

PLANNING COMMISSION
COARSEGOLD COMMUNITY CENTER
35600 HIGHWAY 41
COARSEGOLD CALIFORNIA
DECEMBER 5, 2006 MEETING

The meeting was called to order at 6:05 p.m. by Chairman Holley.

ROLL CALL:	<u>PRESENT</u>	<u>ABSENT</u>
Commissioners:	Donald Holley Jerol Holiday Tom Kellner	Tony Ward Rick Cosyns
Staff:	Ray Beach, Planning Pam Smart, Planning Becky Beavers, Planning Robert Mansfield, Planning Philip Toler, Planning Jerome Keene, Planning Matt Treber, Planning Doug Nelson, County Counsel Don Ctibor, Engineering Phil Hudecek, Environmental Health Rodger Maggio, Fire Holiday Cordua, Road	

(This meeting was recorded. Display maps depicting the location of each project were provided for review by the Commission and audience. All correspondence relating to these matters was submitted to the Commission at the beginning of the meeting.)

Chairman Holley announced that only 3 of the 5 Commissioners would be present for this hearing and if anyone who had a project to be heard wished to have all five Commissioners present, they could request their project be rescheduled to another date.

CONSENT ITEMS

Ray Beach, Planning Director, announced that Item #6, had been pulled and continued to a future date.

Mr. Beach stated that the Fire Department had asked to present information regarding fire service prior to the hearing of Item #1, Melrose and Lombardo.

REQUEST FOR COMMENTS FROM THE AUDIENCE

Chairman Holley inquired if anyone in the audience wished to speak on a matter that was not on the agenda.

Marjorie Jackson, area resident and a member of the Coarsegold Historical Society, read a letter that was received by the Historical Society, written by a gentlemen now living in Wisconsin who had visited the Coarsegold area with his family to view the remains of his ancestors. The letter stated his concern for preservation of burial sites when construction is being done nearby.

1. MELROSE AND LOMBARDO – PARCEL MAP (PM #4079) - OAKHURST

Melrose and Lombardo are requesting Parcel Map #4079, which would divide a 23.30 acre property into four parcels (5.00 acres, 5.00 acres, 5.50 acres, and 7.80 acres). The property is located on the north side of Road 620 approximately 0.5 mile east of its intersection with Old Yosemite Road (no address available), Oakhurst. The zone is AR-5 (Agricultural, Rural-5 Acre) District. A Mitigated Negative Declaration (ND #2006-43) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 61.05 acres. APN: 057-230-005.

Rodger Madgio, County Fire Marshall, stated that after discussion with, and direction from the Board of Supervisors regarding Road 620, and including the issues of fire sprinklers, water supply access and response times, the Fire Department has added conditions to mitigate the proposed project. Mr. Madgio stated that they have met with the applicant, and he is agreeable to the conditions. Mr. Madgio stated that the four additional conditions are: 1) water service shall be in place prior to construction. 2) Fire mitigation (water storage tanks operational) shall be in place prior to commencement of any new construction. 3) New construction shall incorporate the installation of fire sprinklers as directed by the Madera County Fire Marshal. 4) Prior to recordation of the parcel map, a road maintenance district shall be established for the subject property.

Ray Beach, Planning Director, presented the information on this item and recommended approval. Mr. Beach noted that the Board of Supervisors had given direction to staff for the creation of a maintenance district for road improvements by the applicant.

Ken Melrose, applicant, addressed the Commission and stated agreement to all of the conditions.

Sandy Brinley, neighbor, spoke in favor of the proposed project and gave the history of Road 620. Ms. Brinley stated concerns for the maintenance of Road 620.

James Pedroza, neighbor, spoke in favor of the proposal project. Mr. Pedro stated that he had a recorded easement running thru property which he does not want to lose if the project is approved, and asked that the Commission take this into consideration when making their decision.

Doug Nelson, County Counsel, advised that an easement would not be interrupted by a parcel map.

Shirley Pedroza, neighbor, distributed copies of a recorded Individual Grant Deed for their property and also stated concern for maintaining an easement on their property.

No one spoke in opposition.

The hearing was closed.

Commissioner Holiday stated his support of the project.

Commissioner Kellner inquired on the concerns expressed by Mr. And Mrs. Pedroza. Mr. Nelson, County Counsel, advised that previous any rights would still exist, and that this would be a civil matter, not a concern to be addressed by the Commission. Mr. Nelson stated that creation of this parcel would not change access rights of the other parcel.

Minute Order #5224 On motion by Commissioner Holiday, second by Commissioner Kellner it was ordered to approve the application of Melrose and Lombardo for Parcel Map #4079, which would divide a 23.30 acre property into four parcels (5.00 acres, 5.00 acres, 5.50 acres, and 7.80 acres), and ND #2006-43, with conditions, including the additional conditions added by the Fire Department. The motion carried with a vote of 3-0 in favor.

