

# MIDPINES PLANNING ADVISORY COMMITTEE

## MEETING AGENDA --- December 8, 2021--- DIRECTIONS

Members of the public who wish to participate in the meeting are invited to do so by submitting written comments (instructions follow) or by joining the teleconference by:

### **TELECONFERENCE MEETING:**

**(This meeting is call in only due to public access requirements)**

To join meeting by dialing in on phone, call this number:

**United States: +1 (786) 535-3211 Access Code: 135-062-653**

**\*\*Please note that all callers will be limited on their speaking time, and will be muted before and after public comment periods\*\***

Planning Advisory Committee written commenting processes are as follows

**WRITTEN COMMENTS:** Written comments may be submitted via U.S. Postal Service, email or may be dropped off at the Planning Department. In your written communication please note in the subject line: Which Planning Advisory Committee you are commenting to and indicate which “PUBLIC COMMENT ITEM #” (insert the item number relevant to your comment) or “PUBLIC COMMENT NON-AGENDA ITEM” that you are commenting on.

1) Mail • Send written communication to:

Mariposa County Planning Department  
PO Box 2039  
Mariposa CA 95338

2) Email • Send an email to the [planningdept@mariposacounty.org](mailto:planningdept@mariposacounty.org)

3) Drop Off: • Written communication can be dropped off at:

Mariposa County Planning Department  
5100 Bullion Street, 1<sup>st</sup> Floor  
Mariposa, CA 95338

No matter which of these formats you choose to use for written communication (Mail, Email or Drop Off) please know that in order to ensure distribution to the committee prior to their consideration of the agenda, and in order for your written comments to be placed into the record it must be received no later than 8:00 a.m. on the day of the meeting.

# MIDPINES PLANNING ADVISORY COMMITTEE

## MEETING AGENDA

**DATE:** WEDNESDAY December 8, 2021  
**TIME:** 6:00 P.M. – 8:00 P.M.  
**LOCATION:** \*TELECONFERENCE MEETING- (See above for participation information)

1. Roll Call
2. A resolution of the Midpines Planning Advisory Committee proclaiming a local emergency, ratifying the proclamation of a state of emergency by the Governor of the State of California on March 4, 2020 regarding an outbreak of respiratory illness due to a novel coronavirus (a disease now known as Covid-19), and authorizing remote teleconference meetings of the legislative bodies of the Midpines Planning Advisory Committee for the period December 10, 2021 to January 9, 2021 pursuant to Brown Act provisions.
3. Approval of Minutes: Meeting of November 10, 2021
4. Public comments
5. Update Community Plan
  - a. Request for consideration and possible action by the Committee for a change in the proposed land use designation for parcels within the proposed Midpines Plan Study Area draft Community Plan, draft land use map- APN's 008-170-066, 008-170-065, 008-170-077, 008-170-079 & 008-170-081. George Radanovich requestor.
  - b. Committee consideration and potential action on Community Plan Draft as follows:
    - i. Review draft Community Plan: Discussion and Possible Recommendation
    - ii. Review draft land use diagram and provide direction/approve with the result of inclusion or not of parcels listed in preceding agenda item 5. a.
6. Committee Business
  - a. Adopt Meeting Calendar schedule for 2022
    - i. Maintain the Schedule for 2022 as - 2<sup>nd</sup> Wednesday of the month at 6- 8pm
  - b. Discussion and possible action to recommend a letter of recognition for Recognition of Alvaro Arias- Departure from County Planning and his contributions to the MPCP draft plan.
7. Updates and Activity Reports
  - a. Oak Road Bridge Project Update- Nancy Parke Update
  - b. CALTRANS Project/Study Update
  - c. Planning Commissioner Update
  - d. Supervisor Updates
  - e. COVID19 County update
8. Adjourn

RESOLUTION NO. 2021-03

A RESOLUTION OF THE MIDPINES PLANNING ADVISORY COMMITTEE PROCLAIMING A LOCAL EMERGENCY, RATIFYING THE PROCLAMATION OF A STATE OF EMERGENCY BY THE GOVERNOR OF THE STATE OF CALIFORNIA ON MARCH 4, 2020 REGARDING AN OUTBREAK OF RESPIRATORY ILLNESS DUE TO A NOVEL CORONAVIRUS (A DISEASE NOW KNOWN AS COVID-19), AND AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE LEGISLATIVE BODIES OF THE MIDPINES PLANNING ADVISORY COMMITTEE FOR THE PERIOD DECEMBER 8, 2021 TO JANUARY 9, 2022 PURSUANT TO BROWN ACT PROVISIONS.

WHEREAS, the Midpines Planning Advisory Committee is committed to preserving and nurturing public access and participation in meetings of the Planning Advisory Committee; and

WHEREAS, all meetings of the Midpines Planning Advisory Committee's legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch the District's legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within the District's boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, such conditions now exist in the District, specifically, COVID-19 has spread and is continuing to spread at rates that threaten the capacity of the health care system and the health of the community, and

WHEREAS, in-person meetings that include members Midpines Planning Advisory Committee as well as members of the public would expose attendees to transmission of COVID-19 in ways that present imminent risks to health and safety; and

WHEREAS, the Midpines Planning Advisory Committee does hereby find that community transmission of COVID-19 has caused, and will continue to cause, conditions of peril to the safety of persons within the community that are likely to be beyond the control of services, personnel, equipment, and facilities of the Planning Advisory Committee, and desires to proclaim a local emergency and ratify the proclamation of state of emergency by the Governor of the State of California; and

WHEREAS, as a consequence of the local emergency, the Midpines Planning Advisory Committee does hereby find that the Midpines Planning Advisory Committee shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, efforts are being made to ensure public access to the Midpines Planning Advisory Committee meetings, including providing public call-in numbers which are part of the meeting packet and public noticing materials.

NOW, THEREFORE, THE MIDPINES PLANNING ADVISORY COMMITTEE DOES HEREBY RESOLVE AS FOLLOWS:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Proclamation of Local Emergency. The Committee hereby proclaims that a local emergency now exists throughout the community, and that meeting in-person as a committee and with members of the public in attendance would present an imminent risk to the transmission of COVID-19.

Section 3. Ratification of Governor's Proclamation of a State of Emergency. The Committee hereby ratifies the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 4. Remote Teleconference Meetings. The County of Mariposa and legislative bodies of the Midpines Planning Advisory Committee are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) January 9, 2022, or such time the Midpines Planning Advisory Committee adopts a subsequent resolution in accordance with Government Code section 54953(e)(3) to extend the time during which the Midpines Planning Advisory Committee may continue to teleconference without compliance with paragraph (3) of subdivision (b) of section 54953.

PASSED AND ADOPTED by the Midpines Planning Advisory Committee this 8<sup>th</sup> day of December, 2021, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:



## MIDPINES PLANNING ADVISORY COMMITTEE

### DRAFT MEETING MINUTES

**DATE:** WEDNESDAY November 10, 2021  
**TIME:** 6:00 P.M. – 8:00 P.M.  
**LOCATION:** \*TELECONFERENCE MEETING- (See above for participation information)

1. Roll Call *Heather Huppe, Caroline McGrath, Gary Francisco, Adam Ferguson, Charles Lammers*

*Guests: Nancy Parke  
George Radanovich*

*Planning Commissioner: Ed Walls  
County Supervisor: Rosemarie Smallcombe  
Staff: Alvaro Arias, Steve Engfer*

2. A resolution of the Midpines Planning Advisory Committee proclaiming a local emergency, ratifying the proclamation of a state of emergency by the Governor of the State of California on March 4, 2020 regarding an outbreak of respiratory illness due to a novel coronavirus (a disease now known as Covid-19), and authorizing remote teleconference meetings of the legislative bodies of the Midpines Planning Advisory Committee for the period November 10, 2021 to December 10, 2021 pursuant to Brown Act provisions. *Resolution was adopted unanimously.*
3. Approval of Minutes: Meeting of October 13, 2021 *Minutes were approved unanimously.*
4. Public comments *None.*
5. Informational Presentation: George Radanovich and Bob Bisno  
*George Radanovich presented, Bob Bisno not available Discussion for committee consideration of the inclusion of additional parcels near and adjacent the Bug Hostel parcel, referred to as the "Brouillette properties" to be included in the Rural Economic, Resort land use in the draft plan land use map. Committee discussion occurred including discussion about the potential for a resort use on the parcels as potentially better because the fuel load and fire prevention activities being better than what is present today or even residential uses in the future. Recommendation was made to invite Barry Brouillette to the next meeting. And a recommendation was made to include this as for an action item on the December 8, 2021, agenda.*
6. Update Community Plan
  - a. Committee consideration and potential action on Community Plan Draft as follows:
    - i. Review draft Planned Development Area land use: Discussion and Possible Recommendation (pages 5-9 through 5-13 of draft Community Plan)  
*Committee discussion occurred regarding the edits to date as proposed in draft. Proposed Draft Plan edits as presented were adopted unanimously.*
    - ii. Review draft Community Plan: Discussion and Possible Recommendation

Midpines Community Planning Advisory Committee  
Draft Meeting Minutes - November 10, 2021 Meeting

*Staff informed the committee that at the next meeting the plan language would reflect the changes, being the final edits to the draft plan text.*

*iii. Review draft land use diagram and provide direction/approve*

*Land use map as presented was approved. However, pending the outcome of potential changes for the "Brouillette" properties in the preceding agenda item consideration, it could be modified. Chair requested that the committee communicate with planning on any other changes for the next meeting.*

7. Updates and Activity Reports

a. Oak Road Bridge Project Update

*Nancy Parke mentioned that she supports changes for the additional properties into rural economic land use. Chari thanked Nancy for her continued efforts on the Oak Road Bridge project. She provided an update that she had not heard anything back from Public Works recently since the last letter to PWD. Nancy mentioned she wrote to PWD again today (November 10, 2021.) including references to environmental concerns and CALTRANS guidelines and CALTRANS input. Also, a request for a meeting, and some drawings would be good to see what it looks like. Supervisor Smallcombe mentioned she had reached out to Shannon Hansen at PWD in October. Shannon's response was that they are working with the project consultant for a redesign, then run that design by CALTRANS to weigh in on it before she moves forward with the public meeting.*

b. CALTRANS Project/Study Update

*Supervisor Smallcombe mentioned she would check in with CALTRANS to get another update.*

c. Planning Commissioner Update- Ed Walls mentioned no new actions to report on.

