260416

LAND DIVISION GENERAL INFORMATION

Mariposa County Planning Department
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To the Applicant:
Please review this information PRIOR to applying as there is necessary information and materials needed to be submitted. In addition, general information is provided relating to costs and the processing.

General Information and Instructions:
When preparing the application, it is important to provide as much detail and information as possible. For the application to be considered complete, all the items listed in the "Required Materials and Items" section must be submitted along with appropriate fees.

Applicants are strongly encouraged to have a pre-application meeting with Planning Department staff prior to application submittal to discuss the project requirements, costs, and the processing. Such pre-application meetings are at no cost to the applicant and could save both application costs and time. Please call the Mariposa County Planning Department if you wish to schedule a meeting or if you have any questions.

Applicants are to apply on-line or in person.

Application Requirements:
The materials and items that are required to submit a land division application are listed on the following pages of this information package.

Before the Planning Commission may consider a land division application, it must be shown that there are no delinquent or unpaid property taxes owed on the property from previous tax years. This is shown on the *Verification of Taxes Paid Form* obtained from the County Tax Collectors Office which is required as part of the land division application. If there are delinquent or unpaid taxes on the property, your application will not be considered complete and will not be accepted for processing until the delinquent taxes are paid. The property taxes assessed for the current tax year do not have to be paid as part of the land division application. However, they must be paid prior to recordation of the parcel or final map.

The Mariposa County Subdivision Ordinance (Section 16.12.100) requires that all land divisions (minor and major) be marked in the field for identification. The property and proposed land division must be clearly identifiable in the field by signs consisting of a map of the land division, the application number, and the location of the sign. Signs should be located at the following places:

1. All corners of the overall parcel being subdivided.

2. The centerline of all proposed and existing easements at 200 foot intervals on straight alignments and at 50 foot intervals on curved alignments. An easement is not required to be marked if there is an existing road within it, and the alignment of the road within the easement is clearly shown on the tentative map.

3. Property lines of proposed parcels where they intersect with existing and proposed easements and County roads and State highways used for access.

4. Mariposa Planning may require additional signs if it is determined they are necessary to define the project site more clearly.

Mariposa Planning may reduce the signage requirements if there are terrain or brush difficulties or may require that the property be brushed in order to properly inspect the project. Please contact Mariposa Planning for approval of a reduction to the signage requirements. If the property is not properly marked or if we cannot gain access to the property, your application will not be considered complete and a delay in the review of your application will occur.

Costs:
Payment of application fees as determined by Mariposa Planning. Mariposa County Planning Department will invoice you for fees after application submittal.

The California Department of Fish and Game will likely require the payment of environmental filing fees when the conditional use permit is approved. The environmental filing fee is required for any project subject to review as required by the California Environmental Quality Act (CEQA). The Department of Fish & Game environmental filing fees are adjusted annually on the 1st of January. Additionally, a County Clerk fee is required.

Once the land division application is approved, additional County fees will be required before the parcel or final map can be recorded. The Public Works Department will charge fees to review the parcel or final map and inspect road improvements, and the Health Department will charge fees to review percolation and soils tests for septic systems. Please contact these departments for their current fees.

Review and Approval Process:
Once Mariposa Planning has accepted the application, State and local agencies involved with the land division are consulted. These agencies may include the County Health Department, County Public Works Department, County Fire Department, Mariposa Public Utility District, California Department of Transportation (CalTrans), California Department of Fish and Game, and others. Mariposa Planning allows at least fourteen (14) days for these agencies to comment on the land division application. Based on comments from these agencies and preliminary review of the project by staff, additional information may be required by Mariposa Planning as part of the application within thirty (30) days after the application is accepted for processing. The applicant will be required to submit this information before the application is considered complete and processing would proceed.

Once the application is determined to be complete, all necessary agency comments have been received, and staff has completed their review, Mariposa Planning will establish a tentative public hearing date for the Planning Commission to review the application. Neighboring property owners will be notified of the hearing and will be invited to provide comments on the project in writing or at the public hearing. The project hearing will also be noticed in the Mariposa Gazette.

One of the first steps in the review process is the preparation of an Initial Study and preliminary staff report for the project. An Initial Study is an analysis and discussion of environmental impacts that may result from the land division, and based on the findings of the Initial Study, Mariposa Planning will recommend a Negative Declaration (statement of no significant environmental impacts) or preparation of an EIR for the project. A California Environmental Quality Act (CEQA) handout that explains the environmental review process is available at Mariposa Planning. The preliminary staff report is a written discussion of the project proposal and the issues involved (i.e., access, minimum parcel size, septic disposal, etc.).

