

STATE OF CALIFORNIA
COUNTY OF MARIPOSA
PLANNING COMMISSION

Resolution
No. 2021-013

A Resolution Recommending the Board of Supervisors Approve General Plan/Area Plan/Zoning Amendment No. 2020-054; Parcel Merger No. 2020-055; and Design Review No. 2020-056 with Findings and Conditions, Including the Finding that the Project is Exempt from Environmental Review. MACT Health Board Inc., applicant. Assessor Parcel Numbers 013-020-003, 013-020-034, and 013-020-036.

WHEREAS, an application for a General Plan/Area Plan/Zoning Amendment, Parcel Merger and Design Review were received on April 27, 2020 from MACT Health Board Inc. for properties located at 5204 and 5192 Hospital Road in Mariposa, also known as Assessor Parcel Number 013-020-003, 013-020-034, and 13-020-036; and

WHEREAS, the Planning Department circulated the application among trustee and responsible agencies, interested public organizations, and others as appropriate; and

WHEREAS, a duly noticed public hearing was scheduled for the 23rd day of July 2021; and

WHEREAS, the Planning Director found the project to be exempt from environmental review in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS, a Staff Report was prepared pursuant to the California Government Code, Mariposa County Code, 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 Staff Report, testimony presented by the public concerning the application, and the comments of the applicants.

NOW THEREFORE, BE IT RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors find that the project is exempt from environmental review.

BE IT THEREFORE FURTHER RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors approve General Plan/Area Plan/Zoning Amendment No. 2020-054 with findings and conditions including a finding that the project is exempt from environmental review, with the land use change and Design Review approval effective on the effective date of the zone change; based upon the findings set forth in Exhibit 1.

BE IT THEREFORE FURTHER RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors conditionally

approve Parcel Merger No. 2020-055 and Design Review No. 2020-056, based upon the conditions set forth in Exhibit 2.

BE IT THEREFORE FINALLY RESOLVED THAT, the Planning Commission of the County of Mariposa does hereby recommend that the Board of Supervisors accept the improved segment of Hospital Road fronting the project site into the county-maintained road system.

ON MOTION BY Commissioner Herman, seconded by Commissioner McCamman this resolution is duly passed and adopted this 23rd day of July 2021 by the following vote:

AYES: Herman, Smith, Walls, McCamman, Wilmeth

NOES: None

EXCUSED: None

ABSTAIN: None



Ed Walls, Chair
Mariposa County Planning Commission

Attest:



Carol Suggs, Secretary to the
Mariposa County Planning Commission

Exhibit 1—Recommended Findings for Approval

In accordance with Section 17.128.050 of the Mariposa County Zoning Code, the following findings are made for General Plan Area Plan Zoning Amendment (GPZA) Application No. 2020-054, Parcel Merger (PM) Application No. 2020-055 and Major Design Review (DR) Application No. 2020-056:

General Plan/ Area Plan / Zoning Amendment Findings

1. **FINDING:** This amendment is in the general public interest and will not have a significant adverse effect on the general public health, safety, peace, and welfare.

EVIDENCE: The project will provide affordable dentistry near both the existing developed multi-family housing and the health care hub of John C. Fremont hospital in the town of Mariposa. The project proposes 4,885 square foot dental clinic that will serve the Native American population as well as low income households. The project site encroachment to the proposed 17-space parking lot is proposed to be improved. The project will be implemented in accordance with all requirements contained in state and local codes relating to drainage, building and utility construction, roadway/driveway and parking lot construction and signage. The property is located within the Mariposa Town Planning Area, the area of Mariposa County which serves as the central commercial center, providing services to residents. Adequate provisions for water, wastewater, garbage, and parking facilities are available at the project site to ensure that the area will not be negatively impacted. The proposed dental clinic project will be required to meet all development standards except those waived or reduced in accordance with applicable state law.

2. **FINDING:** This amendment is desirable for the purpose of improving the Mariposa County General Plan with respect to providing a long term guide for County development and a short term basis for day-to-day decision making.