d. Supervisor Updates

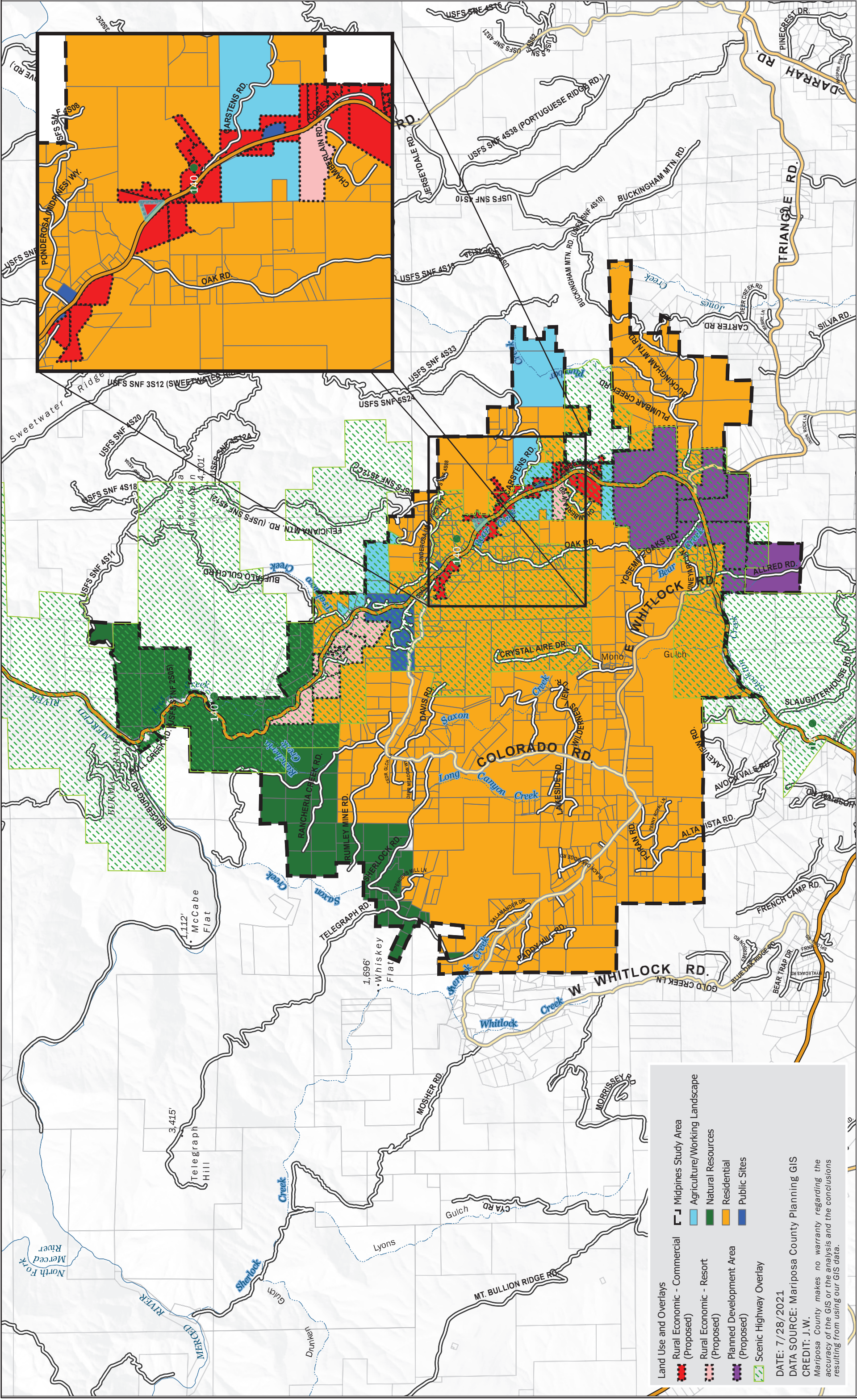
*Supervisor Smallcombe mentioned that the Board had continued to work on budget including allocations for multiple positions, including a sorely needed positions in Planning, Public Works, Parks and Recreation and Grant writer as well as others. Redistricting was discussed including the bisecting of the Midpines Community Study Area Boundary. A brief Description of how two supervisorial districts (I and IV) would work in the context of the future actions for Community Plan documents and similar activities. Supervisor Smallcombe also mentioned that zoning code updates for Special Events Facilities were adopted.*

*Discussion occurred regarding the Ferguson slide progress occurred. A request was made for an update to the Ferguson slide project at the next meeting.*

e. COVID19 County update- No additional update.

8. Adjourn      Meeting Adjourned







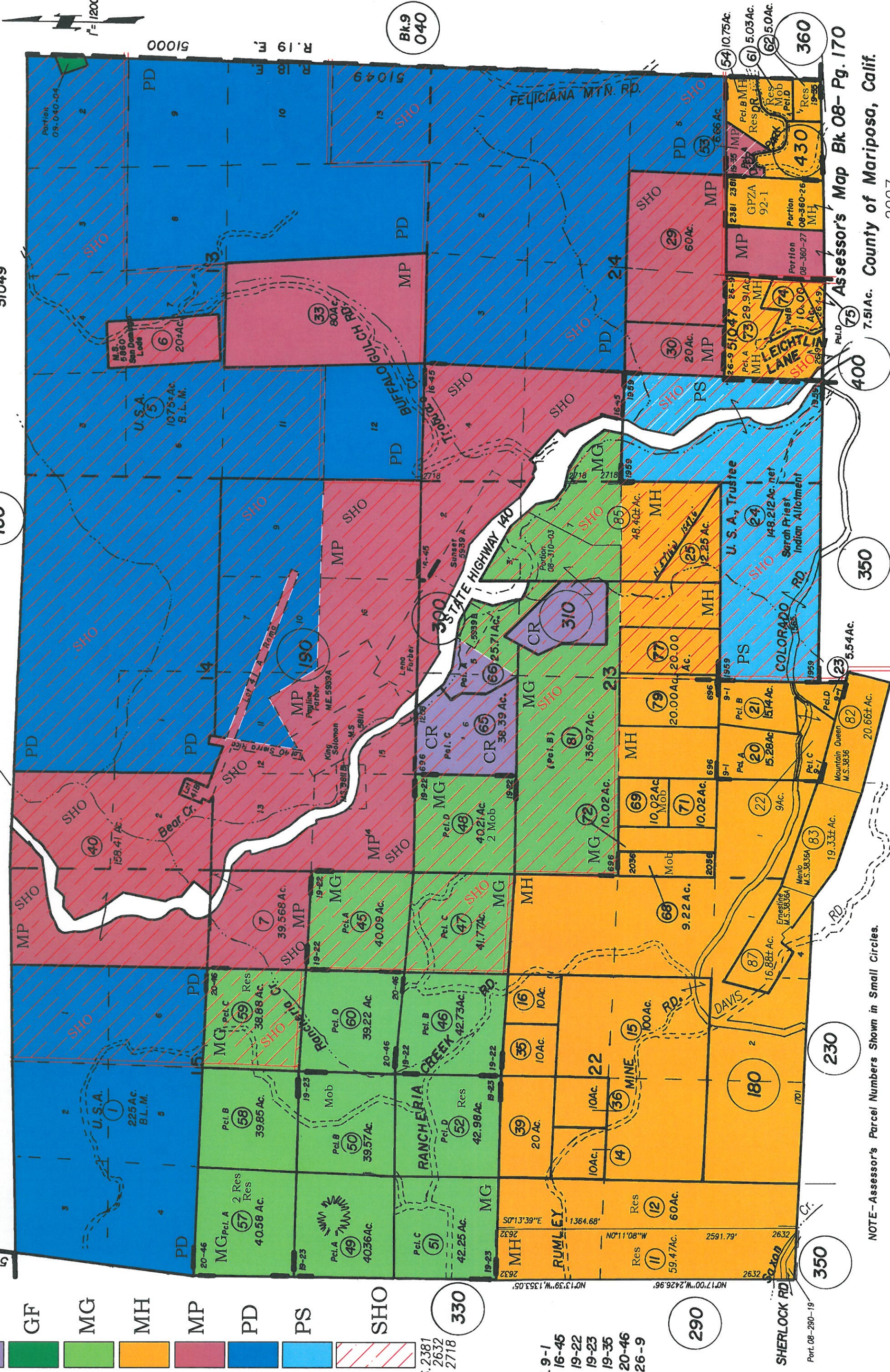
ASSESSOR'S PLATS ARE FOR GENERAL  
PROPERTY LOCATION AND TAX PURPOSES  
ONLY. THEY MAY NOT BE USED AS A BASIS  
FOR LEGAL PROPERTY DESCRIPTIONS.

- CR  
GF  
MG  
MH  
MP  
PD  
PS  
SHO

PORTION T. 4 S., R. 18 E., M.D.B. & M.

Tax Area Code  
51000  
51047  
51049

08-170



R.S. 696 R.S. 2381  
1203 2632  
1208 2718  
1565  
1609  
1701  
1959  
2036

P.M. 9-1  
16-45  
19-22  
19-23  
19-35  
20-46  
26-9

290

SHERLOCK RD

Port. 08-290-19

NOTE-Assessor's Parcel Numbers Shown in Small Circles.

350

350

400

75

Assessor's Map Bk 08- Pg. 170

County of Mariposa, Calif.