In addition, the staff report indicates Mariposa Planning's recommendation for approval, conditional approval, or denial of the land division application and the recommended findings and conditions which are appropriate for the project. At this time the applicant will be given an opportunity to review the Initial Study and preliminary staff report and meet with staff to discuss the reports and recommendations before the application is

considered by the Planning Commission. If there are issues that the applicant would like to resolve before going to the Planning Commission, the applicant can request the Planning Commission to defer the application to another public hearing.

Although it is advantageous for the applicant and staff to resolve all potential conflicts at the administrative level, it is not necessary for an applicant to agree with staff's recommended conditions for the application to be considered by the Planning Commission. If a Negative Declaration is recommended for the project, Mariposa Planning will formulate a final recommendation to the Commission regarding the Initial Study and the approval, conditional approval, or denial of the land division application.

At the public hearing, Mariposa Planning will present the staff report, Initial Study, and staff recommendations to the Planning Commission. The public portion of the hearing will then be opened, and affected property owners, other interested persons, and the applicant would have the opportunity to provide information and evidence to the Commission. After considering the staff report, Initial Study, and all other information and evidence submitted on the application, the Commission may take final action on the project at the public hearing. The Commission's action may vary from staff's recommendation, and the Commission may add, modify or eliminate findings or conditions of approval upon the application.

The length of time that is necessary to process a land division application varies with each application. Please be advised that Mariposa Planning is currently processing a high number of applications. Generally, if an application is complete and contains all information necessary to process the application, the processing time from application submittal to the Planning Commission public hearing is approximately six to seven months. Processing of the application will take longer if the application does not contain all the required information, if additional information is required for processing the application, or if an EIR is required for the land division.

After the Planning Commission approves a land division application, the applicant must comply with all conditions of approval and requirements for filing a parcel or final map before the parcel or final map can be recorded. It is the applicant's responsibility to comply with all conditions of approval and parcel or final map requirements and contact the appropriate County departments for information, inspections, and approvals. The project applicant has initially three (3) years to meet any conditions of approval and record the parcel or final map. The applicant may request a time extension for up to an additional five (5) years. A time extension application must be submitted to Mariposa Planning prior to the expiration date of the land division approval.

The Public Works Department will verify that all conditions of approval have been met and the parcel or final map has been prepared in accordance with State and County requirements before approving the filing and recordation of the parcel or final map. The parcels proposed by the land division application are created once the parcel or final map is recorded; prior to recordation, the parcels do not legally exist.

Land Division Requirements:

Mariposa Town Planning Area Subdivision Requirements

There is a separate ordinance that establishes regulations and standards for the division of property in the Mariposa Town Planning Area (TPA). If the land division is proposed within the Mariposa TPA, please obtain a copy of the applicable regulations and standards from Mariposa Planning.

Minimum Parcel Size

All parcels created by a land division application must comply with the minimum parcel size established for the parcel as determined by the Mariposa County General Plan, or the Specific Plan adopted for that area. Mariposa Planning can advise the applicant of the applicable minimum parcel size.

Parcel Design

Parcels may not exceed a 4:1 lot length to width ration. Parcels should not be bisected by a road, if such design is possible.

Access

All parcels created through the land division process must have adequate access and road improvements to a County road, state highway or other public road. Adequate access may be provided by a direct encroachment onto a public road or by a County-standard road constructed within a 40 foot wide to 60 foot wide non-exclusive easement from each parcel to a public road. The width of the easement and the required road improvements are determined by the Planning Commission and are based on the County Road Improvement and Circulation Policy. All road improvements must be constructed in accordance with the County Improvement Standards and the requirements of the Public Works Department. County-maintained roads servicing the project must also meet minimum standards as shown in the Mariposa County Road Improvement and Circulation Policy.

Improvement plans for road improvements on new roads may be required by the Public Works Department and may also be required for road improvements on existing roads depending on the amount of work required.

Generally, roads above 3,000 feet in elevation cannot exceed 12 percent grade, and roads below 3,000 feet cannot exceed 16 percent grade, and the steeper sections of the road may be required to be paved. The Planning Commission and/or the Public Works Director may consider waivers or reduction of easement and road improvement requirements including grade requirements if requested in writing and justified by the applicant. It is strongly encouraged that easement roads be located along property lines and the natural terrain.

