MEETING AGENDA

DATE: THURSDAY, October 24, 2019
TIME: 6:30 P.M.
LOCATION: McCAY HALL
2820 HIGHWAY 140 (at Catheys Valley Park)
CATHEYS VALLEY, CALIFORNIA

1. Call Meeting to Order and Roll Call

2. Approval of Minutes from August 29, 2019 Meeting


4. Discussion and Possible Recommendation to Staff Regarding:
   a. Potential amendments to the boundary of the Catheys Valley Community Plan (CVCP) and
   b. Potential amendments to the text of the CVCP

5. Information Items:
   a. Board of Supervisors activities; District 3 Supervisor Marshall Long
   b. Planning Commission activities; District 3 Commissioner Mick Herman
   c. Planning Department activities; Planning staff

6. Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the committee. No action will be taken by the committee. The public will also be given the opportunity to comment before or during the Committee's consideration of the items that are on the agenda.

7. Correspondence

8. Set Next Meeting (if needed)

9. Adjournment

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Department at 209-966-5151.
Catheys Valley Planning Advisory Committee
Draft Meeting Minutes

August 29, 2019
6:00 p.m. · McCay Hall · Catheys Valley

2019 Chair: Charli McCord · Vice Chair: Ken Davis

Agenda Item 1 – Roll Call

The meeting was called to order at 6:02 p.m. by Chair Peters.

In attendance: Committee members Ken Davis, Joshua Evans, Charli McCord, Ken Wagner, Brian Peters and Debbie Lester.

Mariposa County Representatives: Marshall Long, Supervisor District 3; Mick Herman, Planning Commissioner District 3; Sarah Williams, Planning Director; and Alvaro Arias, Deputy Director.

Agenda Item 2 – Election of Officers for 2019

On motion by McCord, re-elect Peters as Chair. Peters declined nomination.

On motion by Peters, seconded by Evans, nominate McCord as Chair.

Motion passed: unanimous
Ayes – 6

On motion by Peters, seconded by Wagner, nominate Davis as Vice Chair.

Motion passed: unanimous
Ayes – 6

Lester agreed to continue to serve as secretary.

Agenda Item 3 – Approval of minutes of August 24, 2017 meeting

There were no corrections or edits.

On motion by Davis, seconded by Lester, approve minutes of August 24, 2017 meeting as presented.

Motion passed: unanimous
Ayes – 6

Agenda item 4 – Discussion and Possible Recommendation to staff – Amendments to CVCP for Plan Area Boundary and Allowed Commercial Uses
Marshall Long made a brief presentation regarding the plan. He and prior Planning Advisory Committee Chair Peters brought this item to the agenda, based on requests from property owners. Boundary amendments need to be made to address the concerns of property owners, especially owners of ag lands and lands under Williamson Act Contracts. People have concerns about overlaying government entities, including both the Catheys Valley Community Plan and the General Plan. There were also concerns expressed to Long regarding language in the commercial land use: that only services for local residents are appropriate.

Williams described the purpose of this meeting is to get community input. She gave an overview of the existing CV Land Use Diagram, and the three (3) possible scenarios. Discussion and questions followed regarding the differences in the scenarios.

Williams described the process to amend the plan.

Long advised we could continue this item to another meeting, for additional discussion.

Wagner: Expressed his support for option 3, but he could consider option 2. Would like to defer to Long and Herman as well. Would like to shrink down size of plan area. Does not want tract homes all over Catheys Valley, but can't do that anyway in county, based on General Plan.

Davis: Likes option 1. Takes out Ag lands – Benson's land for example. No reason to keep that in plan area. Does keep in some ag lands. Option 2 is good too – nothing can change on already developed and subdivided lands, like Whispering Oaks, Elizabeth Lane and Schoolhouse Road areas. Takes out most ag lands. Doesn't like option 3.

Lester: Wants to keep ag lands in the community plan.

Evans: Likes option 1 – keeps residents in the community area.

McCord: Has heard about the difficulty of finding residential space and homes. Thought idea was to keep community rural and cluster development. Need some flexibility to allow community to grow and residences to be built. Does not think Catheys Valley plan is flexible. Likes option 3.

Peters: The smaller the plan area, the better. Is too huge now.

McCord: Feels like the four corners area is Catheys Valley.

Wagner: Thinks Catheys Valley is the old TPA area. Original plan is a huge land grab. Likes 3, but could live with 2.

Williams talked about process and options.

Scott Bening (public): Asked question about authority of committee and actions taken by committee.
Wagner: Talked about value of minimum density subdivisions, but doesn't want small tract home parcels. Just dislikes bureaucracy. Need some oversight, but minimize bureaucracy.

Discussion followed regarding the General Plan Housing Element.

It was recognized that the State wants more density, but are also concerned about wildland fire hazards in WUI. Denser development in developed communities is easier to defend.

It was suggested that the Planning Advisory Committee consider the community input which will result from significant changes to the plan.

Wagner: Don't make decision tonight. Talk to people. Come back to another meeting for final recommendation.

McCord: Asked staff to provide more detailed maps of each scenario. Larger maps.

Discussion followed about fire insurance and the differences between being in or out of the plan area.

Staff will get better maps. Will schedule next meeting within 8 weeks. Members will talk with their neighbors.

**Agenda item 5 – Information Items:**

Board of Supervisors activities:
- Housing Element adopted by Board of Supervisors.
- Planning is working on General Plan Implementation – adopted in 2006. Working on updates to zoning and subdivision ordinances to implement General Plan. Very important. Must be implemented properly.
- Board is following economic development strategy and strategic plan. Process to attract business and housing in Mariposa County. Focus of development in Town of Mariposa.
- Branding Project – lots of interesting discussion.

Planning Commission activities:
- Ordinance for Hemp proposed and discussed at Planning Commission meeting. Discussed proposed development standards to address impacts. Item continued for more information.

Planning Department activities
- 2 new applications for Williamson Act contracts in Catheys Valley Area.
- Major Subdivision proposal for JCS – reviewed time spent processing project, information needed to complete processing, potential amendments to lots along creek; Tim Miller, agent answered questions.

**Agenda item 6** · Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the committee.
There were no public comments.

Agenda Item 7 – Correspondence

None

Agenda Item 8 – Set Next Meeting

Staff will schedule the next meeting within next 8 weeks, depending on availability of McCay Hall and committee members.

Agenda Item 9 • Adjournment

The meeting was adjourned at 7:53 p.m.

Draft minutes prepared by Sarah Williams
Full audio recording of the meeting is available from the Planning Department by request.
PROJECT:

Time Extension Application No. 2019-155 proposes to extend the time period for the recordation of the final map for Major Subdivision Application No. 2012-042.

The project site is located at 2590 Highway 140, also known as APN 016-280-024.

The approximately 98.94-acre site is being divided into 26 lots ranging in size from 2.52 acres (net) to 13.83 acres (gross).

The applicant has requested a three (3) year extension to complete the conditions of approval and record the final map.

APPLICANT:

Forbello, LLC.

PLANNING ADVISORY COMMITTEE ACTION:

Staff recommends the Planning Advisory Committee make a recommendation to the Planning Commission for action on the project.

STAFF SUMMARY / ANALYSIS:

Major Subdivision Application No. 2012-042, along with Parcel Merger No. 2012-041 was conditionally approved by Mariposa County Planning Commission on April 21, 2017 with adoption of Resolution 2017-002. The 98.94 acre site is located at 2590 Hwy. 140 (on the south side of Hwy. 140) and can be accessed by Hornitos Road as well.

Forbello, LLC has requested a time extension to extend the expiration of the tentative map for 36 additional months to April 21, 2023. Based on current state law, the applicant would still have the ability to request an extension for an additional 3 years.

ATTACHMENTS:

A. Vicinity Map
B. Approved Tentative Map
C. Planning Commission Resolution 2017-002
PROJECT DESCRIPTION

Description and History of Project (see Attachments A & B)

Time Extension Application No. 2019-155 from Forbello, LLC requests a 36-month time extension from April 21, 2020 for Major Subdivision No. 2012-042, which was approved by the Planning Commission via Resolution Number 2017-002 at a noticed public hearing on April 21, 2017. The Major Subdivision was approved for the division of 98.94 acres into 26 lots, ranging in size from 2.52 acres (net) to 13.83 acres (gross). The subject parcel is located at 2590 Highway 140 in Catheys Valley, and is also known as APN 016-280-024. The current owner wishes to sell the project and the prospective buyer is requesting the extension to complete the map, as a contingency.

The applicant has submitted the application prior to the project expiration date of April 21, 2020.

PROJECT ANALYSIS

Legal Provisions for Time Extensions

County Code and State Law establish provisions for tentative parcel map initial time limits (granted at the time of tentative parcel map approval) and allowed discretionary time limits (as requested by this application). The maximum life of the subject tentative map is nine (9) years.

On April 21, 2017, via Resolution 20017-002, the Planning Commission approved the tentative map and granted the applicant an initial three years to prepare and record the final map. The initial three year time limit expires on April 21, 2020.

Project Progress

The Parcel Merger (No. 2012-041) portion of the project has been completed and a Certificate of Compliance merging the previous six parcels recorded. The current property owner is in the process of selling the property and as a contingency, the prospective buyer is requesting an extension to complete the map. A three (3) year time extension to complete the conditions of approval and recordation of the map is being requested at this time. This request was made prior to the expiration of the tentative parcel map (April 21, 2020).
Mariposa County Planning Department
Project Vicinity Map

PROJECT TYPE: Time Extension 2019-155
APPLICANT: Forbello LLC
APN: 016-280-0240
SITE ADDRESS: 2590 Highway 140, Mariposa, CA 95338
Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet
Date: Friday, September 20, 2019
Data Source: Mariposa County Planning Department GIS;
Assessor’s Parcel Map Update: 07/2019

Mariposa County Planning Department
PO BOX 2039 5100 Bullion Street
Mariposa, California 95338-2039
209.966.5151 FAX 209.742.5024
mariposaplanning@mariposacounty.org
http://www.mariposacounty.org/planning

Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data.
Mariposa County
Planning Department
P.O. Box 2039
Mariposa, CA 95338-2039

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2017-002


WHEREAS, an application for a Parcel Merger and a Major Subdivision was received on March 23, 2012 from Forbello LLC for a property located at 2590 Highway 140 and 2480 Catheys Valley Drive in Catheys Valley, southwest corner of the intersection of Highway 140 & Hornitos Road also known as Assessor’s Parcel Numbers 016-280-015, 016-280-016, 016-280-017, 016-280-019, 016-280-021 & 016-280-023; and

WHEREAS, the parcel merger portion of the project is a request to merge six existing parcels totaling approximately 98.94 acres; and

WHEREAS, the major subdivision portion of the project proposes to subdivide the merged acreage into 26 lots ranging in size from 2.52 acres (net) to 12.79 acres (gross); and

WHEREAS, several reports and addendums were submitted to assist in the environmental review of the project; and

WHEREAS, an Initial Study and Draft Mitigated Negative Declaration was prepared pursuant to the California Environmental Quality Act; and

WHEREAS, a duly noticed Catheys Valley Planning Advisory Committee meeting was scheduled for the 3rd day of November 2016; and

WHEREAS, the Catheys Valley Planning Advisory Committee did hold the meeting on the noticed date and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant; and

WHEREAS, the Catheys Valley Planning Advisory Committee voted to recommend approval of the application to the Planning Commission; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 21st day of April 2017; and

WHEREAS, a Staff Report and revised Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and
WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study and Staff Report, testimony presented by the public concerning the application, and the comments of the applicant.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby adopt a Mitigated Negative Declaration.

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission of the County of Mariposa does hereby approve Parcel Merger No. 2012-041 and Major Subdivision No. 2012-042.

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

ON MOTION BY Commissioner McCamman seconded by Commissioner Becker, this resolution is duly passed and adopted this 21st day of April 2017 by the following vote:

AYES: McCamman, Becker, Herman, Kehoe

NOES: Kennec

EXCUSED: None

ABSTAIN: None

Mick Herman, Chair
Mariposa County Planning Commission

Attest:

Carol Suggs, Secretary to the
Mariposa County Planning Commission
EXHIBIT 1
PROJECT FINDINGS
FOR
PARCEL MERGER NO. 2012-041/Major Subdivision No. 2012-042

Required findings for a subdivision project are established by the Mariposa County Subdivision Ordinance. In order for a subdivision project to be approved, all of the required findings must be made.

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

EVIDENCE: Based on site inspection, the environmental review, the environmental studies, the agency review and review pursuant to adopted standards and policies, it can be found that the site of the proposed division of the merged parcel into 26 lots that are all between 2.5 acres and 12.79 acres is physically suited for low-density residential development and limited commercial development on the four lots within the Community Commercial land use designation of the Catheys Valley Community Plan. This finding is made, provided that the conditions of approval can be met and based on the required project improvements. The proposed project is located within the Town Planning Area zone. The subdivision density is designed in accordance with the Town Planning Area zone and the General Plan Interim Community Center Land Use. The on-site and off-site easement roads provide adequate access to the residential parcels, as well as the Community Commercial parcels.

2. FINDING: The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

EVIDENCE: The Initial Study prepared for the project found that it would have a less than significant effect on the environment based on the project design, the approved project description and the proposed mitigation measures. The project design and implementation of mitigation measures as identified in the project’s Initial Study will reduce potentially significant impacts of project implementation on a blue-line drainage, jurisdictional waters of the United States, including wetlands within the drainage, vernal pools, nesting birds, and cultural resources to less than significant levels. The project is subject to the California Department of Fish and Game filing fees for a mitigated negative declaration as required by AB 3158 and a County Clerk filing fee.

3. FINDING: The design of the subdivision or the proposed improvements is not likely to cause serious public health problems.

