

Mariposa County

Mariposa County MINUTES of the Planning Commission

<http://www.mariposacounty.org/>



ART BAGGETT, CHAIR
WARREN GRAY
MICK HERMAN
DENI SMITH, VICE CHAIR
JOHN MCCAMMAN

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

PLANNING COMMISSION FINAL ACTION SUMMARY MINUTES MARCH 21, 2025

A. Call to Order and Roll Call

Chair Baggett called the meeting to order at 9:00 A.M.

Attendee Name	Title	Status	Arrived
Art Baggett	District I	Present	9:00 AM
Warren Gray	District II	Present	9:00 AM
Mick Herman	District III	Excused	0:00 AM
Deni Smith	District IV	Present	9:00 AM
John McCamman	District V	Present	9:00 AM

B. Pledge of Allegiance

Commissioner Gray led the pledge.

C. Public Comment on Non-Agenda Items

Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda.

There was no public comment received.

D. Approval of Minutes

1. Planning Commission - Regular Meeting - February 21, 2025

Baggett noted that the direction for no setbacks on easement was not recorded in the minutes and asked for that it be included.

By motion of Commissioner McCamman, seconded by Commissioner Smith, the Planning Commission approved the minutes of February 21, 2025, as amended. Motion passed.

RESULTS: APPROVED AS AMENDED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: None.

EXCUSED: Commissioner Herman.

After reconvening from recess, the commission reverted to Item D, to rescind their motion to amend the February 21, 2025 minutes as the commission provided their consensus for no setbacks on easement at the January 10, 2025 meeting.

Commissioner Smith and McCamman removed their motion to approve the draft minutes to include the no setbacks on easement and made a new motion to approve the draft minutes as presented.

By motion of Commissioner Smith, seconded by Commissioner McCamman, the Planning Commission approved the minutes of February 21, 2025 as presented. Motion Passed.

RESULTS: APPROVED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: None.

EXCUSED: Commissioner Herman.

E. Public Hearing

1. PUBLIC HEARING: Consider a Resolution to Adopt a Mitigated Negative Declaration (SCH 2025020540) and approving Conditional Use Permit Application No. 2023-078 with findings, conditions and mitigation measures. Applicant-Happy Goat, Inc. Assessor Parcel No. APN 012-041-002; Site Address: 5030 CYA Road, Mariposa, CA.

Planning Director, Steve Engfer, introduced the Happy Goat Project and presented the project along with a PowerPoint presentation.

Engfer noted that public comments were received after the agenda packet was published that had been provided to the commission and was available for the public at the back table and stressed that the public comments received will be memorialized.

Applicant representative, Jessie Fouch (Co-Founder of Happy Goat), who spoke about their mission as a non-profit organization that donated their produce to other non-profit organizations in Mariposa County. He then addressed comments that were provided by the public regarding water usage and compost.

Clarifying questions were asked by Baggett and McCamman regarding parcel size, water tank systems, and agricultural by rights.

Engfer clarified that the requirements for the operational standards for the conditional use permit must adhere to the standards in Title 17, as there are levels of regulations to maintain the conditional use permit, such as: noise monitory, dust control, fire suppression, roads, and providing the annual reporting.

Public comments were received by:

Johnathan (resident) suggested that the applicant consider creating a one-way lane to enter and exit the property, especially for emergency vehicles ease of access. He then expressed concerns about the quality of the drinking water provided at the events.

Jean Schmidt (adjacent property owner), who was in support of the project expressed her concerns regarding the noise level being an issue and asked for clarification regarding whether it's a 50 or 55 decibel limit and if this decibel is at the property line or maintained at the site. She then asked for confirmation regarding whether the permit could be revoked from nuisance complaints, and if the easement would be used as an entrance for events.

Daniel Wilson (adjacent property owner), in opposition to the project expressed his concerns and shared his negative experiences with the project site and asked for the commissioners to consider strengthening the conditions of the conditional use permit that provided protection for neighboring property at least within 3000 yards, a 3 year probation period, and a 6 month evaluation, but most importantly asked the commissioners to consider the neighboring properties.

Johnathan (resident), who was in support of the project, asked the applicant to consider donating compost to home gardeners and provided positive feedback regarding Happy Goat's contributions to Mariposa County.

Mike Prusa (Bear Valley resident), he was not for or against this project. He wanted to share his opinion regarding the procedures and processes of the government system and noted that this conditional use permit should have been addressed in a civil proceeding.

Harry Strawbridge (neighbor), expressed that originally, he had concerns regarding the noise level but after meeting with the Planning Director, he feels confident that under current management and ownership there shouldn't be an issue, and noted that Happy Goat has been positive for the community and the neighborhood.

By motion of Commissioner Smith, seconded by Commissioner McCamman, the Planning Commission approved a resolution to adopt a Mitigated Negative Declaration (SCH2025020540) and approved the Conditional Use Permit Application No. 2023-078 with findings, conditions and mitigation measures. Application - Happy Goat, Inc. with APN: 012-041-002 as presented. Motion passed.

RESULTS: ADOPTED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: None.

EXCUSED: Commissioner Herman.

Baggett called for recess at 10:45 A.M. and reconvened at 10: 59 A.M.

Before moving on to Item F (Discussion and Action) the commission reverted to D.1. (Approval of Minutes) to rescind their motion to amend the February 21, 2025 minutes.

F. Discussion and Action

1. Discussion and Preliminary Action on the Draft Development Code Update, Articles 2, 3 & 9

Engfer introduced Former Planning Director, Sarah Williams, and Senior Planner, Ben Goger, and then provided an overview of the code organization and noted that the commission will be addressing articles 2, 3, and 9. Then described the proposed amendments to Articles 2, 3, and 9.

The commission recommended the following amendments to Article 2 (Zones, Allowable Uses, and Standards):

On page 394, McCamman noted a typo Under “Employee Housing, Large (7 to 15 persons) and the permit Requirements that should be a “Conditional Use Permit (CUP)” instead of “Administrative Use Permit (AUP)”.

The commission did not provide any recommendations to amend Article 2 pertaining to Agricultural.

On page 400, B. Zone Purpose Statements under 17.12.010 – Purpose of Residential Zones, Baggett noted that the residential zones, Mountain General, Mountain Home and Mountain Transitional relative to development constraints and advancements that might change the size should be discussed before the General Plan.

On page 401, Residential Zones Table 2-3, “Employee Housing, Large (7 to 15 persons) and “Employee Housing, Small (6 or less persons)”, Baggett asked for clarification whether the above was based on the size of persons or bedrooms size. Goger clarified that it was any permit regulated by persons based on the two different new provisions pertaining to employee housing that are new state standards. Baggett suggested eliminating the term “Small” and replace with “Employee housing, small and large”. Engfer acknowledged and noted that staff will double-check on the state law to confirm the request conforms with the requirements.

On page 401, McCamman asked for clarification as the table showed that an administrative use permit was required for home enterprises. Engfer noted that the “Administrative Use Permit” was an error and should be “Allowed by Right (P)” per the direction from the commission previously given.

On page 402, McCamman noted that the permit requirement for “Rural Home Industry” was permitted under other county ordinances.

On Page 402, a discussion occurred regarding Workforce Housing. McCamman requested that staff make the permit requirements from “Conditional Use Permit” to permitted “Allowed by Right” across the board. Engfer noted that additional provisions recommended by the commission was for staff to generate workforce housing provisions that will need to be aligned with the permitted recommendation and will need to double-check with the state provisions. Then McCamman expressed his concerns regarding the definition of workforce housing with reference to park model home units in areas with small parcels that could overtake the county as it’s not a restricted permit and there should be a control exercise set in place. The commission did not provide direction other than to flag this item to bring back to the commission.

On Page 402, Recreational Vehicle Parks, Extended Stay (longer than 30-day), Baggett directed to add Conditional Use Permits to Mountain General (MG) and Mountain Transition (MT) in addition to Mountain Home (MH) and Rural Residential (RR).