EVIDENCE: Amending the land use of 0.52 acres of the project site to the Professional Office land use classification and the rezoning of the subject property to the Professional Office zoning classification provides a clear plan for the future development of the area in a manner consistent with the General Plan. Removing 0.52 acres from Multi-family Residential zone will not impact the County's ability to achieve the goal of providing multi-family residential housing in accordance with the 2019-2024 Housing Element contained in the General Plan. It will not impact the county's ability to meet its Regional Housing Assessment Needs. The project helps to implement General Plan goals, policies and implementation measures. Implementation Measure 5-2a(4) states that *"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 dental office building will connect to Mariposa Public Utility District water and sewer facilities. Policy 5-4a of the General Plan states: *"Cluster commercial and service development in planning areas and Rural Economic land use classifications."* The project is located in the Mariposa Town Planning Area. Implementation Measure 5-4a(1) that implement this policy specifically identify healthcare facilities that serve the greater County population and a regional or greater customer base as uses that are required to be located in Town Planning Areas. Implementation Measure 5-4a(2) identifies healthcare facilities that are intended to serve the neighborhood needs as uses that may be located in Planning Areas. The amendment will allow for additional medical services for Native American residents as well as affordable dentistry to residents of Mariposa County. The project site is adjacent to the John C. Fremont hospital and other medical office buildings as well as multiple apartment complexes that provide low cost and senior housing. The project will assist in centrally locating healthcare services, effectively creating a "healthcare hub" adjacent to the densely populated multi-family apartment complexes. Transit services are available near the project

site and provide public transportation to the dental clinic from outlying communities such as Midpines and Catheys Valley.

3. **FINDING:** This amendment conforms to the requirements of State law and County policy.

EVIDENCE: State law governing the adoption of general plans requires that the adopted plan include provisions for amendments. Those provisions are included in the adopted Mariposa County General Plan and in the Mariposa County Zoning Code. This application has been processed in accordance with all requirements of State laws and local ordinances.

4. **FINDING:** This amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa County General Plan.

EVIDENCE: The development of services unrelated to tourism is consistent with the guiding principles of the General Plan to create a sustainable and diverse economy. The project is consistent with the goals and policies in the Economic Development section of the General Plan. Economic development policies include the expansion of career opportunities by encouraging economic diversification. This project has the potential to create several professional career opportunities for county residents. Expansion of essential healthcare services within the County provides an economic benefit, allowing residents to spend money locally and reducing the need for to seek services outside of the community. The availability of additional local services also provides an environmental benefit by reducing the need to commute out of the area for services. The project location is ideal for preventing urban sprawl by utilizing an already developed site in an area with similar uses. The site has existing services on-site such as sewer, water and access. Rezoning a 0.52-acre area from Multi-Family residential to Professional Office will not have a significant impact on the County's ability to meet its Regional Housing Needs Allocation as established by the California Department of Housing and Community Development. The project is not inconsistent with nor does it conflict with the 2019-2024 Housing Element contained in the Mariposa County General Plan. The amendment is consistent with other guiding policies, goals, policies and standards of the Mariposa County General Plan. The project will be subject to all applicable to all land use development policies contained in the General Plan.

5. **FINDING:** The subject parcel is physically suitable (including, but not limited to access, provision of utilities and infrastructure, compatibility with adjoining land uses, and absence of physical constraints) for the requested land use designation and the anticipated land use development.

EVIDENCE: The subject parcel is found to be physically suitable for the proposed zoning classification. Water, sewer, phone, and power are already installed at the subject property, with frontage access to Hospital Road. The sites will require minimal changes to accommodate the proposed dental clinic. The project is proposed at a site with several similar uses within the Mariposa Town Planning Area. The site is similar to other properties nearby in the town of Mariposa that are zoned Professional Office. Approximately half of the parcels in the immediate vicinity of the project site are zoned Professional Office or Public/Quasi Public and house the hospital and other healthcare facilities. The remainder of the adjacent parcels are zoned Multi-Family Residential and provide low income and senior apartments with some vacant Single Family Residential $\frac{1}{2}$ acre. The proposed medical professional office project will be consistent with the intended use anticipated for the area. The site is physically suited to the type of development proposed. There are no physical constraints that would preclude the implementation of the project. Site development will conform to all applicable standards contained in the Mariposa Town Planning Area Town Plan and additional regulations relating to grading practices.

6. **FINDING:** The proposed zoning is logical and desirable to provide expanded employment opportunities, or basic services to the immediate residential population or touring public.