EVIDENCE: This subdivision and its subsequent use for residential and commercial purposes is not likely to cause serious health problems based on existing regulations and permitting requirements in place, and based on the implementation of conditions of approval that are designed to reduce potential health effects to less than significant levels. Future residential uses and development will be required to comply with all Building Code regulations and Health Department standards for the proper installation of sewage disposal systems. The proper location and implementation of these improvements, and the implementation of septic system conditions of approval will ensure that serious health problems will not occur on the site. All future residential uses will be required to comply with the State Fire Safe Standards as mandated by California Public Resources Code Sections 4290 and 4291, which will eliminate any potential health and safety issues related to fire protection.
4. **FINDING:** The proposed map is consistent with applicable general plan (Mariposa County General Plan, 2006) and specific plans as specified in Government Code Section 65451.

**EVIDENCE:** The land division is the initial step in the process to help accomplish Mariposa County General Plan’s Housing Element overall goal to “Provide opportunities for an adequate supply of sound, affordable housing units for ownership and for rent in a safe and satisfying environment for the present and future residents of the County.” The land division satisfies the following Housing Element Objectives, including: “Provide Adequate Sites and Services”. Horntos Road and Highway 140 have adequate capacity for the additional traffic generated by the new parcels created by this project.

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

**EVIDENCE:** The minimum lot size proposed by the project is consistent with the Interim Community Center land use classification standards contained in the Mariposa County General Plan and the Town Planning Area zoning standards contained in Title 17, Mariposa County Zoning. The subdivision design is consistent with the General Plan standard that all new subdivision parcels have safe and adequate access from a county or easement road. The land division’s design complies with the County Subdivision Ordinance’s maximum 4:1 length to width ratio for lot configuration. Future development and uses on the project site are governed by the Catheys Valley Community Plan (CVCP) and all standards and implementing ordinances. The subdivision project was deemed complete for processing prior to adoption of the CVCP and therefore was not subject for review under that plan.

6. **FINDING:** The design of the subdivision or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

**EVIDENCE:** The project will not conflict with any public easement. Affected utility companies have reviewed the proposed project and have not objected to the proposal.

**Parcel Merger Findings**

1. **FINDING:** The project is found to support, accomplish, or have no effect on the goals, policies, and standards of the County’s General Plan as a whole and will not obstruct the achievement of the Plan’s purpose. This parcel merger will result in one parcel which complies with the minimum parcel size requirements of the Town Planning Area zoning designation. This finding is made in accordance with Section 5.3.01 of the Mariposa County General Plan, Section 16.04.020 of the County Subdivision Ordinance, and Section 17.12 of Mariposa County Code.

2. **FINDING:** The parcel merger, upon compliance with the required conditions, will comply with all standards of the Subdivision Map Act and the County Subdivision Ordinance.

3. **FINDING:** The dedication or offer(s) of dedication to be vacated or abandoned are unnecessary for present or prospective public purposes, and the requirement for a parcel map is waived in accordance with Section 16.12.420 of the Subdivision Ordinance.

4. **FINDING:** An instrument evidencing the merger and extinguishing any underlying historic parcels shall be recorded in accordance with Section 16.12.420 of the Subdivision Ordinance.
EXHIBIT 2
CONDITIONS OF APPROVAL
FOR
PARCEL MERGER NO. 2012-041/Major Subdivision No. 2012-042

Conditions of Approval for Parcel Merger No. 2012-041

Project Name: Vallecito Estates
Project Approval Date: April 21, 2017
File Number: Parcel Merger No. 2012-041

The following conditions of approval were approved for the parcel merger in order to ensure compliance with county codes and policies.

Approved Project Description: Parcel Merger Application No. 2012-041 proposes to merge six (6) existing parcels totaling 98.94 ± acres, five of which were created by the parcel map recorded in Parcel Maps Book 28, Page 20, MCR. Upon recording of the Final Map (Major Subdivision No. 2012-042) the on-site access and utility easements created by this map (PM Book 28, Page 20, MCR) (known as Lake Trout Drive, Catheys Valley Drive, and an unnamed easement off of Highway 140) will be eliminated. Parcels are known as APN 016-280-015, -016, -017, -019, -021, and -023. New road, utility and open space easements will be created as part of the proposed subdivision. The parcel merger is necessary in order for the county to return a deposit of money, Mariposa County since 2003 as part of a road improvement deferral agreement with Public Works (required a deposit to cover costs of road improvement), allowing the recording of Parcel Map 28-20.

<table>
<thead>
<tr>
<th>Monitoring Dept.</th>
<th>Verified Implemented</th>
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<tbody>
<tr>
<td>County Surveyor</td>
<td></td>
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<tr>
<td>Mariposa Planning</td>
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1. A land surveyor or other qualified individual shall provide the County Surveyor with typed, stamped and signed legal description describing the merged parcels. The County Surveyor requests that copies of all documents referred to in the legal descriptions and copies of the lot closure computations (including error or closure, ratio of precision and acreage) be supplied with copies of the descriptions to validate the content of the descriptions. The County Surveyor will not accept area summary calculations. This requirement may be waived if the parcel merger and major subdivision are completed concurrently.

2. Verification of taxes paid shall be submitted to the Mariposa County Planning Department. As required by the Tax Collector’s Office and the County Assessor’s Office, taxes on all subject parcels must be paid in advance for the next tax year. Before the County Assessor can map the change and process the new Assessor Parcel Number, the County Tax Collector requires that the current tax year taxes be paid and possibly next years’ taxes. Please call the Tax Collector’s Office at (209) 966-2621 for more information and the amount you will need to pay. Tell them to forward a “Verification of Taxes
Paid Form to the Planning Department when taxes have been paid.

3. All Trust Deeds on any parcel must be modified to reflect the new parcel configuration. Amended trust deeds shall be recorded with a legal description that has been reviewed and approved by the County Surveyor. Mariposa Planning shall be provided copies of the recorded amended trust deeds. As an alternative, the applicant may provide reconveyance documents to Mariposa Planning (showing the trust deeds have been paid off).

4. A “Declaration” shall be recorded concurrently with the Certificate of Compliance and shall be made appurtenant to the merged parcels stating that the applicant(s) and any current and future owners of the merged parcels abandon all recognition or claim to previous parcel configurations and any underlying historic parcels and waive their rights to any future claim of the existence of any additional historic parcels within the affected property. The declaration shall cause the parcels to be merged and is the instrument which technically completes the parcel merger process. The content and format of the declaration shall be approved by the Planning Director and County Counsel prior to recordation. All costs associated with preparing and executing the declaration shall be the responsibility of the applicant.

The declaration shall include language as approved by the County Surveyor that states that the recordation of this document does not abandon any existing easement and will remain until formally abandoned.

5. Mariposa Planning will prepare a Certificate of Compliance for the merged parcel, when Conditions 1 through 3 above have been complied with. Following preparation of the Certificate, Mariposa Planning will determine the required recording fees for the documents and notify the applicant of the required fees. The Recorder’s fee charge is $14.00 for the first page and $3.00 for each additional page for each Certificate of Compliance. The number of pages varies with Certificates of Compliance. The requirement for the recording of a certificate of compliance may be waived if the parcel merger and major subdivision are completed concurrently.

The Certificate of Compliance shall include a declaration with language as approved by the County Surveyor that states that the recordation of this document does not abandon any existing easement and will remain until formally abandoned.

6. Upon the payment of fees required by Condition No. 5, Mariposa Planning will record the Certificate of Compliance and Declaration required by Condition No. 4 above.

Upon completion of all of the above conditions to complete the parcel merger, the funds deposited for deferred improvements held by the Public Works Department for completion of the required road improvements for Parcel Map recorded in Book 28 at Page 20 (Land Division Application No. 1464) shall be returned to the applicant.
Project Conditions and Mitigation Measures for Major Subdivision No. 2012-042

Project Name: Vallecito Estates

File Number: Major Subdivision No. 2012-042

Project Approval Date: April 21, 2017

The following conditions of approval and mitigation measures were approved for this project in order to ensure compliance with county codes and policies, and to mitigate identified environmental impacts to a level of insignificance. A completed and signed checklist indicates that the conditions and mitigation measures have been complied with and implemented, and fulfills the County of Mariposa’s Mitigation Monitoring requirements with respect to Assembly Bill 3180 (Public Resources Code Section 21081.6)

Approved Project Description: Upon recordation of the Final Map the on-site access and utility easements created by map PM Book 28, Page 20, MCR (known as Lake Trout Drive, Catheys Valley Drive, and an unnamed easement off of Highway 140) will be eliminated. New road, utility and open space easements will be created as part of the proposed subdivision.

Major Subdivision Application No. 2012-042 proposes to subdivide the merged 98.94-acre parcel into 26 lots ranging in size from 2.52 acres (net, exclusive of easements) to 12.79 acres (gross, including easements). Four of the proposed lots (Lots 1-3 and 23), totaling approximately 12 acres are located within the Community Commercial land use classification of the Catheys Valley Community Plan (CVCP) and thus will be available for commercial uses. The remainder of the lots are located within a residential land use classification and will be available for residential uses and development.

No grading to establish building sites is proposed with this application. The majority of grading for roadways has been completed. Some grading will be necessary to complete roadways.

Primary access to the project is proposed from the Horritos Road Extension, a 72-foot-wide public access and utility easement intersecting with State Highway 140, which also fronts the subject site. Highway 140 is a fully improved state highway with a left turn lane at the Horritos Road intersection. Horritos Road Extension is fully improved. Access to interior roadways is via a proposed extension of Catheys Valley Drive, an approximately 2,200-foot interior “dead end” road terminating at a proposed cul-de-sac and emergency exit located at the South property boundary near proposed lot 18. In addition to Catheys Valley Drive, three interior 60-foot-wide easements are proposed, all of which are cul-de-sacs. One of these cul-de-sac easements provides direct access from Highway 140 to three lots.

Access to three lots (Lots 24, 25 and 26) is proposed off an existing ranch road encroachment off of Highway 140.

Access to one lot (Lot 16) located at the southwest corner of the site is via off-site right of way easements (not shown) from School House Road.

An emergency exit (only) is proposed by way of an extension of Catheys Valley Drive across APN 016-110-031, a 246.60-acre parcel owned by the applicant, connecting to School House Road. The emergency access...
easement is a proposed 60-foot-wide non-exclusive easement for road and emergency exit purposes. This egress route provides an additional route out of the subdivision in case of a wildland fire event.

Grading for roads is minimized through the project design by designing roads to coincide with existing ranch roads or previously improved subdivision roads. This also results in no oak trees having to be removed for road construction. Impacts to State Highway 140 are minimized by having the majority of the lots accessed through interior roads.

Water supply to serve the proposed lots will be provided through a combination of individual wells and shared wells at a ratio of no more than 1 well per 4 lots. Individual wells would be allowed to be developed for each parcel, and septic systems are proposed for each individual lot. Shared wells are proposed to minimize the number of new wells resulting from project. Detailed and long term groundwater testing was conducted to ensure adequacy of water sources for the project and to confirm that impacts to adjacent wells are not significant or nonexistent.

Soils report to determine the suitability of the lots to support on-site septic disposal were prepared and all lots have the ability to support on-site septic disposal. Two of the lots (10 and 15) will require engineered septic systems.

Project design (parcel size, design, and road alignment) considered impacts to wetlands and the proposed project was designed to avoid them. All project lots adjoining agricultural lands were designed to be 5 acres in size to minimize potential conflicts between residential development and adjacent agricultural uses.

The project is subject to the 2006 General Plan because it was submitted and deemed to be complete for processing prior to the adoption of the Catheys Valley Community Plan. However, staff notes that the project design is consistent with many, if not all, of the CVCP standards, including minimum parcel size and minimum parcel size adjacent to Ag Working Landscape parcels.

Future development on-site and grading and building permits will be subject to the Catheys Valley Community Plan.

In addition, the project applicant has proposed Covenants, Conditions, and Restrictions (CC&Rs) that will require, prior to a residence being constructed, that a review conducted by a proposed Association of Homeowners occurs to ensure the following:

1. Structures to fit the natural landform.
2. If located along a slope, architectural and site elements should be at different elevations to avoid grading one large pad.
3. On slopes, utilize stepped building foundations or retaining structures as an alternative to conventional cut and fill methods.
4. Encourage site development that avoids steeply sloping terrain.
5. Locate site access roads and driveways to follow natural contours.
6. Encourage daylight cut situations where pads interface with natural open space.
7. Blend transitional manufactured slopes with the natural slope.
8. Balance earthwork on the individual lot when possible to avoid soil import or export.
9. Do not grade outside individual property lines.
10. Employ blending and rounding techniques where manufactured slopes meet natural ground.
11. Vary slope gradient and width and contour edges to achieve a more natural appearance to slope banks.
12. Preserve existing rocks, vegetation, and drainage patterns to the maximum extent possible.
13. Use existing topography, landscaping and vegetation as screening or partially screening devices.
14. Camouflage by using natural and earth tone building colors. Earth tone colors such as reddish-brown brick help to soften the visual impact of a building. Darker roofs (brown, black, gray) are preferred. Expansive flat roofs can be camouflaged by mottled patches of light and dark roofing material.
15. Control lighting to promote “dark sky” qualities.
16. Utilize “non-spectacular” materials in building construction. Building facades are less intrusive if articulated and not monolithic.
17. Limit building size and type minimizing visual dominance of projects.
18. Custom home design shall be reviewed for compliance by the Association prior to construction.
19. Avoid the disturbance of prominent rock outcroppings by locating building sites away from these features.

The Association of Homeowners will ensure maintenance of the water tank located on proposed Lot 22, which will be used for watering of common landscape areas and to provide for water in fire emergency situations.

Although not required, the applicant will install and maintain landscaping in the form of trees and shrubs that will obscure the sight of the existing water tank on proposed Lot 22 from Highway 140 through the Association of Homeowners.

