RECOMMENDED ACTION AND JUSTIFICATION:
The Planning Commission recommends adoption of a resolution approving the project with the recommended findings, including a negative declaration. Waive the first reading and introduce an Ordinance approving the project’s changes to the general plan land use map and the county’s official zoning map.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
No prior action

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Negative action would result in no project; the property would remain a 40-acre parcel with one home with the potential to build a secondary residence.

Financial impact? ( ) Yes (X) No  Current FY Cost: $  Annual Recurring Cost: $
Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded
Amount in Budget: $ Additional Funding Needed: $  
Source: 
Internal Transfer ______  Unanticipated Revenue ______  4/5’s vote
Transfer Between Funds ______  4/5’s vote  
Contingency ______  4/5’s vote  
( ) General ( ) Other

CLERK'S USE ONLY:  
Res. No. 1004  
Vote – Ayes:  ______  Noes:  ______  
Absent:  ______  
( ) Approved  
( ) Minute Order Attached  ( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date:  
Attest:  MARGIE WILLIAMS, Clerk of the Board
County of Mariposa, State of California
By:  
Deputy

COUNTY ADMINISTRATIVE OFFICER:  
/  
Requested Action Recommended
/  No Opinion
Comments:

CAO:  
Revised Dec. 2002
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS  

Resolution  
No. 2004-167  

WHEREAS complete applications for General Plan Zoning Amendment and Land Division were received from Jon and Melinda Turesanyi, applicants, for a change in Land Use and Zoning Designation of a 40-acre parcel from Mountain General (MG) to Mountain Transition (MT) and a division into two parcels of 20-acres each. The project is located one-quarter mile south of the intersection of Chowchilla Mountain Road, Harris Cut-Off Road and Leaning Pine Way, south of Chowchilla Mountain Road, also known as Assessor Parcel Number 15-350-046; and

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

WHEREAS the Planning Department prepared environmental documents in accordance with the California Environmental Quality Act and local administrative procedures; and

WHEREAS a duly noticed public hearing was scheduled for the 23rd day of January, 2004 for the Mariposa County Planning Commission; and

WHEREAS a Planning Commission Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS on January 23rd, 2004 the Planning Commission held a public hearing on the applications in accordance with County Code and State law; and

WHEREAS the Planning Commission adopted resolution #2004-1 recommending to the Board of Supervisors the adoption of a Negative Declaration and approval of General Plan/Zoning Amendment #2003-239 and Land Division Application #2003-240 and adoption of an ordinance with findings; and

WHEREAS a duly noticed public hearing was scheduled for the 20th day of April, 2004 for the Mariposa County Board of Supervisors; and
WHEREAS a Board of Supervisors Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, and California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Board of Supervisors did hold a public hearing on the noticed date and considered all information in the public record, including the Staff Report and Initial Study, testimony presented by the public concerning the application, comments from affected agencies, the comments of the applicant and the recommendation of the Planning Commission.

BE IT THEREFORE RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby adopt a Negative Declaration for the project pursuant to the California Environmental Quality Act, Title 14, California Code of Regulations.

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve General Plan Zoning Amendment #2003-239 and Land Division Application #2003-240 to be effective on the effective date of the ordinance.

BE IT THEREFORE FURTHER RESOLVED THAT the project is approved based upon the findings set forth in Exhibit 1 with the terms and conditions set forth in Exhibit 2, along with the recommendation on the offers of dedication as shown on Exhibit 2:

BE IT FINALLY RESOLVED that the action to approve the projects is based upon following findings supported by substantial evidence in the public record:

ON MOTION BY Supervisor Pickard, seconded by Supervisor Stetson, this resolution which was duly passed and adopted this 20th day of April 2004 by the following vote:

AYES: STETSON, BALMAIN, BIBBY, PARKER, PICKARD
NOES: NONE
EXCUSED: NONE
ABSTAIN: NONE

GARRY R. PARKER, Chairman
Mariposa County Board of Supervisors

ATTEST:
MARGIE WILLIAMS, Clerk of the Board
Mariposa County Board of Supervisors

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

THOMAS GUARINO, County Counsel
# Project Condition and Mitigation Monitoring Plan – Exhibit 1

**Project Name:** Turcsanyi Land Division  
**File Number:** LDA #2003-240  
**Project Approval Date:** April 20, 2004

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)