Environmental Committee

1. Should the instance arise where any cultural resource is discovered during construction, all activities shall stop until the site can be inspected by an archaeologist and all impacts shall be mitigated to preserve the site's integrity. (MND)
2. All grading required for the project will be subject to the approval of a grading, drainage, and erosion control plan in conjunction with a grading permit as determined by the County Engineering Department. An encroachment permit must be issued for the approach to each parcel and construction of the approach will be required to the standards set by the Road Department. (MND)
3. Land division will result in addition of new impervious surfaces in the form of access roads, driveways, and new residential construction. The changes to surface run-off which would be generated by the project would not be significant. However, future grading will be subject to the issuance of grading permits to ensure that potential impacts are minimized. (MND)
4. Each parcel proposed by this land division shall demonstrate that adequate water is available to support the level of residential development which is allowed under the zoning for the parcel. (MND)

Assessor's Office

1. All improvements must be shown.
2. An AO93 form (relating to cost/value of parcel map improvements) must be filed.

Engineering Department

1. Prepare and file a parcel map, following the requirements of the Subdivision Map Act and the Parcel Map Ordinance of Madera County. Said map is to be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying within California.
2. At the time of making the survey for the final map, the engineer or surveyor shall set durable monuments, to conform with the standards described in Section 8771 of the Business and Professions Code, at all angle points along the exterior boundary of the original parcel, along the division lines, and along the limiting lines of highways, roads, or streets.
3. Section and quarter-section corner monuments set or re-set shall conform to the specifications given in Chapter IV of the Bureau of Land Management's Manual of Surveying Instruction, 1973. Provide ties for section and quarter-section corners not on file with this office.
4. Submit a computer disk or a coordinate sheet printout listing all boundary points and closure information for the original parcel and all parcels created by this map. If the map is produced using a CAD program, a disk containing the .dwg or .dxf file is acceptable.

5. In accordance with Section 66445 of the 2000 Subdivision Map Act, "no additional survey and map requirements shall be included on a parcel map which do not affect record title interests". Additional information required by County ordinances shall be shown on an additional map sheet, a notation, or a recorded document (Subdivision Map Act, Section 66434.2).
6. To expedite the review process of the final parcel map, copies of all referenced materials will be required at the first submittal of the final map.
7. The identified parcel is shown on the Flood Insurance Rate Maps (FIRM) as being in Zone "X", areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.
8. Delineate all existing improvements such as water system, sewer system, drainage system, and structures. (MND)
9. Delineate any common use, such as water, sewer, and driveways. (MND)

Environmental Health Department

1. Water supply information acceptable to a certified hydrogeologist is required. If adequate existing water supply information is not available, well drilling and testing may be required on parcels specified by the Environmental Health Department. (MND)
2. Water quality shall be demonstrated by the submission of an analysis of water quality for State primary and secondary drinking water standards. At a minimum, the test is to include DBCP, nitrate, iron, manganese, total dissolved solids, arsenic, coliform bacteria, fluoride, gross alpha, EC (SEC), and pH. (MND)
3. The applicant shall indicate the source of water supply to each parcel: community, shared, or individual water wells.

Fire Department

1. All created parcels shall have written certification on the final map that driveways can be constructed in compliance with Ordinance 542 (Fire-Safe Requirements), less than 16% grade. (MND)
2. Driveway access for each parcel is to be shown on the final map. (MND)
3. All roads created by this map are to be named prior to final map with signs at each intersection in accordance with Madera County road standards.
4. All roads shall be offered for dedication meeting Madera County road standards.
5. All roads shall be in a County road maintenance district.
6. Water service shall be in place prior to construction.
7. Fire mitigation (water storage tanks operational) shall be in place prior to commencement of any new construction.
8. New construction shall incorporate the installation of fire sprinklers as directed by the Madera County Fire Marshal.

9. Prior to recordation of the parcel map, a road maintenance district shall be established for the subject property.

Road Department

1. Prior to the recordation of the final map, the applicant will indicate by proper nomenclature that access is waived onto Road 620. This will also be indicated on the map by proper nomenclature and be included in the legend. (MND)
2. Prior to the recordation of the final map, the applicant will offer for dedication the proposed road. It will be 60 feet wide and will end with a cul-de-sac turnaround at its terminus. It will be designed in such a way as to intersect with Road 620 at as closely as possible a ninety-degree angle. This road will be no longer than that allowed by County standards. This will be used for road purposes. (MND)
3. All roads will be designed to meet CALTRANS or AASHTO standards. (MND)
4. The applicant may be responsible to pay for mitigation toward off-site improvements to Road 620.
5. Except as provided by Madera County Code §17.72.186, no parcel map shall be recorded unless all improvements required pursuant to Chapter 17.72 are completed and accepted, unless bonded pursuant to §17.72.186. This will include any items required by current County codes and standards that are omitted by this review. (MND)
6. Prior to recordation of the final map, the developer must either construct or post security to construct at a later date all road-related improvements. The proposed road will be constructed to a Class III standard or better from the edge of existing pavement at the intersection of Road 620 to its end where it will end with a cul-de-sac turnaround. Where road construction is proposed within an existing public right-of-way, the developer will apply for Encroachment and Construction Permits at the Road Department. Prior to any construction, these permits must be approved by the Road Department. The application materials for these permits will include a plan and profile for all proposed road structure or related improvements drawn to a scale approved by the Road Department, copies of R-value tests, calculations of storm drainage facilities, calculations of cut and fill, and an engineer's cost estimate. These plans will include existing and proposed property lines; topographical contours at intervals approved by the Road Department; existing fences, buildings, and any infrastructure; existing tree drip lines and the identification of the types of trees; a vicinity map; typical cross sections and construction details; proposed improvements; and any other information deemed appropriate by the Road Department. NOTE: Compliance with the standards of the San Joaquin Valley Air Pollution Control District is required. (MND)
7. Prior to any construction, the plans, profiles, and specifications of all road improvements will be filed with the Planning Department prior to the time of submitting the final map and shall be approved by the County Road Commissioner. These shall include full details of the proposed improvements. (MND)
8. The design and construction of all roads and road appurtenances will be the responsibility of the developer, who will employ a California registered civil engineer and/or a California registered land surveyor to do all survey work and a California registered civil engineer to do all road and road appurtenance design, construction supervision, and inspection. (MND)