EVIDENCE: The proposed zoning is logical and desirable in that it provides much needed dental services to Native American and low income residents of the county. It will also provide several high paying technical and professional jobs for residents of Mariposa County. Expanding dental services will help to diversify the economy by providing jobs that do not depend on tourism.

Parcel Merger Findings

7. **FINDING:** The parcel size, configuration, and density standards conform to the Professional Office Zoning development standards.

EVIDENCE: The merged parcel and additional development on the parcel will conform to all size, parcel configuration, setback, and density standards. The pre-merged parcels currently comply with all zoning, parcel configuration, setbacks and density standards. The merged parcel will comply with all development standards as a result of the zone change, parcel merger and design review.

Design Review Findings

8. **FINDING:** Major Design Review No. 2020-056 shall comply with all applicable zoning and land use requirements as defined in Section 17.320 of the Mariposa County Zoning Ordinance, Professional Office Zone.

EVIDENCE: Approval of the proposed zone change from Multi-Family to Professional Office will allow for the development of the dental clinic as a permitted use. The site has all services available to support the structures, including community sewer and water services. Thus, this project complies with Section 17.320 of the Mariposa County Zoning Ordinance and conforms to applicable zoning and land use requirements.

9. **FINDING:** Development within the Design Review Overlay Zone shall conform to architectural theme and development guidelines established by the board of supervisors pursuant to Subsection (G) of Section 17.66.010 of the Mariposa County Zoning Ordinance.

EVIDENCE: Based upon the recommended conditions, the final site plan and project design will be required to comply with all applicable sections of 17.366.060 of the Mariposa County Zoning Ordinance and shall conform to applicable Architectural Theme and Development Review Guidelines and Design Review Overlay Zone requirements relating to exterior color schemes and materials, landscaping, parking, shading, and signage as required in the Design Review Guidelines.

10. **FINDING:** Buildings should generally be light colors in warm tones. Trim may be brighter or darker colors to compliment architectural features as defined in Section 17.366.060.B.6 of the Mariposa County Zoning Ordinance.

EVIDENCE: The project proposes to use materials and colors that match the applicant's adjacent building. The building finishes will be stucco painted in a light color to match the existing medical offices with a stucco brick façade also painted in to match the existing building and provide a contrast to the light color base. The project also proposes a green standing seam metal roof.

11. **FINDING:** Parking shall consist of one (1) space for each two hundred (200) sq. ft. of gross floor area, except floor area used exclusively for storage for medical offices

EVIDENCE: The project is proposing to utilize both the existing parking lot with thirty-seven (37) spaces and is proposing to construct an additional seventeen (17) spaces in a separate lot adjacent to the proposed dental clinic for a total of fifty-two (54) parking spaces. The project requires forty-eight (48) parking spaces based on the combined square footage of the existing and proposed medical offices.

- 12. FINDING:** Landscaping is necessary to enhance architectural features, screen unsightly areas and provide an attractive transition from street to building and between adjacent developments. Landscaping shall include existing and planned vegetation, fences, walls, pedestrian ways, exterior furniture and patios, berms, and irrigation systems. Landscaping shall also utilize indigenous and/or water conserving plants as defined in Section 17.366.070.C of the Mariposa County Zoning Ordinance and comply with the state Model Water Efficient Landscaping Ordinance (MWELo).

EVIDENCE: The project proposes to extend the existing sidewalk from the frontage of the existing medical offices along the frontage of the proposed dental clinic. The project is proposing to use drought tolerant vegetation that perform well in the Mariposa County climate. Irrigation will be fully automatic and conform to state MWELo requirements.

- 13. FINDING:** Planting areas for interior landscaping shall be designed so as to maximize provision of shade throughout the parking area during the summer months.

EVIDENCE: The project proposes to incorporate several such as western redbud and costal live oak to provide shading for parking in the proposed seventeen (17) space parking lot. The project will provide one (1) tree per every five (5) spaces in the proposed parking lot for a total of three (3) shade trees minimum.

- 14. FINDING:** Internally lit signs or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) square feet for each sign and the aggregate of all signs for each business. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site.

EVIDENCE: The project proposes to replace signage at the existing medical offices and install an internally lit, seventeen (17) square foot sign on a stone pedestal. The project also proposes a similar internally lit, eleven (11) square foot sign for the proposed dental clinic. The proposed signs will compliment and integrate into the overall site design.