McCamman asked if the joint meeting with the Agricultural Advisory Committee had been scheduled. Engfer noted that staff chose to implement the current zoning prior to scheduling the joint meeting. Baggett proposed the joint meeting be held in May, June or July 2025.

Smith suggested including references to the column in Table 2-4 “Other Additional Regulations” to direct the public to other regulations pertaining to front setbacks requirements for residential structures non ADU’s.

On page 423, Open Watershed Overlay Zone (OW), a discussion occurred regarding the stormwater runoff. Baggett proposed to lower the parcel size to five-acre Mountain Home standard based on the technological mitigation of stormwater. McCamman suggested including the language under the density section within the watershed overlay applied to a single-family residence per 20 acres and less appropriate mitigation if technological solution can be demonstrated. Engfer noted that there’s language under Item 3, modification that could be considered. Williams will bring back to the commission the final draft.

Public comment received by Ken Melton (resident), spoke about the following:

- Conditional Use Permits and Administrative Permits should be reviewed for legal issues.
- Page 211, Under land Use Park Model Home, based on the definitions from the State of California that the Park Model Home is incorrect and should be Park Trailer.

Baggett agreed with Melton and will direct staff to make that change.

- Page 212, Table 2-4, expressed that with today’s technology to meet all the health requirements the septic system and well should be allowed and not prohibited on five acres.
- Page 214, Table 2-4, suggested 35 ft. setbacks.
- Zoned Mountain Home, asked for clarification regarding how many residential structures could be built on a 20-acre parcel that’s 5-acre zoning as it’s not clear in the General Plan.

The Commission noted that this item has been flagged for the General Plan.

- Page 221, setbacks, suggested that the setbacks be reviewed for commensurate to ensure that the county isn’t encroaching on people’s property.

Baggett proposed to table Article 3 - setbacks discussion to the next meeting.

- Page 222, top of the page, Frontage on Maintained Roads, asked for clarification regarding all structures shall meet County Road standards and noted that it should be rated by the intended usage of the commercial building.
- Article 2 revisions, Park Trailer Homes, expressed that the proposal to amend the land use for park trailer homes to be lived in is great but expressed concerns regarding the acreage requirements, length of stay, and the permit requirements.

Commissioner Smith left the meeting at 12:33 P.M.

Russ Marks, Public Works, provided clarification on the road standards per Melton's public comment.

District 2 Supervisors Shannan Poe, noted that he deals extensively with mining rights on public lands (Bureau of Land Management (BLM) Administered or USFS Administered Public Lands), asked where the county gained authority over a federal mining claim on public lands that required a permit through the county, with inspections and bonds. He then questioned why the county was trying to adopt this.?

In response to Poe's question, Williams stated that the county does not have any authority to regulate mining on federal lands and that this does not or would not apply to mining on Forest Service lands. There is a resolution that staff will bring back for the Planning Commission, maybe in the Board's consideration that the county entered into a long time ago with the BLM. That gives some authority on a case-by-case basis for the county implementing reclamation requirements for permits that are issued for mining on BLM lands.

Poe referenced page 345 and asked for clarification regarding language that states "no person shall conduct surface mining operations unless a permit, a reclamation plan and financial assurances which is a bond for reclamation, have been first approved by the county. The provisions in this chapter shall apply to all lands within the county, both public and private".

A discussion occurred between staff and Poe. Poe expressed that he is deeply concern about the mining section in the Development Code Update and suggested meeting with staff and county counsel to review. Williams stated that it was her understanding that the current law required that individual to have a reclamation plan and asked for time so staff can look to state law for that provision.

Baggett stated that Article 3 will be brought back to the next meeting.

G. Planning Commissioner Reports

McCamman will be excused May 16, 2025 and asked to not bring Article 3 back on this date.

Baggett will be excused June 20th and August 22nd, 2025.

Engfer will be excused June 2nd but the Housing Elements can proceed in his absence.

Baggett noted that the September meetings will be problematic and suggested changing the dates to September 16th and 26th, 2025.

H. Future Agenda Items

- Proposed new PC meeting schedule
- Continue Article 3 & 9
- Time Extension Application
- North County – General Plan Zoning Amendments
- Workforce Housing
- Park Trailer Provision
- Joint Meeting with the AAC – proposed meeting dates: May 2nd or July 11th

I. Adjournment

There being no further business, the meeting was adjourned at 1:01 P.M.

Respectfully submitted,

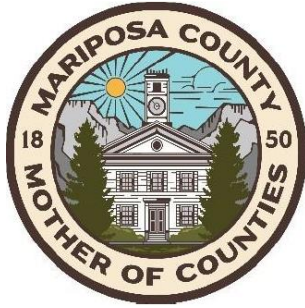
ART BAGGETT, Chair
Mariposa County Planning Commission

SOPHEA CRAIGHEAD, Secretary
Mariposa County Planning Commission

Note: Full audio recordings of the minutes are available from the Planning Department by request or online: [Agendas & Minutes | Mariposa County, CA - Official Website](#)



**Items that came in
after the Agenda and
packet was prepared
and publicly posted.**



RESPONSE TO COMMENTS ON HAPPY GOAT CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH # 2025020540)

Planning Commission Meeting of March 21, 2025.

Agenda Item E. 1 Conditional Use Permit (CUP) No. 2023-078

RESPONSE TO COMMENTS THAT WERE RECEIVED AFTER PUBLICATION OF THE PLANNING COMMISSION AGENDA PACKET:

Written comments on the California Environmental Quality Act (CEQA) Happy Goat Initial Study/Mitigated Negative Declaration (IS/MND) are reproduced along with responses to those comments. Some comments received prior to the publication of the Planning Commission agenda packet were included in the published packet. These comments were not received in time to include in the agenda packet for the Planning Commission which was uploaded for publication on March 14, 2025. The IS/MND was circulated locally and through the State Clearinghouse (SCH) for a review by state agencies under SCH #2025020540. The 30-day review period for the document ran from February 14, 2025 through March 17, 2025. To assist in referencing comments and responses, the following code system was used:

- Each letter or oral comment is lettered (i.e., Comment A) and each comment within each letter or oral comment is numbered (i.e. comment A-1, comment A-2).

The table below lists the written comments on the Happy Goat IS/MND that were submitted to Mariposa County. The assigned comment number, comment date, commenter, and affiliation, if presented in the comment or if representing a public agency, are listed.

Response Code	Signatory	Affiliation	Date Received
A	Leana Tolentino, Associate Transportation Planner	Caltrans Division of Aeronautics	March 17, 2025
B	Jonathan Oshalim, Chief	Caltrans Office of Rural Planning, District 10	March 17, 2025
C	Janet Bibby	Resident	March 18, 2025
D	Robert and Jeanne Schmidt	Resident	March 14, 2025
E	Harry Strawbridge and Jennifer Latta	Resident	March 14, 2025

California Department of Transportation

DIVISION OF AERONAUTICS - M.S. #40
1120 N STREET
P. O. BOX 942874
SACRAMENTO, CA 94274-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY 711
www.dot.ca.gov



March 17, 2025

Steve Engfer
Planning Director
County of Mariposa
5100 Bullion Street
Mariposa, CA 95338

Electronically Sent <sengfer@mariposacounty.org>

Re: SCH #2025020540 – Conditional Use Permit No. 2023-078

Dear Steve Engfer:

The California Department of Transportation (Caltrans), Division of Aeronautics (Division) has reviewed the Mitigated Negative Declaration (MND) of Conditional Use Permit No. 2023-078. One of the goals of the Division is to assist cities, counties, and Airport Land Use Commissions (ALUC) or their equivalent, to understand and comply with the State Aeronautics Act pursuant to the California Public Utilities Code (PUC), Section 21001 et seq. Caltrans encourages collaboration with our partners in the planning process and thanks you for including the Division of Aeronautics in the review of the MND.