9. Upon completion of all construction, documentation of all road and road appurtenance construction will include a written statement, signed and stamped by a California registered civil engineer, attesting to the fact that the road and all road appurtenances were designed and constructed in accordance with County Code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the California registered civil engineer or a California licensed land surveyor, are to be provided. (MND)
10. All construction documentation must be submitted for review and approved by the Road Department prior to the recordation of the final map except when a bond or other acceptable form of security is offered. When the Board of Supervisors accepts such security in order to defer construction, construction documentation will be submitted for review and approval to the Road Department 30 days following construction completion. (MND)
11. Prior to the recordation of the final map, the applicant will provide for review a copy of the maintenance mechanism for the proposed road and pay the appropriate recording fee.
12. Prior to the recordation of the final map, the applicant will pay for the fabrication and installation of all appropriate signage.

Planning Department

1. The final map will require the notarized signature(s) of the property owners(s).
2. The final map will require the completion of the applicant's certificate.
3. Place an Applicant Notary Public's certificate on the final parcel map.
4. Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72.
5. Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication.
6. Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.
7. Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera.
8. Identify this proposal as Parcel Map #4079.

9. The final parcel map shall indicate that this proposal is a redivision of Parcel #1 of Parcel Map #2457.
10. All parcels being created must maintain a minimum size of 4.5 acres net as specified by the Zoning Ordinance 525.
11. The final parcel map shall indicate gross and net acreages for all parcels being created.
12. The final map shall utilize a written and graphic scale of 1 inch = 200 feet, unless written authorization is received from the Planning Department to deviate therefrom.
13. The final map shall indicate all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a not so stating.
14. The final map shall indicate type of structures together with their dimensions.
15. Under the provisions of County Code Section 17.72.187, prior to final map recordation the applicant or his authorized agent will provide the Planning Director with "Will Serve" letters from the appropriate water, wastewater, power, and telephone companies.
16. The final map shall indicate the proposed division lines by means of short dashed lines.
17. The following note is to be added to the final map:

"NOTE: The applicant and/or successors in interest shall be responsible for annual maintenance of all fire-safe features as required and administered by the California Department of Forestry and Fire Protection under the provisions of Public Resources Code Section 4290."
18. The final map shall indicate the entire road right-of-way width of Road 620. (All applicable road names shall be included on the map.)
19. The final map shall indicate the entire road right-of-way being offered for dedication in conjunction with this proposal.
20. The final parcel map shall indicate a driveway location for each parcel being created. The driveway shall be a minimum of ten(10) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval.
21. Place the appropriate grant deed certificate(s) on that portion of road right-of-way which was grant deeded to the County of Madera prior to submission of this proposal. Said certificate shall read as follows, as appropriate:
 - a. For grant deeds recorded prior to January 1, 1990: " ? ' – wide road right-of-way previously grant deeded to the County of Madera in Book ? at page ?, Madera County Official Records."

and/or

- b. For grant deeds recorded on or after January 1, 1990: '?' – wide road right-of-way previously grant deeded to the County of Madera as Instrument # ? - ?, Madera County Official Records.”
22. Place an offer of dedication certificate on that portion of road right-of-way which is being offered for dedication to the County of Madera in conjunction with this proposal. Said certificate shall read as follows: “___’ - wide road right-of-way offered for dedication to the County of Madera as Instrument # ___-___, Madera County Official Records.”
23. The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).
24. The final map shall require the signature and seal of the County Engineer/Surveyor.
25. The final map shall require letters of approval from the Fire, Assessor, Road, and Environmental Health Departments.
26. Payment of all payable liens (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review by the County Counsel’s Office.
27. A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation.
28. A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate \$10.00 recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice.
29. Since a Negative Declaration has been authorized for this project under the provisions of Section 711.4[c] of the Fish and Game Code, an “Environmental Document Application/Filing Fee” of one thousand two hundred fifty dollars (\$1,250.00) is required in conjunction with the processing of this project and the filing of the required Notice of Determination. In addition, a twenty-five dollar (\$25.00) “County Administrative Fee” must be included. A single check in the amount of in the amount of one thousand two hundred seventy-five dollars (\$1,275.00) made payable to the County of Madera is required. (The fee is to be submitted to the Planning Department.) State law (Section 21089[b] of the Public Resources Code) provides that project approval is not operative or final until these Fish and Game fees are paid. The fee shall be submitted simultaneously with the final map to allow the posting of the Notice of Determination, thereby avoiding any delay in the processing of the map.
30. The applicant shall apply to the Planning Department for a road name and pay for all required signs. Road names shall be approved and payment shall be received prior to final map approval.
31. All appeals and/or variances must be filed, with fees, within 15 days of the date of this letter.