ENVIRONMENTAL REVIEW FINDING:

This project is exempt from the California Environmental Quality Act (CEQA) pursuant to Exemptions established by CEQA Guidelines Section 15061 (b)(3) – Common Sense Exemption. The site has been significantly disturbed by the development of a single family residence. The demolition of the existing residence and the construction of the dental office building will be subject to all existing permitting requirements. Utilities are available to the project site and new infrastructure will be constructed to all applicable standards. Design of the new structure will be subject to all applicable design review standards.

Exhibit 2 – Recommended Conditions of Approval

PROJECT DESCRIPTION

GPZA No. 2020-054, PM No. 2020-055 and Design Review No. 2020-056 propose to change the designation of a 0.52 acre parcel from Multi-Family Residential (MFR) to Professional Office (PO) and merge that parcel with the adjacent MACT Health Clinic in order to develop a dental clinic. The properties are located at 5204 and 5192 Hospital Road in Mariposa, CA and are also known as Assessor's Parcel Number 013-020-034 and 036 (Parcel A) and APN 013-020-030 (Parcel B).

The project proposes to remove the existing single-family residence consisting of a 1,761 square foot living area, a 546 square foot garage, and a 610 square foot porch and to construct a new 4,885 square foot dental clinic office building with landscaping and signage. Seventeen parking spaces are proposed to be constructed as part of the project.

Primary access to the project will be from Hospital Road and existing encroachment to be improved. The project site is currently served by Mariposa Public Utility District (MPUD) for both water and sewer. There is an existing well on the property that the applicant proposes to use for landscape irrigation.

CONDITIONS OF APPROVAL

General Conditions

1. Approval is for the project as described in the Project Description above and the site plans dated May 20, 2021.
2. The applicant has three (3) years to obtain a grading or building permit for construction of the project. The applicant may request one or more-time extensions of up to eighteen (18) months. Time extension applications must be submitted prior to the expiration date of the approval.

(Section 17.08.170 of Mariposa County Zoning Ordinance)

3. The Design Review shall be vested by the issuance of the first building permit within 36 months from the effective date of approval of the project.

(Section 17.08.170 of Mariposa County Zoning Ordinance)

4. Prior to the issuance of a building permit and prior to issuance of a Certificate of Occupancy, all fees associated with the County's processing of this project and filing of associated documents shall be paid.

(Section 17.08.050 of Mariposa County Zoning Ordinance)

5. Prior to the issuance of any grading or building permits, the applicant shall submit the following FINAL plans with the Grading or Building Permit Application for approval by the Planning Director:
 - a. Site Plan, which shows all easements, parking lots, building locations and any other significant features including but not limited to trash and recycling areas, any backup generators that may be contemplated and retaining walls and fencing.
 - b. Landscape/Hardscaping Plans, which show all vegetation types, sidewalks, pathways, stairs and railings, irrigation methods and Model Water Efficient Landscape Ordinance (MWELo) calculations, and retaining walls with proposed material types for the walls, plans shall include the treatments of all retaining walls on-site.

- c. Building Elevations for all buildings and all outbuildings with proposed finishes and door and window schedules.
- d. Signage Plans, which show dimensions, materials, locations, fonts and colors for all signs including wayfinding signs.
- e. Lighting Plans, which show the exterior lighting fixture schedule with fixture locations and elevations. (Lighting must meet International Dark Sky Association requirements per Mariposa County General Plan).
- f. All exterior mechanical equipment shall be shown on plans including proposed screening. Mechanical equipment shall be enclosed or screened from public view either by utilizing materials compatible with the building or locating them away from public view.

The final plans shall clearly be labeled to match the approved plans for Design Review 2020-056 and conditions established herein. All physical construction for the project shall be in substantial conformance with the FINAL approved plans.

(Section 17.336.060 of Mariposa County Zoning Ordinance)

6. No changes to the approved site plan, exterior design, color, or materials of any structure or landscaping shall be permitted without review by and written approval of the Planning Director pursuant to applicable conditions for the project.

