

Notice of Determination

To: Office of Planning and Research
P.O. Box 3044
Sacramento, CA 95812-3044

From: Mariposa County
Board of Supervisors
c/o Mariposa Planning
P.O. Box 2039
Mariposa, CA 95338
Contact: Steve Engfer
Phone: (209) 966-5151

FILED

MAY 13 2025
COURTNEY PROGNER MORROW
MARIPOSA COUNTY CLERK

To: County Clerk
County of Mariposa
P.O. Box 247
Mariposa, CA 95338

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number: SCH 2025030958

Project Title: General Plan/Area Plan Amendment Application No. 2024-100; Conditional Use Permit Application No. 2024-101; and Major Design Review Application No. 2024-102

Project Applicant: Topos Ventures, LLC

Project Location:

LOCATION: 10407 Highway 49, Coulterville, CA, 95311; Assessor Parcel Number: 002-220-001(3.49± acres). SW ¼ of Section 34, T.2S., R. 16E., MDB&M

The latitude and longitude for the project site is 37°42'57.54" N and 120°12'12.17" W within the Coulterville, California U.S. Geological Survey 7.5 minute quadrangle.

The project site is located in the Coulterville Town Planning Area as identified in the Mariposa County General Plan.

Project Description:

The project proposes the establishment of a Special Occupancy Park on the 3.49± acre parcel. GENERAL PLAN/AREA PLAN MAP AMENDMENT: The project amends the land use diagram in the Coulterville Town Planning Area Town Plan by reclassifying roughly one-third of the parcel from the Single Family 2½ acre land use classification to the Highway Service Commercial classification thereby making the entire parcel Highway Service Commercial. GENERAL PLAN/AREA PLAN TEXT AMENDMENT: The project amends Section VI(A)(1) of the Coulterville Town Planning Area Town Plan by adding Special Occupancy Parks as defined in the California Health and Safety Code as conditional uses in the Highway Service Commercial land use classification. CONDITIONAL USE PERMIT: The project included the approval of a conditional use permit to locate the Special Occupancy Park on the subject parcel. MAJOR DESIGN REVIEW: The project included approval of the project site plan for consistency with the applicable commercial design review standards contained in the Coulterville Town Planning Area Town Plan.

The project will demolish existing structures on the project site that are remnants of a former motel/campground use. The Special Occupancy Park will contain 25 Recreational Vehicle Industry Association (RVIA) and state Housing and Community Development Department RVs (park models) and appurtenant uses and structures. The Park will be permitted by the state Housing and Community Development Department.

This is to advise that the Mariposa County Board of Supervisors, as Lead Agency approved the above described project on the 6th day of May 2025 and has made the following determination regarding the above described project:

MARIPOSA COUNTY

MITIGATED NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

APPLICANT/APPLICATION: General Plan/Area Plan Amendment Application No. 2024-100/Conditional Use Permit Application No. 2024-101; and Major Design Review Application No. 2024-102. Topos Ventures LLC; applicant.

PROJECT DESCRIPTION: There are three components to the project; amendments to the Coulterville Town Planning Area Town Plan as follows;

- General Plan/Area Plan Map Amendment: In order to implement the Special Occupancy Park project, the approximately 1.18-acre portion of the project site currently classified as Single-Family Residential (SFR) 2½ acres would need to be reclassified to the Highway Service Commercial (HSC) classification, thereby making the entire site Highway Service Commercial. Reclassification of a portion of the project site will require a general plan amendment since the Coulterville Town Plan is included in Volume II of the county's General Plan; therefore, any change to that Plan is an amendment to the General Plan.
- General Plan/Area Plan Text Amendment: Special Occupancy Park uses, such as proposed by this project, are not listed as either permitted or conditionally permitted in the HSC land use classification. Except for single-family residential and accessory uses, every use in the HSC classification is a conditional use. Section VI(A)(1) – *Highway Service Commercial* in the Coulterville Town Plan lists hotels and motels as conditional uses in the HSC classification. In order to implement the project, the applicant seeks an amendment to this section of the Town Plan to add Special Occupancy Park uses as conditional in the HSC classification. Should the text amendment be approved, Special Occupancy Parks would be conditional uses within the 30.40-acre area in Coulterville currently classified HSC. The 1.18 acres proposed for reclassification on the project site would bring the total land classified HSC to 31.58 acres. The project proponent has submitted a site plan for the amendment.
- Conditional Use Permit (CUP): The Special Occupancy Park project would be subject to the processing and approval of a conditional use permit if the text amendment is approved. The project proponent has submitted a preliminary site plan for the CUP application.
- Major Design Review: The Coulterville Town Plan contains development standards for commercial uses. The project would be subject to those standards, which address grading, placement of utilities, building design, landscaping and signs. The project proponent has submitted preliminary grading, landscaping and sign plans as well as exterior elevations of proposed structures.