2007



| Proposed Rural Economic APNS | Zoning                                  | HTE_ACRES |
|------------------------------|-----------------------------------------|-----------|
| 008-170-0770-                | Moutnain Home/SHO                       | 20        |
| 008-170-0790-                | Mountain Home                           | 20        |
| 008-170-0810-                | Mountain General/SHO                    | 136.97    |
| 008-170-0660-                | Resort Commerical/ Mountain General/SHO | 25.71     |
| 008-170-0650-                | Resort Commerical/SHO                   | 38.39     |

**MARIPOSA COUNTY GENERAL PLAN  
VOLUME II - AREA PLANS AND INTERIM LAND USE PLANS**

# **MIDPINES COMMUNITY PLAN**

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DECEMBER 2021-DRAFT









# MIDPINES COMMUNITY PLAN ADOPTION AND UPDATES

[illegible]



# **THE COUNTY OF MARIPOSA**

## **Midpines Community Plan**

### **DRAFT-JUNE 2021**

#### **Midpines Planning Advisory Committee**

Gary Francisco, Chair  
Heather Huppe, Vice-Chair  
Angela Heiss  
Candy O'Donel – Browne  
Caroline McGrath  
Charles Lammers  
Eileen Collins  
Adam Ferguson  
Penelope Henderson (former)  
Chuck Fleming (former)  
Don Fox (former)  
Ed Temple (former)  
George Chynoweth (former)  
Tre Ford (former)  
Vernon Parker (former)

#### **Ex Officio Members:**

Supervisor District 1:  
Rosemarie Smallcombe  
Lee Stetson (Former)

#### **Planning Commissioner District 1:**

Ed Walls  
Renea Kennec (Former)  
Les Marsden (Former)

#### **Resource**

John Schroeder, MCRCD Fire Ready Group  
Ed Temple, Friends of Bear Creek  
Lee Stetson, Community Resource  
Ron Loya, Historian

#### **Staff**

Sarah Williams, Planning Director  
Alvaro Arias, Deputy Planning Director  
Brian Foucht, Deputy Planning Director (former)  
Steve Engfer, Senior Planner  
Jonathan White, GIS Specialist (Data, Figures)  
Carol Suggs, Office Technician

#### **MARIPOSA COUNTY PLANNING DEPARTMENT**

P. O. Box 2039 • Mariposa, CA 95338 • 209.966.5151 [www.mariposacounty.org/planning](http://www.mariposacounty.org/planning)





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# 1 Introduction and Setting

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## 1.1 PURPOSE

The purpose of the Midpines Community Plan is to implement the General Plan Land Use Element policies. The planning process designed for this purpose invited the community to have an ongoing conversation about: 1) the community that exists; and 2) possibilities that will contribute to the viability and sustainability of the Midpines community as a distinct place among the various Mariposa County Planning Study Areas identified in the General Plan.

The Midpines Community Plan relies extensively on a careful evaluation of land use, development, circulation, natural resources and ecological character of the area contained in the Background Report (2014). This report documents the community engagement and environmental setting upon which the Plan is prepared.

The General Plan currently classifies Midpines as a Community Plan Area, consistent with the current character of this area, which the General Plan Background Report describes as an area that is “Forested, modest, rural subdivision, with small scale commercial oriented to tourists”. Community preferences expressed during the planning process seek to retain a strong rural character for the area as the principal means of protecting its historical character, natural beauty, the integrity of its watersheds and forest and riparian habitats, and to respond to the fire adapted landscape within which the Midpines community is located (ref. Background Report Section Section XI.).

## 1.2 LOCATION

Midpines, one of Mariposa County’s seventeen Planning Areas shown in Figure 1-1, is located near the center of Mariposa County along Highway 140, between the town of Mariposa and Yosemite National Park. The principal access to the Midpines community is along Highway 140. The Midpines Plan encompasses approximately 22.7 square miles (14,544 acres), ensuring that the community’s issues and objectives are addressed in the appropriate context and detail.

A large portion of the Midpines Community Planning Area is located within the Scenic Highway Overlay for Highway 140, which is a state designated Scenic Highway through Midpines. The Scenic Highway Overlay protects the scenic qualities of this corridor.

## 1.3 POPULATION AND HOUSING

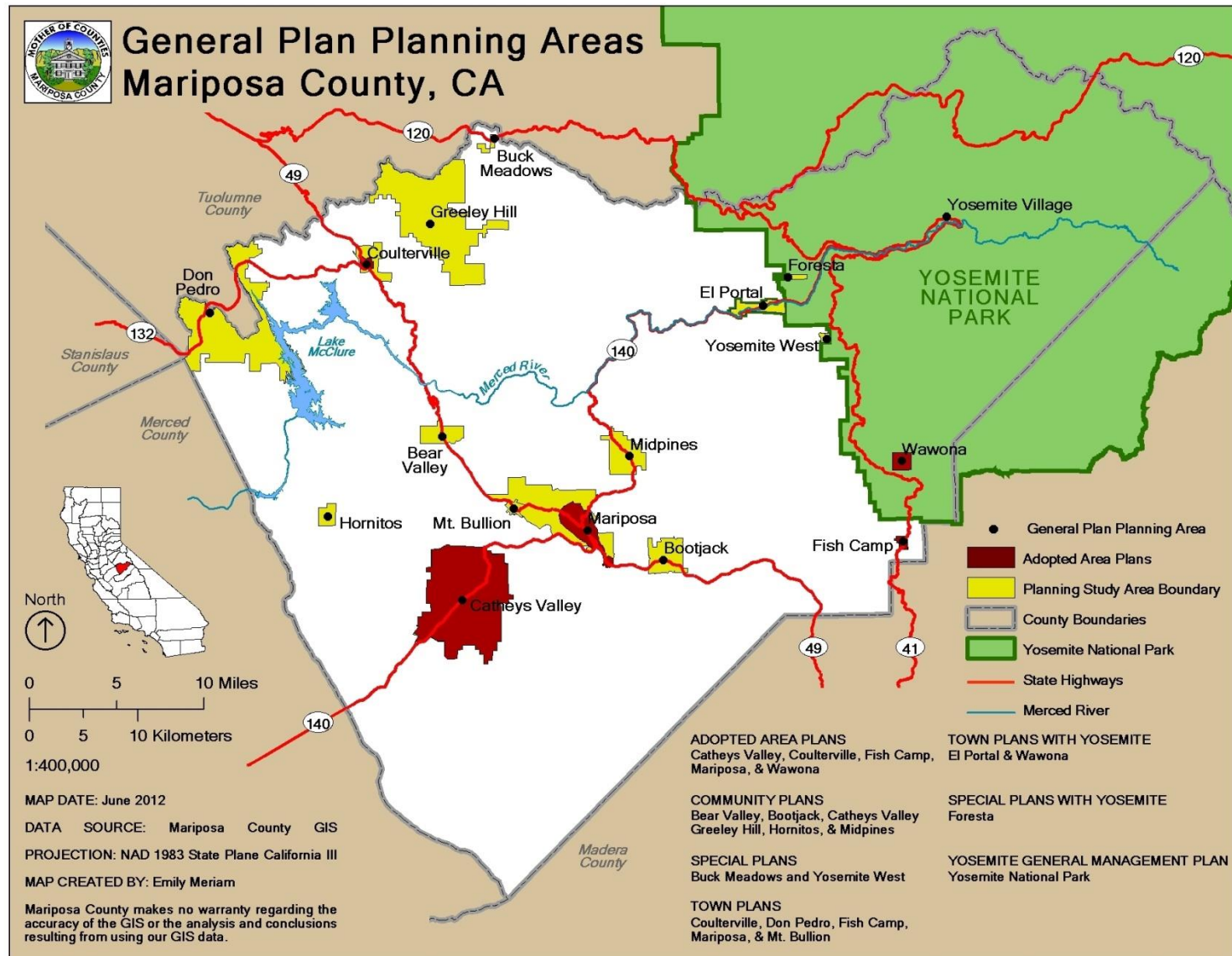
Midpines had a population of approximately 1,200 persons in 2010. The population is approximate because census tracts do not align with the Midpines Community Planning Area boundaries.

In 2010, there were approximately 627 housing units in Midpines with 28 of them being monthly rentals. Thirty-one (31) of the units are used as vacation (transient occupancy) rental units. The homeowner vacancy rate is approximately 1.5% and the rental vacancy rate is 10.4%





1 Figure 1-1 Mariposa County Planning Areas





## 1.4 EVOLUTION OF THE MIDPINES COMMUNITY PLAN

In February 2013, the Midpines Planning Advisory Committee (MPAC) approved the program for preparation of the Midpines Community Plan. The program outlines the planning process in several different ways (roles, culture, information, and tools), and references the leadership of the MPAC and its committees in conducting the planning program.

The leadership role assigned to MPAC is based on the General Plan policy requiring that the Plan be prepared by the Midpines Planning Advisory Committee for recommendation to the Board of Supervisors. This means that, while staff will guide the process, assemble information, document decisions, and write reports, the ultimate responsibility for determining the content of the plan rests with MPAC. The initial program adopted by the Board of Supervisors and MPAC ensures that the planning activities, including those used to inform the plan, involve assigned members of the MPAC and result from specific MPAC deliberation and direction to staff.

This schedule has been significantly extended by the MPAC to accommodate an expanded community engagement program. This program has provided a variety of opportunities for residents and stakeholders to identify key community issues and concerns.

## 1.5 RELATIONSHIP TO THE MARIPOSA COUNTY GENERAL PLAN

State of California Planning and Zoning Law (Government Code Sections 65000-66033) sets requirements for land use planning at the local government level and specifies that a local general plan shall be prepared and maintained by local governmental agencies. "Community plan" is a term for a plan that focuses on a particular region or community within a general plan area. A community plan is adopted by resolution as an amendment to a general plan, in the manner set out in Section 65350, et seq., and refines general plan policies as they apply to a community and are implemented by ordinances and other discretionary actions, such as zoning. A community plan shall be internally consistent with a general plan. To facilitate consistency, a general plan provides a policy framework for the detailed treatment of issues in a community plan. To simplify implementation, a community plan and general plan should share a uniform format for land use categories, terminology, and diagrams. Each community plan does not need to address the issues required by Section 65302 when the general plan satisfies these requirements.

The Midpines Plan is based upon, and is consistent with, the Mariposa County General Plan. The Midpines Plan is tiered from the General Plan and both share a uniform format. The Midpines Plan is in Volume II, Section 2 of the General Plan.

## 1.6 HOW TO USE THE COMMUNITY PLAN

To use this Plan, the General Plan should first be reviewed for goals and policies applicable to issues or topics under consideration. The General Plan Land Use Map should also be reviewed to determine the designated type, location, and intensity of permissible development for any particular property or area. After reviewing the General Plan, this

- 1 Community Plan should be reviewed for more detailed and “Midpines-specific” goals,
- 2 policies and implementation programs.



## 2 Issues Important to Midpines Citizens

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This Chapter identifies specific Midpines issues that tier from Mariposa County General Plan Chapter 2.