32. This proposal must complete processing within two (2) years of lead agency tentative approval; that is, on or before December 5, 2008.
33. This parcel map shall comply with the provisions of Public Resources Code Section 4290 (Fire-Safe Guidelines). All work performed to meet the requirements of Section 4290 is subject to inspection and approval.
34. The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.
35. Corrective Comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.
36. State law (Section 711.4[c] of the Fish and Game Code) now requires a Department of Fish and Game fee (\$1,275.00). The fee shall be submitted simultaneously with the final map. This will allow the posting of the required Notice of Determination, thereby avoiding any delay in final map approval and recordation. State law specifies that map approval is not operative or final until these Fish and Game fees are paid.
37. Water supply information acceptable to a certified hydro-geologist is required for all land divisions with parcel sizes three acres or larger. If adequate existing water supply information is not available, well drilling and testing may be required on parcels specified by the Environmental Health Department.

California Regional Water Quality Control Board

1. The applicant shall submit to the County (with a copy each to the California Department of Health Services and the Regional Water Quality Control Board) an analysis of the water quality from the onsite well for State primary, secondary, and radionucleotide drinking water standards or, at a minimum, for total dissolved solids, nitrate, iron, manganese, and radionucleotides. (MND)

California Department of Fish and Game
 No comments received.

DATE: DECEMBER 5, 2006; REF: PM #4079 ; APN: 057-230-005

2. JAMES & SANDRA WILLIAMSON – VARIANCE (VA #2006-010) – BASS LAKE

James & Sandra Williamson are requesting a variance (VA #2006-010) to allow a detached garage with a 24 foot height, where a 15 foot height is required by ordinance. A setback variance (ZV #2006-022) will also be considered to allow a 5 foot front setback (right-of-way edge) where a 34 foot front setback (road right-of-way) is required by ordinance (increased setback required for height above 15 feet). The property is located at the end of Fawn Point Lane, approximately 0.25 mile northeast of its intersection with Road 274 (38906 Fawn Point Lane), Bass Lake. The property is zoned RMS (Residential, Mountain, Single Family) District. Size: 10.11 acres. APN: 059-210-005.

Scott Harmstead, Planner I, presented the information on this item and recommended denial.

Ray Beach, Planning Director, stated that many of the setbacks in the Bass Lake area are of great concern with developments being too close to the road, and that California Division of Forestry and the Fire Marshall have also expressed concerns for fire safety in Bass Lake and may not be able to respond should a major fire occur.

It was noted that the applicants were not present for the hearing.

Boyce Bates, representing the applicants, addressed the Commission and stated that the property is located at the end of a cul-de-sac, and he supported the request for the setback to allow for the detached garage. Mr. Bates spoke in opposition to relocating the proposed garage to a different location on the site.

No one spoke in favor or opposition.

The hearing was closed.

Commissioner Kellner stated he was opposed to the proposal project due to concerns for fire safety issues in this area.

Commissioner Holiday concurred with Commissioner Kellner.

Minute Order #5225 On motion by Commissioner Kellner, second by Commissioner Holiday, it was ordered to deny the application of James & Sandra Williamson for a variance (VA #2006-010) to allow a detached garage with a 24 foot height, where a 15 foot height is required by ordinance. The motion carried with a vote of 3-0 in favor.

DATE: DECEMBER 5, 2006; REF: VA #2006-010; APN: 059-210-005

3. BYRON A. & MARY JOYCE BATCHELLER – PARCEL MAP (PM #4087) - COARSEGOLD

Byron A. and Mary Joyce Batcheller are requesting Parcel Map #4087 which would divide an 81.63 acre property into three parcels (28.03 acres, 26.29 acres, and 27.30 acres). The property is located on the west side of Road 400, approximately 0.3 mile south of its intersection with Freshmeadow Lane (32298 road 400), Coarsegold. The zone is ARF (Agricultural, Rural, Foothills) District. A draft Mitigated Negative Declaration (ND #2006-66) has been prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA). Size: 82.62 acres. APN: 054-281-042.

Becky Beavers, Supervising Planner, presented the information on this item and recommended approval with conditions.

Larry Jensen, surveyor and representing the applicants, stated agreement to the staff report.

Jerry Roche, neighbor, stated concern for water and density impacts.

No one spoke in favor or opposition.

On rebuttal, Mr. Jensen that there was would not be any additional wells drilled. Mr. Jensen also stated that the proposed project would have a Class II paved road with a cul-de-sac at the end.

The hearing was closed.

Minute Order #5226 On motion by Commissioner Kellner, second by Commissioner Holiday, it was ordered to approve the application of Byron A. and Mary Joyce Batcheller for Parcel Map #4087 which would divide an 81.63 acre property into three parcels (28.03 acres, 26.29 acres, and 27.30 acres), and ND #2006-66. The motion carried with a vote of 3-0 in favor.

Environmental Committee

1. Should the instance arise where any cultural resource is discovered during construction, all activities shall stop until the site can be inspected by an archaeologist and all impacts shall be mitigated to preserve the site's integrity. (MND)
2. All grading required for the project will be subject to the approval of a grading, drainage, and erosion control plan in conjunction with a grading permit as determined by the County Engineering Department. An encroachment permit must be issued for the approach to each parcel and construction of the approach will be required to the standards set by the Road Department. (MND)
3. Land division will result in addition of new impervious surfaces in the form of access roads, driveways, and new residential construction. The changes to surface run-off which would be generated by the project would not be significant. However, future grading will be subject to the issuance of grading permits to ensure that potential impacts are minimized. (MND)
4. Each parcel proposed by this land division shall demonstrate that adequate water is available to support the level of residential development which is allowed under the zoning for the parcel. (MND)

