

MIDPINES PLANNING ADVISORY COMMITTEE

MEETING AGENDA --- August 11, 2021--- DIRECTIONS

The following public comment options continue to be offered during the pandemic pursuant to the Governor's Executive Order N-29-20, which relaxed certain provisions of the Brown Act to allow public meetings accessible telephonically to all public members seeking to observe and address that committee/council/commission and or working group.

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

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

Mariposa County Planning Department
5100 Bullion Street, 1st 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 August 11, 2021
TIME: 6:00 P.M. – 8:00 P.M.
LOCATION: *TELECONFERENCE MEETING- (See above for participation information)
Meeting host location- *LOWER LEVEL CONFERENCE ROOM* GOVERNMENT CENTER
5100 BULLION STREET
MARIPOSA, CALIFORNIA 95338

1. Roll Call
2. Approval of Minutes: Meeting of June 9, 2021
3. Public comments
4. Community Plan
 - a. Committee consideration and potential action on Community Plan Draft as follows:
 - i. Request for consideration and possible action by the Committee for a change in the proposed land use designation for a parcel within the Midpines Plan Study Area- APN 008-300-001
 - ii. Review draft Community Plan for approval and/or direction for further edits
 - iii. Review draft land use diagram and provide direction/approve
5. Updates and Activity Reports
 - a. Oak Road Bridge Project Update
 - b. CALTRANS - Update
 - c. Planning Commissioner Updates
 - d. Supervisor Updates
 - e. COVID19 County update
6. Adjourn

MIDPINES PLANNING ADVISORY COMMITTEE

DRAFT MEETING MINUTES

DATE: WEDNESDAY June 9, 2021
TIME: 6:00 P.M. – 8:00 P.M.
LOCATION: *TELECONFERENCE MEETING- (See above for participation information)
Meeting host location- *LOWER LEVEL CONFERENCE ROOM* GOVERNMENT CENTER
5100 BULLION STREET
MARIPOSA, CALIFORNIA 95338

1. Roll Call Gary Francisco, Angie Heiss, Heather Huppe, Candy O'Donnell Browne, Adam Ferguson and Eileen Collins, Charles Lammers.

Supervisor: Rosemarie Smallcombe

Planning Commissioner: Ed Walls

Staff: Álvaro Arias, Steve Engfer

2. Approval of Minutes: *Meeting minutes of May 12, 2021 approved with edits.*
3. Public comments
4. Guest Presentation: *Chair introduced the item. A short discussion occurred regarding existing commercial land use designations in the Draft Midpines Community Plan, Planned Development, Community Commercial and Resort Commercial. in the Yosemite Oaks Inc., Introduction of Conceptual Project. Robert Bisno, George Radanovich gave a presenting regarding the project ideas. A potential resort commercial development project idea to be located at the assemblage of parcels at Highway 140 and Triangle Road, known as the Yosemite Oaks parcels. The parcels are identified in the draft Midpines Community Plan land use of PD. Presentation included descriptions of potential resort hotel, motorcoach/RV lots about 100, about 60 campsites, on site amenities, restaurant, resort services, hot tubs/pools/spas. Committee discussion occurred regarding the concept, with topics that included availability of water, traffic, layouts, intensity of development, and biological resources. Discussion also included reference that this is concept and that any project would be subject to applicable land use entitlements and environmental review, including review by the MPAC if an application is submitted in the future. Committee thanked the presenters for taking the time to present their ideas a the MPAC. Additional details were included in submittal from Mr. Bisno and Mr. Radanovich, which were included in the agenda packet.*
5. Community Plan
 - a. Committee consideration and potential action on Community Plan Draft as follows:
 - i. Inclusion of all Yosemite Oaks Inc. owned parcels (one parcel currently not within Community Plan boundary) and assignment of potential land use designation

Discussion occurred regarding inclusion of the parcel (APN 014-070-019) that was omitted inadvertently as a part of the parcel assemblage already included in the Planned Development (PD) area of the draft Midpines Community Plan land use map, as a part of the assemblage of parcels already included in the PD plan area. (A map included in the agenda packet identified the parcel). Collins made a motion to include the parcel within the boundary and change the designation to be land use Planned Development area. Second by Huppe. Motion carried unanimously.