The Midpines area is the last large area of private land between Mariposa and Yosemite National Park, which makes it conducive to receive future growth pressure for both tourist and residential facilities. The Midpines Community wishes to balance this potential growth with the desire of the community to remain a rural community and protect its natural beauty, historical character, and the integrity of its watersheds, forest and riparian habitats. All the while, responding to the fire adapted landscape/ecosystems within which the Midpines community exists.

11

## 2.1 ISSUES OF IMPORTANCE

Through the public engagement process and work of adhoc committees, the Midpines Planning Advisory Committee has identified the following issues, which serve as the basis of the Midpines Community Plan. These issues are addressed through the goals, policies, and implementation measures of the Midpines Community Plan.

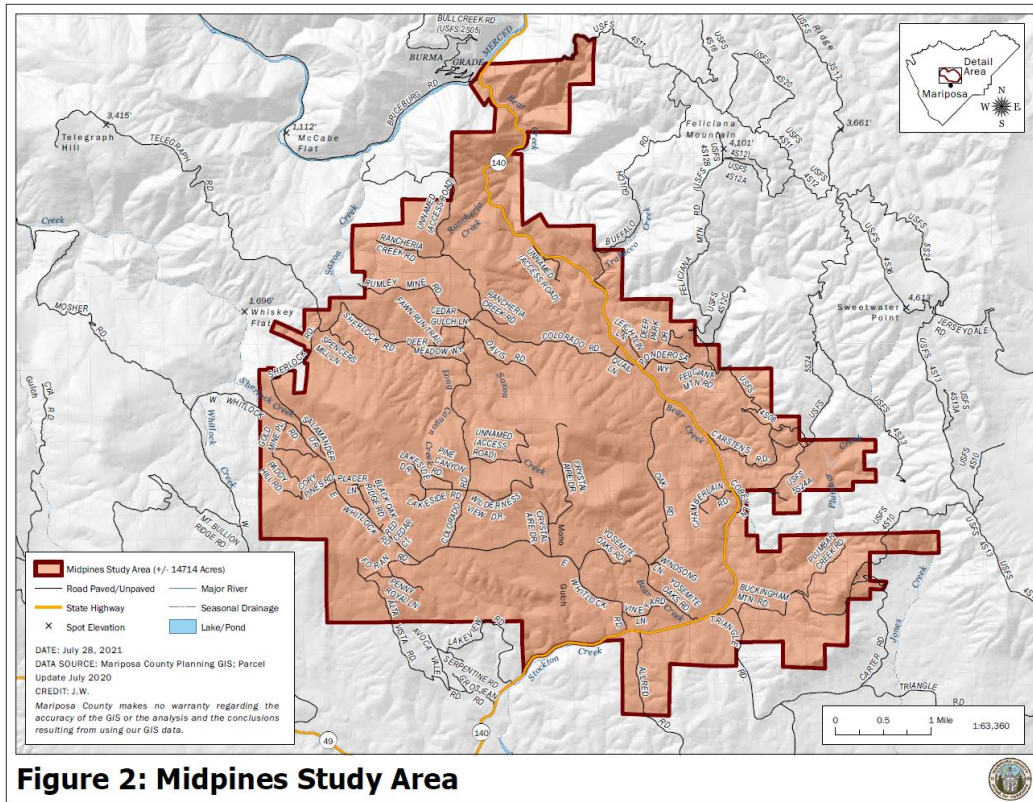
- Maintain rural character;
- Promote fire safety;
- Provide for commercial development at an appropriate scale;
- Provide areas for growing home-based business and rural home industries; and
- Ensure commercial development is compatible with existing character.

## 2.2 MIDPINES BOUNDARIES

The 2006 Mariposa County General Plan identifies an interim Midpines Community Planning Study Area and related policies pending adoption of a Community Plan. Land uses consistent with this Planning Area are single-family residential, rural commercial, recreation/resort-oriented, small business and public facilities. Multi-family residential of more than two attached dwelling units are not consistent. Nonetheless, the Midpines Planning Advisory Committee has contemplated a more expansive boundary that encompasses both developed and undeveloped areas such that the character of the area can be recognized, protected and enhanced.

The Midpines Planning Advisory Committee identified an expanded Community Plan Study Area within which a Community Plan boundary will be established. The Study area was bounded by the Merced River to the north; Sweetwater Creek and Snow Creek to the east; Snow Creek to the south; and Fremont Peak to the west. The final Community Plan boundaries are identified in Figure 2-1.

1 Figure 2-1 - Planning Area Boundary



2

## 3 Guiding Principles

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Guiding Principles are the overriding concepts directing development of the Midpines Community Plan. They tier from and are consistent with the Guiding Principles found in Chapter 3 of the Mariposa County General Plan. The purpose of Guiding Principles is to define the significant and long-term objectives for the Midpines Plan and a vision for the Midpines community. In 2014, the Midpines Planning Advisory Committee adopted a vision statement that synthesized all of the input obtained through the public engagement process. This vision statement serves as the guiding principle of this community plan.

### 3.1 GUIDING PRINCIPLES

The following vision statement establishes principles to guide any future plan amendments and implementation measures.

- Midpines will continue to be a rural community of diverse neighborhoods and environments. Personal, community and governmental actions will achieve a strong sense of community that honors our natural resources and our historical and cultural heritage. The Midpines community will work to achieve the following:
  - The social, natural, historical and cultural resources of Midpines, including water resources, will be proactively protected for the enjoyment of visitors and residents.
  - Midpines rural character will be maintained and reinforced through the preservation of scenic open spaces, forested areas, and the quiet, natural beauty of the area.
  - Outdoor recreational opportunities will be encouraged, developed, and promoted as important social and economic elements of the community for residents and visitors.
  - Existing and new home-grown and small businesses that are compatible with the historical and environmental context will be supported and encouraged.
  - Housing will be developed in a way that preserves open space, rural character, natural resources, and the history of Midpines.
  - Community safety and resilience, and a balance between the protection of private property rights and the needs of the community, will be achieved through strong community action and shared responsibility for hazardous fuel removal, resulting in a fire safe, forested community.

- 1                   ○ Community well-being will be maintained by managing growth in  
2                   accordance with the carrying capacity of community infrastructure and  
3                   by encouraging a diverse economy and population.  
4
- 5                   ○ New development will provide public services as development occurs  
6                   without compromising levels of service or burdening existing residents  
7                   with the cost of these services.



## 1     4     Midpines Community Plan Administration

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2     This Chapter tiers from Mariposa County General Plan Chapter 4, General Plan  
3     Administration, and discusses the role of advisory bodies on Midpines issues. General  
4     Plan Chapter 4 addresses the following issues:

- 5     • Interpretation of General Plan provisions;
- 6     • Review and update of the General Plan;
- 7     • Amending the General Plan;
- 8     • Interim administration of the General Plan; and
- 9     • General Plan implementation.

### 10    4.1    ROLE OF ADVISORY BODIES IN MIDPINES 11            COMMUNITY PLAN IMPLEMENTATION

12    The following committees appointed by the Board of Supervisors are established to provide  
13    advice and recommendations on policy, implementation, and review in compliance with  
14    Mariposa County Code Chapters 2.50.100, 2.90, and 2.110 and implementing resolutions:

- 15    • Agricultural Advisory Committee;
- 16    • Midpines Community Planning Advisory Committee; and
- 17    • Historic Sites and Records Preservation Commission.

## 5 Goals and Policies of the Midpines Community Plan

This Chapter provides background information on key issues and establishes specific Midpines goals and policies that build off the Mariposa County General Plan. The Midpines Plan goals, policies, and implementation measures focus on land use (Section 5.1), infrastructure and services (Section 5.2), and safety (Section 5.3).

The General Plan includes twelve elements as follows:

**Chapter 5 – Land Use;**  
**Chapter 6 – Economic Development;**  
**Chapter 7 – Arts and Culture;**  
**Chapter 8 – Housing;**  
**Chapter 9 – Circulation, Infrastructure, and Services;**  
**Chapter 10 – Agriculture;**  
**Chapter 11 – Conservation and Open Space;**  
**Chapter 12 – Local Recreation;**  
**Chapter 13 – Regional Tourism;**  
**Chapter 14 – Historic and Cultural Resources;**  
**Chapter 15 – Noise; and**  
**Chapter 16 – Safety.**

The General Plan is the controlling document and its policies prevail countywide. The General Plan goals and policies are not repeated in the Midpines Plan and the user is referred to the General Plan for policy guidance.

The Midpines Plan provides supplemental goals, policies, and implementation measures that tier from and refine the General Plan, focusing on issues and opportunities specific to Midpines. The goals and policies presented in the Midpines Plan are organized utilizing the General Plan's numbering system and are numbered using the prefix "Midpines".

### 5.1 LAND USE

#### 5.1.01 MAINTAINING RURAL CHARACTER

##### MIDPINES DESIGN STANDARDS

The built environment is one of the most effective and recognizable ways for a community to express its values and identity. As expressed throughout the area planning process and codified in its Vision Statement, the Midpines community embraces the cultural and ecological aspects of its rural character and identity, celebrating the historical lifeways and aesthetic heritage that contribute to its contemporary sense of place. Appropriate design review criteria are essential and intended to ensure that all development in Midpines contributes to this vision, articulates the community's historical and cultural heritage, and celebrates its natural resources. Goals and policies are included in the plan to apply Scenic Highway Overlay standards to all development within the Scenic Highway Overlay.

## 5.1.02 LAND USE CLASSIFICATIONS

California Government Code §65302 et seq. requires a general plan to include maps designating the general distribution and location of land uses. With no incorporated cities, the Mariposa County General Plan serves both the regional needs of the County and the more precise planning needs of Midpines. Land use classifications are used to identify future land uses in Midpines. The Midpines Community Plan, a part of the General Plan, serves as the general plan for the Midpines area.

The Midpines Community Plan includes six land use classifications, as shown in Figure 5-1:

- Residential;
- Rural Economic;
- Planned Development Area
- Agriculture/Working Landscape;
- Natural Resources; and
- Public Sites.

The Midpines Community Plan land use classifications are different from zoning districts established in the County Zoning Ordinance. The purpose of a land use classification is to paint a picture of the future land use patterns of Midpines. The land use classifications generally follow the existing zoning in Midpines, with some changes involving a commercial area along the Highway 140 corridor. Existing residential areas remain unchanged from existing patterns, with the exception of the aforementioned commercial area.