Assessor's Office

1. All improvements must be shown.
2. An AO93 form (relating to cost/value of parcel map improvements) must be filed.

Engineering Department

1. Prepare and file a parcel map, following the requirements of the Subdivision Map Act and the Parcel Map Ordinance of Madera County. Said map is to be prepared by a licensed land surveyor or a registered civil engineer licensed to practice land surveying within California.
2. At the time of making the survey for the final map, the engineer or surveyor shall set durable monuments, to conform with the standards described in Section 8771 of the Business and Professions Code, at all angle points along the exterior boundary of the original parcel, along the division lines, and along the limiting lines of highways, roads, or streets.
3. Section and quarter-section corner monuments set or re-set shall conform to the specifications given in Chapter IV of the Bureau of Land Management's Manual of Surveying Instruction, 1973. Provide ties for section and quarter-section corners not on file with this office.
4. Submit a computer disk or a coordinate sheet printout listing all boundary points and closure information for the original parcel and all parcels created by this map. If the map is produced using a CAD program, a disk containing the .dwg or .dxf file is acceptable.
5. In accordance with Section 66445 of the 2000 Subdivision Map Act, "no additional survey and map requirements shall be included on a parcel map which do not affect record title interests". Additional information required by County ordinances shall be shown on an additional map sheet, a notation, or a recorded document (Subdivision Map Act, Section 66434.2).

6. To expedite the review process of the final parcel map, copies of all referenced materials will be required at the first submittal of the final map.
7. The identified parcel is shown on the Flood Insurance Rate Maps (FIRM) as being in Zone "A", an area where no base flood elevations have been determined. Base flood elevation shall be determined before any construction permits will be issued.
8. Delineate all existing improvements such as water system, sewer system, drainage system, and structures. (MND)
9. Delineate any common use, such as water, sewer, and driveways. (MND)

Environmental Health Department

1. Water supply information acceptable to a certified hydrogeologist is required. If adequate existing water supply information is not available, well drilling and testing may be required on parcels specified by the Environmental Health Department. (MND)
2. Water quality shall be demonstrated by the submission of an analysis of water quality for State primary and secondary drinking water standards. At a minimum, the test is to include DBCP, nitrate, iron, manganese, total dissolved solids, arsenic, coliform bacteria, fluoride, gross alpha, EC (SEC), and pH. (MND)
3. The applicant shall indicate the source of water supply to each parcel: Community, shared, or individual well.

Fire Department

1. All created parcels shall have written certification on the final map that driveways can be constructed in compliance with Ordinance 542 (Fire-Safe Requirements), less than 16% grade. (MND)
2. Driveway access for each parcel is to be shown on the final map. (MND)
3. All roads created by this map are to be named prior to final map with signs at each intersection in accordance with Madera County road standards.
4. This property is an ISO 10, not meeting minimum ISO County Standards. To mitigate the lack of fire protection needed, residential fire sprinklers are required to be installed in all dwellings.

Road Department

1. Prior to the recordation of the final map, the applicant will offer for dedication the proposed road. It will end with an approved cul-de-sac. It must be designed to meet current standards and have a radius of 50 feet. This design shall be done by a California Registered Civil Engineer and submitted to the Road Department for review. (MND)
2. Prior to recordation, the applicant will remove the building and any other appurtenances within the proposed right-of-way.
3. The existing road will be in conformance with AASHTO standards as outlined in the Guidelines for Geometric Design of Very Low-Volume Local Roads (ADT <400 TPD), 2001. This is the responsibility of the applicant's California Registered Civil Engineer. All calculations will be submitted for review prior to

acceptance. After being accepted by the Road Department, the applicant is responsible for these improvements. (MND)

4. Except as provided by Madera County Code §17.72.186, no parcel map shall be recorded unless all improvements required pursuant to Chapter 17.72 are completed and accepted, unless bonded pursuant to §17.72.186. This will include any items required by current County codes and standards that are omitted by this review. (MND)
5. Prior to recordation of the final map, the developer must either construct or post security to construct at a later date all road-related improvements. The proposed road will be constructed to a Class II standard or better from the edge of existing pavement on Road 400 where it will end with an approved turnaround. Where road construction is proposed within an existing public right-of-way, the developer will apply for Encroachment and Construction Permits at the Road Department. Prior to any construction, these permits must be approved by the Road Department. The application materials for these permits will include a plan and profile for all proposed road structure or related improvements drawn to a scale approved by the Road Department, copies of R-value tests, calculations of storm drainage facilities, calculations of cut and fill, and an engineer's cost estimate. These plans will include existing and proposed property lines; topographical contours at intervals approved by the Road Department; existing fences, buildings, and any infrastructure; existing tree drip lines and the identification of the types of trees; a vicinity map; typical cross sections and construction details; proposed improvements; and any other information deemed appropriate by the Road Department. NOTE: Compliance with the standards of the San Joaquin Valley Air Pollution Control District is required. (MND)
6. Prior to any construction, the plans, profiles, and specifications of all road improvements will be filed with the Planning Department prior to the time of submitting the final map and shall be approved by the County Road Commissioner. These shall include full details of the proposed improvements. (MND)
7. The design and construction of all roads and road appurtenances will be the responsibility of the developer, who will employ a California registered civil engineer and/or a California registered land surveyor to do all survey work and a California registered civil engineer to do all road and road appurtenance design, construction supervision, and inspection. (MND)
8. Upon completion of all construction, documentation of all road and road appurtenance construction will include a written statement, signed and stamped by a California registered civil engineer, attesting to the fact that the road and all road appurtenances were designed and constructed in accordance with County Code and adopted standards. Copies of compaction tests and inspection logs and reproducible as-built plans, signed and stamped by the California registered civil engineer or a California licensed land surveyor, are to be provided. (MND)
9. All construction documentation must be submitted for review and approved by the Road Department prior to the recordation of the final map except when a bond or other acceptable form of security is offered. When the Board of Supervisors accepts such security in order to defer construction, construction documentation will be submitted for review and approval to the Road Department 30 days following construction completion. (MND)

