

MIDPINES PLANNING ADVISORY COMMITTEE

MEETING AGENDA – DIRECTIONS -January 13, 2021

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 January 13, 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: December 9, 2020 Draft Meeting Minutes
3. Public comments
4. Community Plan
 - a. Committee consideration and potential action on Community Plan Draft direction from the Board of Supervisor's meeting of December 8, 2020
5. Discussion Committee Business
 - a. Election of Officers
6. Updates and Activity Reports
 - a. Oak Road Bridge Project Update
 - b. Hwy 140 /CALTRANS Investigation Update
 - c. Planning Commissioner Updates
 - d. Supervisor Updates
 - e. COVID19 County update
7. Adjourn

MIDPINES PLANNING ADVISORY COMMITTEE

DRAFT MEETING MINUTES

DATE: WEDNESDAY December 9, 2020
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 *Committee Members: Candy O'Donel-Browne, Angela Heiss, Charles Lammers arrived a few minutes late), Gary Francisco, Heather Huppe, Caroline McGrath Rosemarie Smallcombe, District I Supervisor Guest- Gregoria Ponce, CALTRANS District 10 Megan/Paul Beisner, Public Danna Hallet (sp), Public Nancy Parke, Public Staff: Alvaro Arias, Steve Engfer Mariposa County Planning Department Staff*
2. Approval of Minutes: November 18, 2020 Meeting Minutes *Vote initially deferred until Mr. Lammers attendance occurred. Approved unanimously with minor edits. Motion 1st Candy O'Donel-Browne, 2nd, Angela Heiss*
3. Public comments *None*
4. Community Plan
 - a. Update - December 8, 2020 Board of Supervisor's Consideration of the Draft Plan *Discussion occurred regarding the participation at the Board meeting (yesterday) and the content of the Board input regarding the Draft Plan. Alvaro Arias provided an update regarding the Board input. Comment summary was provided with the note that a more in-depth item would be provided at a future meeting for the committee since the Board of Supervisors meeting was the day before this MPAC meeting, there wasn't enough time to include anything in depth. Board Comment summary: Plan area boundary being too big and ag working landscape and federal and within the boundary; concern about additional design review for residential; concern about separate fire regulation rather than countywide; there are more regulations coming down the pipeline; fire proofing versus fire "hardening" reference. Also, noise; and general observation of concerns by the Board of adding more regulations, was mentioned by the Chair. Request to have a current plan draft for the next meeting. Alvaro mentioned he would include the items the Board reviewed for the future meeting to address that. Chair asked for any public input. Gregoria Ponce (CALTRANS) asked about the CEQA process for the plan. Alvaro mentioned that at a minimum in the future a mitigated negative declaration would be circulated.*

Chair also then reopened the vote for Minutes, as Charles Lammers was present. (See agenda item 2)

5. Discussion Committee Business

Agenda re-arranged to have item B first in respect of the CALTRANS Guest. Sound quality issues were briefly discussed.

a. Adoption of the 2021 Meeting Schedule

Meeting schedule adopted with the same second Wednesday of the month, 6-8pm.

b. Speed and Safety on Midpines Hwy 140 corridor and Caltrans

Guest from CALTRANS Gregoria Ponce, Chief District 10, participated and presented on the HWY 140 topic.

Supervisor Smallcombe introduced the item. Heather Huppes concerns, who requested the item along with Charles Lammers and overall Committee interest. Discussion occurred regarding increases in traffic; turn lanes; Autocamp; existing signage and lack of more relevant signage controls; multiple encroachments and intersections, increase in pedestrians and overall safety due to the encroachment locations along the Midpines area and increase in usage. Heather mentioned that because she lives nearby, she has keen awareness of the issues for firsthand observation. Charles also described needs for controls and added the large YARTS bus turns and related potential safety risks as the traffic speeds are problematic.

Supervisor Smallcombe then asked mentioned that Gregoria (CALTRANS) to speak to what's possible with CALTRANS. Gregoria thanked everyone for the information. She asked clarifying questions regarding the increase in more people on the road; types of traffic. Cars and pedestrians? Heather provided a response including additional joggers and/pedestrians coming from Autocamp. Potential for additional foot traffic with the Midpines store opening. Gary then added observations regarding speed reduction sign locations and relation to the hill and the multiple encroachments along the Midpines area HWY 140 corridor. Cobey Lane, private encroachments, YARTS usage, Midpines Park, Store etc. Speed limits are too high with all the encroachments in the area, appears to be an accident waiting to happen.