Road Maintenance

Major Subdivision roads that only provide access to the parcels to be created by a land division may be required to be maintained by a road maintenance zone of benefit within Countywide County Service Area No. 1. For these roads the applicant is usually required to petition the Mariposa County Board of Supervisors to form a road maintenance zone of benefit with that requirement being made a condition of approval of the land division application. A separate application and additional fees are required as part of the zone of benefit petition. Most other subdivision roads are required to form a private road maintenance association with lien rights or join an existing road maintenance association.

CEQA

Land division applications are subject to review pursuant to the California Environmental Quality Act (CEQA). Additional information may be required by staff during the processing of your project in order to review the impacts of your project. This could include information such as a botanical survey, a traffic study, a cultural resource survey, well testing data, etc. (a pre application meeting with Planning Staff is strongly recommended. This meeting will help determine what is required for the application to be considered complete.)

Septic Disposal

Parcels that are six (6) acres or less in size and are not served by a community sewer system must have percolation tests and soils analysis tests performed by a licensed engineer, registered sanitarian, or other qualified individual or firm to establish the feasibility of installing on-site septic systems on the parcels. Percolation and/or soils tests may be required on larger parcels by the Planning Commission based on the recommendation of the County Health Department. Percolation and soils tests are usually not required with application submittal; the tests are typically made a condition of approval of the land division application and must be approved by the Health Department prior to recordation of the parcel map. There may be some areas in the County where testing may be required prior to Planning Commission review; please contact the Health Department before you submit an application with Mariposa Planning to determine which process applies to the subject property. Parcels less than five (5) acres in the rural residential land use must be served by a community sewer system.

New parcels where individual sewage disposal systems are proposed must have an approved area onsite for such disposal. A parcel will not be approved if it does not have an on-site area for sewage disposal.

Water
Proof-of-water is required for minor and major subdivisions prior to map recordation, in accordance with Section 5.3.02 E(4) of the Mariposa County General Plan. (The applicant is encouraged to review proof of water requirements with Mariposa Planning staff prior to tentative map submittal.) For parcels between one (1) acre and two and one-half (2½) acres, either domestic water or sewage disposal must be provided by a community system. For parcels less than one (1) acre, both domestic water and sewage disposal must be provided by a community system.

State Fire Safe Regulations
All land division applications must comply with the "State Responsibility Area Fire Safe Regulations" that constitute the basic fire protection standards of the California Board of Forestry. The application would be reviewed by a representative of the California Department of Forestry (CDF) for compliance with these regulations, and must be approved by CDF as part of the review process. These standards are State regulations and are not enforced by the County. The applicant is strongly encouraged to obtain a copy of the Fire Safe Regulations and to contact CDF to assure that the project design will comply with these standards. An appeals process for the denial of a project design based on the SRA Fire Safe Regulations is contained in those regulations.

Hillside and Ridge Top Design
In accordance with Section 5.3.02.E(2) of the Mariposa County General Plan, to minimize cuts and fills and preserve rural character the Planning Commission will review subdivisions with slopes on parcels in excess of 15% for the possibility of allowing lot size flexibility within density limits (e.g., clustering) to best achieve safe and reasonable building sites; to review proposed building sites and native vegetation with the intent of requiring or maintaining a screen of access roads, driveways, and structures consistent with fire safety regulations; for the possibility of requiring building sites to be set back from ridgelines; and for the possibility of modifying parcel sizes to reduce visual impacts from building sites. For subdivisions with parcels meeting this slope criterion proof of slope stability will be required as a condition of a final or parcel map submittal.

Parcel Size
The Planning Commission will take into account site-specific conditions in determining the parcel sizes of a proposed subdivision to assure an adequate building site. Site characteristics to be considered include drainage, slope, soils for on-site septic, access, or other appropriate criteria determined by the Planning Commission. The Commission may modify the number of parcels requested or require changes in parcel sizes based on the criteria and policies contained in the applicable section of 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.