- ii. Request for consideration and possible action by the Committee for a change in the proposed land use designation for a parcel within the Midpines Plan Study Area- APN 008-300-001

Item was introduced by the Chair. Mr. Ferguson, requestor, who notified the committee that they prefer to not move forward with the request for the land use to be commercial, rather than residential in the draft land use map of the draft Midpines Community plan. They wish to have additional discussion in the future with planning staff before moving forward on the request before the committee today. Discussion occurred by the committee and no action on inclusion of the parcel as a commercial land use was taken. Chair notified the committee based on the request of Mr. Ferguson would not be needed at this time. No action taken. It may be taken up at a future date if Mr. Ferguson decides to request it. It can be added back on the agenda at that time. Additional brief discussion occurred regarding the Resort Commercial acreages in the draft plan and the subject parcel size acreage of about 5 acres as well as potential as a home enterprise and if it would fall under that in the future.

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

The Draft land use diagram was approved previously, and the addition of the parcel listed in item 5 a. i. APN 014-070-019 approval amended the boundary. No other changes were approved.

- iv. Review draft Community Plan Planned Development Area section for approval and/or direction for further edits

Discussion occurred regarding the land use for Planned Development area and policies in the plan draft begin flexible enough to allow commercial. It was also brought up that in the plan, the PD land use lists compatible zoning of Resort Commercial and PD Zone. This PD Zone could be viewed as redundant. It was described that the future zoning that would further refine the development standards to insure it is compatible with community context. Discussion occurred regarding draft plan language and comments from Mr. Bisno and potential edits to the draft plan to make it clearer. Example given was population density, where it seemed not clear. Collins mentioned that she was interested in staffs input on the comments from Mr. Bisno. Chair responded he was interested in that as well. Chair described comments from Mr. Bisno specifically comments that indicate the community commercial standards being potentially applicable to the PD area. It appears that Mr. Bisno confused the Community Commercial, Resort Commercial and Planned Development Zone development standards for density. Staff described that the density applicable to the Community Commercial is not applicable to Resort Commercial, or Planned Development, which allows for its own density standards. Discussion regarding some minor changes on Page 5-9 and 5-10 to clarify Resort Commercial verses Planned development are in the zoning consistency section. Suggestion was made to bring back changes to the next meeting regarding these changes. Chair requested that it be brought to the next meeting for changes on 5-9 and 5-10 for clarifications not included in today's agenda packet.

v. Review draft Community Plan for approval and/or direction for further edits
Deferred to future meeting.

6. Updates and Activity Reports

a. Oak Road Bridge Project Update

Supervisor Smallcombe mentioned that she had an extensive conversation with the CALTRANS about the project on June 2. And additional information was requested from Public Works on the project status. Also, that a need for review of the contract, further discussion with Ms. Parke and Public Works staff was needed. Rosemarie mentioned that a community meeting would be in order in the future, after gathering more information. Ms. Parke was also a part of the discussion and thanked Supervisor Smallcombe for meeting with her.

b. CALTRANS – Update

Supervisor Smallcombe gave a brief update on Ferguson project that there would be about a 6–8-week delay on trucks rolling hauling talus. Midpines segment of Hwy 140 study is underway potential for June completion.

c. Planning Commissioner Updates

Commissioner Walls Gave an update that the Planning Commission would be considering a minor land division and Biomass CUP time extension request.

d. Supervisor Updates

Board approval of the formation of Code Compliance Citizens Advisory Committee occurred. Committee to move forward. Citizen applications will be published, and Supervisor Smallcombe encouraged participation and to look for the notifications. Also, that the Voting District redistricting process is underway with public meeting July 17, 10 am. Steve Ward gave an update on the CWPP. Building Director Mike Kinslow announced his retirement.

e. COVID19 County update- Future meetings in person?

Discussion occurred regarding potential for in person meetings. Logistics of meeting room and space, as well as virtual option as well would need to be addressed. Also, State June 15 opening poses some needs for County to look at options very soon for navigating public and virtual meetings options. As well as new CAL OSHA has also issued some new standards as well and additional clarity is needed.

7. Adjourn *Meeting Adjourned by Chair.*

Steve Engfer

From: Adam Ferguson <atferguson7@gmail.com>
Sent: Friday, July 30, 2021 11:27 AM
To: Gary Francisco; Steve Engfer
Subject: Re: property land use change

Hi Steve and Gary,

Thank you both for all of the information and patience in this process.

After further discussion with Steve and Alvaro, my dad and I have decided that we would like to go ahead with a proposal for land use designation change for 6940 Hwy 140. We feel that in the long run this is the best move for us and would make the most sense for keeping Zephyr integrated with the Midpines community.

I'm going to copy the initial letter we drafted below, please include this in the packet for the August 11 meeting.