Gregoria thanked the committee for the input. She mentioned that she had brought up the concerns with traffic operations team and she has requested a traffic operations investigation and a study. Gregoria motioned to the committee that she would include the committee concerns/comments to the traffic operations team for the Study/investigation regarding signage; bike and ped signage; speed controls and noticing of commercial driveways etc. She then gave an overview of how communities and public can involve CALTRANS. One way is through invitation, as was done for the committee meeting. Also, the Intergovernmental Review for development project review was described. She gave an example of the participation of CALTRAS collaboration with the County for a recent project, the Brown Bear Project. She described the various CALTRANS divisions such as Environmental, Engineering, Design, Cultural etc., and that those divisions are a part of the Intergovernmental Review team. She also mentioned she is looking forward to the Midpines Plan and providing CALTRANS input. Rosemarie requested staff to talk about how the county works with CALTRANS when a project may interact with Hwy140. Committee expressed interest. Steve provided input on how the County works with CALTRANS through the Inter-Governmental review process to address issues from development projects to address development related impacts. project an overview of the of the committee if there

would be an interest of the committee. No further committee questions were asked of Gregoria. Gregoria mentioned that she would provide Rosemarie her contact information. The Chair mentioned that the committee would love to see the results of the traffic investigation on the Midpines Hwy140 corridor.

6. Updates and Activity Reports

a. Oak Road Bridge Project -Comments (Attachment A)

Chair provided an overview regarding the letter received from Nancy Parke. Discussion occurred regarding the Oak Road Bridge project. The SHO, impacts to Oaks and financial obligations and other "hard facts" are needed to understand any County liability involved. Committee would like to hear back from Public Works Director, Mike Healy, CALFIRE etc. in order to understand why the project is needed. Dana Hallet (sp) also provided her input including the one lane bridge verses two lane bridge. Will the oaks still be impacted was raised? Oaks would be impacted. Chair mentioned that due to the difference in information, more clarity is needed. Getting feedback from Public Works Director is warranted. Nancy Park also mentioned that she wrote to Director Healy that up to 16 people nearby were interested and had questions, so meeting with just her may not address all. Additional discussion regarding the designation and the potential of eminent domain were mentioned. Mention of the Board of Supervisors possibly being the forum. Rosemarie suggested a community meeting regarding the topic may be the opportunity. Committee members agreed. Chair requested if the committee would need to take a position on this. Steve mentioned its not agenda as an action item, and until the additional information would be obtained then it would be best. A motion was made by Heather Huppe to pursue gathering more information and understand the situation better and try to have a community meeting on the issue. Candy O'Donnel Brown seconded; motion was approved unanimously. Chair Gary mentioned that he would be in touch with Nancy and Rosemarie regarding the item. Staff clarified that the item was not on the agenda as action item for the record.

b. Planning Commissioner Updates None.

c. Supervisor Updates- Rosemarie gave an update to the committee including the Brown Bear project approval that occurred on December 8 for a hotel and multifamily housing project to be located in the town of Mariposa. Also, the board approved some changes ot contracting with CALFIRE e and County Fire for better inspection services. And approval for 3 three new Fire engines for the County

d. COVID19 County update Rosemarie mentioned that are under the regional stay at home order related to existing capacity in the region for ICU beds. Spike may be due to travel and holiday gatherings. Discussion occurred about topics including community spread, ICU capacity in the region and, no local ICU capacity, contact tracing etc.

Next meeting agenda topic swere briefly discussed by the Chair_ Continued discussion and possible an action on Oak Road Bridge Project, CALTRANS Hwy 140 traffic updates, and Community Plan.

7. Adjourn Meeting adjourned. Motion by Caroline, Candy seconded. 7 :45pm



MARIPOSA PLANNING

COUNTY OF MARIPOSA

5100 BULLION STREET • POST OFFICE BOX 2039

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Sarah Williams, Director
swilliams@mariposacounty.org
Alvaro Arias, Deputy Director
aarias@mariposacounty.org

MEMORANDUM

Date: January 6, 2021

To: Midpines Planning Advisory Committee

From: Alvaro Arias, Deputy Director
Steve Engfer, Senior Planner

Subject: **Agenda Item 4.** Discussion and Possible Recommendation-Draft Midpines Community Plan/Board of Supervisors Comments

At their December 8, 2020 meeting, the Board of Supervisors reviewed and provided comment on the Draft Midpines Community Plan, as recommended by the Midpines Planning Advisory Committee at their October 14, 2020 meeting. The Board of Supervisors had several comments on the draft plan and they are summarized below for consideration by the Midpines Planning Advisory Committee.

