accordance with the Mariposa County Road Improvement and Circulation Policy and shall be approved by the County Engineer. Prior to the burning of any slash/brush piles, the Mariposa County Air Pollution Control Officer and the Mariposa County Fire Department shall be notified and such burning shall be approved by the Air Pollution Control Officer and County Fire Department. The burning of slash/brush piles shall be done in accordance with California Department of Forestry and Mariposa County Air Pollution Control District burning procedures and requirements.

k) All required signs, with the exception of street name signs, shall be installed on metal, break-away type posts. Design and placement of signs shall be approved by the County Engineer prior to installation.
9) ROAD MAINTENANCE REQUIREMENTS

Phase 1

a) The applicant shall file a completed petition (including, but not limited to, all required signatures and attachments) with the County to form a zone of benefit within Countywide County Service Area No. 1 for road maintenance of Easement #1. The applicant shall be responsible for all costs associated with the filing of the petition, including, but not limited to, preparation and cost estimates. If the Board of Supervisors denies the petition, the applicant shall be required to form a road maintenance association to provide for the maintenance of the easement. Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and road surfaces. The Association provisions shall be reviewed and approved by the County prior to the recordation of the final map. These provisions shall:

* Be in effect for a period of not less than thirty years.

* Provide for annual maintenance and the immediate correction of emergency and safety hazard situations.

* Include 100% of the parcels within the subdivision served by the easement roads.

The zone of benefit or the Association provisions shall include at a minimum all parcels in Phase 1, the property contained in Phase 2, and the property contained in Parcels #19, #20, #21, and #22 of Phase 3.

b) A declaration or covenant of non-protest for road maintenance shall be recorded concurrently with the final map and shall be referenced on the final map. The declaration or covenant shall be made appurtenant to each parcel in Phase 1 and shall state the owner or future owners of those parcels waive their right to protest the annexation into or formation of a zone of benefit or assessment district within Countywide County Service Area No. 1 for road maintenance of the road within Easement #4A. The declaration or covenant shall be made on a form approved by the Public Works Director and County Counsel and shall be approved by the Planning Director prior to recordation.

Phase 2

c) A declaration or covenant of non-protest for road maintenance shall be recorded concurrently with the final map and shall be referenced on the final map. The declaration or covenant shall be made appurtenant to each
parcel in Phase 2 and shall state the owner or future owners of those parcels waive their right to protest the annexation into or formation of a zone of benefit or assessment district within Countywide County Service Area No. 1 for road maintenance of the road within Easement #4A. The declaration or covenant shall be made on a form approved by the Public Works Director and County Counsel and shall be approved by the Planning Director prior to recordation.

d) The applicant shall file adequate covenants on Parcels #4, #15, and #18 stating the owners and future owners of the parcels will be responsible for expenses incurred as a result of maintenance of their respective road. The covenants shall be filed in accordance with Planning Commission Resolution No. 78-38, be approved by the Planning Director prior to recordation, and be referenced on the final map for Phase 2.

Phase 3

e) The applicant shall file a completed petition (including, but not limited to, all required signatures and attachments) with the County to form a zone of benefit or annex into an existing zone of benefit within Countywide County Service Area No. 1 for road maintenance of Easement #4A. The applicant shall be responsible for all costs associated with the filing of the petition, including, but not limited to, preparation and cost estimates. If the Board of Supervisors denies the petition, the applicant shall be required to form a road maintenance association as described in the road maintenance condition for Phase 1. The zone of benefit or the Association provisions shall include at a minimum all parcels in Phases 1 and 2 and Parcels #19, #20, #21, and #22.

f) The applicant shall file adequate covenants on Parcels #23 and #24 stating the owners and future owners of the parcels will be responsible for expenses incurred as a result of road maintenance of the road within Easement #4C and for proportional expenses incurred as a result of maintenance of Lakeview Drive and Heritage Lane. The covenants shall be filed in accordance with Planning Commission Resolution No. 78-38, be approved by the Planning Director prior to recordation, and be referenced on the final map for Phase 3.

10) If the zone of benefit for road maintenance is not approved for Easement #1, a sign stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of Easement #1A and Old Highway. The design and specifications of the signs shall be in accordance with the County Improvement Standards.

11) Prior to recordation of the final map for Phase 1, the applicant shall comply with one of the following:
A. A water storage tank with a minimum capacity of 30,000 gallons shall be installed within the subdivision and shall be connected to a well with an automatic filler valve. The well must be capable of refilling the tank in 18 hours or less. A hydrant or stand pipe shall have at least one 2 1/2" National firehose thread outlet connected to the storage tank by three inches or larger pipe. The static pressure at the outlet shall be 25 pounds per square inch or greater. This tank shall be either:

1. Offered for dedication to the County for fire suppression purposes and accepted by the County for maintenance.

2. Owned and maintained by an homeowners association through a recorded maintenance agreement or zone of benefit.

The tank shall be accessible to emergency vehicles and the location of the tank shall be approved by the Planning Director.