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

<table>
<thead>
<tr>
<th>CONDITIONS OF APPROVAL / PUBLIC WORKS DEPARTMENT</th>
<th>Monitoring Dept.</th>
<th>Verified Implemented</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. The easement from Chowchilla Mountain Road to the cul-de-sac located at parcels A and B shall be made a 60-foot wide and non-exclusive. (A cul-de-sac easement with an on-site radius of 50-feet shall be provided to encompass the required cul-de-sac improvements.) The easements shall be offered for dedication to the County of Mariposa. The offers of dedication shall be non-revocable and specifically state on the parcel map that the dedications are for &quot;public road and utility purposes.”</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>2. The road within the easement from Chowchilla Mountain Road to the cul-de-sac located at parcels A and B shall be restored to a Rural Class II SRA standard and shall meet this standard at the time of parcel map recodarion. 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 prior to the recodarion of the parcel 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.</td>
<td>Public Works</td>
<td></td>
</tr>
<tr>
<td>3. The existing cul-de-sac shall be upgraded to meet county standards prior to the recodarion of the parcel map. The required cul-de-sac improvements shall be completed in accordance with the Road Improvement and Circulation Policy and the County Improvement Standards. If construction of a cul-de-sac is impractical due to the on-site terrain as determined by the County Engineer with the concurrence of CDF, the applicant may request permission to construct a hammerhead T turnaround. This improvement shall be approved by the County Engineer prior to the recodarion of the parcel map.</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>4. An encroachment permit shall be obtained from the Mariposa County Public Works Department prior to any work being done on or adjacent to Chowchilla Mountain 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</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>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).</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>5. 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, a consultation meeting with the Public Works Department, the applicant, the agent, and road contractor shall occur. This meeting shall be conducted on-site. This consultation meeting shall be setup by the applicant and/or agent. 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 road improvement or encroachment permit required for this project and prior to the scheduling of any on-site inspection of road improvements.</td>
<td>Public Works</td>
<td></td>
</tr>
<tr>
<td>6. 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.</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>7. All required signs, with the exception of street name signs, shall be installed on metal, break-away type posts prior to map recordation. The design and placement of signs shall be approved by the County Engineer prior to installation.</td>
<td>Public Works</td>
<td></td>
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<tr>
<td>8. A sign stating &quot;THIS ROAD IS NOT COUNTY MAINTAINED&quot; shall be installed at the intersection of Chowchilla Mountain Road and Leaning Pine Way prior to map recordation. The design and specifications of the sign shall be in accordance with the County Improvement Standards and shall be approved by the County engineer prior to installation.</td>
<td>Public Works</td>
<td></td>
</tr>
<tr>
<td>9A. 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 of Leaning Pine Way from Chowchilla Mountain Road to and including the cul-de-sac located at proposed parcels A and B. The applicant shall be responsible for all costs associated with the filing of the petition, including but not limited to, preparation and cost estimates. In order to ensure that the subject properties do not bear an undue burden in maintaining the access road, the zone of benefit shall be waived if the applicant demonstrates that 51% of the property owners served by the unnamed road calculated by the number of parcels or by assessed value, protest the formation of the zone of benefit.</td>
<td>Public Works</td>
<td></td>
</tr>
</tbody>
</table>

If the applicant cannot secure the signatures of 51% of the property owners served by the road, the applicant shall submit evidence satisfactory to the
County Engineer that all property owners served by the easement roads have been notified of the petition for the road maintenance zone of benefit and that 51% of those property owners calculated by the number of parcels and the assessed value, refused to sign the petition.

If the zone of benefit is waived, then a road maintenance association shall be formed to provide for the maintenance of Leaning Pine Way. If a road maintenance association is formed, 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 parcels served by the easement roads shall be responsible for road maintenance. These provisions shall be reviewed and approved by the County Engineer prior to recodarion of the parcel map and shall:

- Be in effect for a period of not less than thirty (30) years unless said maintenance is taken over by the County, a special district, or other governmental entity.
- Provide for annual maintenance and the immediate correction of emergency and hazard situations.
- Include 100% of the parcels in the subdivision served by the access road.
- 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 with the power of sale.
- Provide a mechanism for new parcels to be added to the Association.