Thanks again,

Adam

Attention MPAC members:

I am writing to submit a request for consideration for a Land Use designation change for [6940 Hwy 140](#) in Midpines, California from 'Residential' to 'Rural Economic: Resort'.

I'm writing on behalf of Zephyr Whitewater, which is a family business started in 1973, and based in Columbia, California. Zephyr was started by my dad, Bob Ferguson, who still owns and operates the business. I am the Operations Manager, and I live year round on site in Midpines.

Zephyr has been offering whitewater trips on the Merced River since ~1978, and we have had a business presence in Midpines since then. We rented the former "Bear Creek" property from Dick and Joan Oswald for many years. Most recently, since 2001, we operated out of a seasonal base next door to Indian Flat RV Park/Campground. We based our trips out of that location until 2018, when the owner of the property decided to use the land for other purposes.

After losing this location, we searched the area for a property that would allow ample parking, a location reasonably close to the river, and an area for our seasonal business. We knew there was no viable option for us in the river canyon, and hardly any viable options between the river canyon and Mariposa. Before finding the Coats' property for sale, we struggled with the existential possibility of having to shut down our business.

Whitewater rafting over the years has become a huge tourist draw for folks from all over the world. Zephyr has grown to become the largest rafting outfitter in Mariposa County. We take more clients rafting each season on the Merced than all other rafting outfitters combined. Yosemite of course is the main attraction, but many come to Mariposa County for the rafting itself and many of those spend their dollars in the county in restaurants, overnight lodging, and groceries and fuel. On busy weekends in Yosemite, and especially when reservations are required for entrance, tourists and locals are looking for activities and experiences that make Mariposa County shine, outside of the park. We of course think our presence in Midpines is a huge asset to the area. This past memorial day weekend, we rafted about 300 people down the river. And they end up back in Midpines after their trip to perhaps have lunch or dinner, or lodge at "The Bug", stay at Auto Camp or Bear Creek Cabins, or in [Mariposa](#).

[6940 Hwy 140](#) provides an ideal location for us. The property has a huge flat parking area, is located directly across from the Yosemite Bug, and Bear Creek Cabins, and the entire section of land directly across Hwy 140 is designated 'Rural Economic: Resort' on the MPAC map. The property also is located on a long, straight section of Highway 140, which allows for excellent visibility for safe ingress and egress.

We have operated the past two seasons as a home business, but considering the Advisory Committee is currently voting on Land Use boundaries and developing the Midpines Plan, we thought this might be an appropriate time to request this consideration. We have no future intention of operating any differently than we did in 2019 or 2021 (we did not operate in 2020 due to COVID) or developing the property for any other use. We simply want to be able to continue to operate our seasonal rafting trips and to have a Land Use and Zoning designation that best fits our business. This short season, we are only in operation for a little over 2 months due to the drought and lack of snowpack. We only operate seasonally and the length of our season depends totally on the previous winter snowpack.

I am proposing this Land Use Change as a member of the Midpines community. As a member of the Midpines Planning Advisory Committee, I understand that I will need to recuse myself from decision making on this matter.

Sincerely

Adam Ferguson

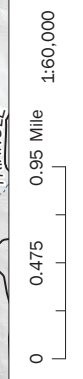
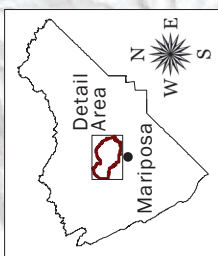
Operations Manager

Zephyr Whitewater

(530) 574-6871 (Cell)

(209) 532-6249 (Office)

adam@zrafting.com



Midpines Changes for Consideration

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

MIDPINES COMMUNITY PLAN

JULY/AUG 2021-DRAFT



MIDPINES COMMUNITY PLAN ADOPTION AND UPDATES

[illegible]



THE COUNTY OF MARIPOSA
Midpines Community Plan
DRAFT-JULY/AUGUST 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



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1 Introduction and Setting

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.