(Section 17.066.010 of Mariposa County Zoning Ordinance)

7. Minor amendments in the configuration and materials of the proposed development may be approved by the Planning Director provided that any expansion does not exceed 10% of the size of area of the approved facility (any amount of a reduction in size of area of the facility may be allowed), and provided a finding can be made that the modification does not create impacts which were not addressed in the original project approval.

(Mariposa Planning Recommendation)

8. Prior to issuance of a Certificate of Occupancy, the Planning Director or her designee shall conduct a site inspection to ensure that all applicable conditions have been satisfied.

(Section 17.066.010 of Mariposa County Zoning Ordinance)

9. Noncompliance with any of the conditions of approval for Design Review No. 2020-056 may be grounds for revocation of the approval.

(Mariposa Planning Recommendation)

Construction Conditions

10. No site disturbance activities shall commence without the issuance of a grading or building permit.

(Planning Department Recommendation)

11. Prior to the commencement of any grading, building, encroachment improvements, road improvements, frontage improvements, construction or other maintenance activities required as a condition of approval for the project a consultation meeting with the Public Works Department, the Planning Department, the applicant, the agent, the road/construction contractor, MPUD, and CALFIRE shall occur. 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 inspections of road or other improvements.

(Public Works Recommendation)

12. Construction activities occurring outdoors shall not commence prior to the hours of 7:00 a.m. Monday through Friday, and 8:00 a.m. on Saturdays. All construction activities occurring outdoors shall cease by sunset Monday through Saturday. No outdoor construction shall be permitted on Sundays. The Planning Department shall monitor noise through complaints by the neighbors.

(Mariposa Planning Department Recommendation)

13. Provisions shall be made for the on-site storage of all solid waste generated during construction and operation of the project. All solid waste shall be placed in trash bins to maintain the site in a safe and attractive condition. Solid waste which cannot be contained in trash bins on site shall be removed from the site on a weekly basis.

(Mariposa Planning Recommendation)

Environmental Conditions

14. All applicable Air Pollution Control District (APCD) requirements, including but not limited to, Naturally Occurring Asbestos, dust mitigation and idling diesel engines shall be met prior to building or grading permit issuance, during construction, prior to occupancy, and during operation to the satisfaction of the County Air Pollution Control Officer.

(Mariposa Planning Recommendation)

15. The project shall install and maintain onsite pollutant control measures during project construction and operation as required to ensure NPDES compliance. The permit holder shall provide the Planning Director with a copy of its approved State Water Resources Control Board Construction Activity Storm Water Permits prior to issuance of a building or grading permit and any other State Water Resources Control Board operational permits as may be required.

(Mariposa Planning Recommendation)

16. The project shall install and maintain onsite runoff attenuation facilities with sufficient capacity to reduce 100-year project stormwater runoff rates (or as required by the Building Department or County Engineer) to those currently generated by the project site. The project engineered grading plans shall include these facilities. County Engineer approval of the plan is required prior to grading or building permit issuance.

Fire/Safety Conditions

17. Prior to the issuance of any building or grading permits, the Planning Director shall receive a letter from the CALFIRE indicating the final design meets the State Responsibility Area Firesafe Requirements for signage, driveways, gates, roads, emergency water supply, fire hydrants, defensible space, and as otherwise specified in 14 CCR§1270 et. Seq.

(Mariposa Planning Recommendation)

18. Prior to the issuance of any building or grading permits, MPUD verification indicating the final design meets the MPUD requirements for fire flow adequacy is required.

(Mariposa Planning & MPUD Recommendation)

19. The project shall meet all applicable standards of PRC 4290, PRC 4291, Mariposa County Fire, and requirements of the State Fire Marshall's Office for commercial structures as may be applicable.

(Mariposa Planning Recommendation)

Utility Conditions

20. All utilities, except for propane storage tanks, shall be underground within the project site.

(Section 17.336.060, Mariposa County Code)

21. Prior to grading or building permit issuance, MPUD approval of the proposed final plans shall be required. Connection to the Mariposa Public Utility District (MPUD) water and wastewater services and compliance with the MPUD Fire Protection Ordinance is required. The applicant shall contact MPUD for permit requirements, including any necessary infrastructure to provide adequate fire flows and fire hydrants. MPUD approval is required prior to final occupancy of the project.

(Section 17.336.050.B, Mariposa County Code)

22. The telephone company shall be contacted prior to construction in order to coordinate the location of telephone facilities.