9B. If the zone of benefit is waived, a declaration or covenant of non-protest for road maintenance of the unnamed road shall be recorded concurrently with the parcel map and shall be referenced on the parcel map. The declaration or covenant shall be made appurtenant to each parcel and shall state that the owner or future owners of the parcels 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 shall also state that the owner or future owners of the parcels agree to pay their fair share of the costs for formation of the zone of benefit. The declaration or covenant shall approved by the Public Works Director prior to recodarion.

10. The following statement shall be recorded in the County Official Records concurrently with the parcel map and shall be clearly referenced on the parcel map:

“If the easement known as Leaning Pine Way is extended to, or provides access to, any off-site parcels, a zone of benefit within Countywide County Service Area No. 1 for maintenance of the easement may be required.”

11. The “Verification of Taxes Paid Form” shall be submitted to the County Surveyor prior to recording the Parcel Map.

<table>
<thead>
<tr>
<th>Condition of Approval / Mariposa Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>12. GP/ZA 2003-239 shall be completed prior to map recordation for LDA</td>
</tr>
</tbody>
</table>

| Public Works |
| Mariposa |
13. Prior to recordation of the Parcel 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 ($1,250) and County Clerk fee ($25) shall be paid within five (5) working days of the approval of the application, and the Parcel Map shall not be recorded until this fee is paid. The County Clerk requires that one check be submitted to cover both of these Fish and Game fees. Please submit a cashier’s check or money order payable to Mariposa County, for the total fees of $1,275.00. The County Clerk will not accept a personal check for these fees.

<table>
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<tr>
<th>Condition of Approval / California Department of Forestry (CDF)</th>
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<tbody>
<tr>
<td>14. Prior to Parcel Map recording, the applicant shall have complied with all applicable SRA Fire Safe Regulations. A document shall be recorded and referenced on the Parcel Map that states: “Future residential development shall be required to meet all applicable SRA Fire Safe Regulations, which may include a minimum 2500-gallon water storage tank.” 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 4294. Evidence that this condition has been satisfied shall be in the form of a letter from the California Department of Forestry (CDF) to the County Surveyor.</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Condition of Approval / Health Department</th>
</tr>
</thead>
<tbody>
<tr>
<td>15. Soil profile holes shall be excavated on Parcel B to the standards of the County Health Department and in the presence of the County Sanitarian, his authorized representative, or an authorized consultant to verify the feasibility of installing an on-site septic system on the parcels. If the County Sanitarian approves the parcel for septic disposal based on the soil profile holes, a letter from the County Sanitarian stating no additional tests are required and this condition has been fulfilled for that parcel shall be submitted to the County Surveyor.</td>
</tr>
</tbody>
</table>

If the results of the soil profile holes do not demonstrate to the approval of the County Sanitarian that a conventional septic system can be installed on the parcel, percolation tests and additional soils analysis tests shall be performed on the parcel in accordance with Health Department rules and regulations. The results of these tests shall be submitted to the Mariposa County Health Department and be approved by the County Sanitarian prior to recordation of the parcel map. A letter from the County Sanitarian shall be submitted to the County Surveyor stating that approved percolation tests and soils analysis tests have been performed on the parcel(s). A statement shall be recorded in Official Records concurrently with the parcel map and referenced on the parcel map as follows:

"Approved percolation tests and soils analysis tests have been performed on Parcels as shown on the Parcel Map for , recorded in Book of Parcel 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 parcel that has not had approved percolation tests, additional percolation tests and design recommendations may be required.”

Condition of Approval / Natural Resource Conservation Service (NRCS)

16. 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 Natural Resource Conservation Service (NRCS). The applicant shall also contact the NRCS for an inspection. Inspection fees shall be the responsibility of the application. A letter shall be submitted to the County Surveyor by NRCS stating that the re-vegetation and erosion control provisions have been completed.