Additionally, the project applicant has proposed Covenants, Conditions, and Restrictions (CC&Rs) that will protect the existing rock wall on the site from disturbance.

### Sign-Off Checklist for List of Conditions of Approval and Mitigation Measures

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<tr>
<th>CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT</th>
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<tr>
<td>1. The on-site easement for Catheys Valley Drive from Lot 1 to the southern boundary of Lots 6 and 22, and the easement for Lake Trout Drive shall be made a minimum 60 feet wide and non-exclusive. Turnaround easements with a radius of 60 feet shall be provided as shown on the map to encompass the required turnaround improvements. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The easements shall be offered for dedication to the County of Mariposa. The offers of dedication shall be non-revocable and specifically state the dedications are for &quot;public road and utility purposes.&quot;</td>
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(Section 16.12.160.B, County Subdivision Ordinance; Road Standard Cross-sections, Road Improvement and Circulation Policy) |

| 2. The on-site easement for Catheys Valley Drive from the southern boundary of Lots 6 and 22 to the cul-de-sac on Lot 18, the easement for Via Padre, and the easement from Highway 140 to the cul-de-sac on Lots 24, 25, and 26 shall be made a minimum of 60 feet wide and non-exclusive. Turnaround |

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<tr>
<th>Monitoring Dept</th>
<th>Verified Implemented</th>
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<td>Public Works</td>
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easements with a radius of 60 feet shall be provided as shown on the map to encompass the required turnaround improvements. The easements shall be designated for access for the use and benefit of the subject property. Provisions shall be made for public use for emergency purposes. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. Provisions for a public utility easement within 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.

(Section 16.12.160.B, County Subdivision Ordinance; Section II.A.3, Road Improvement and Circulation Policy)

3. The off-site easement for road and emergency exit purposes shall be made a minimum of 60 feet wide and non-exclusive. Additional easement width may be required to encompass the required road improvements, including turnouts and associated cuts and fills, in accordance with the County Improvement Standards and Road Improvement and Circulation Policy. The easements shall be offered for dedication to the County of Mariposa. The offers of dedication shall be non-revocable and specifically state the dedications are for “road and emergency exit purposes.” The location and width of the easements shall be approved by the County Engineer.

This will be done prior to the recordation of the final map. The document, format, and legal description shall be approved by the County Surveyor prior to recordation.

(Section 16.12.160.B, County Subdivision Ordinance; Section II.A.3, Road Improvement and Circulation Policy; Project Application)

4. The easement for Cathey’s Valley Drive from Horntos Road to the southern boundary of Lake Trout Drive shall be improved to a Rural Class IV paved standard and shall meet this standard at the time of the filing of the final map. The easement for Cathey’s Valley Drive from Lake Trout Drive to the common boundary of Lot 19 and 20 shall be improved to a minimum Rural Class I SRA paved or Rural Class II gravel standard and shall meet this standard at the time of the filing of the final map. The easement for Cathey’s Valley Drive from the common boundary of Lot 19 and 20 to the cul-de-sac on Lot 18 shall be improved to a minimum Rural Class I SRA gravel standard and shall meet this standard at the time of filing the final map. The easement for Lake Trout Drive from Cathey’s Valley Drive to the cul-de-sac shall be improved to a Rural Class IV paved standard and shall meet this standard at the time of filing the final map. The easement for Via Padre from Cathey’s Valley Drive to the eastern boundary of Lot 9 shall be improved to a minimum Rural Class I SRA paved or a Rural Class II gravel standard and the Via Padre easement from the eastern boundary of Lot 9 to the cul de sac shall be improved to a minimum Rural
Class I SRA gravel standard and shall meet this standard at the time of filing of the final map. The easement from Highway 140 to the cul de sac on Lots 24, 25, and 26 shall be improved to a minimum Rural Class I SRA gravel standard and shall meet this standard at the time of filing of the final map. The emergency exit easement from the cul-de-sac on Lot 18 to the cul-de-sac shown on Parcel Map Book 22, Page 22; MCR and from the cul-de-sac shown on Parcel Map Book 22, Page 22; MCR to Schoolhouse Road shall be improved to a minimum Rural Class I SRA gravel standard and shall meet this standard at the time of filing of the final map. The easements from Schoolhouse Road to the southern boundary of Lot 16 shall be improved to a minimum Rural Class I SRA gravel standard and shall meet this standard at the time of filing of the final map. The required road improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be approved by the County Engineer at the time of filing of the final map. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

The applicant may pave all the roads where a gravel standard is allowed.

(Section 16.12.170, County Subdivision Ordinance; Drawing No. R-3, Mariposa County Improvement Standards)

5. Cul-de-sacs shall be constructed at the terminus of the required road improvements at the intersection of Lots 3, 4, and 5; the intersection of Lots 10, 11, 12, and 13; the intersection of Lots 24, 25, and 26; the turnaround on Lot 6; the terminus of Catheys Valley Drive on Lot 18; and the terminus of the road serving Lot 16. An alternative turnaround for the terminus of the road serving Lot 16 may be approved by CalFire and Public Works. The surfacing shall either be paved or gravel and must match the surfacing on the corresponding access roads. The cul-de-sacs shall be improved to meet county standards and shall meet these standards at the time of final map filing. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards and shall be inspected and approved by the County Engineer at the time of filing of the final map. At the time of filing of the final map, the County Engineer shall confirm that this condition has been met.

(Section 11.4(R)(9) County Improvement Standards)

6. Prior to the commencement of any road improvements, road construction or other road building or maintenance activities required as a condition of approval for this project and prior to issuance of any encroachment permit for the required improvements but after issuance of an encroachment permit from CalTrans, a consultation meeting with the Public Works Department, the Planning Department, the applicant, the agent, the road contractor, and Cal Fire shall occur. The Agricultural Commissioner, a representative from Pacific Gas & Electric, a representative from Cal Trans, a representative from the Health
Department and a representative from the Mariposa County Resource Conservation District shall be invited to attend. Any and all costs associated with the consultation shall be the responsibility of the applicant. The County engineer shall verify that this condition has been met prior to issuance of any encroachment permit required for this project and prior to the scheduling of any on-site inspection of road improvements.

(Public Works and Mariposa Planning Recommendation)

7. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Hornitos Road and prior to any work being done on or adjacent to Schoolhouse Road. In addition, all grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvements required as a condition of approval for this project. If engineered improvement plans are required, the plans shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Chapter 11, County Improvement Standards)

8. An encroachment permit shall be obtained from the Mariposa County Public Works Department to allow access to proposed Lot 16 across the 1 foot strip owned by the County and prior to any work being done on or adjacent to this 1 foot strip.

(Chapter 11, County Improvement Standards)

9. The edges or boundaries of the off-site easement for Catheys Valley Drive from the project site to Hornitos Road, the centerline of the emergency access easement from the cul-de-sac on Lot 18 to Schoolhouse Road, and the edges or boundaries of the off-site easements providing access to Lot 16 shall be staked in the field by the project surveyor prior to the on-site consultation meeting described in Condition No. 6. The staking of the road shall be maintained during road construction activities. The purpose of the staking is to ensure that all required road improvements are contained within the existing easements.

(Planning Department Recommendation)

10. All grading and road improvement work required as a condition of approval of this project shall comply with the Mariposa County Improvement Standards and all requirements contained therein. The County Engineer may require engineered improvement plans prepared by a Registered Civil Engineer for any improvement required as a condition of approval for this project. If engineered improvement plans are required, the plan shall be approved by the County Engineer prior to commencement of construction work on the required road improvements.

(Chapter 11, County Improvement Standards)

11. Immediately upon completion of the required road and encroachment improvements, the applicant shall re-vegetate all exposed soils and install
other erosion control as recommended by the Resource Conservation District (RCD). The applicant shall also contact the RCD for an inspection. Inspection fees shall be the responsibility of the applicant. A letter shall be submitted to the County Surveyor by RCD stating that the re-vegetation and erosion control provisions have been completed prior to the filing of the final map.

(Road Improvement and Circulation Policy; County Improvement Standards)

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<th>12. All cut and fill areas required for the construction of the proposed access road shall be included within the access easement pursuant to the County Improvement Standards, which may necessitate a variable width easement greater than 60 feet in width. The location, width, and description of the easements shall be approved by the County Engineer.</th>
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<td>Public Works</td>
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(Public Works Department Recommendation)

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<th>13. An encroachment permit shall be obtained from the California Department of Transportation prior to any work being done on or adjacent to State Highway 140, including but not limited to road name sign installation. The encroachment permit shall be obtained prior to the on-site consultation meeting required by Condition No. 6. A copy of the encroachment permit shall be provided to the County Surveyor. All encroachment improvements shall be completed as required by Caltrans. Evidence that all encroachment permit improvements have been completed to the satisfaction of CalTrans shall be submitted to the County Surveyor by the applicant prior to recordation of the final map.</th>
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<td>Public Works</td>
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(Chapter 11, County Improvement Standards)

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<th>14. A road name sign for Catheys Valley Drive shall be placed at the intersection of Catheys Valley Drive and Hornitos Road. A road name sign for Lake Trout Drive shall be placed at the intersection of Lake Trout Drive and Catheys Valley Road. A road name sign for Via Padre shall be placed at the intersection of Via Padre and Catheys Valley Drive. A road name sign for the on-site easement road serving Lots 24, 25, and 26 shall be placed at the intersection of the easement and Highway 140. A road name sign for the easement from the easement shown on Parcel Map Book 22, Page 22; MCR to Lot 16 shall be placed at that intersection. A road name sign for the easement shown along the boundaries of Parcels A and B of Parcel Map Book 22, Page 22; MCR shall be placed at the intersection of the easement and Schoolhouse Road. The design and specifications of the sign shall be in accordance with the Mariposa County Improvement Standards. Any required encroachment permits for the signs shall be obtained prior to installation from the Mariposa County Public Works Department and Caltrans.</th>
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<td>Public Works</td>
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(Section 16.12.175, County Subdivision Ordinance)

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<th>15. All required signs shall be installed on metal, break-away type posts. The design and placement of signs shall be approved by the County Engineer or</th>
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<td>Public Works</td>
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16. Stop signs shall be placed at the intersections of Catheys Valley Drive and Hornotos Road, Lake Trout Drive and Catheys Valley Drive, Via Padre and Catheys Valley Drive, the easement on Lots 24/26 and Highway 140, the easement shown on Lots 2, 3, and 4 on Parcel Map Book 23, Page 6; MCR and the easement shown on Parcel Map Book 22, Page 22; MCR, and the easement shown along the boundaries of Parcels A and B of Parcel Map Book 22, Page 1; MCR and Schoolhouse Road. The design and placement of the sign shall be approved by the County Engineer or CalTrans prior to installation.

17. If Catheys Valley Drive and Lake Trout Drive are accepted by the County for public access but not for maintenance, signs stating "THIS ROAD IS NOT COUNTY MAINTAINED" shall be installed at the intersection of Catheys Valley Drive and Hornotos Road and Lake Trout Drive at its intersection with Catheys Valley Drive. A sign shall also be installed at the intersection of Schoolhouse Road and the easement shown along the boundaries of Parcels A and B of Parcel Map Book 22, Page 1; MCR. The design and specifications of the sign shall be in accordance with the County Improvement Standards.

18. The applicant shall have the option of forming a zone of benefit or forming a road maintenance association for the maintenance of the on-site easement roads, the off-site portion of Catheys Valley Road, the emergency egress road, and the off-site easements providing access to Lot 16. Should the applicant choose to form a zone of benefit, the applicant shall file a completed petition on a form to be approved by the County Engineer (including but not limited to, all required signatures and attachments) with the County to form a Zone of Benefit within the Countywide County Service Area No. 1 for road maintenance. The project applicant shall be responsible for all costs associated with the filing of the petition, including but not limited to, preparation and cost estimates.

Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, upkeep of road surfaces, and ultimate replacement costs for road surfaces, etc. It is recommended that maintenance also include noxious weed control. The initial road construction costs shall not be included in the Zone of Benefit.

The Zone of Benefit shall include provisions to allow additional parcels and additional road length to be added to the zone if appropriate in the future.

The formation of the Zone of Benefit shall be completed prior to filing of the map.
If a zone of benefit is not formed the applicant shall form a road maintenance association. Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and upkeep of road surfaces. It is recommended that maintenance also include noxious weed control. The Road Maintenance Association provisions shall be developed by the applicant so those lots served by the easement roads shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to filing of the final map and shall:

a. Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, or other government entity.

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

c. Include 100% of the lots in the subdivision served by the access roads.

d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties.

e. Provide a mechanism for new parcels to be added to the association.

As an alternative, if a formal road maintenance organization exists, the project applicant may join that organization providing that organization includes the provisions contained in a. through e. above as determined by the Mariposa County Planning Department. The existing Road Maintenance Association shall be extended to encompass all of the access roads for this project, including the emergency egress road.

(Public Works Recommendation; Section II.1, Road Improvement and Circulation Policy)

19. All of the lots shall join the existing Road Maintenance Association for existing Hornitos Road extension to Highway 140 (Lots No. 16, 24, 25, and 26 would not be required to be added as they are not accessed by way of Hornitos Road). If one does not exist, the applicant shall include Hornitos Road extension in the Road Maintenance Association required by Condition No. 18 above or the applicant shall have the option of forming a Zone of Benefit

(Public Works Recommendation; Section II.1, Road Improvement and Circulation Policy)

20. The applicant shall form a road maintenance association for the road serving Lots 24, 25, and 26. Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and upkeep of road surfaces. The Road Maintenance Association provisions shall be developed by the applicant so those lots served by the easement road shall be responsible for
road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to filing of the final map and shall:

a. Be in effect for the life of the project unless said maintenance is taken over by the County, a special district, or other government entity.