The project proposes the following:

- Demolish and remove the motel building, office/reception/manager's residence (AKA "Lodge"), laundry building, shop building, bathroom/shower building, mobile homes, cabin shells, and other unusable remnants of the former motel/HCD Special Occupancy Park.
- Decommission private water supply well in favor (and continued use) of municipal public water service.
- Reorganize the park layout to accommodate 25 RV pad sites. Twenty-five Recreational Vehicle Industry Association (RVIA) and Housing and Community Development

Department RVs (park models) will be docked at each pad and continuously hooked up; No transient RV spaces would be offered for rental.

- RV pads would be compacted gravel and would be “full hookup” with 50-amp electric pedestals, potable water supply, and 3” sewer cleanout connections.
- One (1) mobile home site will be reserved for workforce housing of no more than two (2) employees.
- Two (2) 250 sq. ft. enclosed and conditioned structures for communal gathering.
- 250 sq. ft. check-in building with “camp store” and ½ bathroom complete with electrical, water and sewer connections.
- 200 sq. ft. electric sauna and cold-plunge tank
- 800 sq. ft. pavilion for gatherings.
- Two (2) 120 sq. ft. nature viewing decks.
- 240 sq. ft. bathhouse with toilets, showers and sinks for guests.
- 33 parking stalls
- New signage, landscaping and lighting meeting Coulterville Town Planning Area design standards.
- Underground domestic water, sewer collection, and electric throughout the site will feature code compliant design and construction material standards,
- Ensure compliance with all applicable statutes, regulations and standards.

The project will be permitted as a Special Occupancy Park by the California Housing and Community Development Department. Standards for such parks are contained in Chapter 25, Division 1, Chapter 2.2 of the California Code of Regulations.

No significant effect is based on review procedures of the following County Departments or Divisions:

☒ Building Department
☒ Planning Commission

☒ County Environmental Health Unit
☒ Public Works Department

Other: Mariposa County Fire Department, Mariposa County Assessor, California Department of Fish and Wildlife, California Department of Transportation (Caltrans), the American Indian Council of Mariposa County (Southern Sierra Miwuk Nation), additional Native American contacts on the list maintained by the Native American Heritage Commission, State Regional Water Quality Control Board, CAL FIRE.

No significant effect is based on mitigation measures and mitigation monitoring as shown in Exhibit 1:

Initial Study was prepared by Skip Strathearn, Senior Planner, and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338