Appeal Period:
Any determination made by Mariposa Planning relating to the completeness of the application or requirements for additional materials or information may be appealed to the Planning Commission or to the Board of Supervisors. Determinations made by Mariposa Planning relating to the application fees may only be appealed to the Board of Supervisors. **The appeal period to appeal a Planning Department determination is twenty (20) calendar days from the date the written determination was made.**

Any action by the Planning Commission relating to the environmental determination or the approval, conditional approval or denial of the application may be appealed to the Board of Supervisors. **The appeal period to appeal a Planning Commission determination is twenty (20) calendar days from the date of the Commission's action.**

Appeals to the Planning Commission must be submitted to the Mariposa County Planning Department, while appeals to the Board of Supervisors must be submitted to the Clerk of the Board of Supervisors. Further information regarding the appeal process and appeal fees may be obtained from Mariposa Planning.

REQUIRED MATERIALS AND ITEMS FOR A COMPLETE LAND DIVISION APPLICATION

1. Complete an on-line application. If the applicant is not the property owner, the applicant must provide a letter of authorization or other document that authorizes the applicant to submit the application on the owner's behalf. The applicant can be a lessee, purchaser in escrow or optionee of the subject property.

2. A Preliminary Title Report, Preliminary Parcel or Final Map Guarantee, or similarly recognized document from a Title Company which insures that it contains all record interest holders in the property to be subdivided including utility easement holders. The report must be dated no more than thirty (30) days prior to the payment of the application fees.

3. A proposed grading plan for the creation of building sites. If no grading is proposed, a statement to that effect must be included in the tentative map.

4. For major subdivisions only, a preliminary soils report prepared by a registered civil engineer and based on adequate boring tests and/or excavations, or a written waiver to the preliminary soils report from the County Engineer.

5. Posting of property with identification signs for field inspection (per Section 16.12.100 of the Subdivision Ordinance).

6. An accurate tentative map that depicts the new parcels drawn to scale and contains the information listed on the Land Division Tentative Map Requirement Checklist. To ensure that all the required information is shown on the map, use checklist and check off each item drawn. The map must be drawn to scale. Scale must be appropriate to show adequate detail on a tentative map. Map may be rejected if adequate scale is not provided.

7. Biological and Cultural Resource studies for the project site. (A biological study prepared by a qualified individual is not required to be submitted as part of the application in only a small number of cases, including but not limited to, where the project site has been significantly disturbed by past development and does not contain drainages. The requirement for preparation and submittal of a cultural resources study is determined on a case-by-case basis. The applicant is encouraged to review these requirements with Mariposa Planning staff prior to submittal of the tentative map.)

8. Flood Plain Delineation prepared by a professional appropriately licensed to perform such analysis in the State of California if it is determined the Planning Director that more than 50 percent of a proposed parcel of ten acres or less is within a 100-year flood plain. (The applicant is encouraged to review this requirement with Mariposa Planning staff prior to tentative map submittal if any portion of a project site is located within a 100-year flood plain.) No new subdivision parcels will be created which are wholly within a 100-year flood zone. Any new parcel will have adequate development area as defined by the County outside of the flood zone.

9. Proof of slope stability where a parcel or parcels would be located on slopes in excess of 15%. (The applicant is encouraged to review this requirement prior to tentative map submittal.)

10. Payment of application fees as determined by Mariposa Planning. Deposit fees are for applications that are to be charged time and materials and are estimated using the current staff hour charge. The Planning Department will calculate and invoice you for fees upon application submittal. If you would like an estimate of fees PRIOR to the submittal of your application, please contact the Planning Department or see Planning Fee Schedule for general information. It should be noted that the fees do not include consultant fees, specialized studies, CEQA charges, publication fees and any additional fees that may be charged by other agencies or county offices, unless noted. Should work on your project exceeds the initial deposit amount, you will be billed accordingly.

LAND DIVISION TENTATIVE MAP
REQUIREMENT CHECKLIST

a. ❑ A title for the map stating it is a tentative map (for *major* subdivisions) or a tentative parcel map (for *minor* land divisions) for a land division.

b. ❑ The applicant's name, address and telephone number.

c. ❑ The name and address of the legal owner of record.

d. ❑ The name, address, telephone number, and license number (if applicable) of the agent and/or person who prepared the map.

e. ❑ The location of the property described by township, range, section, and quarter section; town site map; and/or subdivision map.

f. ❑ The source of data from which the map was drawn, e.g. USGS topographic map, assessor's plat map, parcel map.

g. ❑ The date the map was prepared.

h. ❑ A north arrow and scale. (NOTE: If staff determines that the scale for the submitted map is not adequate for a reasonable review of the project, then a new map may be requested.)