California General Plan law requires land use classifications to describe an extent of uses, population density, and building intensity. These requirements form the basis for the later development of the implementing zoning.

Zoning districts (zones) serve as implementation of the General Plan and the Midpines Plan. Zoning districts, identified within each land use category, implement the Midpines Community Plan's purposes. The zones specify entitlements by prescribing permitted uses. The zones prescribe administrative uses, permitted uses, conditional uses, accessory uses, temporary uses, and site development and supplementary standards.

The Midpines Community Plan land use classifications are organized following the format of the General Plan as follows:

- Purpose;
- Extent of uses;
- Consistent zoning classifications;
- Population density standards;
- Building intensity standards; and
- Criteria for inclusion in the land use classification.

Development standards, prescription of uses, and other requirements are implemented through the Zoning Ordinance, Title 17 of the Mariposa County Code, which shall be amended to accommodate the special zoning standards in the Midpines Community Plan.

- 1       • The purpose defines the need for the classification and the reasons for its inclusion
- 2       in the Midpines Plan.
- 3       • The extent of uses defines the general characteristics of the use of land within the
- 4       classification. The extent of uses is not intended to serve as a supplement to or
- 5       override the prescribed administrative uses, permitted uses, and conditional uses
- 6       implemented through zoning.
- 7       • Zoning consistency defines which of the County's zoning districts are permitted
- 8       within a land use classification. Some may need the development of new zones
- 9       not yet found within the current County regulations.
- 10      • Population density is the maximum number of projected persons per acre of gross
- 11      land area based on the number of dwelling units and the Year 2010 Census number
- 12      of persons per dwelling unit. Population density is a numeric calculation and does
- 13      not create an actual regulation or limit on occupancy.
- 14      • Building intensity represents different characteristics for different types of uses.
- 15      For residential development, building intensity is the number of dwelling units per
- 16      5 acres of gross land area. For non-residential development, building intensity is
- 17      the employee/user capacity of a facility. This may be determined in square
- 18      footage, lot coverage, traffic generation, or other defined factors in the explanation
- 19      under a land use classification.
- 20      • Criteria for inclusion are policy specifics applicable to the review of any
- 21      application that proposes to change the land use classification of land from one
- 22      classification to another.

## 23    A.    MIDPINES RESIDENTIAL

24    The Midpines Community Plan applies the Residential land use classification, General  
 25    Plan Section 5.3.02, except as modified herein. Accessory uses may be developed after  
 26    the primary use is in place.

### 27    **A(1)   Site Development and Supplementary Standards**

28    Site development and supplementary standards are implementation requirements of the  
 29    Midpines Community Plan. Some standards include broader policies defined to aid  
 30    implementation. The standards included in this section are required for new development,  
 31    unless otherwise specified in the Midpines Community Plan or the General Plan.

#### 32    **Access**

33    Adequate access shall be provided to all development. All driveways shall be constructed  
 34    in accordance with current Fire Safe regulations (as determined by CAL FIRE). New  
 35    subdivisions shall be served by roads meeting minimum county and Fire Safe standards.

#### 36    **Average slope of subject property**

37    The Planning Commission will review subdivisions on parcels with slopes in excess of  
 38    15%, in compliance with Section 5.3.02 E(2) of the General Plan. Parcels within the Scenic  
 39    Highway Overlay Zoning Designation shall have building sites that are setback from ridge  
 40    tops. Buildings constructed on hillsides in excess of 20% slope shall have stepped

foundations to follow the natural terrain. Driveways and roads shall be designed to follow natural contours to minimize grading.

**Suitability of soils for individual onsite sewage disposal system meeting Health Department requirements**

New parcels shall have approved areas for onsite sewage disposal systems and shall obtain an approval from the Health Department.

**Potable water supply related to the residential land use classification**

Standards for potable water supply in the Residential land use classification are provided in General Plan Section 5.3.02.E(4).

**Fire protection and fire management**

New construction shall conform to the regulations of the County Building Department, County Fire Department, and California Department of Forestry and Fire Protection (CAL FIRE) for purposes of fire management and fire safety. All applicable standards of the Fire Safety Overlay shall be required (Implementation Measure 5.4-1a(2)).

**Design**

Design Review required: Proposed residential development within the existing Scenic Highway Overlay boundaries, including modifications to existing development, shall be subject to Scenic Highway Overlay standards.

Viewshed: The height, mass, and bulk of a structure shall be in conformance with the Scenic Highway Overlay standards.

Structure design, landscaping and scenic environment: The colors, materials, texture, and style of a structure shall be consistent with the Scenic Highway Overlay standards.

Site development: Site development shall be consistent with the Scenic Highway Overlay standards.

**A(2) Intensity of Use Standards**

Intensity of use shall be consistent with rural character:

Visual – Development that is accessory to the primary use of lands within the Residential land use classification shall be of an appropriate use, height, scale, mass, and bulk to be permitted. The Zoning Ordinance shall include appropriate standards to define the Midpines standards.

Storage – Storage standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(3). Self-storage units shall not be classified as a home enterprise or rural home industry in Midpines.

Animal husbandry – Animal husbandry standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(6).

Backup generators – Backup generators shall be required to meet the same setbacks as the structure/use they are intended to serve. Noise related issues with backup generators shall be periodically reviewed to determine if additional standards or requirements are necessary.

Outdoor lighting – All outdoor lighting shall be Dark-Sky standards compliant.

### **A(3) Criteria for New Lands to be Included**

Criteria for inclusion of new lands into the Residential land use classification are provided in General Plan Section 5.3.02.G Items 1c, 2, and 4.

### **A(4) Zoning Consistency**

The following zoning districts are consistent with the purpose of the Residential land use classification:

Agriculture Exclusive  
Mountain General  
Mountain Home  
Mountain Transition  
Public Domain  
Public Sites

## **B. MIDPINES RURAL ECONOMIC**

### **B(1) Purpose**

The Midpines Rural Economic Land Use identifies sites and areas wherein existing and historical uses warrant designation as resort commercial or community commercial subclassifications. It also identifies sites that expand the area for potential new commercial land uses to serve the community or visitors travelling along Highway 140. The Midpines Rural Economic land use is divided into two subclassifications; community commercial and resort commercial.

### **B(2) Extent of Uses**

#### **Community Commercial Subclassification**

Primary uses are residential, retail, commercial, and service businesses supporting the needs of local residents, as well as tourists passing through or staying in the area. Regional shopping centers or businesses that rely on a regional population are not compatible with the Community Commercial subclassification. Gunsmithing businesses and firearm sales are also not compatible within the Community Commercial subclassification. The use shall be consistent with the rural character of Midpines.

Accessory uses may be developed after the primary use is in place if the uses enhance or support the primary use.

#### **Resort Commercial Subclassification**

Primary uses are those that support regional tourism such as hotels and motels and other similar tourist service facilities and that can be developed compatibly with adjoining land uses. Primary uses need not provide on-site recreation or entertainment activities.



Accessory uses that may be developed after the primary use is in place and do not conflict with adjoining land use classifications, uses, or the character of Midpines are those that provide enhancements to the primary use. Residential uses on lands within the Rural Economic land use classification will be accessory to the primary use, such as employee housing or caretaker's quarters.

### **B(3) Zoning Consistency**

#### **Community Commercial Subclassification**

The following zoning districts are consistent with the purpose of the Community Commercial land use subclassification:

Neighborhood Commercial Zone

Public Sites

#### **Resort Commercial Subclassification**

The following zoning districts are consistent with the purpose of the Resort Commercial land use subclassification:

Resort Commercial

### **B(4) Population Density and Building Intensity**

#### **Community Commercial Subclassification**

*Minimum parcel size for new subdivisions:* Two and one-half (2.5) acres of gross land area.

*Maximum dwelling units:* A maximum of two (2) residential units per parcel [one primary and an Accessory Dwelling Unit (ADU) if all development standards can be met.

*Maximum building intensity:* Thirty-five (35) percent lot coverage. The maximum gross square footage of a single building shall be five thousand (5,000) square feet.

*Maximum population density:* One hundred percent of the number of employees of the primary use.

#### **Resort Commercial Subclassification**

*Minimum parcel size for new subdivisions:* Minimum of 10 acres of gross land area.

*Maximum dwelling units:* Applications to site a Resort Commercial subclassification or develop a project within the Resort

1 Commercial subclassification will incorporate an analysis  
 2 of the housing market by a qualified professional to  
 3 ensure there is adequate housing for the total number of  
 4 employees. The total number of housing units needed to  
 5 provide for employee housing may be developed as a part  
 6 of the development. The housing is not required to be  
 7 located on-site and new housing is not required to be  
 8 created if the housing analysis indicates that there is  
 9 sufficient housing stock available.

10 *Maximum building intensity:* Thirty-five (35) percent lot coverage. The maximum  
 11 gross square footage of a single building shall be ten  
 12 thousand (10,000) square feet.

13 *Maximum population density:* One hundred percent of the number of employees of the  
 14 primary use.

15

## 16 **B(5) Development Standards**

### 17 **Frontage on maintained road**

18 Development within the Rural Economic land use classification shall be required to front  
 19 on a paved, maintained road meeting County road standards. Direct access to State  
 20 Highways or County arterials should be limited, as appropriate to reduce multiple driveway  
 21 encroachments, through the use of shared driveways or frontage roads.

### 22 **Parking and access**

23 Access to a County arterial or major collector shall be shared between commercial lots,  
 24 and the County shall be empowered to require access design to serve multiple parcels.

25 Buildings shall be sited so that parking areas may be shared between Community  
 26 Commercial uses. Buildings shall be sited to facilitate pedestrian access between structures  
 27 using accepted design principles for safety and attractiveness.

28 Site designs in which structures are designed with parking areas containing 20 parking  
 29 spaces or more between buildings and the access roads shall be avoided. Appropriate and  
 30 desirable transition shall be required between the street and the buildings including  
 31 landscaping and parking.

### 32 **Design**

33 Design Review required: Proposed commercial and institutional development, including  
 34 modifications to existing development, shall be subject to Scenic Highway Overlay  
 35 standards.

36 Viewshed: The height, mass, and bulk of a structure shall be in conformance with the  
 37 Scenic Highway Overlay standards.