Steve Engfer, Director
Mariposa Planning



Date

Exhibit 1

| Mitigation Measure No. | Mitigation Measure | Mitigation Monitoring |
|------------------------|--|---|
| 4.a.1 | <i>If removal of buildings or trees is to occur between April 1 and September 30 (general maternity bat roost season) of any given year, within 30 days prior to their removal, a qualified biologist shall survey the building and trees to be removed for roosting pallid and western red bats. Survey protocol shall include a search for individuals, guano, and staining and listening for bat vocalizations. If necessary, the biologist will wait for nighttime emergence of bats from roost sites. If bats are not observed to be roosting or breeding, no further action is required and building and tree removal can proceed. If a non-breeding pallid or western red colony is detected during pre-removal surveys, the individuals shall be humanely evicted under the direction of a qualified biologist to ensure that no harm or "take" of any bats occurs during project construction. If a maternity colony is detected during pre-removal surveys, the qualified biologist shall identify a suitable disturbance-free buffer around the colony. The buffer shall remain in place until the biologist determines that the nursery is no longer active. The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to initiation of demolition, construction or grading activities and throughout the construction process.</i> | This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process. |
| 4.d.1 | <i>Prior to commencement of demolition, construction or grading activities on the project site from February 1 – August 31 (nesting season) in any year, a qualified biologist shall conduct a pre-construction survey for active raptor and migratory bird nests. The survey shall occur within seven (7) days of the onset of demolition, construction or grading activities. Nest surveys shall include all areas on and within 250 feet (500 feet for raptors) within the project site. (The survey can be direct observation from within the project site onto neighboring properties within the observation range unless a neighboring property owner provides written or oral consent for the biologist to enter their property for the conduct of a survey.) Should any active nests be discovered in or near the proposed construction zones, the qualified biologist shall identify a suitable construction-free buffer around the nest within the project site. This buffer shall be identified on the ground by flagging or fencing and shall be maintained until the qualified biologist has determined that the young have fledged. (This measure shall not apply to neighboring</i> | This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process. |

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| | <i>properties without the expressed oral or written consent of neighboring property owners.) The Planning Department shall be provided a copy of the results of any survey conducted and evidence that any required mitigation measures have been implemented prior to issuance of permits for demolition, construction or grading activities and throughout the construction process.</i> | |
| 4.d.2 | <i>Prior to commencement of construction or grading activities within the Caltrans (State Route 49) right-of-way between February 1 – September 30 in any given year, a qualified biologist shall conduct a pre-construction survey for suitable nesting bird habitat. The survey shall occur within seven (7) days of the onset of construction or grading activities. (The survey can be direct observation from within the right-of-way onto neighboring properties within the observation range unless a neighboring property owner provides written or oral consent for the biologist to enter their property for the conduct of a survey. This consent requirement shall not apply to the proposed project site.) Should any active nests be discovered in or near the proposed construction area, the qualified biologist shall identify a suitable construction-free buffer within the right-of-way and on the project site around the nest per California Department of Fish and Wildlife guidelines. This buffer shall be identified on the ground by flagging or fencing and shall be maintained until the qualified biologist has determined that the young have fledged and until authorized by Caltrans District 10 Environmental Office. (This measure shall not apply to neighboring properties adjacent to the Caltrans right-of-way without the expressed oral or written consent of neighboring property owners. This consent requirement shall not apply to the proposed project site.) Results of the pre-construction survey and a statement regarding implementation of any mitigation measures shall be provided to the Caltrans District 10 Environmental Office prior to the start of construction within the right-of-way. The Planning Department shall also be provided a copy of the results of any survey and required mitigation for impacts within the Caltrans right-of-way.</i> | This mitigation measure will be monitored by the Mariposa County Planning Department through the project construction permitting process. |
| 5.a.1 | <i>In the event human remains, artifacts, or potentially significant cultural resources are discovered during ground disturbance on the project site, a Native American monitor shall be on-site for the duration of ground disturbance. During road grading, soil testing and/or construction, or any activity that involves ground disturbance necessary to implement the project, if any signs of prehistoric, historic, archaeological, paleontological resources are evident, all work activity within fifty (50) feet of the find shall stop and the Mariposa County Planning Department shall be notified immediately. No work shall</i> | The project proponent or his on-site designee shall be responsible for ensuring compliance with this mitigation and the Mariposa County Planning Department will monitor the measure through the project construction permitting process. |