REMAINDER CONDITIONS: NONE

MITIGATION MEASURES: NONE

RECOMMENDATION ON OFFERS OF DEDICATION

The Planning Commission recommends that the Public Works Director accept the offer of dedication for public access and utilities, but reject the offer for public maintenance for the on-site access roads.

| Agency Contact List |
|--------------------|-----------------|-----------------|-----------------|-----------------|
| AGENCY             | CONTACT         | PHONE NUMBER    | SITE ADDRESS    | MAILING ADDRESS |
| Mariposa Planning  | Bill King       | 209-966-0305    | 5100 Bullion St.| P.O. Box 2039   |
|                    |                 | bkings@mariposascounty.org | Mariposa CA 95338 | Mariposa CA 95338 |
| Public Works       | Jerry Freeman   | 209-966-5356    | 4639 Ben Hur Rd.| Same as site    |
|                    |                 |                 | Mariposa CA 95338 |                 |
| Health Department  | Dave Conway     | 209-966-2220    | 5100 Bullion St.| P.O. Box 5      |
|                    |                 |                 | Mariposa CA 95338 | Mariposa CA 95338 |
| Mariposa County    | Jerry Progner   | 209-966-3431    | 5009 Fairgrounds Rd. | P.O. Box 746   |
| Resource           |                 |                 | Mariposa CA 95338 | Mariposa CA 95338 |
| Conservation District |            |                 |                 |                 |
| Cal. Dept of Forestry | Dennis Townsend | 209-966-3622    | 5366 Highway 49 N.| Same as site    |
|                    |                 |                 | Mariposa CA 95338 |                 |

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.
Project Findings – Exhibit 2

GENERAL PLAN/ZONING AMENDMENT 2003-239
FINDINGS

Pursuant to Mariposa County General Plan Section 2.504 and Mariposa County Zoning Ordinance, section 17.128.050, the following Findings are made:

1. The rezone of this property to the Mountain Transition zone proposed will not have a significant adverse effect on the general public health, safety, peace and welfare of present and future residents of the area. The project applicants have provided information on the proposed use of the property, namely a 2-parcel minor land division for residential use. The vicinity of the project has been developed with similar low-density residential uses. Within a one-mile radius of the project parcel and in similar terrain, there are zones that allow greater densities that include Mountain Home and Rural Residential zones and Land Use Designations. The change from Mountain General to Mountain Transition results in a reduction of permitted and conditionally permitted uses. The less intensive uses allowed in the Mountain Transition zone will not have a significant effect on neighboring properties from the perspective of noise and traffic. The roadways within the proposed and existing easements will be improved to a standard that will adequately serve potential uses thereby reducing potential traffic and dust impacts on neighboring properties.

   The proposed land division is consistent with the Mountain Transition zone. The implementation of septic conditions will ensure that the public health as it relates to the issue will be preserved, and the proposed access roads will help to ensure public safety in the event of a fire emergency and will limit traffic and circulation impacts in the area.

2. The amendment is desirable for the purpose of improving the General Plan as the amendment allows new zoning on the property that satisfies the General Plan Housing Element overall goal to “...provide an adequate supply of sound, affordable housing units in a safe and satisfying environment for the present and future residents of the County...” The amendment satisfies the following Housing Element Policy: “to ensure that there are adequate sites and facilities available to support future housing needs.”

3. The amendment was processed in accordance with state law and county code with respect to notice, hearings and findings.

4. In addition to the Land Use Element cited in Finding No. 2, the amendment is consistent with Land Use Element Goal (E), which outlines a goal to “establish site standards and adopt procedures that provide for clean, safe, sanitary, and economical building sites for the present and future residents of the county.” A general plan amendment procedure is appropriately applied in this case because of this property’s ability to support Mountain
Transition uses. The site has suitable access, residually developable terrain, and the uses that are projected to be placed on the property under the Mountain Transition zone are compatible with adjoining uses.

5. The subject property it is currently zoned Mountain General, a forty-acre minimum parcel size zone that allows for residential uses and other uses. Rezoning the property to Mountain Transition promotes consistency with the residential land uses allowed in Mountain General zone. The anticipated residential uses allowed in Mountain Transition zone on the subject parcel are compatible with the uses in the vicinity as the subject parcel is located in an area that has seen residential development. The rezoning of the parcel will allow establishment of residences which will serve the existing residents and future residents of Mariposa County. The subject parcel is physically suited with good access, developable building sites and with utility infrastructure on the parcel. For these reasons, the proposed amendment is logical and desirable on the subject property. The amendment would not lead to the introduction of uses into the area that could not be placed in the immediate area under the current General Plan designation.