1 Structure design, landscaping and scenic environment: The colors, materials, texture, and  
2 style of a structure shall be consistent with the Scenic Highway Overlay standards.

3 Site development: Site development shall be consistent with the Scenic Highway Overlay  
4 standards.

#### 5 **Slope**

6 Development sites with slopes over ten percent (10%) shall be engineered for stability and  
7 designed to match the natural contours and topography in order to blend with the natural  
8 environment. The use of cuts and fills shall be minimized. Use of retaining walls and  
9 stepped foundations are encouraged to minimize visual impacts of grading. Rather than  
10 one tall wall, retaining walls are encouraged to be broken up into several walls not more  
11 than 4 foot high.

#### 12 **Landscaping**

13 Existing mature native landscaping and rock outcroppings shall be retained to the greatest  
14 extent possible, with considerations made for fire resistive design. Native species suitable  
15 to site characteristics shall be encouraged, if suitable. Invasive species<sup>1</sup> shall be prohibited.

#### 16 **Water supply and wastewater disposal**

17 New development will be served by an approved potable water supply system adequate to  
18 serve the intended structure and its range of uses. New development must have an adequate  
19 supply of water for fire protection as determined by the applicable fire agency. New  
20 development must also have approval of the Environmental Health Unit for an onsite or  
21 shared wastewater disposal system to serve the intended structure and its range of uses.

#### 22 **Fire protection and fire management**

23 Rural commercial and institutional development will meet fire protection regulations.

### 24 **B(6) Criteria for New Lands to be Included**

25

#### 26 **Community Commercial Subclassification:**

27 There is a sufficient amount of land identified in the community commercial area to meet  
28 the long term needs of the Midpines Community planning area. The following criteria  
29 shall apply for changes of land use classification into the Community Commercial  
30 Subclassification:

- 31 1. The subject property has frontage on a paved, maintained road with adequate  
32 capacity.
- 33 2. The subject property adjoins existing commercial lands.
- 34 3. The properties included in the Community Commercial subclassification are  
35 more than 75% developed. If a specific development application is based on  
36 a rural home industry or home enterprise expanding the number of jobs so that

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<sup>1</sup> <https://www.cal-ipc.org/plants/profiles/>

- 1 relocation from home to a business location is required, this finding is not  
 2 required.  
 3 4. A specific development proposal accompanies the application.

#### 4 **Resort Commercial Subclassification:**

5 The following criteria shall apply for changes of land use classification into the Resort  
 6 Commercial Subclassification:

- 7 1. The subject property has frontage on a paved, maintained road with adequate  
 8 capacity.  
 9 2. A specific development proposal accompanies the application.  
 10 3. The specific development proposal meets all of the required development  
 11 standards.  
 12 4. The subject property has a minimum parcel size of 10 acres.

### 13 **C. PLANNED DEVELOPMENT AREA**

#### 14 **C(1) Purpose**

15 The Planned Development Area Land Use identifies sites and areas that warrant flexible  
 16 development standards due to their suitability for a variety of uses. They also provide an  
 17 opportunity for comprehensively planned uses due to location and suitability for  
 18 development of these properties. The area consists of seven contiguous parcels owned by  
 19 Yosemite Oaks Inc. totaling approximately 1,080 acres. The land is largely undeveloped  
 20 and is strategically located as a gateway location to the Midpines Community and, to a  
 21 further extent, Yosemite National Park. For these reasons, future development within this  
 22 area has the potential to significantly influence the rural character, the protection of natural  
 23 and scenic resources, and fire safety for Midpines. The intent of defining the Planned  
 24 Development Area is to establish guidance for land use consistent with the Guiding  
 25 Principles of the Midpines Community Plan. The objectives are to allow for a compatible  
 26 low density mixed use for limited residential, resort commercial, recreational development,  
 27 and agricultural/open space preservation.

#### 28 **C(2) Extent of Uses**

29 Due to the suitability for a wide variety of uses, the extent of uses is broken down into  
 30 different categories to guide future development within the Planned Development Area.

#### 31 **RESIDENTIAL:**

32 Future residential development should be low density and may include single-family  
 33 residences, equestrian estates, and employee housing appurtenant to resort commercial  
 34 development. Future residential development may be used for Bed and Breakfasts or  
 35 Vacation Rentals in compliance with County Code. Residential development, not to  
 36 exceed the density of one (1) dwelling unit per five (5) acres, may be permitted through  
 37 the approval of a Planned Development permit, if it is found to be subordinate to the rural  
 38 character of the area and protects and preserves the intact scenic quality of Highway 140  
 39 views and vistas. Residential development projects are subject to approval of a Planned  
 40 Development Permit.

#### 41 **RESORT COMMERCIAL:**

1 Future resort commercial development shall be limited to self-contained destination uses  
 2 with complete on-site services and compatible, supporting amenities including food  
 3 service, laundry, recreation facilities, etc. Land uses in this category could include: resort  
 4 spa, dude ranch, educational or social/non-governmental institutes, learning centers, and  
 5 convention centers. Restaurants; retail sales of groceries, supplies, and souvenirs related to  
 6 tourist accommodations; health retreat/spa facilities; and other similar may be developed  
 7 to support the tourist accommodations. Regional shopping centers; automotive/recreational  
 8 vehicle, parts and repair sales; firearms sales; industrial manufacturing; for rent storage;  
 9 outdoor concert venues, recycling/salvage center and other similar uses shall be prohibited.  
 10 Development shall be subordinate to the rural character of the setting and shall protect and  
 11 preserve the intact scenic quality of Highway 140 views and vistas. All development  
 12 projects are subject to the approval of a Planned Development Permit.

### 13 **RECREATIONAL:**

14 The Planned Development Area is well suited for a variety of recreational opportunities  
 15 that may be developed as a stand-alone use or as part of a residential or resort commercial  
 16 development. Uses such as church camps; hiking and nature trails; frisbee-golf courses;  
 17 equestrian riding trails/stables; non-motorized vehicle trails; and art camps may be  
 18 proposed through the Planned Development Permit process. Uses such as water-parks,  
 19 amusement parks; and motorized vehicle trails/parks/tracks are not consistent with the rural  
 20 character of the area. Development shall be subordinate to the rural character of the setting  
 21 and shall protect and preserve the intact scenic quality of Highway 140 views and vistas.

### 22 **AGRICULTURAL/OPEN SPACE:**

23 The Planned Development Area encourages proposed development to maximize open  
 24 space and take measures to protect the quality and supply of water resources, as well as  
 25 other natural resources. Land uses for agricultural/open space areas could include nature  
 26 study/research facilities; vineyards, orchards, tree nurseries; wildfire understory fuel  
 27 management; and nature preserve/conservation study areas. The areas located within the  
 28 Open Watershed Overlay are best suited for open space and minimal development to  
 29 protect the Stockton Creek Watershed.

30

31 The primary use pending submittal and approval of Planned Development permit shall be  
 32 residential (one (1) residence per parcel).

33 A Planned Development permit application shall be reviewed by the Planning Commission  
 34 and approved by the Board of Supervisors. The Planned Development permit application  
 35 shall be a complete conceptual plan showing the type and intensity of principal uses, the  
 36 intended mix and location of accessory uses, planned on-site activities and amenities,  
 37 overall footprint and principal means of access and circulation, and the scale, character,  
 38 and profile of development as seen from all four sides via renderings or other graphics and  
 39 models.

40

### 41 **C(3) Zoning Consistency**

42 The following zoning districts are consistent with the purpose of the Planned Development  
 43 Area land use subclassification:

Resort Commercial  
Planned Development Zone

**C(4) Population Density and Building Intensity**

*Minimum parcel size  
for new subdivisions:*

Minimum of thirty (30) acres of gross land area. Applications for a Planned Development Permit to develop a residential project within the Planned Development Area may propose varying parcel sizes, but in no case can parcels smaller than five (5) acres be created.

*Maximum dwelling units:*

Applications to develop a resort commercial or recreational project within the Midpines Planned Development Area will incorporate an analysis of the housing market by a qualified professional to ensure there is adequate housing for the total number of employees. The total number of housing units needed to provide for employee housing may be developed as an integral part of the development. The housing is not required to be located on-site and new housing is not required to be created if the housing analysis indicates that there is sufficient housing stock available.

*For applications to develop a residential project within the Midpines Planned Development area if not a part of a Resort Commercial project, the maximum number of dwelling units shall be one (1) per parcel. The overall density of any new residential project shall be one (1) per five (5) acres of gross land area.*

*Maximum building intensity:*

Thirty-five (35) percent lot coverage. Planned Development Permit applications to develop a project within the Planned Development Area may propose varying building intensity standards. Emphasis will be placed on clustering intensive land uses to minimize impact on natural resources, minimize public health concerns, and maintain rural character.

*Maximum population density:*

One hundred (100) percent of the number of employees of the primary use. Visitors and guests are not factored when calculating density.



## 1     **C(5)   Development Standards**

### 2     **Frontage on maintained road**

3     Development within the Planned Development Area land use classification shall be  
 4     required to front on a paved, maintained road meeting County road standards. Direct  
 5     access to State Highways or County arterials should be limited, as appropriate to reduce  
 6     multiple driveway encroachments, through the use of shared driveways or frontage roads.

### 7     **Parking**

8     Buildings shall be sited so that parking areas may be shared between uses on one parcel.  
 9     Buildings shall be sited to facilitate pedestrian access between structures using accepted  
 10    design principles for safety and attractiveness. Appropriate and desirable transition shall  
 11    be required between the street and buildings, including landscaping and parking.

### 12    **Design**

13    Design Review required: Proposed commercial and institutional development, including  
 14    modifications to existing development, shall be consistent with the Scenic Highway  
 15    Overlay standards.

16    Viewshed: The height, mass, and bulk of a structure shall be in conformance with the  
 17    Scenic Highway Overlay standards.

18    Structure design, landscaping and scenic environment: The colors, materials, texture, and  
 19    style of a structure shall be consistent with the Scenic Highway Overlay standards.

20    Site development: Site development shall be consistent with the Scenic Highway Overlay  
 21    standards.

### 22    **Slope**

23    Development sites with slopes over ten percent (10%) shall be engineered for stability and  
 24    designed to match the natural contours and topography in order to blend with the natural  
 25    environment. The use of cuts and fills shall be minimized. Use of retaining walls and  
 26    stepped foundations are encouraged to minimize visual impacts of grading. Rather than  
 27    one tall wall, retaining walls are encouraged to be broken up into several walls not more  
 28    than 4 foot high.