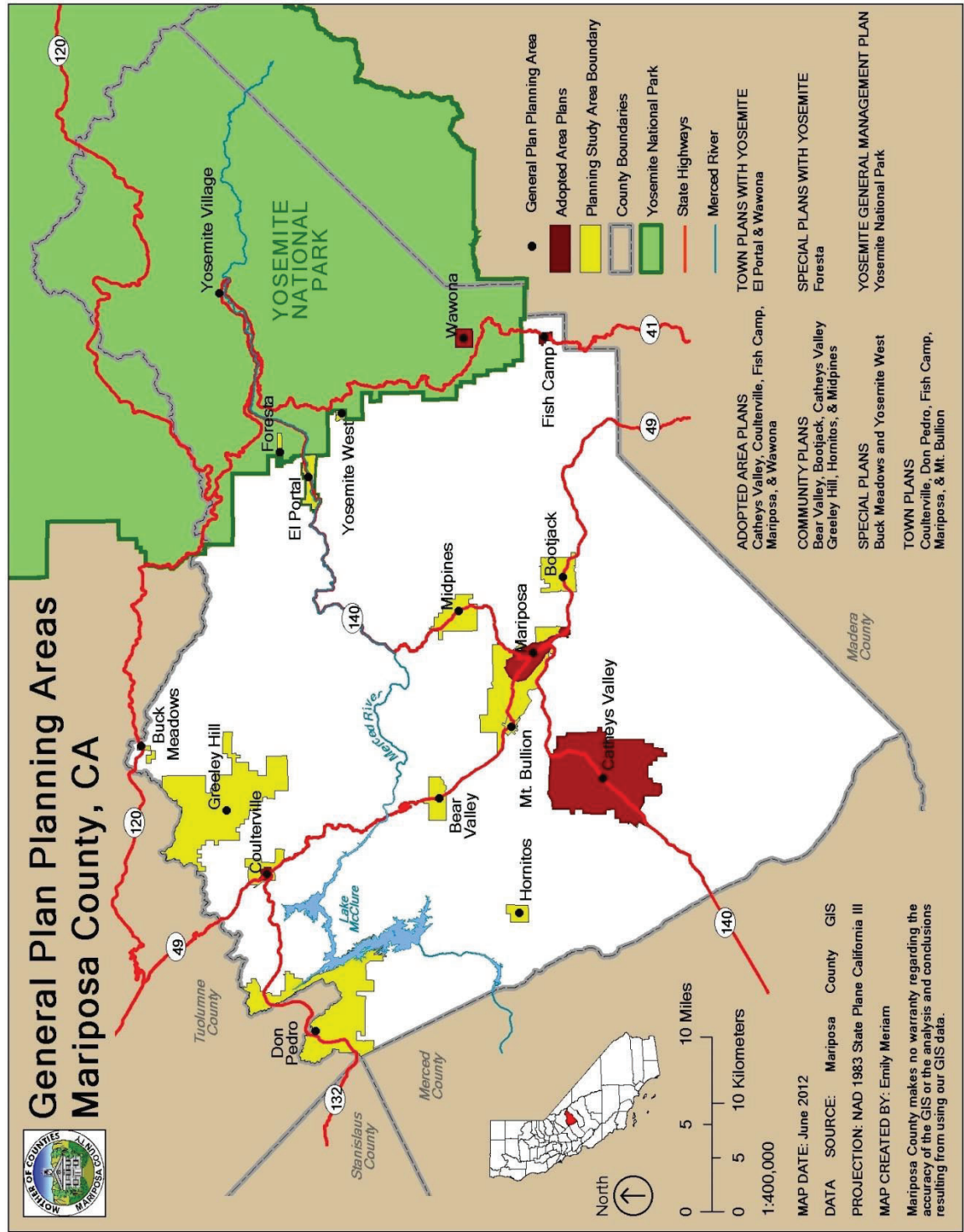
1.3 POPULATION AND HOUSING

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

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.

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.