LAND DIVISION APPLICATION NO. 2003-240
FINDINGS

Pursuant to Mariposa County Zoning Ordinance, Section 16.16.040, the following Findings are made:

1. Based on site inspection and the size and the number of parcels proposed the site is physically suited for low-density homes and appurtenant improvements such as septic systems provided that the conditions of approval regarding the septic systems and approved locations are met.

2. The site is physically suited for the density allowed in this zone. The proposed project is located within the Mountain Transition zone (20-acre minimum parcels with individual wells and sewage disposal systems). The subdivision density is designed in accordance with the Mountain Transition zoning.

3. The Initial Study prepared for the project found that it would have a less than significant effect on the environment with the mitigation measures and conditions of approval imposed. According to the Department of Fish and Game’s Natural Diversity Data Base and Areas of Special Biological Importance Map for Mariposa County, there are no special, rare, or endangered animal or plant species, or wildlife resources located on the project site and the surrounding area that would be effected by approval of this project. The CDFG has determined the project may have an adverse impact on wildlife resources and potential habitat areas, and is therefore subject to the California Department of Fish and Game filing fees of ($1250) for a negative declaration as required by AB 3158 and a county Clerk fee of ($25).

4. This land division and its subsequent use for low-density residential purposes will not cause serious health problems. Future residential uses will be required to comply with
all Building Code regulations and Health Department standards for the proper installation of wells and sewage disposal systems. The proper implementation of these improvements will ensure that serious health problems will not occur on the site.

5. Upon Completion of the General Plan Zoning Amendment process, the proposed map will be consistent with the Mariposa County General Plan. The land division is the initial step in the process to help accomplish the General Plan’s Housing Element overall goal to “...provide an adequate supply of sound, affordable housing units in a safe and satisfying environment for the present and future residents of the County...” The land division satisfies the following Housing Element Policy: “to ensure that there are adequate sites and facilities available to support future housing needs.” There is no specific plan governing this property.

6. The minimum parcel size proposed by the project is consistent with standards contained in the General Plan and the Zoning Ordinance. The land division’s design complies with the County Subdivision Ordinance’s maximum 4:1 length to width ratio for parcel configuration. The project site is not in an area governed by a Specific Plan.

7. The project will not conflict with any public easement.

8. This land division application has been processed and reviewed in accordance with standards set forth in the Subdivision Map Act and Title 16, County Subdivision Ordinance. When the required conditions are met, the project will be in compliance with the Subdivision Map Act and the County Subdivision Ordinance.
TO: SARAH WILLIAMS, Interim Planning Director

FROM: MARGIE WILLIAMS, Clerk of the Board

SUBJECT: PUBLIC HEARING TO CONSIDER GENERAL PLAN/ZONING AMENDMENT #2003-239 AND LAND DIVISION APPLICATION #2003-240, JON AND MELINDA TURCSANYI, APPLICANTS

Resolution No. 04-167

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA,

ADOPTED THIS Order on April 20, 2004

ACTION AND VOTE:

12:21 p.m. Sarah Williams, Interim Planning Director;
   A) PUBLIC HEARING to Consider General Plan/Zoning Amendment #2003-239 and Land Division Application #2003-240; Adopt Resolution Approving Project, Including a Negative Declaration; Waive First Reading and Introduce an Ordinance Amending Zoning Map Changing the General Plan Land Use Map and Official Zoning Map of the County for a Property Located One-Quarter Mile South of the Intersection of Chowchilla Mountain Road, Harris Cut-Off Road, and Leaning Pine Way, from Mountain General (MG) to Mountain Transition (MT); Assessor Parcel Number 15-350-046; Jon and Melinda Turcsanyi, Applicants

BOARD ACTION: Bill King, Senior Planner, presented the staff report. The public portion of the hearing was opened and there was no public input. The public portion was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to the State Firesafe Regulations requirement for a 2500 gallon water storage tank, and relative to appeal provisions for these types of conditions. Sarah Williams advised that the water storage tank language gives constructive notice that CDF reviews the building permits and may require the storage tank; however, it does not affect the subdivision. (M)Pickard, (S)Stetson, Res. 04-167 was adopted approving the project with the recommended findings, including a negative declaration; and the first reading was waived and an ordinance introduced amending the Zoning Map as recommended; with the removal of the water storage tank language in the conditions. The Clerk of the Board read the title of the ordinance into the record. Ayes: Unanimous. The hearing was closed.

cc: Tom Guarino, County Counsel
    File