10. Prior to the recordation of the final map, the applicant will provide for review a copy of the maintenance mechanism for the roadway to be created. This will either be a County maintenance district or service area. The applicant will provide the Road Department with a letter summarizing the request and stating the total area (acreage) involved in the proposed district, applicable non-refundable County application fee and California State Board of Equalization filing fees based on district acreage involved, and a written geographic description of the proposed district.
11. Prior to the recordation of the final map, the applicant will pay for the fabrication and installation of all appropriate signage.

Planning Department

1. The final map will require the notarized signature(s) of the property owners(s).
2. Place an Applicant Notary Public's certificate on the final parcel map.
3. Place all other required certificates on the final parcel map as per Madera County Code Chapter 17.72.
4. Pursuant to the California Government Code (Subdivision Map Act), the signature(s) of the beneficiary(ies) and/or trustee(s) under deed(s) of trust, if any, must be provided on the map and on any necessary documents required by the map process, such as offers of dedication.
5. Pursuant to the California Government Code (Subdivision Map Act), public utilities or public entities whose easements are affected by this map have thirty (30) days to determine if the map will unreasonably interfere with the free and complete exercise of the easements. A copy of the map and the easement(s) must be sent by certified mail to the affected public utility or entity by your project surveyor/engineer. Either a copy of the surveyor/engineer's notice to the utility/entity with a copy of the dated certified return receipt or a letter of consent to the recording of the map from the utility/entity must be provided to the Planning Department prior to final map approval.
6. Supply the Planning Department with a land division guarantee (current within 30 days) covering the entire parcel proposed for division, as well as any portion of road right-of-way being offered for dedication to the County of Madera.
7. Identify this proposal as Parcel Map #4087.
8. The final parcel map shall indicate that this proposal is a redivision of Parcel #1 of Parcel Map #3247.
9. All parcels being created must maintain a minimum size of 2 ½ acre gross and 2 ½ acres net as specified by the Zoning Ordinance 525.
10. The final parcel map shall indicate gross and net acreages for all parcels being created.
11. The final parcel map will require improvements to the vicinity map.

12. The final map shall utilize a written and graphic scale of 1 inch = 100 feet, unless written authorization is received from the Planning Department to deviate therefrom.
13. The final map shall indicate all structures which exist on the property with setback distances to the nearest two property lines. If there are no structures, add a not so stating.
14. The final map shall indicate type of structures together with their dimensions.
15. Under the provisions of County Code Section 17.72.187, prior to final map recordation the applicant or his authorized agent will provide the Planning Director with "Will Serve" letters from the appropriate water, wastewater, power, and telephone companies.
16. The final map shall indicate the proposed division lines by means of short dashed lines.
17. The following note is to be added to the final map:

"NOTE: The applicant and/or successors in interest shall be responsible for annual maintenance of all fire-safe features as required and administered by the California Department of Forestry and Fire Protection under the provisions of Public Resources Code Section 4290."
18. The final map shall indicate the entire road right-of-way width of Road 400. (All applicable road names shall be included on the map.)
19. The final map shall indicate the entire road right-of-way being offered for dedication in conjunction with this proposal.
20. The final parcel map shall indicate a driveway location for each parcel being created. The driveway shall be a minimum of ten(10) feet in width and must be located within the road frontage of the parcel it serves. Each location is subject to inspection and approval.
21. Place the appropriate grant deed certificate(s) on that portion of road right-of-way which was grant deeded to the County of Madera prior to submission of this proposal. Said certificate shall read as follows, as appropriate:
 - a. For grant deeds recorded prior to January 1, 1990: " ? ' – wide road right-of-way previously grant deeded to the County of Madera in Book ? at page ?, Madera County Official Records."
 - and/or
 - b. For grant deeds recorded on or after January 1, 1990: '? – wide road right-of-way previously grant deeded to the County of Madera as Instrument # ? - ?, Madera County Official Records."
22. Place an offer of dedication certificate on that portion of road right-of-way which is being offered for dedication to the County of Madera in conjunction with this proposal. Said certificate shall read as follows: "____' - wide road right-of-way offered for dedication to the County of Madera as Instrument #____ - ____, Madera County Official Records."