### 29    **Landscaping**

30    Existing mature native landscaping and rock outcroppings shall be retained to the greatest  
 31    extent possible, with considerations made for fire resistive design. Native species suitable  
 32    to site characteristics shall be encouraged, if suitable. Invasive species<sup>1</sup> shall be prohibited.

### 33    **Water supply and wastewater disposal**

34    New development will be served by an approved potable water supply system adequate to  
 35    serve the intended structure and its range of uses. New development must have an adequate

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<sup>1</sup> <https://www.cal-ipc.org/plants/profiles/>

supply of water for fire protection as determined by the applicable fire agency. New development must also have approval of the Environmental Health Unit for an onsite or shared wastewater disposal system to serve the intended structure and its range of uses.

#### **Fire protection and fire management**

Development is required to meet fire protection regulations.

#### **C(6) Criteria for New Lands to be Included**

The lands designated as Midpines Planned Development Area are unique in their locations, size, and development potential. No further lands are to be designated within this land use.

### **D. AGRICULTURE/WORKING LANDSCAPE**

The Midpines Plan applies the General Plan Agriculture/Working Landscape land use classification, General Plan Section 5.3.04.

### **E. NATURAL RESOURCES**

The Midpines Plan applies the Natural Resources land use classification, General Plan Section 5.3.05.

### **F. PUBLIC SITES**

#### **F(1) Purpose**

The Public Facilities and Services land use classification defines lands identified for the location of or expansion to public and private uses serving the general public's health, safety, and welfare.

#### **F(2) Extent of Uses**

Schools; parks; post offices; public transit park and rides, and public facilities. While lands in the Public Facilities and Services land use classification can support a wide variety of public uses, compatibility between different uses occurring on one site should be reviewed to ensure conflicts are avoided or minimized.

#### **F(3) Zoning Consistency**

The following zoning districts are consistent with the purpose of the Public Facilities and Services land use classification:

Public Sites

#### 1 **F(4) Population Density and Building Intensity**

2 *Maximum dwelling units:* Per approved project, generally one dwelling unit per  
3 project site for purposes of providing onsite security.<sup>1</sup>

4 *Minimum parcel size* Two and one-half (2.5) acres of gross land area.  
5 *for new subdivisions:*

6 *Maximum building intensity:* Per approved project.

7 *Maximum population density:* 2.45 persons per onsite security dwelling

#### 8 **F(5) Development Standards**

9 Site development and supplementary standards for the Public Facilities and Services land  
10 use classification are provided in Section 5.1.02.C(5).

#### 11 **F(6) Criteria for New Lands to be Included**

12 Land shall be owned or used by a public agency, a recognized public utility, a quasi-public  
13 utility, or homeowner association.

#### 14 **G. LEGAL EXISTING USES OF LAND**

15 Regulations for legally existing uses of land in Midpines are provided in General Plan  
16 Section 5.1.12 and Goal 5-11, Policies 5-11a and 5-11b, and Implementation Measures 5-  
17 11a(1) and 5-11b(1).

#### 18 **H. HOME BUSINESSES**

19 Traffic generation standards for home businesses in the Residential land use classifications  
20 are provided in General Plan Section 5.3.02.F(2).

#### 21 **5.1.03 LAND USE GOALS AND POLICIES**

22 The following are the Midpines Plan land use goals, policies, and implementations  
23 measures. These policies are unique to the Midpines Plan and are not repeated in the  
24 General Plan. In several cases, policies are “tiered” from or are otherwise related to broader  
25 General Plan policies and are noted in the text.

26 **Goal MIDPINES 5.1-1: Maintain rural densities for residential development**  
27 **in the Midpines Residential land use classification.**

28 (Goal MIDPINES 5.1-1, Policy MIDPINES 5.1-1a, and  
29 Implementation Measures MIDPINES 5.1-1a(1) are tiered from  
30 General Plan Goal 5-9. General Plan text will be reviewed in  
31 conjunction with MIDPINES Plan policies and implementation  
32 measures.)

33 *Policy MIDPINES 5.1-1a:* One house per five acres is Midpines’s rural average  
34 density.

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<sup>1</sup> For example, a mobile home in which a caretaker and family reside on the grounds of a public park.

*Implementation Measure*

**MIDPINES 5.1-1a(1):** In the Midpines Residential land use classification, the maximum allowable density for residential development shall be one dwelling unit per five acres.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

Fiscal Impact: None.

Consequences: This fixes the standard of the “five acre parcel” as the rural standard in Midpines. It does not, however, require that this density be based on a minimum parcel size, just an average density of one house per five acres. A second residential unit that conforms to the requirements of California Government Code Section 65852 will not be considered in the calculation of allowable density for a residential parcel in Midpines.

**Goal MIDPINES 5.1-2: Parcel sizes for commercial and institutional uses shall be based on maintaining rural character.**

**Policy MIDPINES 5.1-2a:** Commercial and institutional development shall be sited on parcels designed and sized to maintain rural character.

*Implementation*

**Measure MIDPINES 5.1-2a(1):** The County shall modify the County Zoning Ordinance to establish the Neighborhood Commercial Zone which incorporates a minimum parcel size of two and one-half (2.5) acres of gross land area and standards for commercial and institutional development to maintain rural character.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal impact: One-Time Impact – Cost is included in Implementation Measure MIDPINES 5.1-1a(1).

Ongoing Impact – Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: Revisions to County Zoning Ordinance will provide consistency with Midpines Plan.

**Goal MIDPINES 5.1-3: New development emphasizes rural character qualities.**

**Policy MIDPINES 5.1-3a:** Apply the Scenic Highway Overlay development standards to new development in the Scenic Highway Overlay.

*Implementation Measure*

**MIDPINES 5.1-3a(1):** The County Zoning Ordinance shall be reviewed and amended as necessary to ensure the Scenic Highway Overlay development standards are adequate.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: One-Time Impact – Cost is included in Implementation Measure MIDPINES 5.1-3a(1).

Consequences: Development within the Scenic Highway Overlay zone will be evaluated.

**Goal MIDPINES 5.1-4: Integrate transportation and land use decisions to achieve the Community’s managed growth objectives.**

(Goal MIDPINES 5.1-4, Policies MIDPINES 5.1-4a and MIDPINES 5.1-4b, and Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-5b(1) are tiered from General Plan Policy 5-3a. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

**Policy MIDPINES 5.1-4a:** Subdivision activity is only permitted on maintained roads with adequate capacity to serve the potential new lots.

*Implementation Measure*

**MIDPINES 5.1-4a(1):** To qualify for subdivision, access to the subject property shall be from a road that is:

(1) maintained<sup>1</sup>; and

(2) has adequate capacity for the potential traffic volume generated by the total number of existing lots and those which can be created within the road system.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

Fiscal impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: This establishes a minimum standard linking circulation with land use. A public or private road must have adequate capacity to accommodate the traffic generated by the

<sup>1</sup> “Maintained road” means a road that receives scheduled maintenance from the State Department of Transportation, County of Mariposa, special district, or mandatory private road maintenance association created as part of the project approval.

1 proposed and potential subdivisions within the  
2 same road system to be approved.

3 *Implementation Measure*

4 **MIDPINES 5.1-4a(2):** Prior to the submittal of a final subdivision map, roads serving the  
5 proposed subdivision shall be improved, or appropriate surety  
6 submitted to the County of Mariposa to cover the cost of improving  
7 such roads, to the standards required for subdivision capacity as  
8 identified in the General Plan Circulation, Infrastructure, and Services  
9 element.

10 Timing: Ongoing review standard

11 Responsibility: Mariposa County Planning Department

12 Fiscal impact: Ongoing Impact - Staff project review costs will  
13 vary depending on the project and are paid by an  
14 applicant through project review reimbursement.

15 Consequences: Road improvements must be completed, or surety  
16 for completion posted, prior to the submittal of  
17 the final subdivision maps.

18 **Goal MIDPINES 5.1-5: Development minimizes impacts on and/or improves**  
19 **air quality.**

20 (Goal MIDPINES 5.1-5, Policy MIDPINES 5.1-5a, and  
21 Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-  
22 5a(2) are tiered from General Plan Policy 11-1c. General Plan text will  
23 be reviewed in conjunction with MIDPINES Plan policies and  
24 implementation measures.)

25 **Policy MIDPINES 5.1-5a:** Implement standards that minimize impacts on and/or  
26 improve air quality.

27 *Implementation Measure*

28 **MIDPINES 5.1-5a(1):** For new commercial and institutional building permits and all  
29 subdivision applications, including new residential subdivision  
30 applications in Midpines, the County shall require energy  
31 conservation and the reduction of greenhouse gas emissions in  
32 conformance with California Code of Regulation Title 24, Parts 6 and  
33 11. Additional measures shall include one or more of the following:

- 34 • Limited hours of operation of outdoor lighting.
- 35 • The use of solar heating, automatic covers, and efficient pumps  
36 and motors for pools and spas.
- 37 • The installation of solar, wind, and geothermal power systems,  
38 and solar hot water heaters.
- 39 • Features that discourage excessive use of water for cleaning  
40 outdoor surfaces and vehicles.
- 41 • Low-impact development practices that maintain the existing  
42 hydrologic character of the site to manage storm water in  
43 accordance with General Plan Implementation Measure 16-5a(2)  
44 and protect the environment. (Retaining increased storm water

runoff on-site resulting from project implementation can drastically reduce the need for energy-intensive imported water at the site.)

- Mixed-use included in commercial development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel such as the Yosemite Area Regional Transportation System (YARTS), and promote efficient delivery of services and goods.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department.

Fiscal impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: Reduces emissions of air pollutants and greenhouse gases.

#### *Implementation Measure*

**MIDPINES 5.1-5a(2):** The County supports the availability of the following educational programs for Midpines residents as time and resources permit:

- Energy efficiency and water conservation, including available programs and incentives;
- Waste reduction and available recycling services; and
- Options for individuals and businesses to reduce transportation-related emissions, including YARTS, bicycle, and horse trails.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Public Works Department.