In accordance with CEQA, Public Resources Code Section 21096, the California Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within the Airport Influence Area (AIA) as identified in the Airport Land Use Compatibility Plan (ALUCP) for the specific airport that the project is located near. If such a plan has not been adopted, then the area within two miles of the airport will be considered the AIA. The Handbook is a resource for all public use airports and is available online at: <https://dot.ca.gov/-/media/dot-media/programs/aeronautics/documents/californiaairportlanduseplanninghandbook-ally.pdf>

Safety Compatibility Policies

The Project site is approximately 600 feet northeast of the Mariposa-Yosemite Airport and is within Safety Zone B of the Mariposa-Yosemite Airport Comprehensive Land Use Plan (MACLUP). Therefore, it must adhere to the safety criteria and restrictions defined in the MACLUP, adopted by the ALUC pursuant to PUC Section 21674 and is subject to review authority by the ALUC.

"Provide a safe and reliable transportation network that serves all people and respects the environment"

A-1

A-2

The proposed Project consists of school field trips, workshops, special events, live music, and mobile catering. The MACLUP states that specifically excluded land uses for Safety Zone B include uses intended as a place for the general public to gather. Therefore, the Division has concerns that this project is not compatible with the MACLUP.

A-2

Moreover, the Division has additional concerns as the Project falls within Safety Zones 2 (Inner Approach/Departure Zone) and 3 (Inner Turning Zone) according to the Handbook generic Safety Zones. Per the Handbook, group recreational uses are prohibited in Safety Zones 2 which has a high risk level and 3 which has a moderate to high risk level. A majority of the project's development takes place within Safety Zone 6 (Traffic Pattern Zone) according to the Handbook generic Safety Zones. Per the Handbook, outdoor stadiums and similar uses with very high intensities should be avoided in Safety Zone 6, which has a low risk level.

Increase in Density/Intensities

The Project stipulates that it contains increased density development and introduces new safety concerns that may be incompatible with the MACLUP and that are not in accordance with the guidance in the Handbook. The purpose of the Handbook is to prevent the creation of new incompatible land uses near airports, the MACLUP's purpose would be the same for the Mariposa-Yosemite Airport. To ensure compatibility between the Project, the Handbook, and the MACLUP, we recommend implementing mitigation measures such as ensuring increased density development takes place outside of Safety Zones 2 & 3 (per the Handbook) and Safety Zone B (per the MACLUP). Per the MACLUP, any land use with a population density greater than 50 persons per acre is not allowed in Safety Zone B.

A-3

Additionally, the Handbook states Safety Zone 2's maximum nonresidential intensity shall not exceed 40 average number of people per gross acre and 80 people per gross single acre. Safety Zone 3's maximum nonresidential intensity shall not exceed 70 average number of people per gross acre and 210 people per gross single acre. A majority of the Project's development takes place in Safety Zone 6 (per the Handbook), and Safety Zone 6's maximum nonresidential intensity shall not exceed 200 average number of people per gross acre and 800 people per gross single acre. Ongoing coordination between the City, developers, and the ALUC is essential to align future projects with the MACLUP and Handbook guidance and ensure a balanced approach to growth.

Closing Statements

An ALUCP is mandated to prevent the creation of new incompatible land uses near airports, thus minimizing noise nuisance and safety hazards around airports while promoting orderly development.

It is the responsibility of the ALUC to follow the guidance of the Handbook and use their ALUCPs to assess potential risks to people and property in areas within the vicinity of an airport and to promote the orderly development of air transportation while protecting the public health, safety, and welfare.

A-4

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Steve Engfer, Planning Director
March 17, 2025
Page 3

These comments reflect the areas of review by Caltrans Division of Aeronautics with respect to airport-related noise, safety, and land use planning issues. Thank you for the opportunity to review and comment. If you have any questions, please contact me by email at leana.tolentino@dot.ca.gov.

A-4

Sincerely,

Leana Tolentino

Leana Tolentino
Associate Transportation Planner
Division of Aeronautics

c: State Clearing House <state.clearinghouse@opr.ca.gov>
Matthew Friedman, Chief Office of Aviation Planning, <matthew.friedman@dot.ca.gov>
Nirupama Stalin, Senior Transportation Planner <Nirupama.stalin@dot.ca.gov>

"Provide a safe and reliable transportation network that serves all people and respects the environment"

Response to Letter A

Commenter: Leana Tolentino, Associate Transportation Planner, Caltrans Division of Aeronautics

Date: March 17, 2025

Response A-1:

The commenter provides an introduction and reference to the California Airport Land Use Planning Handbook (Handbook) and that the Handbook must be utilized as a resource in the preparation of environmental documents for projects with the Airport Influence Area (AIA) as identified in the Airport Land Use Compatibility Plan (ALUCP). The commenter provides a link to download the Handbook. No response is required.

Response A-2:

The commenter states that the Project site is approximately 600-feet northeast of the Mariposa-Yosemite Airport and is within Safety Zone B of the Mariposa-Yosemite Airport Comprehensive Land Use Plan (MACLUP) and raises concerns related to the consistency with the safety criteria and restrictions defined in the MACLUP. The commenter further states that specifically excluded land uses for Safety Zone B include uses intended as a place for the general public to gather.

The commenter raises additional concerns related to compatibility with the Handbook. The commenter states that the Project falls within Safety Zone 2 (Inner Approach/Departure Zone) and 3 (Inner Turning Zone) and that group recreational uses are prohibited in Safety Zones 2 and 3. Further, the commenter states that the majority of the project's development takes place within Safety Zone 6 (Traffic Pattern Zone) and that outdoor stadiums and similar uses within very high intensities should be avoided in Safety Zone 6.

As illustrated in the Project Plans (Figure 2 and full plans attached as Appendix L) of the Happy Goat IS/MND, the majority of the Project site is located outside of Zone B of the MACLUP, including the Project development/activity area. There are no Project improvements or recreational uses/activities proposed within the site that are located within Zone B of the MACLUP. Additionally and as detailed in Section B.9, *Hazards and Hazardous Materials*, the Proposed Project's structural coverage is less than 50% of the total land area and no more than 50 people per acre will gather in locations of the portion of the Project site that is within Zone B of the MACLUP, in compliance with the safety criteria and restrictions defined in the MACLUP. Further, no improvements are proposed within Zone A or C of the MACLUP.

The Proposed Project is consistent with the Basic Compatibility Policies of areas within Safety Zone 6 as detailed on Page 4-25 of the Handbook. The Proposed Project does not propose a outdoor stadium or similar uses with very high intensities. The Proposed Project includes daily public farm tours, bi-weekly outdoor education schools, and occasional special events and workshops. Up to 175 guests are anticipated on a daily basis, and up to 300 guests during special events.

Response A-3:

The commenter recommends implementing a mitigation measure such as ensuring increased density development takes place outside of Safety Zone 2 & 3 (per the Handbook) and Safety Zone B (per the MACLUP). The commenter further states that any land use with a population density greater than 50 persons per acre is not allowed in Safety Zone B.

Additionally, the commenter states that the majority of the Project's development takes place in Safety Zone 6 and the maximum nonresidential intensity shall not exceed 200 average number of people per gross acre and 800 people per gross single acre.

As noted above, the Project's development/activity area is located outside of Zone B of the MACLUP and there are no structures or uses for gathering of people within Zone B (or within Zone A or C). Additionally, no more than 50 people per acre are anticipated to gather within Zone B due to limited activities within that area (i.e., the solid waste dumpster, composting and private staging areas are located within this area per the Site Plan (see Figure 2 of the Happy Goat IS/MND). Therefore, mitigation measures are not required.

As stated in the Project Description of the Happy Goat IS/MND, the Proposed Project covers approximately 29 acres of the 250-acre parcel. As noted above, up to 175 guests are anticipated on a daily basis, and up to 300 guests during special events. It is anticipated that the Proposed Project would not exceed the maximum nonresidential intensity requirements per the Handbook.

An implementing mitigation measure as suggested by the commenter is not required as the Project's development/activity area is outside of Zone B per the MACLUP and is consistent with the Basic Compatibility Policies of Safety Zone 6 per the Handbook.