Midpines Community Plan Area Boundaries:

The community plan boundaries were one of the items that the BOS had comments on. There was concern with the inclusion of large amounts of federal lands within the community plan boundaries. The County has no jurisdiction over them and it was recommended that they be removed. Other comments were related to lands within the Agriculture/Working Landscape land use designation being included within the plan boundaries. It was suggested that those lands be removed from the plan as well.

Maps showing the current planning area boundaries and the proposed planning area boundaries are attached.

Scenic Highway Overlay Design Review for Residential Development:

The draft plan has policy language to expand the scope of Scenic Overlay Design Review to all residential development. Several members of the Board of Supervisors expressed concern with adding additional review requirements and costs for residential development.

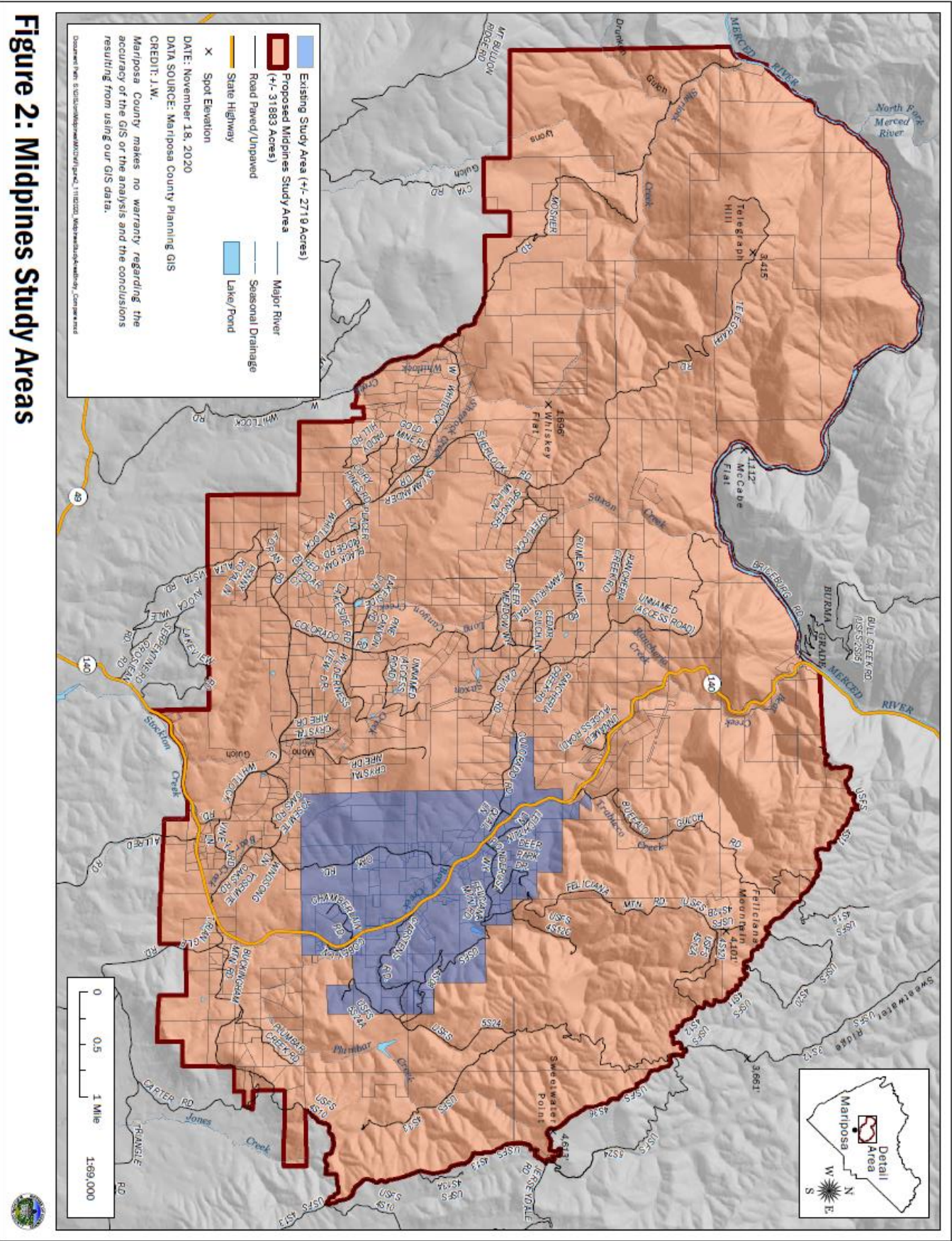
Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.