23. The final map will require the completion of all data (i.e., record data, notes, original acreage, references, previous grant deeds and/or offers of dedication, etc.).
24. The final map shall require the signature and seal of the County Engineer/Surveyor.
25. The final map shall require letters of approval from the Fire, Assessor, Road, and Environmental Health Departments.
26. Payment of all payable liens (estimated taxes, pending supplemental taxes, supplemental taxes, current taxes, delinquent taxes, and/or penalties, etc.), if any, must be made to the County of Madera prior to review by the County Counsel's Office.
27. A recording fee, based upon the number of final map pages, shall be supplied to the Planning Department and made payable to the County of Madera for use in final map recordation.
28. A Notice of Right-to-Farm shall be recorded simultaneously with the approved final parcel map in compliance with Madera County Code Section 6.28.060. A separate \$10.00 recording fee shall be supplied to the Planning Department by check made payable to the County of Madera for use in recording the required notice.
29. Since a Negative Declaration has been authorized for this project under the provisions of Section 711.4[c] of the Fish and Game Code, an "Environmental Document Application/Filing Fee" of one thousand two hundred fifty dollars (\$1,250.00) is required in conjunction with the processing of this project and the filing of the required Notice of Determination. In addition, a twenty-five dollar (\$25.00) "County Administrative Fee" must be included. A single check in the amount of one thousand two hundred seventy-five dollars (\$1,275.00) made payable to the County of Madera is required. (The fee is to be submitted to the Planning Department.) State law (Section 21089[b] of the Public Resources Code) provides that project approval is not operative or final until these Fish and Game fees are paid. The fee shall be submitted simultaneously with the final map to allow the posting of the Notice of Determination, thereby avoiding any delay in the processing of the map.
30. The applicant shall apply to the Planning Department for a road name and pay for all required signs. Road names shall be approved and payment shall be received prior to final map approval.
31. Each addressable structure shall have its address posted on it. If the posted address is not visible from the roadway to which the address is issued, the address shall also be posted at the intersection of that roadway and the driveway serving the structure. Multiple addresses shall be posted on the same post.
32. All appeals and/or variances must be filed, with fees, within 15 days of the date of this letter.
33. This proposal must complete processing within two (2) years of lead agency tentative approval; that is, on or before December 5, 2008.

34. This parcel map shall comply with the provisions of Public Resources Code Section 4290 (Fire-Safe Guidelines). All work performed to meet the requirements of Section 4290 is subject to inspection and approval.
35. The final map shall be processed in accordance with Title 7 of the California Government Code and Title 17 of the Madera County Code.
36. Corrective Comments pertinent to the final map may be stipulated upon review of the final map for compliance with the aforementioned conditions.
37. State law (Section 711.4[c] of the Fish and Game Code) now requires a Department of Fish and Game fee (\$1,275.00). The fee shall be submitted simultaneously with the final map. This will allow the posting of the required Notice of Determination, thereby avoiding any delay in final map approval and recordation. State law specifies that map approval is not operative or final until these Fish and Game fees are paid.
38. Water supply information acceptable to a certified hydro-geologist is required for all land divisions with parcel sizes three acres or larger. If adequate existing water supply information is not available, well drilling and testing may be required on parcels specified by the Environmental Health Department.

California Regional Water Quality Control Board

1. The applicant shall submit to the County (with a copy each to the California Department of Health Services and the Regional Water Quality Control Board) an analysis of the water quality from the onsite well for State primary, secondary, and radionucleotide drinking water standards or, at a minimum, for total dissolved solids, nitrate, iron, manganese, and radionucleotides. (MND)

California Department of Fish and Game

1. The on-site oaks should be protected to the highest degree possible. (MND)
2. Any change in the course of the Fresno River will require a Streambed Alteration Permit.

DATE: DECEMBER 5, 2006; REF: PM #4087; APN: 054-281-042

A break in the hearing was taken.

The meeting was reconvened.

4. DAVID & CHERY WOODWARD – APPEAL OF SETBACK (ZV #2006-017) - FRIANT

David and Chery Woodward are appealing the Zoning Administrator's decision to deny a setback variance (ZV#2006-017) from to recognize a 5'-0" front setback (road right-of-way edge) for a proposed single family dwelling where a 25'-0" front setback is required by ordinance. The property is owned by David and Cheryl McCarter Woodward and is located on the west side of Hidden Lake Boulevard, at its intersection with Capitan Avenue (20812 Hidden Lake Boulevard), Friant. The property is zoned RMS/MHA (Residential, Mountain, Single Family/with a Manufactured Housing Architectural Review Overlaid) District. Size: 0.8 acre. APN: 051-091-005.

Jerome Keene, Planning Technician, presented the information on this item and recommended denial.

Don Ctibor, Engineering Department, discussed the results of the compaction tests, and stated concern for issues regarding the retainer wall. Mr. Ctibor also stated that these concerns would be addressed during the building permit process.

Mr. Beach advised the Commission that it would be difficult to develop several of the parcels in this subdivision without a variance.

Commissioner Holiday inquired if existing issues would be addressed at the time of the building permit. Mr. Beach replied yes.

Chery Woodward, applicant, addressed the Commission and stated that they were working on having a geotechnical report done.

No one spoke in favor or opposition.

The hearing was closed.

Chairman Holley stated he would support the project with conditions.

Minute Order #5227 On motion by Commissioner Holiday, second by Commissioner Kellner it was order to approve the application of David and Chery Woodward for appeal of the Zoning Administrator's decision to deny a setback variance (ZV#2006-017) from to recognize a 5'-0" front setback (road right-of-way edge) for a proposed single family dwelling where a 25'-0" front setback is required by ordinance, with conditions. The motion carried with a vote of 3-0 in favor.

Engineering Department:

1. CBC 106.5.6 allows for alternative setback and clearance if a geotechnical engineer's report or recommendations supported by a soils report and calculations demonstrating that the proposed structure located in the proposed location will be sufficiently supported.
2. Erosion control measures will be required from the engineer responsible for the house location. These requirements may include rain gutters and drainage diversions away from slope as part of construction.

Planning Department

1. A Geotechnical and Engineering report must be obtained that clears the building site as able to sustain construction. This report must comment on drainage and pad movement issues. The report must evaluate construction of the proposed house (size as shown) with the location as proposed by the applicant.