Fiscal impact: Ongoing Impact – Staff time during the work day to answer questions and provide available information.

Consequences: Reduces emissions of air pollutants and greenhouse gases.

## 5.2 INFRASTRUCTURE AND SERVICES

### DISTINCTIVE ASPECTS OF MIDPINES INFRASTRUCTURE AND SERVICES

The General Plan addresses circulation issues and road maintenance consistent with the needs of Midpines. There is no need for special circulation related goals in the MIDPINES Plan. Likewise, utilities are addressed in the General Plan, and Midpines-specific utilities policies are unnecessary.



## 1 5.3 NOISE

### 2 DISTINCTIVE ASPECTS OF MIDPINES NOISE

3 Chapter 15 of the General Plan, the Noise Element, addresses noise issues in the county.  
 4 Within the Midpines Community Plan Area, ambient noise sources originate primarily  
 5 from the Highway 140 corridor which traverses the planning area. The natural wooded  
 6 topography of the area helps to buffer and mitigate traffic associated noise levels. Nuisance  
 7 noise sources are random and include the use off-road vehicles such as motorcycles in  
 8 unimproved areas of Midpines, use of power tools such as chainsaws, chippers, and log  
 9 splitters, and barking dogs. Other sources include gun shots from target shooting on private  
 10 and Federal lands. The plan relies on and supports the implementation measures contained  
 11 in the General Plan regarding noise.

#### 12 **Goal MIDPINES 5.3-1:Control and minimize noise impacts within the Midpines** 13 **Community Planning Area.**

14 *Policy MIDPINES 5.3-1a:* Support the development of a County noise ordinance that  
 15 contains standards for limiting noise impacts such as from high-noise  
 16 equipment such as generators and off-road vehicles.

17

#### 18 Implementation Measure

19 *MIDPINES 5.3-1a(1):* Development standards should be explored and implemented, if  
 20 feasible, that provide a method of controlling noise at its source for  
 21 high-noise equipment such as generators and off-road vehicles.

22

23 Timing: Intermediate-Term Planning Period  
 24 Responsibility: Public Safety Officer and Planning Department.

25 Fiscal impact: Unknown.

26 Consequences: Noise reduction.

27

## 28 5.4 SAFETY

### 29 DISTINCTIVE ASPECTS OF MIDPINES SAFETY

30 The General Plan addresses safety issues in Chapter 16, the Safety Element. Within the  
 31 Midpines Community Plan area, fire protection and emergency services are at the top of  
 32 the list in regards to community needs and concerns. The majority of the Midpines  
 33 Community Plan area is located within the Very High and High Fire Hazard Severity Zones  
 34 in the Fire Hazard Severity Zones SRA map adopted by CAL FIRE. This mountain region  
 35 includes a combination of factors that expose development and resources to wildland fires  
 36 and the after effects of these fires, which include flooding and erosion, due to topography,  
 37 climate, vegetation, and the human environment. The Midpines Community Plan  
 38 recognizes the importance of fire adapted landscapes and their relationship to potential  
 39 development and existing improvements. The plan relies on and supports the other  
 40 planning efforts underway and those that have been completed regarding fire management  
 41 mitigation activities and fire resiliency.

**Goal MIDPINES 5.4-1: Provide adequate fire safety measures to protect residents within the Midpines Community Plan Area.**

(Goal MIDPINES 5.3-1, Policy MIDPINES 5.3-1a, and Implementation Measures MIDPINES 5.1-1a(1) and MIDPINES 5.1-1a(2) are tiered from General Plan Goal 16-1. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

*Policy MIDPINES 5.4-1a:* Explore and develop, if necessary, a Fire Protection Overlay that contains additional standards for development within the Midpines Community Plan area.

*Implementation Measure*

*MIDPINES 5.4-1a(1):* County Code and existing fire regulations shall be reviewed to determine the need to establish a Fire Protection Overlay zone with additional fire protection development standards or the need for additional regulations related to fire safety for the Midpines Community Planning Area. The standards shall address issues such as:

- Slopes and fire risk.
- Driveway and access roadway standards.
- Fuel modification plan.
- Access to water supplies.
- Standards for fencing and landscaping.
- Structure ignition zone.
- Maintenance mechanisms for fire safety related improvements.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department.

Fiscal impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: Increases public safety by developing standards that assist in protecting facilities from wildfire.

*Implementation Measure*

1 *MIDPINES 5.4-1a(2):* Work with the Public Works Department, Cal Fire, the Mariposa  
2 Fire Safe Council, and Office of Emergency Services to identify safe  
3 and efficient evacuation routes for residents and tourists in the event  
4 of an emergency.

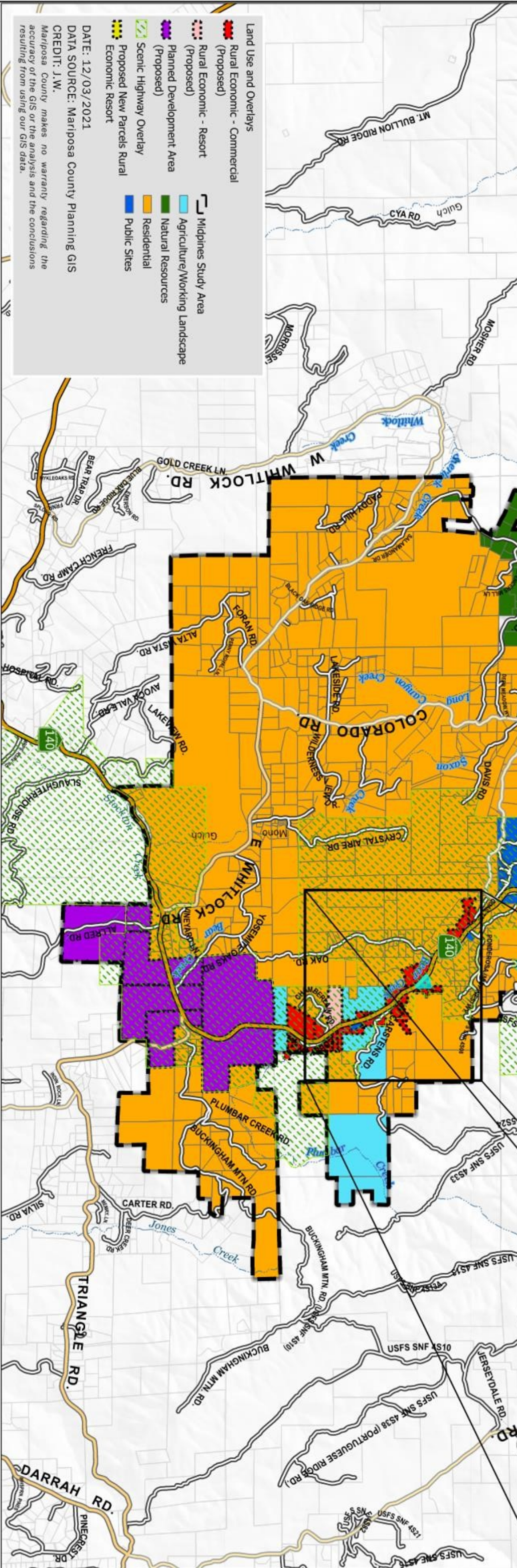
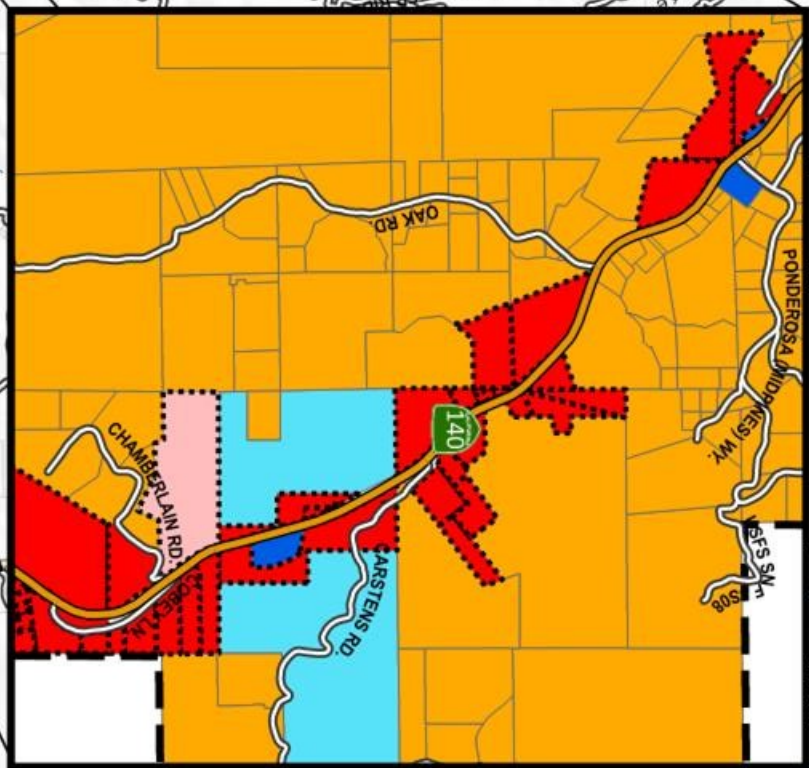
5  
6 Timing: Short-Term Planning Period  
7 Responsibility: Office of Emergency Services.  
8 Fiscal impact: Ongoing Impact

9 *Implementation Measure*

10 *MIDPINES 5.4-1a(3):* Provide informational materials to potential building permit  
11 applicants regarding the structure ignition zone. The material shall include information on  
12 how to fire harden homes.

13  
14 Timing: Short-Term Planning Period  
15 Responsibility: Mariposa County Planning Department.  
16 Fiscal impact: Ongoing Impact  
17  
18





- Land Use and Overlays**
- Rural Economic - Commercial (Proposed)
  - Rural Economic - Resort (Proposed)
  - Planned Development Area (Proposed)
  - Scenic Highway Overlay
  - Proposed New Parcels Rural
  - Economic Resort
  - Midpines Study Area
  - Agriculture/Working Landscape
  - Natural Resources
  - Residential
  - Public Sites
- DATE: 12/03/2021  
DATA SOURCE: Mariposa County Planning GIS  
CREDIT: J.W.  
Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and the conclusions resulting from using our GIS data.

# Community Plan Land Use Diagram - Draft July 2021