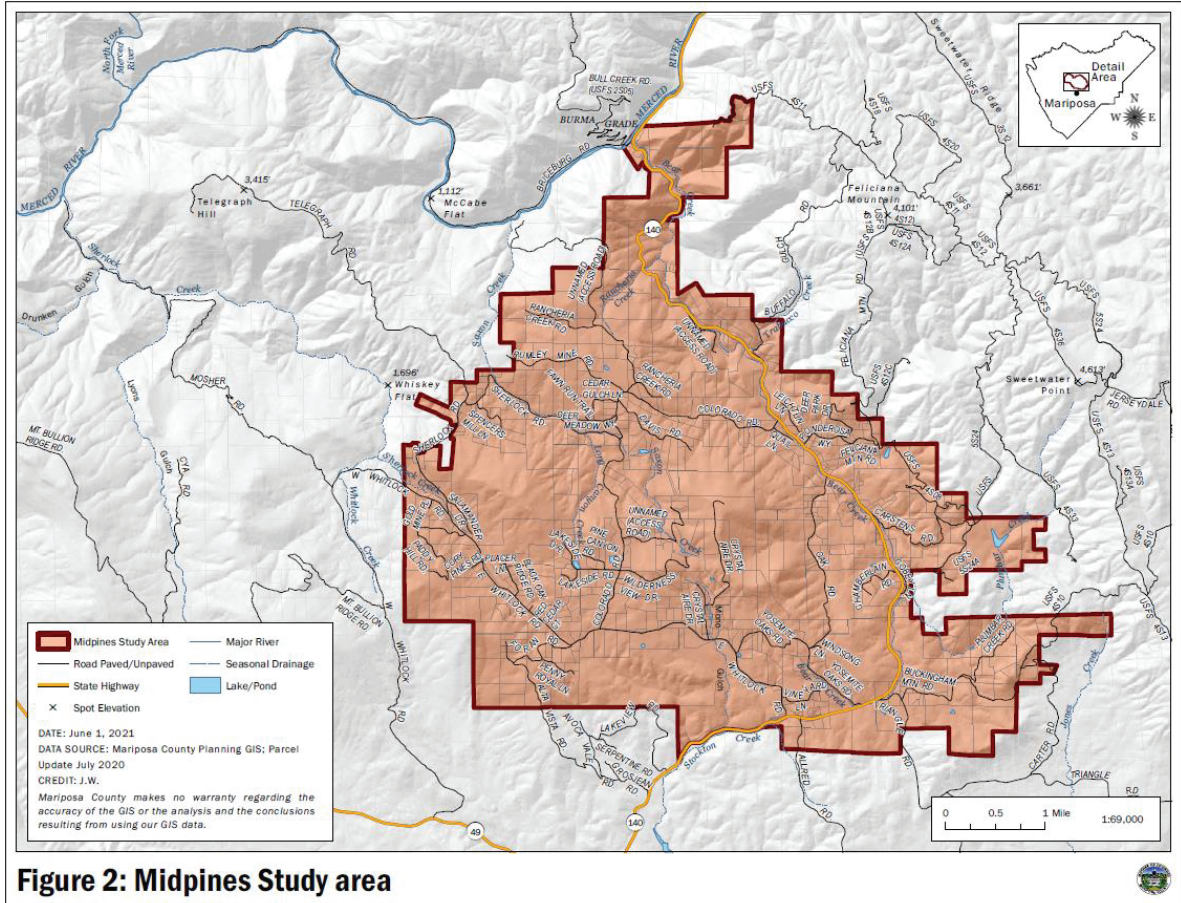
- Maintain rural character;
- Promote fire safety;
- Provide for commercial development at an appropriate scale;
- Provide areas for growing home-based business and rural home industries; and
- Ensure commercial development is compatible with existing character.

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

Figure 2: Midpines Study area

3 Guiding Principles

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

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 too
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.

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.

Slope

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

Landscaping

Existing mature native landscaping and rock outcroppings shall be retained to the greatest extent possible, with considerations made for fire resistive design. Native species suitable to site characteristics shall be encouraged, if suitable. Invasive species¹ shall be prohibited.

Water supply and wastewater disposal

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

Rural commercial and institutional development will meet fire protection regulations.

B(6) Criteria for New Lands to be Included

Community Commercial Subclassification:

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

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

¹ <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.

19 **C(2) Extent of Uses**

20 Primary uses shall be limited to a single destination land use with complete on-site services
 21 and compatible, supporting amenities including food service, laundry, recreation facilities
 22 etc. Land uses in this category include: resort spa, dude ranch, educational or social/non-
 23 governmental institutes, learning centers, and convention centers. Mixed-use development
 24 and higher-density cluster development can be considered through a Planned Development
 25 Permit. Development shall be subordinate to the rural character of the setting and shall
 26 protect and preserve the intact scenic quality of Highway 140 views and vistas.

27 The primary use pending submittal and approval of Planned Development permit shall be
 28 residential.

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

35 A Planned Development Permit shall be required, subject to approval by the Planning
 36 Commission accompanied by a complete project description incorporating all studies used
 37 to formulate the development program.

38

C(3) Zoning Consistency

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

Resort Commercial
Planned Development Zone

C(4) Population Density and Building Intensity

*Minimum parcel size
for new subdivisions:*

Minimum of 30 acres of gross land area for Resort Commercial. Applications for a Planned Development Permit to develop a project within the Planned Development Area may propose different parcel sizes, but in no case can parcels smaller than 2.5 acres be created.

Maximum dwelling units:

Applications to develop a 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.

Maximum building intensity:

Thirty-five (35) percent lot coverage. Planned Development Permit applications to develop a project within the Planned Development Area may propose different 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 percent of the number of employees of the primary use. Visitors and guests are not counted towards density.