Road Department

None

Environmental Health Department

None

DATE: DECEMBER 5, 2006; REF: ZV #2006-017-APPEAL ; APN: 051-091-005

5. JAMISON, WRIGHT, SEVERSON & HUTCHESON - GENERAL PLAN AMENDMENTS (GP #2006-010, #2006-011, #1006-012 & #2006-013) - COARSEGOLD

Jamison, Wright, Severson, and Hutcheson are requesting to amend the Madera County General Plan and the Coarsegold Area Plan pursuant to Section 65358 of the Government Code. The area to be considered consists of 100 acres at different

locations. GP 2006-010 (Hutcheson) would amend the General Plan from RER (Rural Estate Residential) Designation to RR (Rural Residential) Designation and is located on the west side of Road 416 approximately 1,000 feet north of its intersection with Oak Springs Lane, Coarsegold; GP 2006-011 (Severson) would amend the General Plan from A (Agricultural) and RER (Rural Estate Residential) Designations to RR (Rural Residential) Designation and is located on the northerly side of Road 416 approximately 0.2 mile of its intersection with Deer Park Drive, Coarsegold; GP 2006-012 (Wright) would amend the General Plan from A (Agricultural) and RER (Rural Estate Residential) Designations to RR (Rural Residential) Designation and is located on the southeast corner of the intersection of Oak Springs Lane and Oak Springs Trail, Coarsegold; and GP 2006-013 (Jamison) would amend the General Plan from A (Agricultural) and RER (Rural Estate Residential) Designations to RR (Rural Residential) Designation and is located on the northeast corner of the intersection of Oak Springs Lane and Oak Springs Trail, Coarsegold. A draft Mitigated Negative Declaration (ND #2006-57) was prepared concerning the proposed project in compliance with provisions of the California Environmental Quality Act (CEQA).

Ray Beach, Planning Director, presented the information on this item and recommended approval with conditions in the staff report and the environmental assessment.

Larry Wright, applicant, commended the staff for the work done on this project.

Tom Hutcheson, applicant, agreed with staff report.

Fay McHatton, area resident, spoke in opposition stating concerns for traffic and water impacts

Gail Severson, applicant, stated support of the staff report.

Steve Jones, surveyor, stated support for all reports.

Regg Turner, area resident, stated concern regarding who would be responsible for Road 416. Mr. Beach replied that new development would pay the costs.

Marjorie Jackson, area resident, spoke in opposition and requested that parcels not go below the 5 acre minimum.

Larry Wright, applicant, discussed the safety factor issues on Road 416.

Rich Severson, applicant, requested that the Commission make a decision on the proposal.

Paul Cleary, area resident, stated concern for water and traffic impacts, and an Environmental Impact Report.

Belinda Huber, area resident, stated concern for water and road impacts and requested that a focused Environmental Impact Report be done.

Virginia Boswell, area resident, stated concern for water and road impacts to the area.

Kim Kimpton, area resident, stated concern for traffic impacts.

Mr. Beach stated that in October 2006, at a hearing for the appeal of the requirement for an environmental impact report, the Board of Supervisors directed staff to consider the issue of community sewer, water and road mitigation for this area, remanded the item back to staff for further processing, and did not to pursue the requirement for an environmental impact report.

The hearing was closed.

On motion by Commissioner Kellner, second by Commissioner Holiday, it was ordered to approve the application of Jamison, Wright, Severson, and Hutcheson to amend the Madera County General Plan and the Coarsegold Area Plan pursuant to Section 65358 of the Government Code as presented, with strict adherence to the proposed conditions, and that any variance or exception to those conditions be returned, on an individual basis, back to the Commission and consequently to the Board of Supervisors. The motion carried with a vote of 3-0 in favor.

PCR: #2006-32
REF: GP's #2006-010, 011, 012 & 013
FILE: 054-212-008, 054-212-009,
054-213-031, 054-213-032, and
054-174-023

DATE: DECEMBER 5, 2006; REF: GP's #2006-010, #2006-011, #2006-012 & #2006-013; APN's: 054-212-008, 009, 054-213-031, 032, 054-174-023

6. DIANE ROBEY – PARCEL MAP-TIME EXTENSION (PM #3996) - OAKHURST

Diane Robey is requesting a time extension for Parcel Map #3996, which would divide a 43.70 acre property into four parcels (38.99 acres, 2.14 acres, 1.36 acres, and 2.21 acres). The property is located on Black Oak River Road approximately 0.2 mile northwest of its intersection with Victoria Lane (no address available), Oakhurst. The zone is RMS (Residential, Mountain, Single Family) District. 43.70 acres. APN: 064-150-022.

Ray Beach, Planning Director, stated this item had been pulled.

DATE: DECEMBER 5, 2006; REF: PM #3996 ; APN: 064-150-022

PLANNING COMMISSION COMMENTS:

Commissioner Kellner inquired regarding the December 7th meeting on Gateway Village. Mr. Beach replied that the draft EIR had been made available to the public, and information would be presented that evening to the Commissioners.

PLANNING DIRECTOR COMMENTS:

Mr. Beach advised the Commission on several large projects that would be forthcoming within the next several months.

Phil Hudecek, Environmental Health, noted the Commission's concern for the lack of attendance by Environmental Health. Mr. Hudecek stated that effective January 1, 2007 a permanent staff member from his department would be attending the Commission meetings.

The meeting was adjourned.

RAY BEACH, Planning Director\Secretary\prh