B. An enforceable restriction applicable to each parcel within the subdivision shall be established on each final map which requires the installation of a water storage tank with a minimum capacity of 2,500 gallons prior to the issuance of a building permit for construction of a residence or installation of a mobile home. The restriction shall include specifications for tank design and installation; the restriction shall also state the tank shall be accessible to emergency vehicles and the location of the tank shall be approved by the Planning Director. The restriction shall be approved by the Planning Director and shall be clearly referenced on the final maps for each phase.

12) The proof of water requirements as specified in Section 16.20.230(c) of Mariposa County Code are hereby waived subject to the following:

A. Every parcel in the subject subdivision shall have a well provided at the time of transfer of title.

B. The Public Report(s) prepared for the subdivision shall state that domestic water will be provided by the project applicant, or any assignees who later acquire interest in the subdivision, on any undeveloped parcel. The Public Report will further state that the applicant, or any assignees, shall provide a well on each parcel which produces at least five (5) gallons per minute when the well water is to be supplied directly to any proposed residence. When the GPM falls below five, appropriate storage facilities, approved by the County Sanitarian, shall be provided, and in no case shall any parcel have a well which produces less than one and one-half (1 1/2)
gallons per minute. Minimum storage capacity shall be 1,000 gallons. The Report shall further state that unless domestic water can be supplied to each parcel, escrow cannot be closed and the project proponent shall cause the parcels to be merged with adjacent parcels and that it shall be the responsibility of the seller to ensure the implementation of this requirement.

C. The applicant shall provide evidence to the Planning Director that the Department of Real Estate will include the statements required in A and B above in the Public Report(s) for the subdivisions.

13) Prior to recordation of the final map for each phase, percolation tests and soils analysis tests shall be performed on all parcels within the respective phase except Parcels #1, #2, and #8 in accordance with Health Department rules and regulations. The results of these tests shall be submitted to the Mariposa County Health Department and be approved by the County Sanitarian prior to recordation of the final map. A letter from the County Sanitarian shall be submitted to the County Surveyor stating that approved percolation tests and soils analysis tests have been performed on the parcels for that respective phase of the subdivision. A statement shall be recorded in the Official Records concurrently with the final maps and referenced on the final maps as follows:

"Approved percolation tests and soils analysis tests have been performed on Parcels ____ as shown on ____________ 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 approved percolation tests, additional percolation tests and design recommendations may be required."

14) A declaration shall be recorded with the final map and shall be referenced on the final maps. The declaration shall state the following:

"All residential buildings, including mobile homes, placed on foundations shall be constructed in compliance with the special foundation requirements stated in the Soils Investigation Report prepared for the subdivision and on file in the Mariposa County Planning and Building Department. A building permit shall not issued for residences placed on foundations unless the special foundation requirements are incorporated into the building plans and permit."

15) Prior to recordation of the final map for Phase 1, 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 ($1,250) and County Clerk fee ($25) shall be paid within five (5) work days of the approval of
the application, and the final map for Phase 1 shall not be recorded until this fee is paid.
EXHIBIT "B"

1) The proposed subdivision is located in the Mountain Home Land Use established by the Mariposa County General Plan. The subdivision has been reviewed relative to the goals, policies, and standards established by the General Plan and is found to support, accomplish, or have no effect on the goals, policies, and standards of the General Plan as a whole, and will not obstruct the achievement of the plan's purpose. Parcel #2 is restricted to non-residential uses and the minimum parcel size requirement of the Mountain Home Land Use is hereby waived for that parcel in accordance with Section 3.602(A) of the General Plan. This finding of General Plan consistency is made in accordance with Section 2.600 et. seq. of the General Plan.

2) The subdivision and each phase developed as an independent unit, upon compliance with the required conditions, complies with all standards of the Subdivision Map Act and the Mariposa County Subdivision Ordinance.

3) The Board of Supervisors has determined that this subdivision will not have a significant effect on the environment and has adopted a Negative Declaration based on the mitigation measures identified in the Initial Study and incorporated into the project. The modifications to the design and improvements of the subdivision will ensure the project will not have a significant adverse impact on emergency access to the project parcels or surrounding area.

4) The Planning Commission has reviewed the design of the proposed subdivision and has determined that the subdivision provides adequate opportunities for passive or natural heating and cooling, in accordance with Section 66473.1 of the Subdivision Map Act. This determination is based upon the large parcel sizes and the predominate eastern exposure within the subdivision.

5) For the purposes of public health, safety, and welfare and the orderly development of the surrounding area, the required improvements are necessary prior to recordation of the final maps.

6) The subdivision project, as modified and approved by the Board of Supervisors, will be consistent with the road length and improvement standards of the County Road Improvement and Circulation Policy. No parcels will be accessed by a road which exceeds 4,800 feet in length, and therefore, an emergency access loop road is not necessary for the project.