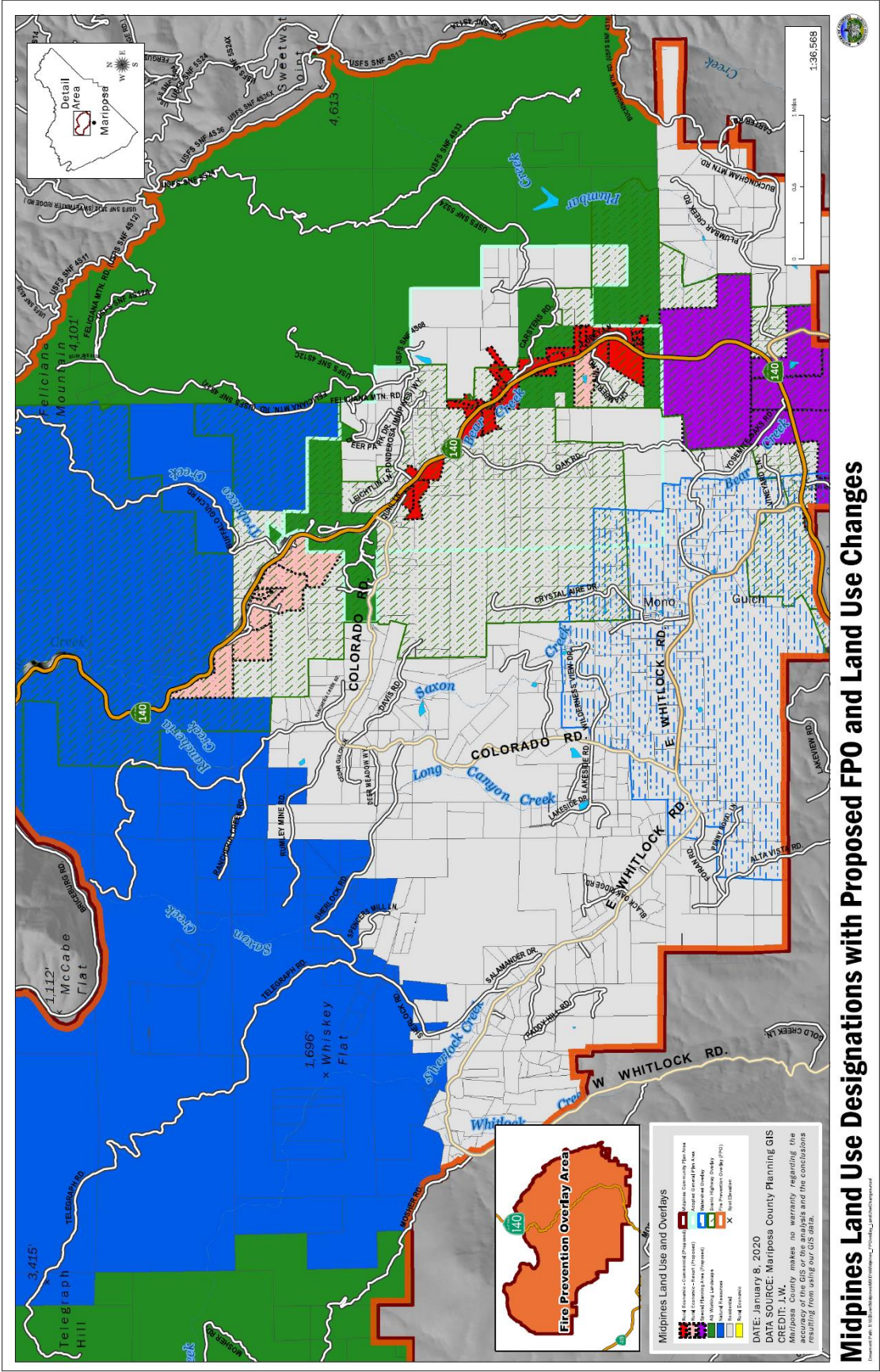
Fire Regulations:

Several Board members expressed concerns regarding adding additional fire regulations/requirements in the plan. Fire regulations should be done on a County level and be uniform in the County. Additional regulations are already on the way at the State and regional level.