C(5) Development Standards

Frontage on maintained road

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

1 **Parking**

2 Buildings shall be sited so that parking areas may be shared between uses on one parcel.
 3 Buildings shall be sited to facilitate pedestrian access between structures using accepted
 4 design principles for safety and attractiveness. Appropriate and desirable transition shall
 5 be required between the street and the building/s including landscaping and parking.

6 **Design**

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

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

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

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

16 **Slope**

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

23 **Landscaping**

24 Existing mature native landscaping and rock outcroppings shall be retained to the greatest
 25 extent possible, with considerations made for fire resistive design. Native species suitable
 26 to site characteristics shall be encouraged, if suitable. Invasive species¹ shall be prohibited.

27 **Water supply and wastewater disposal**

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

33 **Fire protection and fire management**

34 Development is required to meet fire protection regulations.

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

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

F(4) Population Density and Building Intensity

Maximum dwelling units: Per approved project, generally one dwelling unit per project site for purposes of providing onsite security.¹

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

Maximum building intensity: Per approved project.

Maximum population density: 2.45 persons per onsite security dwelling

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

F(5) Development Standards

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

F(6) Criteria for New Lands to be Included

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

G. LEGAL EXISTING USES OF LAND

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

H. HOME BUSINESSES

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

5.1.03 LAND USE GOALS AND POLICIES

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

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

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

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

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) maintained¹; 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 proposed and potential subdivisions within the same road system to be approved.

Implementation Measure

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

Timing: Ongoing review standard

¹ "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	Responsibility:	Mariposa County Planning Department
2	Fiscal impact:	Ongoing Impact - Staff project review costs will
3		vary depending on the project and are paid by an
4		applicant through project review reimbursement.
5	Consequences:	Road improvements must be completed, or surety
6		for completion posted, prior to the submittal of
7		the final subdivision maps.
8	Goal MIDPINES 5.1-5:	Development minimizes impacts on and/or improves
9	air quality.	
10	(Goal MIDPINES 5.1-5, Policy MIDPINES 5.1-5a, and	
11	Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-	
12	5a(2) are tiered from General Plan Policy 11-1c. General Plan text will	
13	be reviewed in conjunction with MIDPINES Plan policies and	
14	implementation measures.)	
15	<i>Policy MIDPINES 5.1-5a:</i>	Implement standards that minimize impacts on and/or
16		improve air quality.
17	<i>Implementation Measure</i>	
18	<i>MIDPINES 5.1-5a(1):</i>	For new commercial and institutional building permits and all
19		subdivision applications, including new residential subdivision
20		applications in Midpines, the County shall require energy
21		conservation and the reduction of greenhouse gas emissions in
22		conformance with California Code of Regulation Title 24, Parts 6 and
23		11. Additional measures shall include one or more of the following:
24		• Limited hours of operation of outdoor lighting.
25		• The use of solar heating, automatic covers, and efficient pumps
26		and motors for pools and spas.
27		• The installation of solar, wind, and geothermal power systems,
28		and solar hot water heaters.
29		• Features that discourage excessive use of water for cleaning
30		outdoor surfaces and vehicles.
31		• Low-impact development practices that maintain the existing
32		hydrologic character of the site to manage storm water in
33		accordance with General Plan Implementation Measure 16-5a(2)
34		and protect the environment. (Retaining increased storm water
35		runoff on-site resulting from project implementation can
36		drastically reduce the need for energy-intensive imported water at
37		the site.)
38		• Mixed-use included in commercial development projects to
39		support the reduction of vehicle trips, promote alternatives to
40		individual vehicle travel such as the Yosemite Area Regional
41		Transportation System (YARTS), and promote efficient delivery
42		of services and goods.
43	Timing:	Short-Term Planning Period
44	Responsibility:	Mariposa County Planning Department.