i. ❑ A vicinity map showing information such as roads, adjoining sections, creeks, and other data sufficient to locate the property and to show its relation to the surrounding area.

j. ❑ Names of all the adjoining property owners. Include the size of their respective parcels.

k. ❑ The boundary lines of the property to be subdivided with approximate dimensions based on the latest deed(s) or other record data (e.g. Record of Survey, Parcel Map).

l. ❑ The approximate area in acres (square feet for parcels less than one acre) of the entire property to be subdivided. For parcels less than 2½ acres, gross and net (exclusive of access easements) acreage or square footage must be shown.

m. ❑ Topography features and elevation contours shown in sufficient scale and detail which reflect the true conditions of the terrain of the property.

n. ❑ Approximate percent of grade and arrows to indicate the direction of slope of the terrain.

o. ❑ The approximate locations of all drainage courses, intermittent streams and major creeks (include name) with direction and percent of slope of each drainage. Include any dams or ponds. Also include any off-site drainage courses, intermittent streams, and major creeks within 200 feet of the property.

p. ❑ The location, major exterior dimensions, and distance from existing and proposed parcel lines of all buildings and structures on the property.

q. ❑ The approximate location of all existing wells, septic tanks, and leach fields. Include off-site wells, septic tanks, and leach fields within 200 feet of the property. Those located within 100 feet of existing and proposed property lines must be indicated with the distance from the property lines.

r. ❑ The locations, widths, and types of existing and proposed easements providing access to the property and each proposed parcel from a County road, state highway or other public road. The off-site portions of these easements must be shown on the map. The manner in which the easement was created must be shown. If an existing or proposed easement is located off-site, adequate documentation must be submitted to Mariposa Planning that demonstrates the applicant has the necessary rights to use the easement or can obtain the necessary easement from the property owners.

s. ❑ The locations, names, widths, surface types, and approximate grades of existing and proposed roads providing access to the property and each proposed parcel. The off-site portions of these roads must be shown on the map.

t. ❑ The locations, widths, and purposes of the existing and proposed easements for drainage and utilities. The manner in which the easement was created must be shown.

u. ❑ The locations, widths, and purposes of dedications offered to the County of Mariposa for existing and proposed easements. The manner in which existing dedications have been offered must be shown.

v. ❑ Parcel layout with approximate dimensions along all proposed property lines and an identifying number or letter for each proposed parcel.

w. ❑ The approximate area in acres (square feet for parcels less than one acre) of each proposed parcel. For parcels less than 2½ acres net (exclusive of access easements) in size, the gross and net acreage or square footage of the parcels must be shown.

x. ❑ The proposed, or existing, water supply and the type of sewage disposal system.

Marking the Site:

The Mariposa County Subdivision Ordinance (Section 16.12.100) requires that all land divisions (minor and major) be marked in the field for identification. The property and proposed land division must be clearly identifiable in the field by signs consisting of a map of the land division, the applicant's name, and the location of the sign.

I, _____, hereby testify that the subject property was marked as of _____, and understand that the processing of the application may be delayed and additional fees may be charged if the site is not marked as required.

Date _____

_____

Applicant or Agent's Signature

Affidavit:

I (we) declare under the penalty of perjury that this application including the tentative map contains all required information and the statements and information submitted in this application and tentative map are in all respects true and correct to the best of my (our) knowledge. I (we) acknowledge that I (we) have read all materials included in this application package and are aware that there are standards and requirements for subdivision projects established by the Mariposa County Subdivision Ordinance and resolutions adopted pursuant thereto. I understand that the processing of the application will be delayed if any required information is incorrect, omitted, or illegible.

Executed at _____, California, this _____ day of _____, 20 _____.