(Sierra Telephone Recommendation)

Parking Conditions

23. Final parking design shall be submitted with the building permit application. The plans shall include the design of the required parking area drawn to scale. Final design shall include all parking spaces and maneuvering areas, curb cuts, landscaping, shading calculations and other improvements. The FINAL parking lot design shall be identified on the plans submitted with the building permit application and approved by the Planning Director prior to building permit issuance and shall be inspected on site by Planning Director or her designee for substantial conformance with the FINAL approved plans prior to issuance of a Certificate of Occupancy.

(Section 17.336.030 of the Mariposa County Zoning Ordinance)

24. Planting areas for interior landscaping shall be designed so as to maximize provision of shade throughout the parking area for both the existing and proposed parking lots during the summer months. Tree coverage shall be determined by the approximate crown diameter of each tree at fifteen (15) years as estimated on the approved tree list. The percentage of area required to be shaded shall be based upon the number of parking spaces provided.

(Section 17.336.060.C of Mariposa County Zoning Ordinance)

25. The parking lot shall comply with all handicapped accessibility requirements as established by Title 24 of the California Code of Regulations. The Building Director shall approve the parking lot pursuant to these regulations prior to issuance of a grading permit for the project. Verification by the Building Director that the parking lot meets Title 24 of California Code of Regulations shall be required prior to issuance of Certificate of Occupancy.

(Title 24 California Code of Regulations)

Frontage and Road Improvement Conditions

26. A commercial driveway encroachment permit for access onto Hospital Road shall be obtained from the Public Works Department prior to issuance of a grading or building permit. All required encroachment improvements shall be completed and approved by Public Works prior to issuance of a Certificate of Occupancy.

(Mariposa County Road Improvement and Circulation Policy)

27. The construction of any of the required access and/or frontage improvements for this project shall not negatively impact any off-site improvements or parcels such as, but not limited to, existing driveways serving existing development.

(Mariposa County Recommendation)

28. All proposed road improvements shall be done in accordance with the Mariposa County Improvement Standards. The Hospital Road extension road from the end of the existing Hospital Road paved section directly adjacent the project site, along the project frontage, shall be improved to a Town Class IV standard, which requires a twenty-four (24) foot, paved road with parking, curb and gutter, and sidewalks. The resulting roadway section shall meet these minimum criteria prior to issuance of a Certificate of Occupancy. The proposed road improvements shall be completed in accordance with the Road Improvement and Circulation Policy (RICP) and the County Improvement Standards and shall be approved by the County Engineer or a licensed civil engineer with a signed, wet-stamped letter indicating that the improvements meet the RICP and the County Improvement Standards. Engineered improvement plans prepared by a Registered Civil Engineer shall be required and approved by the County Engineer prior to commencement on the proposed road improvements. If required, any necessary encroachment permits from the Public Works Department shall be obtained.

(Applicant Proposal; Chart A and Section II.D.2.a, Road Improvement and Circulation Policy)

29. A formal request for acceptance of the project improved Hospital Road extension to the Public Works Department, for acceptance by the County into the County maintained road system by the Board of Supervisors is required. To be accepted into the County Road system, offers of dedication would be required to provide for a continuous easement to a road currently within the County Road system.

If acceptance into the County maintained road system does not occur, one of the follow two alternatives must be met:

Alternative 1: A road maintenance association shall be formed to provide for the maintenance of the off-site easement roads providing access to the project site (Hospital Road). Maintenance shall include, but not be limited to, drainage and erosion control devices, fuel modification, and upkeep of road surfaces. The Road Maintenance Association provisions shall be developed by the applicant so that the project site served by the easement roads shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to issuance of a Certificate of Occupancy 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 governmental entity.
- b. Provide for annual maintenance and the immediate correction of emergency and hazard situations.
- c. Include the project parcel.
- 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.

Or

Alternative 2: The applicant may join into an existing Road Maintenance Association for Hospital Road, if there is one which is active, and which generally accomplishes the objectives described in this condition. If the applicant elects this alternative, the applicant shall provide evidence that the subject parcel is legally "joined" into the existing association and shall provide information about the association.

County Engineer verification that this condition has been met shall be required prior to Certificate of Occupancy for the project.

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