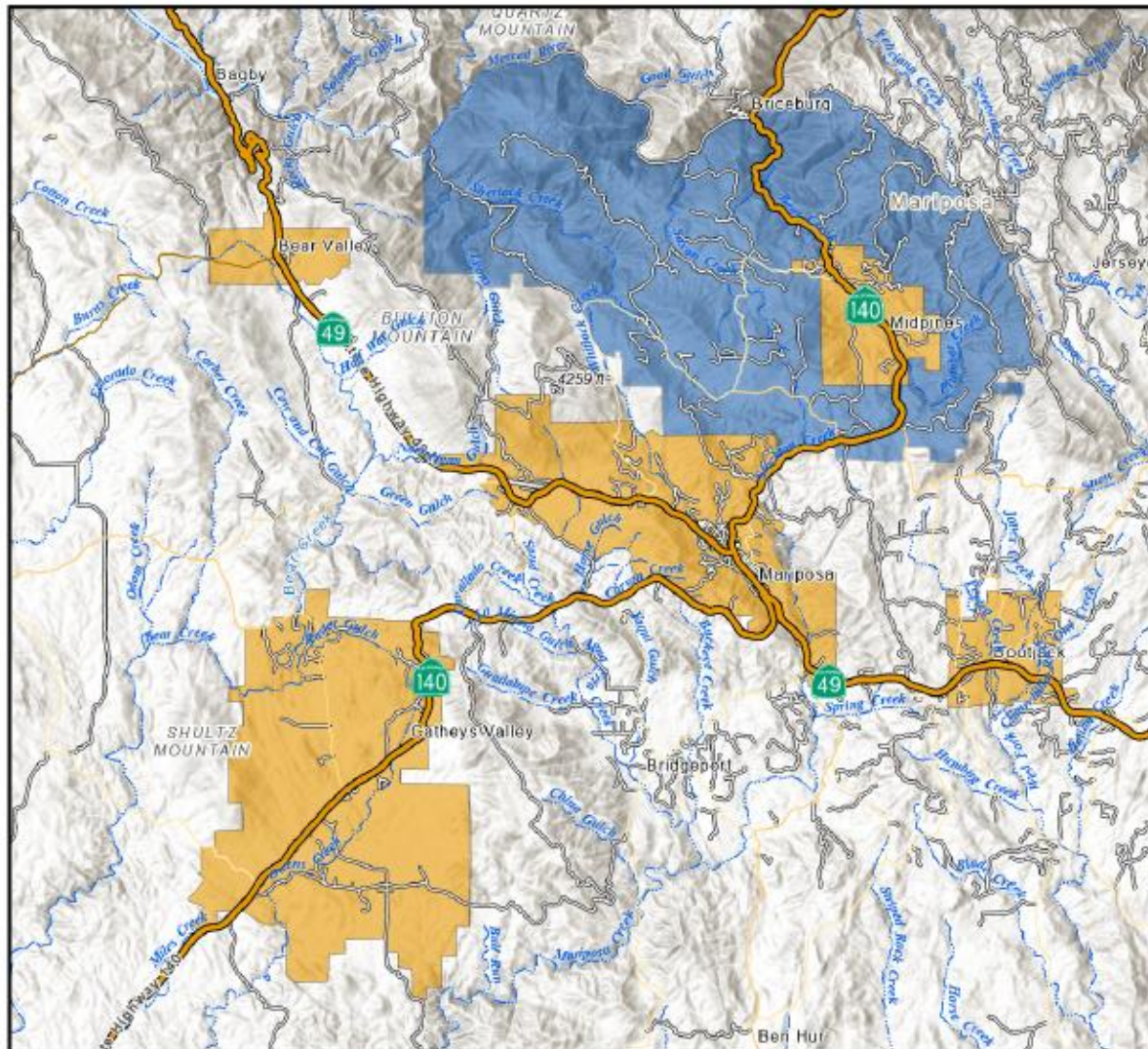
Summary:

The above is intended to be a brief summary of the comments and concerns that were expressed by the Board of Supervisors. The Midpines Planning Advisory Committee should take these comments into consideration as the draft plan is finalized. The PAC may review and provide direction to staff on any changes that the PAC would like to see made to the draft plan based on these comments or any other items in the draft plan.