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

c. Include 100% of the lots in the subdivision served by the access road.

d. Provide a mechanism for the road maintenance association to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent properties.

e. Provide a mechanism for new parcels to be added to the association.

As an alternative, if a formal road maintenance organization exists, the project applicant may join that organization providing that organization includes the provisions contained in a. through e. above as determined by the Mariposa County Planning Department. The existing Road Maintenance Association shall be extended to encompass all of the access roads for this project, including the emergency egress road.

(Public Works Recommendation; Section II.I, Road Improvement and Circulation Policy)

21. If a Zone of Benefit for road maintenance is not formed for the maintenance of the easement roads, a declaration or covenant of non-protest for road maintenance of the project easement roads shall be filed concurrently with the final map and shall be referenced on the final map. The declaration or covenant shall be made appurtenant to each lot and shall state that the owners or future owners of the lots waive their right to protest the formation of a zone of benefit or assessment district within Countywide County Service Area No. 1 for road improvements, road upgrades, and/or maintenance of the easement road. The declaration or covenant shall be approved by the Public Works Director prior to filing of the final map.

Public Works Recommendation

22. One of the following conditions shall be met prior to recordation of the final map:

a. A gate shall be installed across the Catheys Valley Drive easement just south of cul de sac at the southern boundary of Lots 6 and 22. The type and location of the gate shall be approved by the Public Works Director. If the gate is to be locked, the gate shall be approved by the County Fire Chief and the CalFire for emergency access purposes.

OR
b. A sign stating "PRIVATE ROAD" shall be installed on the Catheys Valley Drive easement just south of cul de sac at the southern boundary of Lots 6 and 22. The location of the sign shall be approved by the Public Works Director, and the design and specifications shall be in accordance with the County Improvement Standards.

(Section II.I, Road Improvement and Circulation Policy)

23. A final Soils Report shall be submitted to the County Planning Department as required by Mariposa County Code Subdivision Ordinance, Section 16.20.220 and by Sections 66490 and 66491 of the Subdivision Map Act. The Soils Report shall be reviewed and approved by the County Engineer prior to final map filing. If the preliminary soils report is approved by the County Engineer, no final Soils Report shall be required.

(Section 16.20.220, Mariposa County Code)

24. Verification of taxes paid shall be submitted to the County Surveyor prior to final map filing.

(Public Works Recommendation)

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<th>CONDITIONS OF APPROVAL/ CALIFIRE</th>
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<td>25. Prior to filing of the final map, all applicable State Fire Safe Regulations shall be met, including construction of roadways, cul-de-sac turnarounds, road naming and signage. A letter shall be submitted to the County Surveyor by CalFire stating this condition has been met.</td>
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Additionally, a document shall be recorded and referenced on the Final Map or shall be included on an additional map sheet which indicates its relationship to the final map that states:

"This notice is not intended to affect record title interest. Future residential development on Lots 1 through 26 as shown on the final map for Vallecito filed in the Book of Maps at Page ___, Mariposa County Records shall be required to conform with all applicable SRA Fire Safe Regulations (Public Resource Code 4290 and 4291). Furthermore, the development of the parcels is subject to all applicable SRA Fire Safe Regulations and the risk of fire hazards shall be reduced through compliance with Public Resource Code 4291, including the requirement to maintain fire protection or firebreaks within 100 feet from buildings or structures or to the property line unless an alternative mitigation measure is approved by CalFire at the time of issuance of a residential building permit."

(CalFire Recommendation)

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<tr>
<th>CONDITIONS OF APPROVAL / MARIPosa PLANNING</th>
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<tr>
<td>26. Project approval is valid for a period of three years from April 21, 2017.</td>
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(Mariposa)
This approval shall expire on April 21, 2020. An extension of time may be granted, if a complete time extension application is submitted prior to the expiration date.

**(§16.16.090, Mariposa County Subdivision Code)**

27. All lots shall have a minimum parcel size of 2.5 acres, exclusive of easements. At the time of recordation, the applicant shall provide evidence and the County Surveyor shall verify that the minimum parcel size has been complied with. If this condition cannot be met, lots shall be merged so that all lots are at least 2.5 acres, exclusive of easements. Any conditions containing reference to lot numbers shall be modified accordingly, and under the direction of the Planning Department (where there is a determination by the Planning Director that there is no substantial change to the project or impacts).

Section 17.12.C.1, Mariposa County Zoning Ordinance, Title 17, Planning Department Recommendation

28. Completion of the public report process through the State Department of Real Estate is not necessary for map filing, but is necessary prior to lot sale.

**(Mariposa Planning Recommendation)**

29. The proposed road names Cathys Valley Drive, Lake Trout Drive and Via Padre are approved. The names of the roads within the project site shall be shown on the final map.

The on-site easement road from Highway 140 to the cul-de-sac on Lots 24, 25, and 26 shall be named in accordance with the criteria of County Resolution No. 92-541. The off-site easements providing access to Lot 16 shall be named in accordance with County Resolution No. 92-541. A Road Name Request application shall be submitted to the Planning Department and approved by either the Planning Director (on-site road) or the Board of Supervisors (off-site roads). Approval of the road names shall be tentative, until the map is filed. The names of all the roads shall be shown on the final map.

The existing residences along the road easements used to access Lot 16 will receive addresses off of the newly named roads. Any posted address sign or mailbox for existing residences shall be maintained in good repair at all times during project construction, up until both of the following are satisfied: a) a new address is assigned for the existing residence and b) the new road name sign is installed.

Prior to filing the parcel map, the applicant shall submit to the Planning Department an “address request form”, on a form provided by the Planning Department, for Parcels 016-280-007, 016-280-008, 016-280-009, and 016-280-010. The “address request form” will ensure that Parcels 016-280-007, 016-280-008, 016-280-009, and 016-280-010 are assigned new addresses off the newly named subdivision road by the Assessor/Recorder’s Office following the filing of the parcel/final map. A letter or e-mail from the Planning Department shall be sent to the County Surveyor which verifies this condition has been met.
<table>
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<th>(County Resolution No. 92-541 and Planning Department Recommendation)</th>
<th>Mariposa Planning</th>
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<td>30. Prior to filing of the final map, all fees associated with the County’s processing of the map and filing of associated documents shall be paid. The Department of Fish and Game filing fee ($2,216.25 as of January 1, 2017) and County Clerk fee ($50 as of January 1, 2017) shall be paid by the applicant within five (5) working days of the approval of the application (by Friday, April 28, 2017, because if the fee is not paid within 5 working days, and the Notice of Determination is not filed with the County Clerk prior to close of business on Friday, April 28, 2017 the environmental determination is not operative, vested, or final (Section 21089(b) Public Resources Code). The County Clerk requires that one check be submitted to cover both of these fees, for a total of $2,266.25 (effective January 1, 2017), and that it be in the form of a cashier's check or money order payable to “Mariposa County;” The County Clerk will not accept a personal check for these fees. Submit the check to Mariposa Planning who will file this fee and other required documents with the County Clerk. NOTE: The filing fees are adjusted annually, effective January 1st of each year, pursuant to Fish and Game Code. §16.12.390, Mariposa County Subdivision Code; (California Department of Fish and Wildlife Requirement)</td>
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<td>31. The Property Owner (Owner) shall indemnify, protect, defend, and hold harmless the County, and any agency or instrumentality thereof, and officers, officials, employees, or agents thereof, from any and all claims, actions, suits, proceedings, or judgments against the County, or any agency or instrumentality thereof, and any officers, officials, employees, or agents thereof to attack, set aside, void, or annul, any approval of the County, or any agency or instrumentality thereof, advisory agency, appeal board, or legislative body, including actions approved by the voters of the County, concerning the project and the approvals granted herein. Actions concerning the project and approvals granted shall include, but not be limited to, the environmental determination made pursuant to the California Environmental Quality Act (CEQA). Furthermore, Owner shall indemnify, protect, defend, and hold harmless the County, or any agency or instrumentality thereof, against any and all claims, actions, suits, proceedings, or judgments against another governmental entity in which Owner’s project is subject to that other governmental entity’s approval and a condition of such approval is that the County indemnify and defend such governmental entity. County shall promptly notify the Owner of any claim, action, or proceeding. County will further cooperate in the defense of the action. An agreement on a form approved by Mariposa County Counsel shall be executed within twenty (20) working days of the date of project action. Non-</td>
<td>Mariposa Planning</td>
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compliance with this condition may result in revocation of project approval by the county.

(Section 16.36.030, Mariposa County Subdivision Ordinance)

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<th>32. A declaration shall be filed with the final map and referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The declaration shall state the following:</th>
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<td>&quot;This notice is not intended to affect record title interest. A soils investigation report has been prepared for Lots 1 through 26 as shown on the Final Map for Vallecito, filed in the Book of Maps at Page _____, Mariposa County Records. The report should be reviewed and the recommendations incorporated into the construction of any buildings including mobile home foundations. A copy of the report is available for review at the Mariposa County Planning Department.&quot;</td>
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(Mariposa Planning Recommendation)

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<tr>
<th>33. Parcel Merger No. 2012-041 shall be completed prior to, or concurrently with, the filing of the final map.</th>
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<tr>
<td>Planning Department Recommendation</td>
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<tr>
<th>34. Subdivision Map Act Section 66434.2 applies to the filing of the final map for this project.</th>
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<td>(Planning Department Recommendation)</td>
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<th>35. The project proposes the use of shared wells to serve some of the lots. In order to ensure that access, maintenance, and replacement issues are addressed, the following conditions shall be met prior to filing of the final map:</th>
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<td>A maintenance agreement shall be prepared and filed concurrently with the final map and referenced on the final map. The maintenance agreement shall provide for maintenance and operating costs of the shared well(s), well improvements, well replacement, and shall include lots to be served by the shared well(s). The maintenance agreement shall be developed by the applicant so lots sharing the wells are responsible for maintenance of corresponding wells and well improvements. The provisions shall be reviewed and approved by the Planning Director and the Health Department prior to recordation of the final map and shall:</td>
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<td>• Be in effect for the life of the project or until an individual well is developed for the residential improvements on the lot.</td>
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<td>• Provide for annual maintenance and the immediate correction of emergency and hazard situations.</td>
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<td>• Include all lots sharing well(s).</td>
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<td>• Provide a mechanism to collect delinquent payments or assessments for the maintenance described above by filing a lien on the delinquent property.</td>
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(Mariposa Planning) |

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(Mariposa Planning) |

(Planning Department/ Mariposa Planning)
In addition, an easement shall be shown on the Final Map to allow for access and maintenance of water line(s) (to individual meters) and well(s) from a project road easement. The easements shall be made wide enough for vehicular access for maintenance purposes, and shall be designated for the use and benefit of the subject properties. The access easement shall be located such that physical access can be made to the well(s) from the access road. The width of the easement shall be 20 feet minimum.

The location and width of the easement shall be approved by the County Engineer.

The maintenance agreement and easement may include termination provisions, should a well which is sufficient for domestic water use be drilled on any individual lots at any time in the future.

(Mariposa Planning Recommendation)

36. Prior to the commencement of any easement road construction activities, the project proponent shall obtain from the Regional Water Quality Control Board (RWQCB) a General Permit for Discharges of Storm Water Associated with Construction Activity, unless it can be shown to the satisfaction of the Mariposa County Planning Director through evidence submitted by a qualified person, such as a licensed land surveyor or registered civil engineer, that less than one acre of land will be disturbed to implement the project. A copy of the approved permit or evidence that a permit is not required shall be submitted to the Mariposa County Public Works Department by the project proponent prior to the pre-construction consultation meeting required in these conditions of approval. If a permit is required, all provisions and requirements of the permit shall be completed prior to filing of the final map. The proponent shall submit to the County Surveyor evidence that the permit requirements have been met to the satisfaction of the RWQCB.

(State Water Quality Control Board Order No. 2009-0009-DWQ, National Pollutant Discharge Elimination System (NPDES))

37. A statement shall be recorded in Official Records concurrently with the map and referenced on the map or shall be included on an additional map sheet which indicates its relationship to the final map as follows:

“This notice is not intended to affect record title interest. Approved percolation tests and soils analysis tests have been performed on Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26 as shown on the Final Map for Vallecito, filed in the Book of Maps at Page ___, Mariposa County Records to verify the feasibility of installing an on-site septic disposal system. A map identifying the location of the approved percolation tests is on file in the County Health Department. If an on-site septic system is proposed for a portion of a lot that has not had an approved percolation test, additional
percolation tests and design recommendations may be required."

"This notice is not intended to affect record title interest. Percolation tests and soils analysis tests show that conventional on-site sewage disposal systems cannot be constructed on Lots 10 and 15 as shown on the Final Map for Vallecito, filed in the Book of Maps at Page _____, Mariposa County Records based upon limiting soil conditions; however, the test results meet the Health Department Land Division policy requirements for use of engineered, alternative design on-site sewage disposal systems. The State of California is in the process of developing Statewide on-site sewage disposal regulations that could affect the future installation of engineered, alternative design on-site sewage disposal systems; therefore, buyers are encouraged to check with the Mariposa County Health Department regarding State or local regulation changes that could affect the installation of an on-site sewage disposal system on this lot."

Additionally, a notice shall be filed concurrently with the final map and referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The notice shall state:

"This notice is not intended to affect record title interest. The properties described as Lots 10 and 15 as shown on the Final Map for Vallecito, filed in the Book of Maps at Page _____, Mariposa County Records are required to be served by an alternative design on-site sewage disposal system which is to be installed in the exact area tested and approved by the Health Department unless the Health Department approves an alternate location as described below. Construction plans for the alternative design on-site sewage disposal system must be submitted to and approved by the Mariposa County Health Department prior to the issuance of a development permit for any construction activities other than a private well. A map showing the approved location and a report including percolation test and soil profile analysis results is on file at the Mariposa County Health Department. The alternative design on-site sewage disposal system is to be maintained in accordance with Mariposa County Health Department Policy 03-01 which states, "A maintenance entity shall be required prior to approval and installation of a special design sewage disposal system on a land division. In lieu of a public entity, an operation and maintenance protocol may be submitted for approval by the manufacturer of a specific technology." Said maintenance entity shall be created to provide maintenance on the engineered sewage disposal systems prior to issuance of a development permit for residential construction activities other than a private well.