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|--|---|--|
| | <p><i>be done within fifty (50) feet of the find until Planning has identified appropriate measures to protect the find and those measures have been implemented by the applicant. Protection measures for the site may include, but not be limited to, requiring the project proponent to hire a qualified archaeologist who shall conduct necessary inspections and research, and who may supervise all further ground disturbance activities and make any such recommendations as necessary to ensure compliance with applicable regulations. In addition to the Planning Department, the Mariposa County Coroner and the Native American Heritage Commission shall be notified should human remains be discovered. If the remains are determined by the Native American Heritage Commission to be Native American, NAHC guidelines for the treatment and disposition of the remains shall be adhered to. Representatives of the Most Likely Descendant shall be requested to be on-site during disturbance and/or removal of human remains.</i></p> | |
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State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

Print

StartOver

Save

RECEIPT NUMBER:

22 — 05/13/2025 — 004

STATE CLEARINGHOUSE NUMBER (If applicable)

2025030958

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY

County of Mariposa

LEAD AGENCY EMAIL

sengfer@mariposacounty.org

DATE

05/13/2025

COUNTY/STATE AGENCY OF FILING

Mariposa

DOCUMENT NUMBER

PROJECT TITLE

General Plan/Area Plan Amendment Application No 2024-100, Conditional Use Premite Application No 2024-101, and Major Design Review Application No 2024-102

PROJECT APPLICANT NAME

Topos Ventures

PROJECT APPLICANT EMAIL

nico@topos.ventures

PHONE NUMBER

()

PROJECT APPLICANT ADDRESS

1931 Cordova Rd # 1173

CITY

Fort Lauderdale

STATE

FL

ZIP CODE

33316

PROJECT APPLICANT (Check appropriate box)

☒ Local Public Agency

☐ School District

☐ Other Special District

☐ State Agency

☐ Private Entity

CHECK APPLICABLE FEES:

☐ Environmental Impact Report (EIR)

\$4,123.50

\$

0.00

☒ Mitigated/Negative Declaration (MND)(ND)

\$2,968.75

\$

2,968.75

☐ Certified Regulatory Program (CRP) document - payment due directly to CDFW

\$1,401.75

\$

0.00

☐ Exempt from fee

☐ Notice of Exemption (attach)

☐ CDFW No Effect Determination (attach)

☐ Fee previously paid (attach previously issued cash receipt copy)

☐ Water Right Application or Petition Fee (State Water Resources Control Board only)

\$850.00

\$

0.00

☒ County documentary handling fee

\$

50.00

☐ Other

\$

PAYMENT METHOD:

☐ Cash

☐ Credit

☐ Check

☐ Other

TOTAL RECEIVED

\$

3,018.75

SIGNATURE

X

AGENCY OF FILING PRINTED NAME AND TITLE

Brian Watson, Mariposa County Clerk, Deputy County Clerk



State of California - Department of Fish and Wildlife
2025 ENVIRONMENTAL DOCUMENT FILING FEE
CASH RECEIPT
DFW 753.5a (REV. 01/01/25) Previously DFG 753.5a

NOTICE

Each project applicant shall remit to the county clerk the environmental filing fee before or at the time of filing a Notice of Determination (Pub. Resources Code, § 21152; Fish & G. Code, § 711.4, subdivision (d); Cal. Code Regs., tit. 14, § 753.5). Without the appropriate fee, statutory or categorical exemption, or a valid No Effect Determination issued by the California Department of Fish and Wildlife (CDFW), the Notice of Determination is not operative, vested, or final, and shall not be accepted by the county clerk.

COUNTY DOCUMENTARY HANDLING FEE

The county clerk may charge a documentary handling fee of fifty dollars (\$50) per filing in addition to the environmental filing fee (Fish & G. Code, § 711.4, subd. (e); Cal. Code Regs., tit. 14, § 753.5, subd. (g)(1)). A county board of supervisors shall have the authority to increase or decrease the fee or charge, that is otherwise authorized to be levied by another provision of law, in the amount reasonably necessary to recover the cost of providing any product or service or the cost of enforcing any regulation for which the fee or charge is levied (Gov. Code, § 54985, subd. (a)).