Response A-4:

The commenter provides closing statements in the letter, including the responsibilities of the ALUCP. These comments are noted, and no response is necessary.

California Department of Transportation

OFFICE OF THE DISTRICT 10 PLANNING
P.O. BOX 2048 | STOCKTON, CA 95201
(209) 948-7325 | FAX (209) 948-7164 TTY 711
www.dot.ca.gov



March 17, 2025

Ms. Kaitlyn Casner
Planner III
Mariposa County
Planning Department
5100 Buillion Street
Mariposa, CA 95338

MPA-49-PM 22.236
Initial Study (IS)
SCH #2025020540
Eco Extreme Holdings, LLC

Ms. Casner,

The California Department of Transportation (Caltrans) appreciates the opportunity to review and comment on the Initial Study (IS) No. 2023-078 located at 5030 CYA Road with APN 012-041-002 and land use designation Mountain General and Mountain Transition. The proposed project is for a Special Events Facility including daily public farm tours, biweekly outdoor educational schools, and occasional special events and workshops. The bi-weekly outdoor education schools would include up to 50 guests per group. Up to 175 guests are anticipated on a daily basis, and up to 300 guests during special events. The Project site is improved with a 6,912 square feet barn, six (6) greenhouses, a 5,880 square feet goat/work barn. The total square footage of all permanent structures on the 29-acre project site would be approximately 30,952 square feet.

Caltrans has the following comments:**Environmental**

- If there are any construction related activities that will encroach into Caltrans Right of Way (ROW) as a result of the project, the project proponent must apply for an Encroachment Permit with the Caltrans District 10 (D-10) Encroachment Permit Office. All California Environmental Quality Act (CEQA) documentation, such as the final Initial Study (IS), with supporting technical studies, must be submitted with the Encroachment Permit Application. These studies may include an analysis of potential impacts to any cultural sites, historic properties, biological resources, hazardous waste/materials, scenic highways, and/or other environmental resources within Caltrans Right of Way, at the project site(s). Evidence of consultation with local Native American tribes and interested parties

"Provide a safe and reliable transportation network that serves all people and respects the environment"

B-1

will need to be presented within the technical documents for approval of encroachment in the Caltrans ROW.	B-1
• If any previously unknown cultural resources are discovered during construction in Caltrans ROW, all work must stop within a 100-foot radius of the discovery. The Caltrans D-10 Environmental Office must be notified immediately. The Caltrans Professionally Qualified Staff (PQS) will investigate the discovery. No work shall resume within the 100-foot radius until authorized by the Caltrans PQS.	B-2
• If there are mature trees within and/or near Caltrans ROW that could provide suitable nesting habitat and if work will occur between February 1 and September 30 of any year, a pre-construction bird survey must be conducted by a qualified biologist prior to the start of any construction related activities in Caltrans ROW. If an active nest is observed, a protective buffer must be established around the nest per CDFW guidelines. No work is allowed within the protective buffer limits until the young have fledged and until authorized by the Caltrans District 10 Environmental Office. Results of the pre-construction bird survey(s) must be provided to the Caltrans District 10 Environmental Office prior to the start of construction.	B-3
• If there are impacts to water resources within Caltrans ROW, Caltrans will need to review the correspondence with the permitting authorities (California Department of Fish and Wildlife [CDFW], United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQBC) and/or be provided copies of any required permits prior to the start of any construction in Caltrans ROW. If there are impacts to any special status species, critical habitat, or Essential Fish Habitat that exist within Caltrans ROW, evidence of consultation with the California Department of Fish and Wildlife (CDFW), U.S. Fish & Wildlife Service (USFWS), and/or National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service shall be provided to Caltrans with the Encroachment Permit application.	B-4
• The Draft IS states that there is suitable habitat present for multiple State and Federal special-status species. If the project has potential to impact or affect any State or Federally listed species, then Caltrans will want to see correspondence from CDFW and/or USFWS submitted with the Encroachment Permit Application. The IS states that the project has potential to impact California Tiger Salamander (CTS), therefore, the project proponent must obtain appropriate State and Federal permits/approvals from CDFW and USFWS.	B-5

"Improving lives and communities through transportation."

Active Transportation

- Caltrans recommends considering the inclusion of pull-thru parking spaces for RVs, buses, coaches, or trucks with trailers.
- Please consider the installation of bicycle racks within the development to accommodate active transportation and e-bikes.

B-6

Systems Planning

- The Fire Hazard Mitigation Plan (FHMP) section 4.2 - Road and Access - Emergency Event states, "All proposed roads include a 24' wide gravel surface with a 1' shoulder on either side." Although this might be adequate for automobiles to pull over on the shoulder to allow emergency vehicles to pass, this, may not be adequate for vehicles to turn around for other emergencies like stalled vehicles or any type of vehicular accident within the vicinity.
- Caltrans recommends a wider access facility of 30' with two 12' wide lanes and 6' shoulder (3'ft on each side) rather than the proposed 24' as indicated. Providing the increased access space would more adequately ensure safety measures and benefit all users including visitors, employees bicyclists and pedestrians.
- Increasing the access to a 30' wide lane will help to not impede additional traffic that may be impacted on Mt. Bullion Cutoff Road and State Route 49.

B-7

Travel Forecasting and Complete Streets

- In the Trip Generation Memorandum for the Happy Goat Farm Project, it was assumed that there will be approximately 175 visitors a day with a max allowable guest of 300 people. Also, there is an assumption that there will be 4 persons per vehicle. Can you provide a reference on how you concluded with 175 visitors per day resulting in 88 total trips? Were these trips calculated through the ITE Trip Generation Manual?

B-8

Traffic Operations

- It is difficult to tell where the actual limit line is for the vehicle sight distance on page 243 of the California Environmental Quality Act Initial Study. West of the project driveway is a hill which appears to not have adequate vehicle sight distance.
 - Do you have field pictures that verifies that it meets the required sight distance?
 - Please provide these pictures for our review.
- The proposed driveway at CYA Road is not up to Caltrans standards.
 - This road will need to be upgraded to required Caltrans standards.
- There will need to be a left turn for vehicles/buses entering the facility as a refuge lane due to the higher number of vehicles.

B-9

"Improving lives and communities through transportation."

Ms. Casner
Page 4

All future development for the project location will require further review by Caltrans. If you have any questions or would like to discuss these comments, please contact Lloyd Clark at (209) 986-9802 (Email: Lloyd.Clark@dot.ca.gov) or me at (209) 986-5762 (email:) Jonathan.Oshalim@dot.ca.gov.

B-10

Sincerely,

Jonathan Oshalim
Jonathan Oshalim, Chief
Office of Rural Planning

"Improving lives and communities through transportation."

Response to Letter A

Commenter: Jonathan Oshalim, Chief, Caltrans Office of Rural Planning, Caltrans District 10

Date: March 17, 2025

Response B-1:

The commenter provides information related to the requirements for a Caltrans Encroachment Permit. This comment is noted, and no response is necessary.

Response B-2:

The commenter states that if any unknown cultural resources are discovered during construction in Caltrans ROW, all work must stop within a 100-foot radius of the discovery. The commenter further requires that Caltrans D-10 Environmental Office be notified of the discovery. These comments are noted, and no response is necessary.

Response B-3:

The commenter provides information related to suitable nesting habitat and requirements for a pre-construction bird survey for work within and/or near Caltrans ROW. These comments are noted, and no response is necessary.

Response B-4:

The commenter requests that, if there are impacts to water resources within Caltrans ROW, that Caltrans will need to review the correspondence with permitting authorities. These comments are noted, and no response is necessary.

Response B-5:

The commenter references the Happy Goat IS/MND related to the potential impacts to multiple State and Federal special-status species and that requests that Caltrans see correspondence from CDFW and/or USFWS submitted with the encroachment permit. These comments are noted, and no response is necessary.