In the event that additional soils testing is conducted demonstrating that an alternative design on-site sewage disposal system is not
necessary, the Mariposa County Health Department may allow the use of a conventional on-site sewage disposal system in the newly tested area. Any newly tested area requiring the use of an engineered alternative design on-site sewage disposal system must meet the same minimum soils requirements of Health Department policy 03-01 as a newly created parcel.”

(Section 16.12.330, County Subdivision Ordinance; Health Department Recommendation)

38. All Health Department fees shall be paid prior to filing of the final map.

(Health Department Recommendation)

39. Proof of water shall be provided on Lots 1 through 26 prior to recordation of the final map for this project. Proof of water shall be considered to be a well or wells of proven capacity. Proven capacity shall be a well or wells capable of producing one thousand gallons per twelve-hour day for each lot. Proof of production shall be an approved pump test of the well or wells certified by a licensed engineer, hydrogeologist, well driller with a C-57 license, or licensed well pump contractor. The minimum pump testing duration of the well or wells on each lot shall be the following: 3 hours for a well producing 10 gallons per minute (gpm) or more; 24 hours for a well producing 5 gpm to less than 10 gpm; and 3 days for a well producing less than 5 gpm. Additionally, a report of a completed well shall be submitted to the Health Department and approved by the Director of Environmental Health. The report shall include a general mineral, physical and inorganic analysis as required under California Code of Regulations, Title 22, for non-transient, non-community water systems, and an analysis for coliform bacteria.

If any proposed parcel shall have a well that fails to meet proof of production and proof of production cannot be met on that parcel, the parcel is question shall be merged with an adjacent parcel and the merged parcel shall be shown on the final map for this subdivision.

OR

New subdivision lots will be served by an approved potable water supply. Prior to recordation of a final map for this project, the applicant will prove to the satisfaction of the Health Department that each new parcel has a supply of potable water meeting requirements for quantity and quality. Proof is as follows:

a. an approved connection from an approved public water provider; or

b. a proposed connection to a shared well which has been pre-approved by the Health Department; or
c. a well, for which appropriate permits and inspections have been approved by the Health Department, has been drilled on the subject property and developed with appropriate casings, and for which improvements may or may not include permanently installed pump equipment; or

d. a demonstration that there can be a source of water capable of producing a sustained potable water supply with storage of at least 1,000 gallons per twelve (12) hour day per dwelling unit, which will be contained within any combination of (a) a potable water storage tank, (b) a static water supply in the well; or

e. other satisfactory proof which may consist of a hydrogeological study of the area by a qualified professional and wells drilled prior to sale.

Additionally, if the property is to be served in the future by a well, there will be a requirement to record a disclosure statement concurrently with and referenced on the final map or include the disclosure statement on an additional map sheet which indicates its relationship to the final map. The statement shall be the following:

“This notice is not intended to affect record title interest. Water supplies for residential lands are derived from private wells on these parcels. Mariposa County groundwater supplies are found in fractures in the bedrock. The costs associated with drilling and developing a private well is highly variable because it is unknown how much or if any additional water can be found on these parcels. There is no guarantee additional potable water supply of adequate quality or quantity can be found or sustained on any parcel shown on this map.”

Condition No. 39 shall be satisfied to the satisfaction of the Mariposa County Director of Environmental Health.

(Section 16.20.230, Mariposa County Code)

40. The applicant shall obtain a land development Burn Permit from the Mariposa County Air Pollution Control District prior to lighting any fires to dispose of brush, grass, trees and other flammable debris generated during ground clearing activities associated with compliance with the conditions outlined for this project.

Mariposa County Air Pollution Control District

41. An open space setback of two hundred fifty (250) feet from the edge of the Mariposa County Air Pollution Control District.
two vernal pools located on the project site as shown in the Vallecito Project Biological Assessment (also referred to as former Ranch Biological Assessment), which is designed to protect any special status wildlife vernal pool species that may potentially occur, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The statement shall be as follows:

“This notice is not intended to affect record title interest. There are open space setbacks on Lots 11 and 26 as shown on the Final Map for Vallecito filed in the Book of Maps at Page _____, Mariposa County Records. The setback is two hundred fifty (250) feet from the edge of the vernal pools. No structure or improvement shall be constructed within the open space setback except as provided below. A well or wells, water pipes, underground and above ground power lines, fencing and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation (except noxious weeds identified by the United States Department of Agriculture, the California Department of Food and Agriculture, and/or the Mariposa County Agricultural Commission) shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the parcel owner may be required to obtain a permit from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency shall be contacted prior to initiation of any disturbance to the setback area. If a Section 404 permit is required, a Section 401 Water Quality Certification from the State Regional Water Quality Control Board shall also be required”.

(Mitigation Measure 4.b.1)
42. An open space setback of twenty-five (25) feet from the edge of the seasonal wetlands and twenty-five (25) feet from the centerline of the ephemeral drainages located on the project site as shown in the Vallecito Project Biological Assessment (also referred to as Fortner Ranch Biological Assessment), which is designed to protect any special status wildlife, wetland species, and any sensitive habitat that may potentially occur, shall be shown on the final map. The setback area shall exclude the roadside drainage ditch that falls within the proposed Catheys Valley Drive access easement and the existing access improvements serving Lot 22. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The statement shall be as follows:

"This notice is not intended to affect record title interest. There are open space setbacks on Lots 1, 4, 5, 6, 9, 10, 11, 14, 15, 16, 18, 19, 20, 21, 22, 24, 25 and 26 as shown on the Final Map for Vallecito filed in the Book of Maps ____ at Page ____ , Mariposa County Records. The setback is twenty-five (25) feet from the edge of the seasonal wetlands and from the centerline of the ephemeral drainages. No structure or improvement shall be constructed within the open space setback except as provided below. Access to lots 21 and 22, a well or wells, water pipes, underground and above ground power lines, fencing and other similar structures or improvements may be constructed within the open space setback subject to approval by the Planning Director. Consultation with a qualified biological consultant, whose services shall be paid for by the property owner, may be required by the Planning Director in order to make a determination. No removal of vegetation (except noxious weeds identified by the United States Department of Agriculture, the California Department of Food and Agriculture, and/or the Mariposa County Agricultural Commissioner) shall be allowed within the open space setback, except as determined necessary by CalFire, and except as needed to implement the uses described in this and the following paragraph. No grading shall be allowed within the setback, except as needed to implement the uses described in this and the following paragraph.

Prior to any grading or construction activities occurring within this setback area, the owner of said lots shall contact the California Department of Fish and Game to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the owner shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code.

Depending upon the location and nature of the construction, grading, or disturbance within the setback area, the parcel owner may be required to obtain from the Army Corps of Engineers permitting under Section 404 of the Clean Water Act. This agency..."
shall be contacted prior to initiation of any disturbance to the setback area. If a Section 404 permit is required, a Section 401 Water Quality Certification from the State Regional Water Quality Control Board shall also be required”.

(Mitigation Measure 4.b.2)

| 43. The proposed easement roads shall be allowed to cross ephemeral drainages as shown on the Biological Resources Map included in the Biological Assessment prepared for the project dated January 2012. Prior to the commencement of any easement road improvements, road construction or other easement road building activities required as a condition of approval for this project, the applicant shall contact the California Department of Fish and Wildlife to determine if a State Fish and Game Code Section 1602 Streambed Alteration Notification is required. If required, the applicant shall submit the notification and comply with all applicable requirements of Section 1600 et seq. of the State Fish and Game Code. A copy of the Stream Alteration Agreement or evidence that such an Agreement is not required shall be submitted to the Mariposa County Public Works Department prior to the onsite consultation meeting required as a condition of approval for the project. If an Agreement is required, all provisions and requirements of the Agreement shall be completed prior to the filing of the final map. The applicant shall submit to the County Surveyor evidence that all Agreement requirements have been met to the satisfaction of the Department of Fish and Wildlife. |
|---|---|
| Prior to initiation of any of the activities listed above, the project applicant shall obtain any required permitting pursuant to Section 404 of the Clean Water Act from the United States Army Corps of Engineers and, if such permitting is required, a Section 401 Water Quality Certification from the Regional Water Quality Control Board – Central Valley Region. The project proponent shall provide a copy of the permit and certification to the Mariposa County Public Works Department prior to the on-site consultation meeting required as a condition of approval for the project. If such permitting is required all provisions of the Section 404 permit and Section 401 water quality certification shall be completed prior to the filing of the final map. The applicant shall submit to the County Surveyor evidence that all permit and certification requirements have been met to the satisfaction of applicable agencies. |

(Mitigation Measure 4.b.3)

| 44. Any tree removal or pruning that is necessary to implement the project’s conditions of approval relating to easement road construction shall occur between September 15 and January 31, the time-frame which is outside of the general avian nesting season. Should such tree removal or pruning occur between February 1 and September 15 a pre-construction survey conducted by a qualified biologist/botanist shall be required to determine if such removal violates the provisions of Fish and Wildlife Code sections 3503, 3503.5 and 3513. The survey shall be conducted no more than 30 days prior to tree removal or pruning. A copy of the survey shall be submitted to the California Department of Fish and Wildlife, Region 4. If these code sections will be |
|---|---|
| Public Works/Mariposa Planning |
| County Surveyor/ Mariposa Planning |
violated by tree removal or pruning between February 1 and September 15, mitigation measures established by the qualified biologist/botanist in consultation with the California Department of Fish and Wildlife shall be implemented to reduce impacts of this tree removal or pruning to less than significant levels. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to such tree removal/pruning on the site.

(Mitigation Measure 4.d.1)

| 45. In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement project conditions of approval, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall be done within fifty feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the applicant to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, the NAHC guidelines shall be adhered to in treatment and disposition of the remains. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains. |

(Mitigation Measure 5.d.1)

| 46. Two copies and a digital version of the Vallecito map delineating all required setbacks (including drainage, wetland, and vernal pools), sewage reserve areas as approved by the Health Department, and approximate location of slopes greater than 15% for all lots zoned for residential development shall be submitted to the Planning Department. A statement shall be recorded in Official Records concurrently with the final map, referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The statement shall be made applicable to all parcels zoned for residential development. The statement shall be as follows: |

"This notice is not intended to affect record title interest. The General Plan and Catheys Valley Community Plan establish design review objectives and policies for existing and future residential parcels with slopes in excess of 15%. Pending adoption of specific zoning regulations, all building permits for
lots with slopes in excess of 15% shall be reviewed pursuant to the hillside development standards established for the Mariposa Town Planning Area pursuant to Section 17.336.040.A-C. of Mariposa County Code; Sections 17.336.040.A-C standards shall apply to future building and grading permits on the residential lots until such time as specific standards for the Calheys Valley Community Plan are developed and adopted for hillside and ridge top development, upon which time those standards shall apply. Building and site work on the residential lots on areas which are less than 15% grade shall be exempt from the standards. A map delineating all required setbacks (from property lines, drainages, seasonal wetlands, and vernal pools), sewage reserve areas as approved by the Health Department, and the approximate location of slopes greater than 15% in on file with the Planning Department in Major Subdivision No. 2012-042’s application file."

(Mitigation Measure 10.b.1)

47. A historic preservation setback of five (5) feet around the barn and the wooden structure with stone foundation, shall be shown on the final map. A statement shall be recorded in Official Records concurrently with the final map and referenced on the final map or shall be included on an additional map sheet which indicates its relationship to the final map. The statement shall be as follows:

"This notice is not intended to affect record title interest. There are historic preservation setbacks on Lot 26 as shown on the Final Map for Vallecito filed in the Book of Maps Page ___, Mariposa County Records. The setback is five (5) feet from the outer walls/foundation of the barn and wooden structure with stone foundation. The structures shall not be altered, disturbed, removed, or destroyed without review and approval of the Planning Director pursuant to review criteria in Section 17.67.020.B, County Code. Any maintenance or relocation shall be approved by the Planning Director and consultation with a qualified individual (at the owner’s expense) may be required."