COLLECTION PROCEDURES FOR COUNTY GOVERNMENTS

Filing Notice of Determination (NOD):

- ☐ Collect environmental filing fee or copy of previously issued cash receipt. *(Do not collect fee if project applicant presents a No Effect Determination signed by CDFW. An additional fee is required for each separate environmental document. An addendum is not considered a separate environmental document. Checks should be made payable to the county.)*
- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt and, if applicable, previously issued cash receipt, to NOD.
- ☐ Mail filing fees for CRP document to CDFW prior to filing the NOD or equivalent final approval (Cal. Code Regs. Tit. 14, § 753.5 (b)(5)). The CRP should request receipt from CDFW to show proof of payment for filing the NOD or equivalent approval. Please mail payment to address below made attention to the Cash Receipts Unit of the Accounting Services Branch.

If the project applicant presents a **No Effect Determination** signed by CDFW, also:

- ☐ Attach No Effect Determination to NOD *(no environmental filing fee is due)*.

Filing Notice of Exemption (NOE) (Statutorily or categorically exempt project (Cal. Code Regs., tit. 14, §§ 15260-15285, 15300-15333))

- ☐ Issue cash receipt to project applicant.
- ☐ Attach copy of cash receipt to NOE *(no environmental filing fee is due)*.

Within 30 days after the end of each month in which the environmental filing fees are collected, each county shall summarize and record the amount collected on the monthly State of California Form No. CA25 (TC31) and remit the amount collected to the State Treasurer. Identify the remittance on Form No. CA25 as "Environmental Document Filing Fees" per Fish and Game Code section 711.4.

The county clerk shall mail the following documents to CDFW on a monthly basis:

- ✓ A photocopy of the monthly State of California Form No. CA25 (TC31)
- ✓ CDFW/ASB copies of all cash receipts (including all voided receipts)
- ✓ A copy of all CDFW No Effect Determinations filed in lieu of fee payment
- ✓ A copy of all NODs filed with the county during the preceding month
- ✓ A list of the name, address and telephone number of all project applicants for which an NOD has been filed. If this information is contained on the cash receipt filed with CDFW under California Code of Regulations, title 14, section 753.5, subdivision (e)(6), no additional information is required.

DOCUMENT RETENTION

The county shall retain two copies of the cash receipt (for lead agency and county clerk) and a copy of all documents described above for at least 12 months.

RECEIPT NUMBER

- # The first two digits automatically populate by making the appropriate selection in the County/State Agency of Filing drop down menu.
- # The next eight digits automatically populate when a date is entered.
- # The last three digits correspond with the sequential order of issuance for each calendar year. For example, the first receipt number issued on January 1 should end in 001. If a county issued 252 receipts for the year ending on December 31, the last receipt number should end in 252. CDFW recommends that counties and state agencies 1) save a local copy of this form, and 2) track receipt numbers on a spreadsheet tabbed by month to ensure accuracy.

DO NOT COMBINE THE ENVIRONMENTAL FEES WITH THE STATE SHARE OF FISH AND WILDLIFE FEES.

Mail to:

California Department of Fish and Wildlife
Accounting Services Branch
P.O. Box 944209
Sacramento, California 94244-2090

Mariposa County Clerk



4982 10th Street
PO Box 247
Mariposa, CA 95338
Phone: (209) 966-2007

Customer Receipt

| RECEIPT# | DATE |
|------------------------|-----------|
| CCEBW_051325_3Ck\$3018 | 5/13/2025 |
| NAME(s) | |
| Mariposa County | |

| DESCRIPTION | QTY | UNIT PRICE | AMOUNT |
|---|-----|------------|------------|
| Clerk's Processing Fees | 1 | \$50.00 | \$50.00 |
| Negative Declaration & Mitigated Negative Declaration | 1 | \$2,968.75 | \$2,968.75 |
| Environmental Impact Report | 0 | \$4,123.50 | \$0.00 |
| Environmental Document Pursuant to a Certified Regulatory Program | 0 | \$1,401.75 | \$0.00 |
| TOTAL | | | \$3,018.75 |

Tender Method: Check 9669202273
Initials: BW