Response B-6:

The commenter recommends that the Project include pull-thru parking spaces for RVs, buses, coaches, or trucks with trailers and to consider the installation of bicycle racks within the development to accommodate active transportation and e-bikes. These comments are noted, and no response is necessary.

Response B-7:

The commenter references the Fire Hazard Mitigation Plan (FHMP) Section 4.2, *Road and Access* which states that all roadways include a 24' wide gravel surface with a 1' shoulder on each side. The commenter raises concerns that this roadway width may not be adequate for emergency vehicles to turn around in emergencies such as stalled vehicles or any type of vehicular accident

within the vicinity. The commenter recommends a wider access facility of 30' with two 12' wide lanes and a 6' shoulder (3' on each side) rather than the proposed 24' as indicated.

The Proposed Project includes a 24' wide internal access roadway as detailed in the FHMP, exceeding the Mariposa County Rural Section Class II DWG R-2 Standard Detail and Mariposa County Fire Department standards for access roads. Specifically, Mariposa County Fire Department requires access roads to meet the Fire Code, including a minimum width of 20', minimum 13'6" of vertical clearance, be of an all-weather surface and meet the compaction needs of fire equipment. Caltrans recommended road width is noted.

Response B-8:

The commenter references the Trip Generation Memorandum prepared by Wood Rodgers, dated December 8, 2023, and that there is an assumption that there will be 4 persons per vehicle and asks for a reference on how the Trip Generation Memorandum concluded that with 175 visitors per day would result in 88 total trips. The commenter further questions whether the ITE Trip Generation Manual was utilized.

The Trip Generation Memorandum prepared by Wood Rodgers assumed the maximum number of trips based on the estimated daily number of attendees as detailed in the Project Description. However, the events would occur throughout the day within the Project's hours of operation of 9:00 AM and 10:00 PM and activities would not occur at the same time. Based on the proposed activities/events proposed, the Trip Generation Memorandum anticipated a high level of carpooling (including but not limited to school buses and vans) and as such, an occupancy of 4 persons per vehicle.

Pursuant to Section 17.108.220, *Special Event Facilities*, the business owner is required to comply with all requirements of the Operational Standards (Section 17.108.220(D)) and all established Conditions of Approval for the Proposed Project. Included in the Operational Standards is requiring the Proposed Project to meet Adequate Capacity requirements of the Mariposa County General Plan for the access road, including State Fire Regulations. Consistency with this requirement, including other Operational Standards, is monitored yearly via an Annual Report submitted to the Mariposa County Planning Department (Section 17.108.220(G)).

Response B-9:

The commenter references the Corner Sight Distance for CYA Road at SR 49, prepared by Wood Rodgers as part of the Trip Generation Memorandum and raises concerns related to the sight distance to the west and that a hill may obscure the vehicle sight distance. Additionally, the commenter states that the proposed driveway at CYA Road is not up to Caltrans standards and would need to be improved.

As illustrated in the Corner Sight Distance for CYA Road at SR 49 in the Trip Generation Memorandum (Attachment B), the left-turn from stop sight distance is estimated to be 662' and the right-turn from stop is estimated to be 574'. The driveway at CYA Road and the Subject Property access road is required to adhere to Mariposa County Standards and Mariposa County Fire Department requirements.

If work is conducted within the Caltrans right-of-way, an Encroachment Permit from Caltrans will be required, as noted in preceding comments provided by Caltrans.

Response B-10:

The commenter provides a closing statement to the letter. No response is necessary.

Janet Bibby
3636 State Highway 140
Catheys Valley, CA 95306

RECEIVED

MAR 18 2025

March 17, 2025

Mariposa County Planning Department

Mariposa County Planning Department
Post Office Box 2039
Mariposa, CA 95338

RE: Conditional Use Permit (CUP) Application Number 2023-078
Happy Goat, LLC, Applicant
Formal Public Comment/Public Hearing

✓ Dear Mariposa Planning Director and Staff
and Honorable Planning Commissioners:

Please consider the following concerns, during your review of CUP Application Number 2023-078, which is a commercial level event center by applicant's definition (goatnasium, weddings, greenhouse, culinary classes, educational site with visiting students and tourists, workshops, etc.).

In order to fit this intense scale of use within this rural location, mitigation measures must be required and a close review of whether this use is compatible with existing roads, circulation, dark skies, noise and the established residential uses, while maintaining public health and safety. You will always hear it will create jobs, bring tourists, but a careful mitigated project will result in a sustainable upfront project with limited impacts to neighborhoods while maintaining the County's General Plan goals and objectives.

We find ourselves just now reviewing a site with approximately 8 structures and 20 water tanks, roads to accommodate commercial activities, and this project is just now coming before the Planning Commission for a Conditional Use Permit review. Each established improvement, is being interlinked and tied to this project. This did not happen by accident and development will be used collectively and should be reviewed collectively, including all permanent and temporary improvements.

Contained within the Proposed Mitigated Negative Declaration, Page 4, Item 7.e.1, states, "Prior to the issuance of a grading or building permit for any structure or improvements within the project site, the septic system and associated leach field(s) shall be approved for septic disposal by the Mariposa County Environmental Health Unit and installed by the project proponent prior to operation of any Conditional Use permit project activities". **Keep in mind we already have 8 plus structures (including 2 barns), 20 water tanks, and interior roads and with visitation that has already transpired with events/tours on site.**

Prior to the Happy Goat project, this parcel consisted of bare agriculture open-space. With rural impacts to neighboring roads, environment, and residential dwellings. So, we are going from open-space to an event center.

-1-

C-1

C-2

Conditional Use Permit (CUP) Application Number 2023-078

Happy Goat, LLC, Applicant; Formal Public Comment

Page Two (03-17-2025)

Therefore, safety impacts to the CYA Road ingress and egress, will be additionally increased by limited sight distance, traffic flow, and the existing blind curve with an accident history. Again, parcel went from bare land and an intermittent traffic flow, to the proposed use to be a full-fledged event center accommodating 175 people every day, including buses, RV's and up to 300 people during special large events like weddings, retreats, etc. We all know at a wedding everyone arrives about the same time, this is true for tours, etc. Highway 49 North or the entrance onto the CYA Road, historically does not accommodate this level of daily use. Historically, this part of Highway 49 North has had several accidents, with the limited use that currently exists.

C-3

Seasonal creek impacts and roads traversing across property should include Fish and Wildlife review. Seasonal creeks lead to a main waterway drainage. Setbacks from all creeks and existing residential uses, should be carefully reviewed and mitigated for pesticides, leach fields, and runoffs. It is imperative that parcels that are not commercially zoned, but are permitted at a commercial level of use, co-exist for all.

C-4

The emergency egress road, as well as the main entrance, should be required to be maintained for all-seasons, with CalFire fire code widths, turnarounds and pullouts. In addition, said emergency exit should go through a review by CalTrans for encroachment purposes, as it will be accommodating up to 300 people. A dedicated easement should be required as owners change and if this road is a condition, it must be dedicated and recorded for this purpose and level of use.

C-5

This event center, and all its facilities, should have greater setbacks and natural screening for the co-existence of neighboring residential owners. This parcel has never accommodated a commercial level event center. Mariposa County should be careful as to ensure property owner's uses co-exist, in that the Mariposa General Plan has been relied upon for residential property owners' rural feel, peace and enjoyment, health and safety, and the proximity of right to agriculture operations. The General Plan set aside specific properties for commercial zoning and uses, and this parcel was not anticipated or designated as commercial.

C-6

Dumpster and composting location should be moved as a condition. The location of the proposed dumpster and composting will negatively impact full-time residents traveling the CYA Road, as well as the neighboring property owner, visitors, etc. For a project that does not generate complaints, the compost/trash dumpster should be relocated somewhere else on the 29 acres, so that it does not become an attractive nuisance for pests, wildlife, etc. It is somewhat difficult to rationalize the composting/trash site selected out of 29 acres, just happened to be within 500 feet of the adjacent residence?