(Mitigation Measure 5.a.1)

<table>
<thead>
<tr>
<th>RECOMMENDATION ON OFFERS OF DEDICATION</th>
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<tbody>
<tr>
<td>The Planning Commission recommends that the Board of Supervisors accept the offers of dedication for public access and utilities, but not for maintenance, for the on-site easement roads offered for dedication for public road and utility purposes.</td>
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<tr>
<td>The Planning Commission recommends that the Board of Supervisors accept the offers of dedication for public utilities.</td>
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<tr>
<td>Mariposa Planning Recommendation</td>
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Planning

Public Works
### Agency Contact List

<table>
<thead>
<tr>
<th>AGENCY</th>
<th>CONTACT</th>
<th>PHONE NUMBER</th>
<th>EMAIL</th>
<th>SITE ADDRESS</th>
<th>MAILING ADDRESS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mariposa Planning</td>
<td>Alvaro Arias</td>
<td>209-742-1218</td>
<td><a href="mailto:arias@mariposacounty.org">arias@mariposacounty.org</a></td>
<td>5100 Bullion Street</td>
<td>P.O. Box 2039 Mariposa CA 95338</td>
</tr>
<tr>
<td>Public Works</td>
<td>Cheryl Jay</td>
<td>209-966-5356</td>
<td><a href="mailto:cjay@mariposacounty.org">cjay@mariposacounty.org</a></td>
<td>4639 Ben Hur Road Mariposa CA 95338</td>
<td>Same as site</td>
</tr>
<tr>
<td>Health Department</td>
<td>Dave Conway</td>
<td>209-966-2220</td>
<td><a href="mailto:dconway@mariposacounty.org">dconway@mariposacounty.org</a></td>
<td>5100 Bullion Street Mariposa CA 95338</td>
<td>P.O. Box 5 Mariposa CA 95338</td>
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<tr>
<td>Mariposa County</td>
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<td>Conservation</td>
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<td>District</td>
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<tr>
<td>County Assessor</td>
<td>Sarah Hughes</td>
<td>209-966-2332</td>
<td><a href="mailto:shughes@mariposacounty.org">shughes@mariposacounty.org</a></td>
<td>4982 10th Street Mariposa CA 95338</td>
<td>P.O. Box 35 Mariposa CA 95338</td>
</tr>
<tr>
<td>County Fire</td>
<td>Curtis Jackson</td>
<td>209-966-4330</td>
<td><a href="mailto:cjackson@mariposacounty.org">cjackson@mariposacounty.org</a></td>
<td>5082 Bullion Street Mariposa CA 95338</td>
<td>P.O. Box 162 Mariposa CA 95338</td>
</tr>
<tr>
<td>CalFire</td>
<td>Ken Russell</td>
<td>209-966-3622</td>
<td></td>
<td>5366 Highway 49 North Mariposa CA 95338</td>
<td>5366 Highway 49N Mariposa, CA 95338</td>
</tr>
</tbody>
</table>

### Certificate of Completion:
By signing below, the environmental coordinator confirms that the required conditions of approval and mitigation measures have been implemented as evidenced by the “Schedule of Tasks and Sign-Off Checklist”, and that all direct and indirect costs have been paid. This act constitutes the issuance of a Certificate of Completion.

Environmental Coordinator

Date

### Explanation of Headings:
- **Monitoring Dept:** Department or Agency responsible for monitoring a particular mitigation measure.
- **Verified Implemented:** When a mitigation measure has been implemented, this column will be initialed and dated.
MEMORANDUM

Date: October 18, 2019
To: Catheys Valley Community Planning Advisory Committee
From: Sarah Williams, Director
Topic: Agenda Item No. 4 for October 24, 2019 meeting

BACKGROUND

At their meeting on August 29, 2019, the Catheys Valley Community Planning Advisory Committee (CVCPAC) discussed potential amendments to the Catheys Valley Community Plan (CVCP) adopted in December, 2012. The memo for that agenda item at the August meeting included three maps depicting three scenarios for the reduction in size of the CVCP boundary as well as potential amendments to the text of the CVCP. Potential text amendments related to the issue of the restriction on the types of businesses that can be located in the Community Commercial land use classification as shown in the adopted CVCP. The existing language in the adopted CVCP generally states that businesses that are conducive to the Catheys Valley area are those that meet local needs, and that businesses requiring tourist or drive-by traffic to be financially successful are not appropriate in Catheys Valley.

Discussion ensued at the August meeting as to the practical effect of reducing the CVCP boundary and amending its text. Should the boundary of the CVCP be reduced, land that is currently in the CVCP boundary and governed by CVCP policies would be located outside of the boundary and therefore governed by the countywide General Plan. Questions were raised regarding the differences between CVCP and the General Plan policies with respect to the use of and developing the same piece of land both inside and outside of the CVCP boundary.

In order to answer those questions, staff was directed to prepare an analysis of policy differences. What follows is staff's analysis presenting a comparison of policies where there is a clear distinction between the CVCP and General Plan.

RECOMMENDED ACTION

Planning staff recommends that the CVCPAC:

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.
1) Review and discuss the comparison chart;
2) Review and discuss potential map amendments;
3) Receive and review public input (both written and verbal); and
4) Make a recommendation to staff to:
   a) prepare formal amendments to the CVCP for initiation by the Board of Supervisors; amendments could include map changes or text changes or both; or
   b) do not pursue any amendments to the CVCP

SECTION ONE: COMMUNITY PLANNING ADVISORY COMMITTEE (CPAC) OVERSIGHT

The primarily issue that has been discussed to date regarding the potential need to amend the boundaries of the Catheys Valley Community Plan Area relate to "government oversight". Section One is provided to review impacts of the boundary area decision regarding "government oversight". The decision will have no impact on current procedures in place for permitting (e.g. authority established for the Planning Director, the Planning Commission and the Board of Supervisors); the decision will only relate to potential review of projects by the local Community Planning Advisory Committee.

Pursuant to Board policy, the PURPOSE of the CPAC is:

(a) to prepare and recommend a Community Plan,
(b) to prepare and recommend applicable implementation regulations — such as zoning and design review — for the Plan to be adopted by the Board of Supervisors, and
(c) to make recommendations to the Planning Commission and other bodies on planning-related projects and other matters as directed by the Board of Supervisors.

Pursuant to Board policy, the MISSION of the CPAC is:

(a) to represent the views and interests of the Catheys Valley Planning Area in a credible, conscientious, and fair manner.

Pursuant to Board policy, the MEMBERSHIP of the CPAC is:

• nine (9) voting members appointed by the Board of Supervisors, who shall be from one of the following groups:
  a) Property owners within the Catheys Valley Planning Area, or
  b) Owners of businesses located within the Catheys Valley Planning Area, or
  c) Employees of businesses located within the Catheys Valley Planning Area, or
  d) Electors registered to vote within the Catheys Valley Planning Area, or
e) Residents of the Catheys Valley Planning Area.

**Impact of Decision on Potential Modification of Community Planning Area Boundary:**

1. Discretionary or legislative projects (or projects that will have community wide interest)\(^1\) on parcels that are **WITHIN** the Community Plan area:
   a. WILL be scheduled for CPAC for review and recommendation
   b. views and interests of the planning area WILL be represented

2. Discretionary or legislative projects (or projects that will have community wide interest) on parcels that are **OUTSIDE** of the Community Plan area:
   a. WILL NOT be routed to the CPAC for review and recommendation
   b. views and interests of the planning area WILL NOT be expressly represented (there still will be a public hearing or hearings on discretionary and legislative projects, allowing community members to individually provide public input to decision makers)

3. If amendments to boundary of Planning Area are made, **CPAC membership may be changed.** If current members are not property owners or business owners or employees of electors or residents of the amended CPAC plan area boundary, they would no longer be eligible to serve on the committee.

**SECTION TWO: COMPARISON NOTES AND CHART – PLAN POLICIES**

The table below provides a comparison of the development standards and policies that would be applied to land currently located within the boundaries of the existing CVCP and that same land if located outside of those boundaries. It is hoped this table will facilitate discussion in the Catheys Valley community as the process of potentially amending the CVCP moves forward.

The content of the table is predicated on a number of facts and assumptions as follows:

- The governing policy in the Agriculture/Working Landscape land use classification (LUC) in the CVCP is Mariposa County General Plan Section 5.3.04. Specifically, section 5.1.02.D. – Agriculture/Working Landscape on page 5-16 of the CVCP states: "The CV Plan applies the

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\(^1\) NOTES: Building permits are NOT included in this list of potential projects to be scheduled for CPAC Review. A permit for a new single family residence, a garage, a barn, a workshop, a corral, etc. would NOT be required to be reviewed by the CPAC (not required today and not required as a result of any boundary recommendation by CPAC).

Potential discretionary or legislative projects could include applications for a Subdivision, a General Plan/Community Plan/Zoning Amendment, a Conditional Use Permit for a guest ranch or a church or a commercial shooting range or other identified conditional use, a Design Review application, etc.
General Plan Agriculture/Working Landscape land use classification, General Plan Section 5.3.04.

Section 5.2.02 – Agriculture Goals and Policies on page 5-24 of the CVCP states: "The CV Plan implements the General Plan Agriculture Element Goals and Policies in General Plan Section 10.2."

Obviously, the practical effect of these policies is that the CVCP contains no standards for the AG/WL land within the existing CVCP boundaries; the standards are established by the General Plan.

- Similarly, with respect to Infrastructure and Services, Section 5.3.01 – Distinctive Aspect of Catheys Valley Infrastructure and Services on page 5-24 of the CVCP states: "The General Plan addresses circulation issues and road maintenance consistent with the needs of Catheys Valley. There is no need for special circulation related goals in the CV Plan. Likewise, utilities are addressed in the General Plan, and Catheys Valley-specific utilities policies are not necessary."

- The CVCPAC and community members may recall that the map depicting the most dramatic potential change to the CVCP area boundary (Potential Scenario #3) would reduce the plan area boundary to the old Town Planning Area (TPA) boundary, essentially the area identified in the adopted CVCP as containing the Community Residential, Community Commercial and Public Facilities and Services LUCs. These LUCs are not identified in the CVCP Land Use Diagram, shown on page 5-7 of the CVCP, as being located outside of this area. Therefore, even under this potential boundary change scenario, these LUCs would remain on the CVCP land use diagram and would retain the standards in the adopted CVCP. They would not be amended under Scenario #3 or, in fact, either of the other scenarios. Given these factors, it is not necessary to address these LUCs in the table. Community Residential and Community Commercial are not land use classifications included in the General Plan.

- Therefore, the table will focus primarily on the Residential LUC, which encompass lands located outside of the area containing the aforementioned LUCs.

- Section 5.1.02.A(3) – Zoning Consistency on page 5-6 of the CVCP in the Residential LUC standard section lists Agriculture Exclusive (AE) and Mountain Home (MH) as consistent zones within this LUC. If Residential LUC land is removed from the adopted CVCP boundary, MH and AE land that is currently within the boundary would then be governed by countywide standards.

- It should be noted that the standards contained in Chapter 17.20 (Mountain Home Zone) in Title 17 (County Zoning Ordinance) have not been brought into consistency with the 2006 General Plan standards. The effort to update Title 17 and Title 16 to bring them into consistency with the General Plan is currently underway. The General Plan is the governing document for land use decisions in the County. For the purposes of this discussion, it is assumed that zoning standards will be brought into consistency, and it is the expected implementation of those standards that will further the discussion of certain topics in the table.
• As noted in the memo prepared by Planning staff for the August 29, 2019 CVCPAC meeting, current CVCP text would necessarily have to be amended to reflect change in the CVCP boundary. It appears the volume of potential changes to the text would be commensurate with the reduction in the CVCP boundary. For instance, if the boundary is drawn back to the original TPA line, text references to the purpose, goals, policies and standards of the Ag/WL and Residential LUCs as well as guiding principles and issues of importance relating to those LUCs would be completely eliminated.

• In the table below, standards not listed for comparison are the same for the CVCP and General Plan or the corresponding language is similar enough to achieve the same practical effect. In many cases, the CVCP defers to the General Plan standards. For instance, the CVCP states that standards for potable water supply in the Residential LUC within the CVCP are provided in General Plan Section 5.3.02.E(4). As another example: Section 5.3.01.G on page 5-17 of the CVCP states that traffic generation standards for home businesses in the Residential and Community Residential land use classification are provided in General Plan Section 5.3.02.F(2). As another example: Section 5.1.02.A(6) -- Storage on page 5-11 in the Residential LUC section of the CVCP states: "Storage standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(3). Self-storage units shall not be classified as a home enterprise or rural home industry in Catheys Valley." Such units are not so classified in the General Plan. As a final example: Section 5.1.02.A(6) -- Animal Husbandry on page 5-12 in the Residential LUC section of the CVCP states: "Animal husbandry standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(6)."

In addition, a number of implementation measures in the CVCP state that they are tiered from the General Plan, although the measures may “flesh out” the text of the General Plan. For example, the following text appears on page 5-22 of the CVCP:

**Goal CV5.1-6:** Development minimizes impacts on and/or improves air quality.

(Goal CV5.1-6, Policy CV5.1-6a, and Implementation Measures CV5.1-6a(1) and CV5.1-6a(2) are tiered from General Plan Policy 11-1c. General Plan text will be reviewed in conjunction with CV Plan policies and implementation measures.)

**Policy CV5.1-6a:** Implement standards that minimize impacts on and/or improve air quality.

**Implementation Measure**

**CV5.1-6a(I):** For new commercial and institutional building permits and all subdivision applications, including new residential subdivision applications in Catheys Valley, the County shall require energy conservation and the reduction of greenhouse gas emissions in conformance with California Code of Regulation Title 24, Parts 6 and 11. Additional measures shall include one or more of the following:

• Limited hours of operation of outdoor lighting.
• The use of solar heating, automatic covers, and efficient pumps and motors for pools and spas.
• The installation of solar, wind, and geothermal power systems, and solar hot water heaters.
• Features that discourage excessive use of water for cleaning out-door surfaces and vehicles.
• Low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater in accordance with General Plan Implementation Measure 16-5a(2) and protect the environment. (Retaining increased stormwater runoff on-site resulting from project implementation can drastically reduce the need for energy-intensive imported water at the site.)
• Mixed-use included in commercial development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel such as the Yosemite Area Regional Transportation System (YARTS), and promote efficient delivery of services and goods.

Although the implementation measure for this policy and goal provides more detail or different standards than the corresponding measure(s) in the General Plan, it is likely that subdivision and zoning standards adopted for the CVCP area will parallel those established for countywide areas. Both sets of standards will be required to implement the standards in the respective guiding policies. Policy 11-c and Implementation Measures 11-1c(1) through c(4) on pgs. 11-5 and 11-6 in the General Plan address the issue of air quality.

