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MARIPOSA COUNTY RESOLUTION NO. 87-282

A RESOLUTION GRANTING AN APPEAL AND PARTIALLY MODIFYING THE MITIGATION MEASURES APPLIED BY THE PLANNING COMMISSION ON THE PRELIMINARY ENVIRONMENTAL DETERMINATION ON LAND DIVISION APPLICATION NO. 1243, MARGUERITE CAMPBELL-APPLICANT.

WHEREAS, Land Division Application No. 1243, has been submitted to Mariposa County; and

WHEREAS, under the authority of Mariposa County Code, the Planning Commission is designated as the decision making body and the Board of Supervisors the appeal body on such applications; and

WHEREAS, the Planning Commission has made a preliminary environmental determination that a Negative Declaration is appropriate for the application with mitigation measures applied; and

WHEREAS, the applicant refused to agree to the mitigation measures as required by Section 15070 (b)(1) of the C.E.Q.A. Guidelines and Section 3.300 (2)(a) of the Mariposa County Environmental Review Policies and Procedures and further appealed the fire hazard/safety mitigation measures applied by the Planning Commission; and

WHEREAS, the Board of Supervisors considered the appeal in a noticed public hearing in accordance with the County Appeal Procedures.

NOW THEREFORE BE IT RESOLVED, that the Board of Supervisors hereby upholds the appeal regarding the requirement for an emergency access easement through the Remainder and directs the Planning Commission to consider a Negative Declaration with the following modified mitigation measure:

1. An emergency access easement be created from the easement road on Parcel #2 to the Spacke parcel (Parcel #2, PM3-3) to the east. The intent of this easement is to provide emergency access back to Boyer Road.

BE IT FURTHER RESOLVED, that the modification to the mitigation measure is based upon the following Findings:

FINDINGS:

1. Improvement requirements to the easement road and the required fuel modification reduce the need for an emergency access road through the Remainder to Sherrod Road.
2. The relocated emergency access route will provide the residents of the subdivision a more direct escape route.

PASSED AND ADOPTED by the Mariposa County Board of Supervisors on the 7th day of July, 1987 by the following vote:

AYES: Baggett, Erickson, Radanovich

NOES: Dalton, Taber


EXCUSED: None

NOT VOTING: None



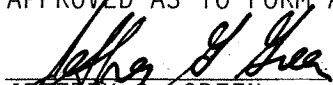
LEROY RADANOVICH, Chairman
Mariposa County Board of Supervisors

ATTEST:



MARGIE WILLIAMS, Clerk of the Board
By BLANCHE DAY, Deputy Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



JEFFREY S. GREEN
Mariposa County Counsel