C-7

The Airport Safety Zone, references no more than 50 people per acre will gather in compliance with Safety Zone B. However, the daily visitors are estimated to be at 175 daily and up to 300 for corporate retreats, weddings, trade gatherings, outdoor music, car shows, and community Harvest Festival. All events that customarily have a central cluster of visitors housed or located in a concentrated attraction area, including the parking lot. There should also be a mitigation measure that addresses visitation limitations, when the general public is invited but to also ensure site never exceeds the visitor limits or the Airport Safety Zone limitations. Again, people cluster where the entertainment is.

C-8

Conditional Use Permit (CUP) Application Number 2023-078

Happy Goat, LLC, Applicant; Formal Public Comment

Page Three (03-17-2025)

Outdoor music every day, is better suited on commercially zoned property, unless special mitigations can be implemented as to not devalue neighboring properties or becoming a noise nuisance.

C-9

ADA parking spaces are listed as two (2) spaces. We all know just driving around Mariposa, two (2) spaces will not be sufficient. Mariposa County has a very high per capita disabled vehicle operator classification, and additional ADA spaces are necessary.

C-10

Within the CEQA/Negative Declaration review, it mentions that the interlinking water tanks should be treated as a water system. Therefore, it should be reviewed and comments received by CalFire, Environmental Health, etc. accordingly.

C-11

The Conditional Use Permit staff report, page 9, references a pilot Tony Boreson. The questions is whether said pilot is providing information as an uninterested pilot or a member of the non-profit organization, governing board member or investor? This is important, as it gives weight to the information being submitted.

C-12

The proposed secondary emergency access road should be brought up to standard with a dedicated recorded easement and encroachment permit by CalTrans. In addition, the emergency access road should be maintained in accordance with CalFire requirements with necessary improved turnarounds/pullouts and to accommodate larger vehicles.

C-13

Retreats are cited as a proposed use. Where will the over-night stay be for retreats? Within the documentation it indicates no over-night stay is permitted for event centers in rural areas. However, parking space size and references to retreats bring to question where will the over-night stay for visitors occur, especially during peak seasons?

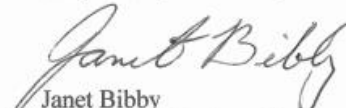
C-14

As Mariposa attempts to add tourism attractions across the countryside, it is imperative that zoning and land use and the overall expectations relying on the General Plan is not lost. You will always hear jobs, jobs, and tourism. However, it is imperative that Mariposa County ensures that varying land uses co-exist or the attraction to Mariposa will be lost. Neighborhood disputes surface or increase and the County taxpayer is left with the unmet demands on services.

C-15

Thank you for your public service!

Respectfully submitted,


Janet Bibby
Resident of Mariposa County

Response to Letter C

Commenter: Janet Bibby, Resident of Mariposa County

Date: March 18, 2025

Response C-1:

The commenter provides an introduction to the letter. No response is necessary.

Response C-2:

The commenter references Mitigation Measure 7.e.1 related to the Proposed Project's septic system and associated leach field(s) and approval by the Mariposa County Environmental Health Unit prior to operation of any Conditional Use Permit project activities. No response is necessary.

Response C-3:

The commenter raises concerns related to the safety impacts to CYA Road ingress and egress and Highway 49 North.

A Trip Generation Memorandum prepared by Wood Rodgers for the Project made conservative assumptions related to employee and customer trips. Specifically, the Trip Generation Memorandum assumed that all Project employees would arrive in the morning during AM Peak Hour and leave during PM Peak Hour, resulting in 2 trips per employee per day. The Proposed Project's use of group tours/field trips, and daily activities would result in 175 visitors per day or 88 daily trips. Visitors would primarily arrive in the morning or afternoon and would stay several hours during the experience. The Trip Generation Memorandum included an access evaluation of the corner sight distance and truck turns at the CYA Road & Highway 49 intersection.

The corner sight distance was evaluated based on the Caltrans Highway Design Manual (HDM) and concluded that the minimum corner sight distance for vehicles making a right-turn from stop is 574 feet and the minimum corner sight distance for vehicles making a left-turn from stop is 662 feet. The Trip Generation Memorandum includes Attachment B that illustrates the actual and minimum required corner sight distance for the intersection and as shown in the attachment, the actual corner sight distance at the CYA Road and Highway 49 intersection meets or exceeds Caltrans requirements. Additionally, the Trip Generation Memorandum analyzed truck turning movements for the CYA Road and Highway 49 intersection as illustrated in Attachment C. The attachment illustrates the ingress and egress turn templates for the intersection using a 40-foot Single Unit (SU-40) Truck design vehicle. As shown, the CYA Road and Highway 49 intersection would accommodate the largest design vehicle anticipated to visit the Project site. The Trip Generation Memorandum concluded no improvements were needed to CYA Road and Highway 49 based on the number of vehicle trips generated by the Project.

Response C-4:

The commenter raised concerns regarding the seasonal creek impacts. Further, the commenter states that roads traversing the property should include Fish and Wildlife review.

The Property owner previously received approval from the California Department of Fish and Wildlife for road culvert crossing work (Lake and Streambed Alteration Agreement, CDFW – EPIMS-MAR-4725-R4).

Response C-5

The commenter states that the emergency egress road, as well as the main entrance, be maintained for all seasons and be built to Fire Code standards for widths, turnarounds, and pullouts. Additionally, the commenter suggests that the emergency exit requires an Encroachment Permit from Caltrans.

All access roads, including the emergency egress road, are required to adhere to Mariposa County and Mariposa County Fire Department Standards, including consistency with Fire Code with regards to lane width, fire apparatus turnarounds, etc. The Proposed Project will be required to obtain an Encroachment Permit from Caltrans for any work within the Caltrans right-of-way.

Response C-6

The commenter suggests a greater setback and natural screening for the Proposed Project.

As detailed in the Project Description, Special Event Facilities are allowed in the Mountain Home, Mountain Transition, Mountain General, and General Forest zoning districts. The subject property is split-zoned. The majority of the 249.24-acre project site is in the Mountain General Zone with the remainder in the Mountain Transition Zone. The parcel is in the Natural Resources land use classification within the proposed expanded Mariposa Town Planning Study Area and is located in the Mariposa-Yosemite Airport Overlay Zone. The Proposed Project covers approximately 29 acres of the parcel. The Project site is improved with a 108' x 65' "big barn", 6 greenhouses, and a 70' x 84' goat barn. The only permanent structure being proposed under the Proposed Project is the container bathrooms facility.

Response C-7

The commenter raises concerns related to the location of the dumpster and composting location on the property.

As shown on the Site Plan (Figure 2 of the IS/MND), the dumpster, recycling, and composting uses are located at the southwestern corner of the Project site near the intersection of the site's access road and CYA Road. The composting pile is part of the Special Events facility application due to its inclusion in the Site Plan and it is specifically mentioned in the Solid Waste Management Plan. As noted in the Staff Report, Planning Staff is recommending that the Planning Commission adopt a Condition of Approval for the Special Events Facility to move the composting use to an area on the Project site that eliminates the potential odor nuisance to any neighboring properties. Specifically, Condition of Approval No. 19 (Attachment D of the Planning Commission Staff Report) requires the composting use be relocated to an area on the Project site that does not result in an odor nuisance to any neighboring property.

Response C-8

The commenter raises concerns related to the Airport Safety Zone and the intensity of the use.

Refer to the preceding responses to Caltrans Division of Aeronautics (Comment Letter A).

Response C-9

The commenter raises concerns related to outdoor music and that outdoor music would be better suited on commercially zoned property, unless special mitigation can be implemented so as to not devalue neighboring properties or become a nuisance.

Pursuant to the Mariposa County General Plan, the applicable noise level standard for the Proposed Project is 50 dB Leq.