**TABLE 1**
**Comparison Chart**

<table>
<thead>
<tr>
<th></th>
<th>Standards for Land Inside the CVCP Boundary (governed by the CVCP)</th>
<th>Standards for Land Outside the CVCP Boundary (governed by the General Plan)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Residential LUC</strong></td>
<td></td>
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<tr>
<td>(Pgs. 5-6 through 5-12, CVCP; pgs. 5-31 through 5-36, General Plan)</td>
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<tr>
<td><strong>Purpose</strong></td>
<td><em>The Residential land use classification identifies lands for household living in a rural setting.</em></td>
<td><em>The Residential land use classification identifies lands for single family dwellings in a rural setting outside the Planning Area land use classification.</em></td>
</tr>
<tr>
<td>(Section 5.1.02.A(1), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan)</td>
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<tr>
<td><strong>Extent of uses</strong></td>
<td><em>In keeping with the County’s rural lifestyle, Residential land includes dwellings and agricultural activities compatible with residences. Typical accessory uses are related to personal recreation, home-based entrepreneurial activities, and other uses consistent with rural character.</em></td>
<td><em>Residential land uses include single-family dwellings, vacation homes, and agriculture. Typical accessory uses related to personal recreation, home-based business activities, other uses related to agriculture, and uses consistent with rural character. Churches and mines are allowed</em></td>
</tr>
<tr>
<td>(Section 5.1.02.A(2), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan)</td>
<td></td>
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</tr>
</tbody>
</table>
| **Maximum # of dwelling units**  
(Section 5.1.02.A(4), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan) | Religious facilities are allowed subject to a conditional use permit, when found to be consistent with rural character. | subject to a discretionary permit. |
<table>
<thead>
<tr>
<th></th>
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</thead>
<tbody>
<tr>
<td></td>
<td>One (1) dwelling unit per legally existing parcel</td>
<td>Same text as CVCP</td>
</tr>
</tbody>
</table>
| **Maximum density for new subdivisions**  
(Section 5.1.02.A(4), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan) | One (1) dwelling unit per five (5) acres of gross land area | Same text as CVCP |
| **Minimum parcel size for new subdivisions**  
(Section 5.1.02.A(4), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan) | Two and one-half (2.5) acres of gross land area provided the average density does not exceed one (1) dwelling unit per five (5) acres for the proposed subdivision. Parcels created within the Residential land use classification when adjacent to Agriculture/Working Landscape land have a minimum parcel size of five (5) acres of gross land area. | Two and one-half (2.5) acres of gross land area provided the average density does not exceed one (1) dwelling unit per five (5) acres for the proposed subdivision, except for Rural Residential existing land use designations, the Board of Supervisors (Planning Commission) may consider parcels of two and one-half (2.5) acre minimum. |
| **Maximum building intensity**  
(Section 5.1.02.A(4), pg. 5-6, CVCP; Section 5.3.02.A., pg. 5-31, General Plan) | 10% lot coverage per five (5) acres of gross land area and 10% lot coverage per two and one-half (2.5) acres of gross land area. | 10% lot coverage per five (5) acres of gross land area. |
| **Parcel size adjustment to assure adequate building sites**  
(Not addressed in the CVCP; Section 5.3.02.F(5), pg. 5-35, General Plan) | See discussion of this issue in the next column. | Section 5.3.02.F(5) of the General Plan allows the Planning Commission to take into account site-specific conditions, such as drainage, slope, soils for on-site septic, access, or other appropriate criteria, as determined by the Commission, in determining the parcel sizes of a proposed subdivision in order to assure adequate building sites. The Commission may modify the number of parcels requested or require changes in parcel sizes based on the criteria and policies developed in accordance within the Residential LUC section in the General Plan. Should the County modify the number of parcels or parcel size, the maximum density allowed by the land use designation shall not be exceeded and the approach applied to achieve density compliance shall be enforceable by the County. |
| **Average slope of subject property**  
| (Section 5.1.02.A(5), pg. 5-11, CVCP; Section 5.3.02.E(2) – Hillside and Ridgetop Design, pg. 5-32, General Plan) | "The County Planning Staff will review residential building permits on existing and future parcels with slopes in excess of 15%, and the Planning Commission will review subdivisions with slopes on parcels with slopes in excess of 15% in compliance with Section 5.3.02.E(2) of the General Plan." | Section 5.3.02.E(2) – Hillside and Ridge Top Design in the General Plan does not contain a provision that existing parcels with slopes in excess of 15% be reviewed by Planning Staff during residential building permit review. |
| **Visual**  
| (Section 5.1.02.A(6), pg. 5-11, CVCP) | "Development that is accessory to the primary use of lands within the Residential land use classification shall be of an appropriate use, height, scale, mass, and bulk to be permitted. The Zoning Ordinance shall include appropriate standards to define the Catheys Valley standards." | The Residential LUC in the General Plan does not contain standards for issues such as "height, scale, mass, and bulk." Certain issues such as structure height are governed by Title 17 (Zoning Ordinance.) |
| **Places of Worship**  
| (Section 5.1.02.H, page 5-17, CVCP) | This section states in part: "In order to maintain rural character, a place of worship is subject to design review as an institutional use in compliance with the Catheys Valley Design Guidelines (Appendix B) that balance the characteristics unique to worship with size, mass, bulk and scale of rural character. Religious facilities and | As noted above, churches are listed in the Extent of Uses section in Section 5.3.02 – Residential Land Use Classification in the General Plan as being subject to a discretionary permit. Chapter 17.112 of Title 17 (Zoning Ordinance) governs the processing of |
Religious centers shall comply with appropriate lot coverage and onsite parking, access, and landscaping standards as applicable to similar uses."

Appendix B includes standards for site design and grading (oak tree protection, landform grading, viewed protection, standards for retaining walls, drainage course and "Chinese" rock wall protection, and drainage structure screening). Additional design criteria include standards for structure orientation, landscaping, structure height, signs, lighting and access and parking.

The specific measure that implements this requirement is Implementation Measure CV5.1-4a(1) on page 5-20 of the CVCP.

A conditional use permit (CUP). Church/religious facilities would be subject to a CUP both inside and outside of the CVCP boundary. In order for a CUP to be approved, it must be found that environmental issues have been effectively addressed and that the project would not have a detrimental effect on health, safety, morals, comfort and general welfare of persons living or working in the neighborhood, or on property and improvements in the neighborhood, or the general welfare of the county.

Chapter 17.112 states that the Planning Commission may impose conditions it deems necessary regarding location, construction, maintenance, operation site planning, traffic control and time limits for the protection of the property owners and the public interest.

While the conditions of approval on a church project CUP outside of the CVCP boundary would most likely address some of the issues that are listed in Appendix B of the CVCP, there is no guarantee that all these issues would be addressed.

### Home Enterprise/Rural Home Industry (HE/RHI)

(Adressed in multiple sections of the CVCP and General Plan. However, key location for General Plan standards are located in Sections 6.1.05.B(3)a through c) in Chapter 6 – Economic Development in the General Plan)

As noted above, Section 5.1.02.A(2) – Extent of Uses in the CVCP lists home-based entrepreneurial activities as an allowed accessory use in the Residential LUC and may be subject to Section 5.1.02.A(6) standards relating to appropriate use, height, scale, mass, and bulk in order to be consistent with rural character, and therefore permitted. The use of the word may is a qualifier in acknowledgement that specific zoning standards for Catheys Valley have not been adopted as yet and therefore the specific standards to achieve rural character are not known at this time. Standards relating to appropriate use, height, scale, mass, and bulk would most likely be associated with Rural Home Industry uses.

The sections in the Economic Development chapter of the General Plan identified in the left-hand column contain standards by which HE/RHI uses may be reviewed and considered. Section 6.1.05.B(3)[b] – Home Enterprise provides direction on the issues that would need to be addressed in order to ensure that Home Enterprise uses are compatible with rural character and surrounding neighbors. Potential criteria to be considered include traffic, noise, safety, dust, size of parcel, character of neighborhood, type of business, and visual compatibility of structures.

Section 6.1.05.B(3)[c] – Rural Home Industry states: "In general, the County Code will specify standards. The basic criteria for a Rural Home Industry shall establish a requirement
<table>
<thead>
<tr>
<th><strong>Subdivision standards</strong></th>
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<tbody>
<tr>
<td>As noted above in the introductory section, the CVCP contains standards for new residential subdivisions that run somewhat parallel to those contained in the General Plan, albeit using alternative or more detailed language. In these cases, differences are not included in this table. It is likely that subdivision and zoning standards adopted for the CVCP area will parallel those established for countywide areas. There will be a general set of subdivision standards, included in either in the General Plan or State code, that will govern the subdivision of all land in all areas of the County. Subdivision/zoning standards adopted for specific Planning Areas such as Catheys Valley will either be added to or modify the countywide standards.</td>
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Discussed below are CVCP subdivision standards that do not have corresponding text in the General Plan. They are specific to the CVCP.

<table>
<thead>
<tr>
<th><strong>Infrastructure (Wastewater)</strong></th>
<th>The discussion in Section 5.3.01 states in part: &quot;As a rural crossroads community that has never been a &quot;town,” Catheys Valley has a density and development potential that avoids the need for public systems to deliver potable water or manage wastewater disposal. Onsite and privately maintained shared systems are adequate to meet long-term community needs including those for existing parcels, new subdivision parcels and commercial development.”</th>
</tr>
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<tbody>
<tr>
<td>(Section 5.3.01 – Distinctive Aspects of Catheys Valley Infrastructure and Services, pg. 5-24; Goal CV5-3.1, pg. 24, CVCP)</td>
<td>Goal CV5-3.1 states: “Maintain rural character by providing exclusively for individual onsite sewage disposal systems on parcels within the Residential and/or Community Residential land use classifications.”</td>
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<td>Policy CV5.3-1a under this goal states that new parcels shall be self-sufficient in terms of individual on-site wastewater disposal and that new residential subdivisions shall not be approved if public, mutual, or privately maintained shared wastewater</td>
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<td>The &quot;Consequences&quot; section under Implementation Measure CV5.3-1a(1) in the CVCP states: “This measure supports the General Plan assessment of a land use issue which concludes that higher density developments which need public wastewater disposal systems must occur in existing Town Planning Areas which already provide some level of infrastructure and services.”</td>
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<td>This reference is to Goal 5-2 on page 5-9 in Section 5.2 – General Plan Implementation in the Land Use Element (Chapter 5) of the General Plan.</td>
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<td>This goal states: “Create land use density and development patterns to manage growth in patterns avoiding sprawl.”</td>
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<td>Policy 5-2a states: “Ensure that development shall occur first where services are located.”</td>
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<tr>
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<td>Four implementation measures follow this policy.</td>
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</table>
disposal systems are required for development, unless such a system abates an existing public health problem.

Two implementation measures follow this policy. CV5.3-1a(1) encourages the Local Agency Formation Commission (LAFCo) to not approve new districts that would provide wastewater disposal to parcels in the Residential or Community Residential LUCs.

Measure CV5.3-1a(2) prohibits the County from approving new residential subdivisions requiring the formation of a private or mutual company for purposes of wastewater disposal.

5-2a(1) states: "Development shall grow outward from Planning Areas and Residential Areas with available services."

5-2a(2) states: "Establish land development regulations defining permitted uses and establishing standards for close-to-services development."

5-2a(3) states: "The County shall make findings that the development will not result in premature urbanization of the Planning Study Areas."

5-2a(4) states: "No urban expansion shall occur within the Mariposa Town Planning Study Area unless water and sewage disposal are available from a centrally coordinated and managed system."

The General Plan does not contain language encouraging LAFCo to not approve new districts providing wastewater disposal to parcels as stated in measure CV5.3-1a(1). It also does not contain language prohibiting the County from approving new residential subdivisions requiring the formation of a private or mutual company for purposes of wastewater disposal. The General Plan provides flexibility in how sewage disposal is to be provided to new parcels. Section 5.3.02.E(3) on pg. 5-33 in the Residential Land Use Classification of the General Plan states: "New parcels must have approved areas for onsite or community system sewage disposal if sewer connections are not available and will obtain an approval from the Health Department."

In light of the fact that the General Plan provides flexibility on the issue of sewage disposal for new subdivisions and does not specifically prohibit the formation of private or mutual companies for the purposes of wastewater disposal for new
### Water Demand

Section 5.2.01 – Unique Catheys Valley Agricultural Issues, pg. 5-23; Goal CV5-3.2, pg. 5-25, CVCP

The discussion in Section 5.2.01 relating to potential impacts on and protection of agricultural resources states in part: "Therefore, the water demand of future projects, including residential/commercial, and water-intensive agriculture projects, should be evaluated for impacts on existing agriculture and the agricultural economy, and residential uses within the vicinity of the proposed project."

Goal CV5.3-2 states: “Maintain rural character ensuring that future commercial, residential, and institutional development-related infrastructure requirements allow for protection of agricultural uses.”

Policy CV5.3-2a under this goal states that water demands be evaluated for impacts on existing agricultural operations/economy. The corresponding implementation measure, (CV5.3-2a(1)), requires a water demand analysis be prepared.

The Agriculture Element (Chapter 10) of the General Plan contains a number of goals, policies and implementation measures for the protection and enhancement of agricultural land, both for its importance to the local economy and its value in the preservation of rural character.

It should be noted that environmental review for subdivisions and other development projects addresses the issue of groundwater impacts from the projects. However, the General Plan does not contain language mandating that water demand analyses be prepared for development projects' impacts on agricultural operations and other uses.

This requirement would be unique to development within the CVCP boundary.
Hello,

See below.

Mariposa Planning
P.O. Box 2039 • 5100 Bullion Street Mariposa CA • 95338
(209) 966-5151• Fax (209) 742-5024
planningdept@mariposacounty.org

www.mariposacounty.org/planning

-----Original Message-----
From: Kurt Schnier [mailto:gilahatches@gmail.com]
Sent: Thursday, September 19, 2019 5:50 AM
To: planningdept
Subject: Catheys Valley Community Plan

Dear Planning Department,

We are concerned by the potential amendments to the Catheys Valley Community Plan. Catheys Valley residents choose to ranch and raise their families here because we value the open space of the Sierra foothills. But what exists here is fragile. We conserve our water, support our local school and fire station, and respect our neighbors so that we can preserve this community. The proposed amendment to the Catheys Valley Community Plan has the potential to shatter that balance. We respectfully request that the Catheys Valley Community Plan not be changed.