_____

Applicant's Signature

TENTATIVE PARCEL MAP

FOR: BOB JONES

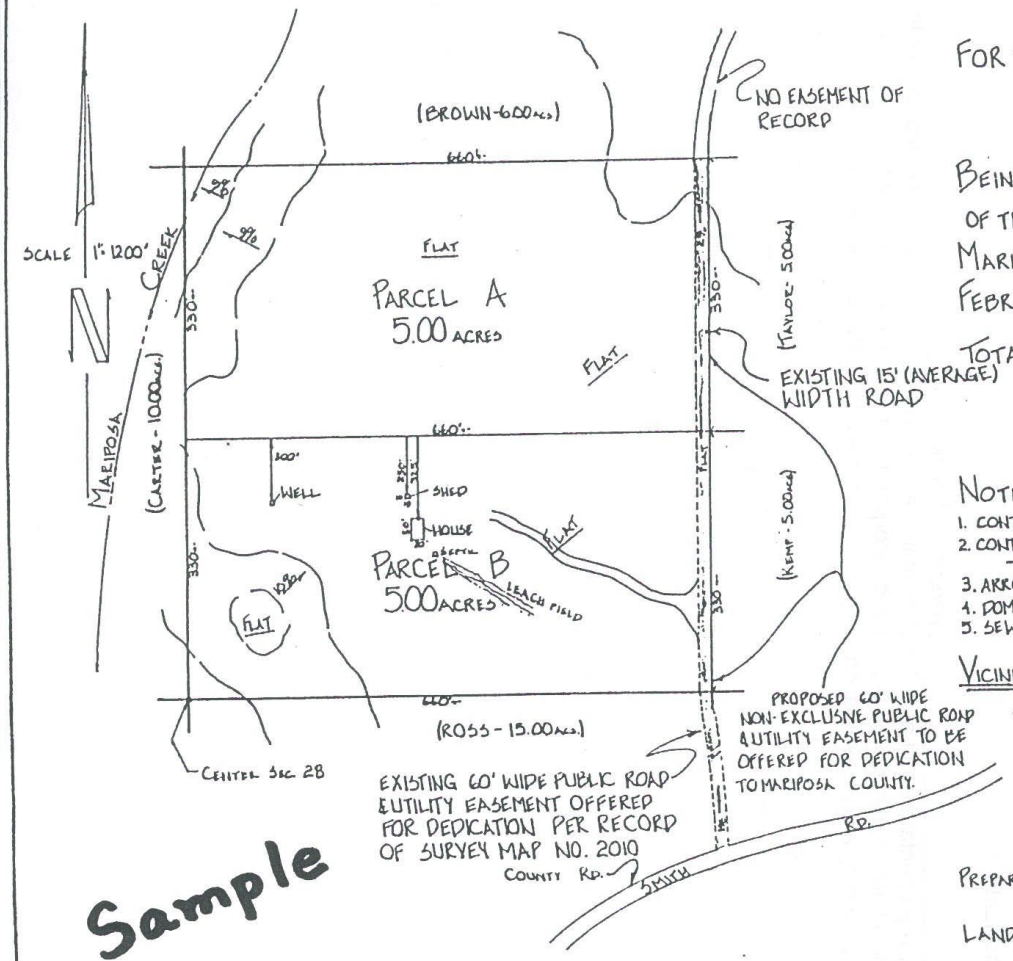
1987 MARIPOSA RD.
MARIPOSA CA. 95338
TELE: (209) 966-5151

BEING THE DIVISION OF THE SW1/4 OF THE SW 1/4 OF THE NE 1/4 OF SECTION 26, T5S., R19E., M.D.B.&M

MARIPOSA COUNTY CALIFORNIA

FEBRUARY 1987 SCALE: 1"=80'

TOTAL SUBDIVIDED AREA..... 10 ACRES
PARCEL A..... 5 ACRES
PARCEL B..... 5 ACRES

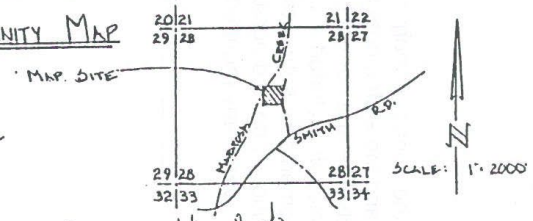


Sample

NOTES:

1. CONTOURS ARE FOR PICTORIAL PURPOSES ONLY.
2. CONTOURS BASED UPON U.S.G.S. QUAD MAP./CONTOUR INTERVAL - STUMPFIELD MTN. 7½ MIN. - 50'
3. ARROWED LINES INDICATE DIRECTION AND APPROXIMATE % OF SLOPE.
4. DOMESTIC WATER SUPPLY: INDIVIDUAL DRILLED WELLS.
5. SEWAGE DISPOSAL: INDIVIDUAL SEPTIC TANK SYSTEMS.

VICINITY MAP



PREPARED BY: John Smith
JOHN SMITH L.S. 0000

STAMP L.S.

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