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

4 Consequences: Reduces emissions of air pollutants and
 5 greenhouse gases.

6 *Implementation Measure*

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

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

14 Timing: Short-Term Planning Period

15 Responsibility: Mariposa County Public Works Department.

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

19 Consequences: Reduces emissions of air pollutants and green-
 20 house gases.

21

22

23

24 **5.2 INFRASTRUCTURE AND SERVICES**

25 **DISTINCTIVE ASPECTS OF MIDPINES INFRASTRUCTURE AND SERVICES**

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

30 **5.3 NOISE**

31 **DISTINCTIVE ASPECTS OF MIDPINES NOISE**

32 Chapter 15 of the General Plan, the Noise Element, addresses noise issues in the county.
 33 Within the Midpines Community Plan Area, ambient noise sources originate primarily
 34 from the Highway 140 corridor which traverses the planning area. The natural wooded
 35 topography of the area helps to buffer and mitigate traffic associated noise levels. Nuisance
 36 noise sources are random and include the use off-road vehicles such as motorcycles in
 37 unimproved areas of Midpines, use of power tools such as chainsaws, chippers, and log
 38 splitters, and barking dogs. Other sources include gun shots from target shooting on private

and Federal lands. The plan relies on and supports the implementation measures contained in the General Plan regarding noise.

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

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

Implementation Measure

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

Timing: Intermediate-Term Planning Period

Responsibility: Public Safety Officer and Planning Department.

Fiscal impact: Unknown.

Consequences: Noise reduction.

5.4 SAFETY

DISTINCTIVE ASPECTS OF MIDPINES SAFETY

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

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

Timing: Short-Term Planning Period

Responsibility: Office of Emergency Services.