An Acoustical Analysis, dated January 29, 2024, was prepared by WJV Acoustics (Appendix A of the IS/MND) and analyzed the Project Related Noise Levels, including amplified music and speech. As detailed in the Acoustical Analysis, WJV Acoustics measured noise levels at the project site while music was being amplified through a speaker system supplied by a live musician located at the Event Area (location is illustrated on the Site Plan). WJV Acoustics found that the noise levels measured at the closest rural residential property lines did not exceed the County's applicable daytime noise level standard of 50 dB Leq.

Pursuant to Section 17.108.220, *Special Event Facilities*, the business owner is required to comply with all requirements of the Operational Standards (Section 17.108.220(D)) and all established Conditions of Approval for the Proposed Project, including meeting the County Noise Standards (Section 17.108.220(D)(2)). Annual reporting is required (Section 17.108.220(G)) to confirm that all applicable Operational Standards are adhered to.

Response C-10

The commenter suggests that additional ADA parking spaces are provided for the Proposed Project. The Proposed Project includes 92 off-street parking spaces with dimensions of 20' x 10'. Additionally, 2 ADA parking spaces are provided adjacent to the existing "big barn" and parking area "C" for a total of 4 ADA parking spaces, consistent with Mariposa County Zoning Code. This comment is noted.

Response C-11

The commenter references the IS/MND and the water tanks on the property and that it should be treated as a water system.

The Proposed Project is required via Condition of Approval No. 18, to contact the State Water Resources Control Board – Division of Drinking Water to determine if a drinking water permit is needed from that agency.

Response C-12

The commenter raised concerns related to the contact the Project Proponent had with Tony Boreson, a pilot at the Mariposa-Yosemite Airport regarding the helicopter flight path. This comment is noted.

Response C-13

The commenter suggests that the proposed secondary emergency access road be constructed to CAL FIRE requirements and that an Encroachment Permit be required by Caltrans. The emergency access road is required to adhere to Mariposa County and Mariposa County Fire Department standards. Additionally, if any work is completed within the Caltrans right-of-way, an Encroachment Permit from Caltrans would be required.

Response C-14

The commenter asks whether the Proposed Project would include overnight stays.

As noted in the Staff Report, no overnight lodging or camping is allowed under the proposed Conditional Use Permit.

Response C-15

The commenter provides closing comments to the letter. No response is necessary.

March 14, 2025

To: Steve Engfer, Director, MPA Co Planning Dept
Kaitlyn Casner, Planner III

Subject: Comments on Conditional Use Permit (CUP) No. 2023-078

Happy Goat, Inc.
ECO Extreme Holdings, LLC
5030 CYA Road
APN 012-041-002

Dear Ladies & Gentlemen,

As homeowners adjacent to the Happy Goat farm, we are writing to express our objections to some aspects of Happy Goat's request for a conditional use permit, and to request that requirements be added to the permit (if it is approved) to address these concerns. We would like to state that in general we support the project and appreciate the contribution Happy Goat has made to our community, subject to our comments below.

D-1

Noise.

Our property was purchased in 2005 with the understanding that the surrounding property would maintain its current zoning. Given this, there were anticipated types and levels of noise to be tolerated in accordance with the current zoning. This project potentially creates a significant amount of continually recurring, non-natural noise which we deem to be significantly detrimental to our comfort and general welfare. This noise would be caused by music and amplified voices arising from the uses noted in the CEQA Initial Study provided on the county's website, on page 3 in the Live Music paragraph:

- a. Daily music played on the terraces
- b. Amplified music at the Rose Garden
- c. Amplified music from the big barn during Special Events

D-2

Having to hear other people's music occasionally -- such as might occur when a neighbor has a party or event or plays loud music when working outside -- is expected in a residential environment. However, having to hear music and amplified voices every day or even just every weekend is another story and is not acceptable to us. The county has received several complaints from people concerned about the beeping caused by commercial vehicles backing up at the landfill (if the biomass plant were to be built). The noise

expected from Happy Goat's music and special events would be substantially more noticeable than the beeping sounds and could be continuous for multiple hours.

Please note that on page 6 of the Acoustical Analysis report, it states

"On October 24, 2023 WJVA staff measured noise levels at the project site while music was being amplified through a speaker system supplied by a live musician, located at the Event Area. According to the musician and applicant, amplified noise levels during the simulated event were comparable to that which would be experienced during a special event."

No testing appears to have been done to determine the noise level if all three of the music locations had music and/or amplified voices (speaking into a microphone with an attached amplifier or speaker) playing at the same time. The report does not indicate the dB level of the tested sound at the origination source – WJVA's report only noted the dB level as measured at the property perimeter. The applicant self-reported that the level was "comparable to that which would be experienced during a special event" but no testing was done to determine if that level was what was typical for the anticipated events such as the Harvest Festival or a wedding. Additionally, the test was only conducted at one location within the project. The other locations may project sound differently than the tested location, especially if the tests were conducted inside the big barn instead of outside at the rose garden or on the terraces.

Our research indicates that the typical dB level for music from a wedding usually ranges between 95 to 105 dB especially if there is a live band, and when music is played outdoors for such an event, the dB level can be even higher. For comparison, consider that a chainsaw runs at about 100 dB. It is hard to believe that this level of sound would not be heard from our adjacent properties. Even if the dB were as low as 50 at the property line, Imagine having to hear this type of sound for possibly up to four hours straight during every Special Event or as frequently as daily from the terraces or rose garden. The noise is not natural and interferes considerably with the quiet enjoyment of our properties. Therefore, we do not believe that limiting sound at the property line to only 50 dB is acceptable and request that instead, the sound should not be audible at the property line.

Additionally, we would like to ask that the conditional use permit specify additional requirements such as:

- a) Happy Goat must take measures to ensure that its customers, employees, and music vendors maintain sound levels in compliance with the permit.
- b) Amplified music or amplified voices may not occur at more than one location of the property at a time if this would result in the sound being heard beyond the property line.

D-3

- c) The duration of music and amplified voice may not exceed 3 hours from the start of the noise to the end.
- d) No more than one music/amplified voice event on the overall property may occur per day.
- e) Consistent with what the applicant has noted in the Special Events paragraph on page 2 of the CEQA report, which states that Special Events would occur up to once a month, we are asking that this be codified such that Special Events are limited to no more than once a month, unless the event did not have any music or amplified voice.

D-3

Traffic

A second large concern we have has to do with access to the property. Our property has an easement which may allow passage to the northern end of the Happy Goat property. We strongly object to having that easement used for any type of commercial traffic from any of the proposed activities on the farm, other than what would normally be anticipated for occasional general agricultural use such as grazing or farming.

D-3

Thank you for your consideration of these points.

Sincerely,

Robert and Jeanne Schmidt
5321 and 5319 West Whitlock Road
Mariposa, CA 95338

Response to Letter D

Commenter: Robert and Jeanne Schmidt

Date: March 14, 2025

Response D-1:

The commenter provides an introduction to the letter. No response is necessary.

Response D-2:

The commenter raises concerns related to noise impacts of the Proposed Project and requests that additional Conditions of Approval be placed on the Proposed Project.

Pursuant to the Mariposa County General Plan, the applicable noise level standard for the Proposed Project is 50 dB Leq.

An Acoustical Analysis, dated January 29, 2024, was prepared by WJV Acoustics (Appendix A of the IS/MND) and analyzed the Project Related Noise Levels, including amplified music and speech. As detailed in the Acoustical Analysis, WJV Acoustics measured noise levels at the project site while music was being amplified through a speaker system supplied by a live musician located at the Event Area (location is illustrated on the Site Plan). WJV Acoustics found that the noise levels measured at the closest rural residential property lines did not exceed the County's applicable daytime noise level standard of 50 dB Leq. The noise measurements were taken at 2 locations as illustrated on Figure 2, *Project Vicinity and Noise Monitoring Site Locations*.

Pursuant to Section 17.108.220, *Special Event Facilities*, the business owner is required to comply with all requirements of the Operational Standards (Section 17.108.220(D)) and all established Conditions of Approval for the Proposed Project, including meeting the County Noise Standards (Section 17.108.220(D)(2)). Annual reporting is required (Section 17.108.220(G)) to confirm that all applicable Operational Standards are adhered to.