Proposed and Existing Study Areas



1:166,400

Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet
Date: Monday, November 23, 2020
Data Source: Mariposa County Planning Department GIS;
Assessor's Parcel Map Update: 07/2020

Author: J.W.



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Existing Study Areas
Proposed Midpines Study Area



Mariposa County makes no warranty regarding the accuracy of the GIS or the analysis and conclusions resulting from using our GIS data. Location in Mariposa County

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

MIDPINES COMMUNITY PLAN

OCTOBER 2020-DRAFT



MIDPINES COMMUNITY PLAN ADOPTION AND UPDATES

[illegible]



THE COUNTY OF MARIPOSA

Midpines Community Plan

DRAFT-OCTOBER 2020

Midpines Planning Advisory Committee

Gary Francisco, Chair
Heather Huppe, Vice-Chair
Angela Heiss
Candy O'Donel – Browne
Caroline McGrath
Charles Lammers
Chuck Fleming
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 63.3 square miles (40,511 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.

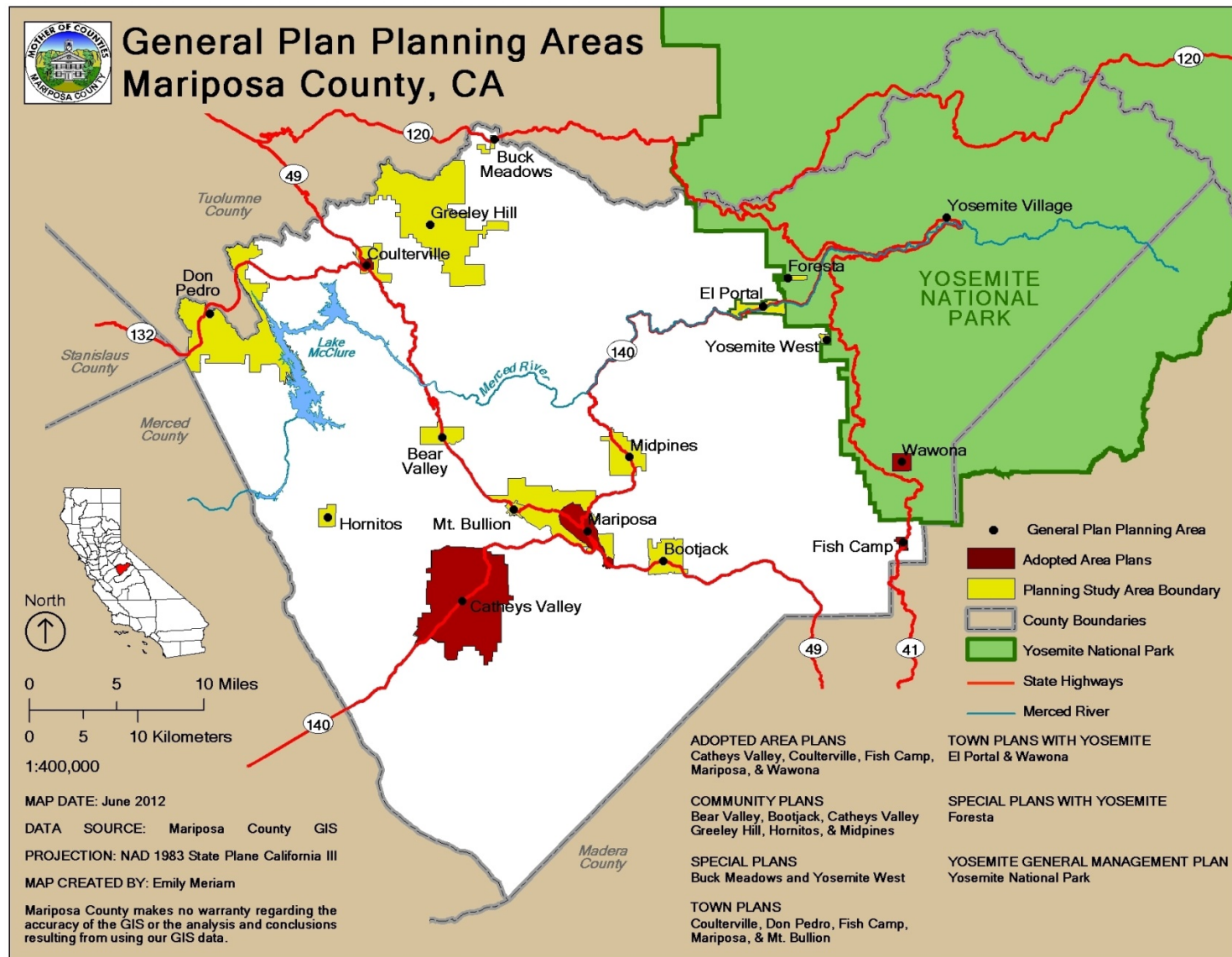
1.3 POPULATION AND HOUSING

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 a Community Plan Study Area within which an expanded Community Plan boundary will be established. This Study area is 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 boundaries of a planning area will be amended through preparation of the Community Plan. (Figure 2-1 - Community Plan 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.