Fiscal impact: Ongoing Impact

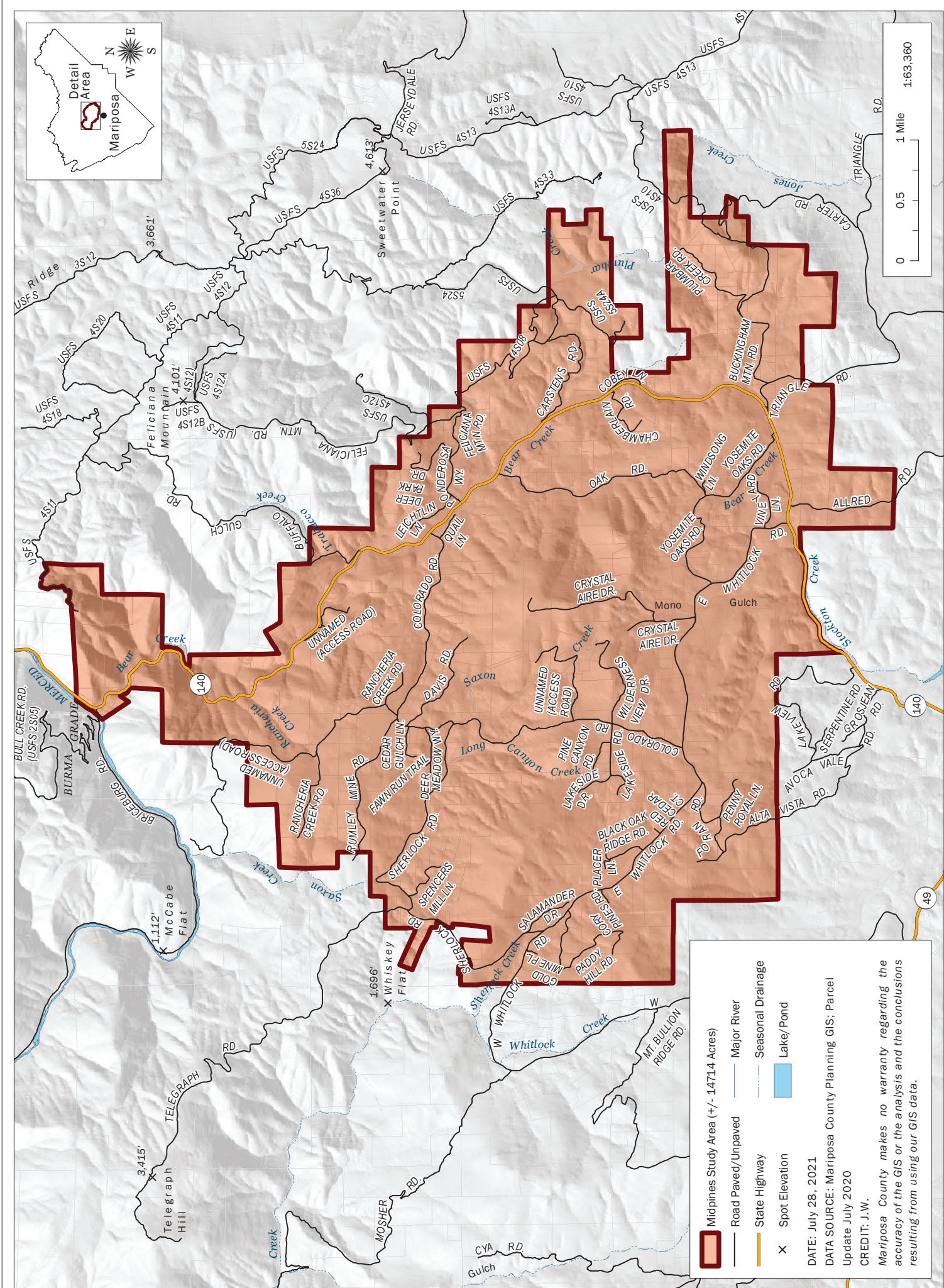
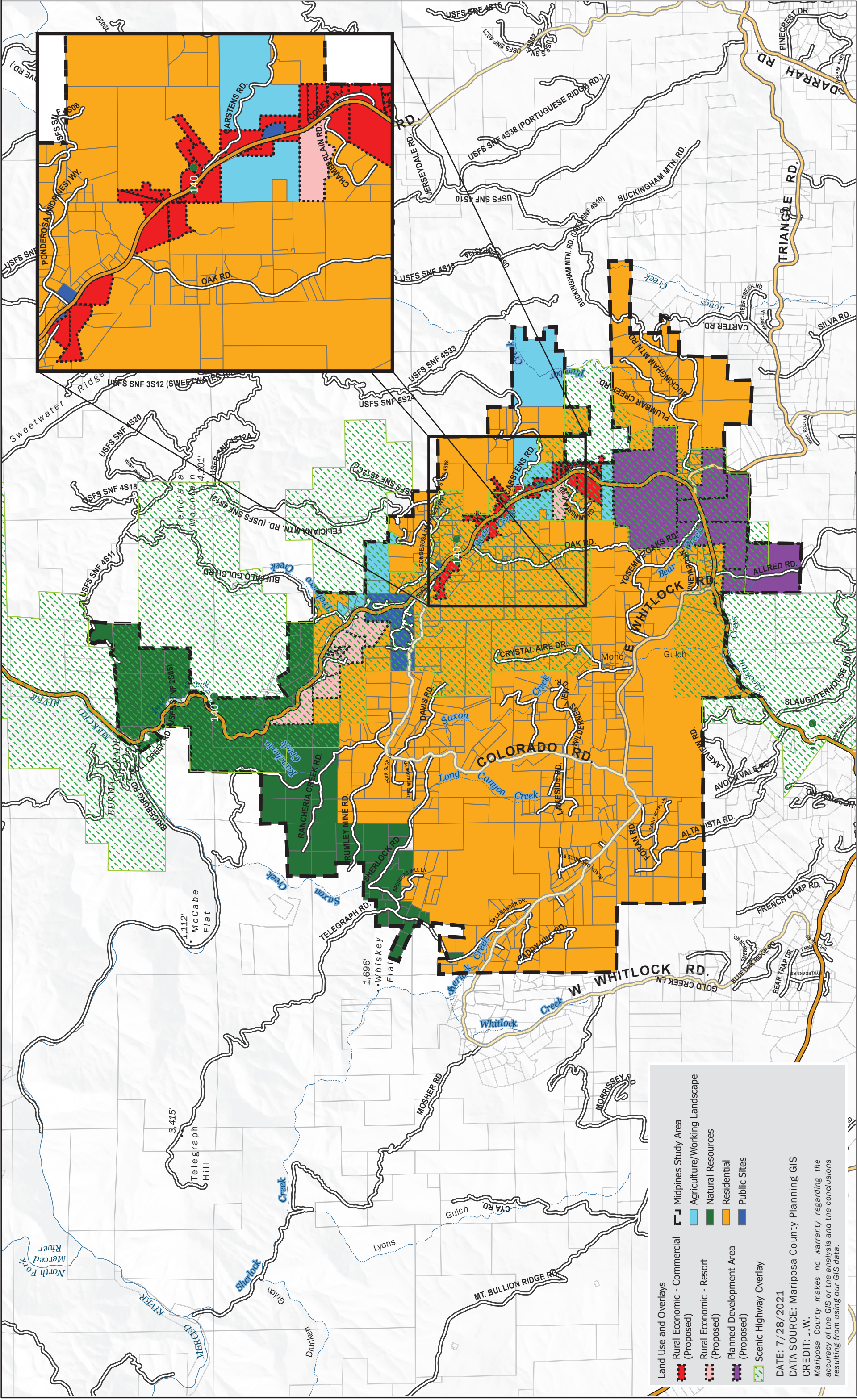


Figure 2: Midpines Study Area





Community Plan Land Use Diagram - Draft July 2021