Thank you, Corinne Dedini and Kurt Schnier
September 23, 2019

Catheys Valley Community
Planning Advisory Committee

Re: Catheys Valley Community Plan

Thank you for the opportunity to express our opinions and thoughts regarding the possibility of a proposed amendment to the Catheys Valley Community Plan.

During the process leading up to the adoption of the current plan, we made very clear our objections to the size of the plan and the many proposed restrictions and policies affecting Agricultural land. Although not successful in reducing the boundaries of the plan, we were partially satisfied that the final CV Plan did not create additional burdens and restrictions on Ag land. So why have Ag land in the plan? We already have an extra level of bureaucracy with the Agriculture Advisory Committee as well as compliance conditions under our Land Conservation Agreements (Williamson Act).

The Ag Element has been mostly removed anyway, so I see no need to have Ag land within the plan boundary. For these reasons, we are in favor of Scenario #3, reducing the boundary to the area originally designated at the birth of the plan concept.

I am opposed to Scenario #2 because this still leaves in 7 parcels of AE land under Williamson Act contracts, 2 of which our family owns.

I am opposed to Scenario #1 for the same reasons I am opposed to the existing boundary, way too large.

Lastly, I would like to also support amendments to the text regarding language pertaining to commercial services. These services should not be limited to only those which support local community needs and dissuades other services.

Sincerely,
Rick and Debbie Lobaugh
For the CVPAC correspondence

Thanks!

-------- Forwarded message --------
From: Stephen Saunders <stephen_saunders49@yahoo.com>
Date: Thu, Sep 26, 2019, 16:30
Subject: Re: Fwd: Catheys Valley Community Plan - Potential Amendments
To: Charli McCord <charlimcc@gmail.com>

Charli thanks for the info.
If the proponents of the defeated plan are already stirred up, (heard from Ken Wagner that it was so), then I am for the smallest footprint possible for the Catheys Valley Plan, that would be scenario #3. As my property is AE I would be very happy outside of the planning area.
Sincerely,
Stephen and Gayle Saunders
2597 Old Highway
Catheys Valley, Ca. 95306

Sent from Yahoo Mail for iPad

On Thursday, September 26, 2019, 3:48 PM, Charli McCord <charlimcc@gmail.com> wrote:

Here is the link to look at the proposed scenarios of the amendment to the Catheys Valley Plan. All are intended to reduce or remove AG Exclusive landowners who do not want to be included.
I have your opinions (really, I got it!), but thought you might want to look at the information and feel an obligation to provide it.
There is expected to be one meeting, and one meeting only. October 23rd. The committee is gathering insight and will discuss, hear from the community and make a recommendation to the Board of Supervisors.

Thanks and hope to see you all at the Tap Room until it is too cold to bear it!

Take care,

Charli

The below message has been sent on behalf of Director Williams.

Hi all,

As promised at your meeting two weeks ago, we’ve put updated information about the potential amendments to the Catheys Valley Community Plan on the Catheys Valley Planning Advisory Committee page. See this link:

http://ca-mariposacounty2.civicplus.com/1267/Catheys-Valley

This site includes the following:

1. Memorandum to you, for 8/29/19 meeting

2. New memo to community from PAC and me, summarizing potential amendments and how to provide input (includes next PAC meeting date, scheduled for 10/23/19).
3. New detailed maps of each potential scenario for plan area changes

4. Interactive map of potential scenarios for plan area changes

Please share this link, so that the community residents, property owners and businesses have information about the potential amendments and how to make input to you!

Thank you and see you soon!

Sarah

Sincerely,

Danielle Wardle
Senior Office Assistant
209-966-5151 (main) 209-742-1223 (direct)
209-742-5024 (fax)
Another response for CVPAC.

---------- Forwarded message ----------
From: Sloane Castleman <sloane@castlemanoffice.com>
Date: Fri, Sep 27, 2019, 18:19
Subject: Re: CVCP
To: Charli McCord <charlimcc@gmail.com>

Charli,

We are fully adherent to the concept of ‘private property’ and are adamantly opposed to being considered within the parameters of CVCP; thus, we endorse option #3, the least encompassing of all options.

Thank you for your efforts,
Sloane Castleman
Dancefire Ranch
September 27, 2019

Catheys Valley Community
Planning Advisory Committee

Re: Catheys Valley Community Plan

AE/Working Landscape lands should be removed from the plan for the following reasons:

Although it is suggested that AE Land is not affected by the CPA, there are areas that I see causing conflicts with that theory. For instance;

1. Any operations on AE Land requiring a permit or County development approval would appear to be subject to potential recommendations by the CVCPA committee because the land is located within its jurisdiction or boundary. Even if the committee is instructed to only consider policies and principles contained in the General Plan, it is another layer of bureaucracy AE landowners are subject to. Section 5, last sentence of the CV Plan states "The CV Plan implements the General Plan Agriculture Element".

2. Section D., The CV Plan applies the General Plan Agriculture/Working Landscape land use classification, General Plan Section 5.3.04.

3. Section 5.2 AGRICULTURE
   5.2.01 First paragraph: The CV Plan................................., requiring that agriculture be nurtured, sustained, and preserved.
   Second paragraph: Water demands of future projects..................should be evaluated.........
   Third paragraph: Some programs cross element boundaries and are implemented elsewhere in the CV Plan.

4. Section 5.2.02: The CV Plan implements the General Plan Agriculture Element Goals and Policies in the General Plan Section 10.2.

Based on the above, it appears that activity on AE Land is still subject to additional review by the Catheys Valley Community Plan Committee, even though AE Land is already subject to separate review by the Agriculture Advisory Committee.

If AE Land activity is not subject to this additional layer of review by the CVP committee, perhaps it should be clearly stated in the plan.

Sincerely,
Rick and Debbie Lobaugh
October 16, 2019

Jill Harry
5585 Bear Creek Drive
Catheys Valley, CA 95306

Dear Catheys Valley Community Planning Advisory Committee Members,

I request that you vote to recommend no change to the Catheys Valley Community Plan at this time. There are too many questions that need to be answered first and the entire community should be involved in a thoughtful process about the future of Catheys Valley.

I was surprised to learn a major change in the map boundary and language changes were brought to your committee for a vote without broad community outreach prior, with only the explanation that some ranchers requested it, and without any explanation of who exactly is requesting the changes, why, and what the results would be. These are very important questions that need answers.

Given that more information has not been provided, guessing that development is driving the requests for change in the CVCP is not far-fetched. If this is the case, considerations need to be examined regarding the impacts to roads, increased trash, sewage systems, sheriff’s protection, and the increased taxes needed to upkeep those things that are public.

Additional considerations include: the number of existing unbuilt lots we already have in the CVCP planning area; firefighting capability to keep any new commercial and residential development safe; water availability and quality; and impacts on agricultural operations.

Transparency is critical. I thank the Catheys Valley Advisory Committee for deciding not to vote on the options brought to them at the last meeting, but deciding rather to reach out to the community to gather input.

I request the committee recommend to the County to take a step back and put into place broad-based planning processes to look at the CVCP and gather community input for suggested changes. After all, the CVCP was adopted in 2012 after a tremendous amount of community input over a 15 year period. It is not right that it may now be changed quickly, without a thoughtful process involving needed due diligence, due to the requests of a few people.

Instead, new Catheys Valley residents should be educated and old community members should be reminded of the history, reasoning, and wording of the current plan and have the opportunity to weigh in on what we want for the future of our community. Reviewing, suggesting changes, and making recommendations should be completed through a professional and deliberative process that honors everyone.

I checked with people who had been involved in the beginning of Mariposa County General Plan process and the CVCP process. The Catheys Valley Plan boundary was set and plan was made not in a vacuum, but keeping in mind historical uses in the area, what our community wanted, and also historical uses and future plans for other distinct areas in the county.
For instance, Coulterville was designated higher intense residential (to support water system) tourism, and timber; Don Pedro was to be higher intense residential (needed to support water and sewer district), commercial, and recreational; Midpines was interested in being residential, tourism, and housing for Yosemite National Park employees; Yosemite West was designated tourism, outdoor sales, and hotel and restaurant uses for transient tourism; Bootjack was designated industrial, residential, and commercial; Ponderosa Basin, rural residential and transient rentals. As the county seat and given the close proximity to services, Mariposa was designated for affordable housing, intense residential, and commercial.

No other community had agriculture in its plan. The Catheys Valley community went with what had worked for many generations and what the land resources could support which was rural residential, home based businesses, neighborhood commercial, and agriculture allowed on all parcels. I am told all parcels were grandfathered at what were current land uses, protecting property rights and existing uses.

As you know, Catheys Valley is on one of the two major highways in and out of the County. As designated in our community plan, the open space and agriculture along Highway 140 and the resulting dark skies benefit Mariposa County as a whole. Tourists and residents alike enjoy driving through our open landscapes with their beautiful views. The result is that these tourists use this route to Yosemite over others, making stops and spending their money along the way.

Having plans in place like the CVCP that define what communities are and want to be is important so that people purchasing land can protect their investments. This way, everyone goes in with their eyes wide-open and communities do not constantly change directions. Without such planning, the County is chasing its tail trying to meet service demands and funding, at greater cost, and there are no quality assurances for residents.

There are many questions that need to be answered and examined and much community input that should be solicited before changes are made to the CVCP. For all of the reasons outlined here and more, I urge the committee to vote to recommend **no change** to the Catheys Valley Community Plan at this time and to recommend to the County that they take a more thoughtful, measured approach to any changes to the Catheys Valley Community Plan and put into place broad-based planning processes to look at the CVCP and gather input for suggested changes.

Sincerely,

Jill Harry
Mariposa County Planning Department
From Caroline Wenger Korn (Caroline A. Korn)
3157 Hwy. 140, P.O. Box 321, Catheys Valley, CA 95306
966-6753
corn@sti.net

To the Catheys Valley Planning Advisory Committee:

I have followed the Catheys Valley Planning Advisory Committee (CVPAC) and development of the Catheys Valley Plan since its inception as have many other residents. I am a fourth generation Mariposan, a lifelong resident of Catheys Valley. I am a retired environmental science teacher, a Certified California Naturalist and school volunteer.

I understand that the purpose of the October 23, 2019 meeting of the CVPAC is to consider removing some acreage from the Catheys Valley Planning Area to reduce the amount of “red tape” affecting certain agricultural land. The County website states that means to reduce regulations regarding land subdivision.

I am not against planned development—that which retains the rural quality of our community and that which our foothills environment can support. I do not object to scrutiny and, if safe and appropriate, changes to our General Plan or County codes that presently make new affordable housing cost prohibitive. If this is what is meant by reducing “red tape” I could agree to it. It might ease the housing crisis that impacts families here and elsewhere.

My concern for many years has been the impact of development on this rural foothill community: its water availability, septic systems, schools, historic sites and open space.

**Water:** There is no mention of concern for water availability or water quality in the documents on the County website that refer to this possible change in the Catheys Valley Planning Area. When the County allows 2 ½ acre parcels with two permitted residences on each parcel in a development, Vallecito for example, it permits more density than our foothills water capacity can support.

If removal of agricultural land from the Catheys Valley Planning Area results in problematic eventual subdivisions similar to the Vallecito subdivision those changes would present serious issues including impacts for residents/taxpayers of Mariposa County.

Yes, as Forbello LLC, owners of the Vallecito Project have suggested, people who buy these lots can choose to share water from one well for families on a total of three lots. Or they can drill their own well. I am not sure how many people would chose either of those options. Especially considering documented issues of arsenic
and nitrates in the water. Local residents' observations and formal research both show that less water is available for livestock and residential needs than in previous decades. Tree die-off, increased wildfire danger, well contamination and failure are related challenges. Over-developed foothill communities such as Oakhurst have long been impacted by lessening water availability. Big, dense developments pose serious water sustainability issues. Would County taxpayers eventually be required to provide a community water system for developments? And where would that water come from?

A second concern is the proposed individual septic systems. Developers eventually go elsewhere and leave taxpayers to repair, replace and pay for system failures as in Don Pedro, Yosemite West and other subdivisions. Space for adequate septic systems is limited on small lot subdivisions. Especially for two residences.

Small lot subdivisions will change the nature of our rural community. It will impact our local school which is now virtually at capacity and impact all Mariposa schools that are presently overcrowded.

One can see the issues with dense subdivisions. An example is the Vallecito Subdivision with 22 residential and 4 commercial lots near the school. Several lots include part of a protected seasonal wetland and a historic ranch landscape. Tourists stop to view, photograph and paint the scene and want to know of its ranching and mining history. Yet our County throws that iconic tourist draw away by approving it as part of a small lot subdivision. For years the owners had hoped to swap that historic barn area for some AE land they own away from Highway 140. When they were not allowed to do that they invested in development of the present Vallecito subdivision along the Blue Star Memorial Highway 140.

We in the Catheys Valley community attended 15 years of meetings, all the while expressing the above concerns and more having chosen to live here because of our rural environment. That is what draws people to move here. Now we are told the community may not care about that any more.

However, many families say, and I know you hear this too, "the supervisors will do what they please. They negated all those years of volunteer time. They favor over-development without consideration of water, septic systems, impacts to our schools and need to preserve historic landscapes and open space. They only listen to big money." Many people say, "Why should I make written comments or go to any more meetings. They don’t listen anyway."

I urge the Catheys Valley Planning Advisory Committee, the Planning Commission and our Board of Supervisors to commit to carefully planned development based on the above concerns.