4 Midpines Community Plan Administration

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

- Interpretation of General Plan provisions;
- Review and update of the General Plan;
- Amending the General Plan;
- Interim administration of the General Plan; and
- General Plan implementation.

4.1 ROLE OF ADVISORY BODIES IN MIDPINES COMMUNITY PLAN IMPLEMENTATION

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

- Agricultural Advisory Committee;
- Midpines Community Planning Advisory Committee; and
- 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 commercial, institutional, and mixed-use 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 review and expand the Scenic Highway Overlay standards to all residential development (beyond grading).

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 Facilities and Services.

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.

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.

1 **B(3) Zoning Consistency**

2 **Community Commercial Subclassification**

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

6 Neighborhood Commercial Zone

7 Public Sites

8 **Resort Commercial Subclassification**

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

12 Resort Commercial

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

15 **Community Commercial Subclassification**

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

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

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

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

26 **Resort Commercial Subclassification**

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

29 *Maximum dwelling units:* Applications to site a Resort Commercial
30 subclassification or develop a project within the Resort
31 Commercial subclassification will incorporate an analysis
32 of the housing market by a qualified professional to
33 ensure there is adequate housing for the total number of
34 employees. The total number of housing units needed to
35 provide for employee housing may be developed as a part
36 of the development. The housing is not required to be
37 located on-site and new housing is not required to be

1 created if the housing analysis indicates that there is
2 sufficient housing stock available.

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

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

8

9 **B(5) Development Standards**

10 **Frontage on maintained road**

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

15 **Parking and access**

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

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

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

25 **Design**

26 Design Review required: Proposed commercial and institutional development, including
27 modifications to existing development, shall be subject to Scenic Highway Overlay
28 standards.

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

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

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

1 **Slope**

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

8 **Landscaping**

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

12 **Water supply and wastewater disposal**

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

18 **Fire protection and fire management**

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

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

21

22 **Community Commercial Subclassification:**

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

- 27 1. The subject property has frontage on a paved, maintained road with adequate
- 28 capacity.
- 29 2. The subject property adjoins existing commercial lands.
- 30 3. The properties included in the Community Commercial subclassification are
- 31 more than 75% developed. If a specific development application is based on
- 32 a rural home industry or home enterprise expanding the number of jobs so that
- 33 relocation from home to a business location is required, this finding is not
- 34 required.
- 35 4. A specific development proposal accompanies the application.

36 **Resort Commercial Subclassification:**

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

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

C. PLANNED DEVELOPMENT AREA

C(1) Purpose

The Planned Development Area Land Use identifies sites and areas that warrant flexible development standards due to their suitability for a variety of uses. They also provide an opportunity for comprehensively planned uses due to location and suitability for development of these properties.

C(2) Extent of Uses

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

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

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

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

C(3) Zoning Consistency

The following zoning districts are consistent with the purpose of the Resort Commercial 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.

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.

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

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.

Parking

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

Design

Design Review required: Proposed commercial and institutional development, including modifications to existing development, shall be consistent with the 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.

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

3 **Slope**

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

10 **Landscaping**

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

14 **Water supply and wastewater disposal**

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

20 **Fire protection and fire management**

21 Development is required to meet fire protection regulations.

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

23 The lands designated as Midpines Planned Development Area are unique in their
24 locations, size, and development potential. No further lands are to be designated within
25 this land use. Any future similar development can explore the criteria for the Resort
26 Commercial subclassification.

27 **D. AGRICULTURE/WORKING LANDSCAPE**

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

30 **E. NATURAL RESOURCES**

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

1 **F. PUBLIC FACILITIES AND SERVICES**

2 **F(1) Purpose**

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

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

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

11 **F(3) Zoning Consistency**

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

14 Public Sites

15 **F(4) Population Density and Building Intensity**

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

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

20 *Maximum building intensity:* Per approved project.

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

22 **F(5) Development Standards**

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

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

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

28 **G. LEGAL EXISTING USES OF LAND**

29 Regulations for legally existing uses of land in Midpines are provided in General Plan
30 Section 5.1.12 and Goal 5-11, Policies 5-11a and 5-11b, and Implementation Measures 5-
31 11a(1) and 5-11b(1).

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

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: Design review shall be required for commercial and institutional development and residential development within the Scenic Highway Overlay.

Implementation Measure

MIDPINES 5.1-3a(1): The County Zoning Ordinance shall be amended to expand the standards of the Scenic Highway Overlay to apply to residential development, not just grading associated with single-family residential development.

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: New commercial, institutional, and residential projects 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 (1) maintained¹; and
 2 (2) has adequate capacity for the potential traffic volume generated
 3 by the total number of existing lots and those which can be created
 4 within the road system.

5 Timing: Ongoing review standard

6 Responsibility: Mariposa County Planning Department

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

10 Consequences: This establishes a minimum standard linking
 11 circulation with land use. A public or private
 12 road must have adequate capacity to
 13 accommodate the traffic generated by the
 14 proposed and potential subdivisions within the
 15 same road system to be approved.

16 *Implementation Measure*

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

23 Timing: Ongoing review standard

24 Responsibility: Mariposa County Planning Department

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

28 Consequences: Road improvements must be completed, or surety
 29 for completion posted, prior to the submittal of
 30 the final subdivision maps.

31 **Goal MIDPINES 5.1-5: Development minimizes impacts on and/or improves** 32 **air quality.**

33 (Goal MIDPINES 5.1-5, Policy MIDPINES 5.1-5a, and
 34 Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-
 35 5a(2) are tiered from General Plan Policy 11-1c. General Plan text will
 36 be reviewed in conjunction with MIDPINES Plan policies and
 37 implementation measures.)

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.

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

Implementation Measure

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

- Limited hours of operation of outdoor lighting.
- The use of solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- The installation of solar, wind, and geothermal power systems, and solar hot water heaters.
- Features that discourage excessive use of water for cleaning outdoor surfaces and vehicles.
- Low-impact development practices that maintain the existing hydrologic character of the site to manage storm water in accordance with General Plan Implementation Measure 16-5a(2) 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.

1	Timing:	Short-Term Planning Period
2	Responsibility:	Mariposa County Public Works Department.
3	Fiscal impact:	Ongoing Impact – Staff time during the work day
4		to answer questions and provide available
5		information.
6	Consequences:	Reduces emissions of air pollutants and green-
7		house gases.
8		
9		
10		

11 5.2 INFRASTRUCTURE AND SERVICES

12 DISTINCTIVE ASPECTS OF MIDPINES INFRASTRUCTURE AND SERVICES

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

17 5.3 NOISE

18 DISTINCTIVE ASPECTS OF MIDPINES NOISE

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

28 **Goal MIDPINES 5.3-1:Control and minimize noise impacts within the Midpines** 29 **Community Planning Area.**

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

33

34 Implementation Measure

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

38

39 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: Develop a Fire Protection Overlay that contains additional standards for all new commercial, industrial, and subdivision development within the Midpines Community Plan area.

Implementation Measure

MIDPINES 5.4-1a(1): The County Zoning Ordinance shall be amended to establish a Fire Protection Overlay zone with additional fire protection development standards to provide greater public safety site development and supplementary standards for Midpines' commercial and institutional zones. A proposed project shall be reviewed to ensure it meets the standards. The standards should address, at a minimum, the following issues:

- Slopes and fire risk.
- Driveway and access roadway standards.
- Fuel modification plan.

- Access to water supplies.
- Standards for fencing and landscaping.
- Structure ignition zone.

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): The County Code shall be amended to establish additional subdivision standards for fire protection for subdivisions within the Fire Protection Overlay zone, including standards to provide greater public safety site development and supplementary standards. A proposed subdivision shall be reviewed to ensure it meets the standards. The standards should address, at a minimum, the following issues:

- Slopes and fire risk.
- Driveway and access roadway standards.
- Fuel modification plan.
- Water supplies.
- Maintenance mechanisms.
- Structure ignition zone

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.

Implementation Measure

1 *MIDPINES 5.4-1a(3):* 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(4):* Provide informational materials to potential building permit
11 applicants regarding the structure ignition zone. The material shall include information on
12 how to fireproof homes.
13

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