Additionally, Condition of Approval No. 21 requires that prior to the operation of any Special Events Facility use involving amplified sound, the required operational plan must include a noise monitoring program that includes but not limited to noise monitoring locations, methodology (including devices to be used for monitoring) and a noise monitoring log in order to verify the noise generated by Special Events maintains conformance with the WJV Acoustical analysis. Prior to commencement, the Planning Department will review and approve the noise monitoring program.

Response D-3

The commenter raises concerns related to use of an existing easement that allows access to the northern end of the subject Property. These comments are noted.

Steve Engfer

From: Harry Strawbridge <harry51@sbcglobal.net>
Sent: Friday, March 14, 2025 4:55 PM
To: Steve Engfer
Subject: Happy Goat CUP

You don't often get email from harry51@sbcglobal.net. [Learn why this is important](#)

March 14, 2025

Re: CUP #2023-078 for Happy Goat, Inc.

From: Harry Strawbridge and Jennifer Latta

5329 W. Whitlock Rd., Mariposa, CA

Preface:

From the Introduction to Mariposa County Zoning Code, Title 17: *"The Zoning Ordinance which follows, was designed to minimize land use conflicts and public nuisances. The Ordinance uses property development standards, or conditions, to control the possible public nuisance(s) created by adjacent uses. If a commercial use were to be permitted next to a residential property, adequate conditions must be imposed on the commercial use so that it does not become a public nuisance to the residential properties. Conditions which regulate the hours of operation, the type of commercial uses, the access and amount of noise, to name a few, could all be imposed on the commercial use. These are all conditions which are required to keep the commercial use from becoming a "public nuisance" to the surrounding residences. A public nuisance is created when a neighborhood, community, or any considerable number of persons, are adversely affected."*

From Title17, Sec.17.72.040: *"The Planning Commission shall determine whether or not the establishment, maintenance, or operation of the conditional use applied for will, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, or whether it will be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the county. If the Planning Commission finds that the aforementioned conditions will not result from the particular use applied for and the use is consistent with the Mariposa County General Plan and any applicable specific plan, it may grant the use permit."*

E-1

Salient points:

- (1) Zoning exists to preclude land use conflicts, and prevent the creation of "public nuisances", defined as a use which adversely affects a neighborhood, community, or any considerable number of persons.
- (2) The use cannot be detrimental to the comfort and general welfare of the people in the neighborhood, or to the property and improvements in the neighborhood.

E-1

Concern: Noise.

Applicant proposes daily outdoor live music performances at several locations, and live music indoors during special events. Proposed operating hours are 9:00 am to 10:00 pm daily. The applicant's acoustic test reported the sound level to be 50db at the property lines.

Unreported are several important factors:

- (1) What was the db level at the source of the test music?
- (2) How far was it from the source to the property line recording location(s)?
- (3) At how many locations were db levels recorded, and what were those locations?
- (4) Was the wind blowing at the time of the test? If so, at what velocity, and in what direction?

Each of these factors could make a significant difference in the realistic efficacy of the acoustic test, and more importantly, to the actual perceived noise level at any of the various neighboring properties, regardless of what the db measurement was at the moment of testing.

E-2

Additionally, the natural inference from the information available in the Initial Study is that live music performed outdoors is planned daily until 10.00 pm. This is entirely too late. Many of us follow the old maxim, "early to bed, early to rise." If I go to bed at 8 o'clock on a summer evening with the windows open and I hear music, the Planning Commission will have failed in their assigned mission to prevent detriment of my comfort and general welfare.

We believe, and suspect that most of the neighbors would agree, that any audible music, announcing, or other noise from weddings, parties, etc., or noise otherwise currently unusual in the area, is an unacceptable violation of our right to the quiet enjoyment of our property, particularly after dark.

The solution to those issues is very simple and straightforward: Mitigating conditions must be put in place to ensure that music, etc., is inaudible beyond applicant's property lines, again, particularly after dark. Loud music must be contained within a soundproof building such that it is not audible beyond applicant's property lines. Outdoor music must be

restricted to a volume level that does not carry beyond applicant's property lines. Anything less would clearly be a detriment to the neighbor's comfort, and constitute a public nuisance as defined under Title 17.

E-2

We encourage the Planning Commission to seriously consider the above, and take effective, enforceable measures to fulfill their obligation to protect the concerns, comfort and general welfare of those who may be adversely affected by the proposed CUP.

E-3

Sincerely,

Harry Strawbridge and Jennifer Latta

Response to Letter E

Commenter: Harry Strawbridge and Jennifer Latta

Date: March 14, 2025

Response E-1:

The commenter provides language from the Mariposa County Municipal Code as a preface to the comments on the Proposed Project. No response is necessary.

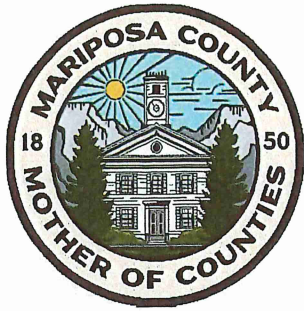
Response E-2

The commenter raises concerns related to noise impacts of the Proposed Project.

Please refer to the preceding response regarding noise. Solutions provided in the letter are noted.

Response E-3

The commenter provides a closing statement in the letter. No response is necessary.



RESPONSE TO COMMENTS ON HAPPY GOAT CEQA INITIAL STUDY/MITIGATED NEGATIVE DECLARATION (SCH # 2025020540)

Planning Commission Meeting of March 21, 2025.

Agenda Item E. 1 Conditional Use Permit (CUP) No. 2023-078

RESPONSE TO COMMENTS THAT WERE RECEIVED AFTER PUBLICATION OF THE PLANNING COMMISSION AGENDA PACKET:

Additional comments were received from Mr. Daniel Wilson, adjacent property owner on March 19, 2025. Staff met with Mr. Daniel Wilson and Supervisor Toso. These comments were not received in time to include in the agenda packet for the Planning Commission which was uploaded for publication on March 14, 2025. The IS/MND and was circulated locally and through the State Clearinghouse (SCH) for a review by state agencies under SCH #2025020540. The 30-day review period for the document ran from February 14, 2025 through March 17, 2025. To assist in referencing comments and responses, the following code system was used:

Staff received the comments and those are memorialized in the following.

Comments and Response.

Concerns communicated by Mr. Wilson:

1. Issues regarding the build out of the existing agricultural uses and operation over the course of the last couple years (+/-):
 - a. General Environmental Issues/Concerns
 - b. Animal issues (dogs and goats on, or near his property).
 - c. Erosion issues run-on to his property causing flooding
 - d. Air – dust form composing operation and related staging area activities near his property
 - e. Traffic- increase of traffic. Road is near to his property, causing noise and dust
 - f. Nuisance Activities- weed eating approximately 5 am to 7:30 am near his property
 - g. Noise- concrete trucks and delivery of materials during construction activities of the existing barns, roads and site infrastructure. Hours of the activities ranged outside of a 7 am to 10 pm timeframe.
 - h. Concerns that the requests he made regarding the issues to the site operation staff were not being addressed.
2. Concerns regarding the potential approval of the CUP for special events uses, given the existing agricultural use operations and past practices issues he witnessed and was impacted by in regard to the preceding issues in item 1.

Staff Response:

The past activities and issues and concerns raised are noted.

A list of the previous Building and Grading permits issued for the past activities including the CDFW Streambed alteration agreement are referenced in the staff report.

Code Compliance Staff met with Mr. Wilson as did the Environmental Health Unit staff in relation to the composting operation.

Conditions of approval require relocation of the composting operation to address Mr. Wilson's concerns and in accordance with the Special Event Facility title 17 Code provisions.

See responses to previous comments regarding erosion, noise, dust, odors traffic and nuisance activities.

Additionally, in response to concerns raised and As shown on the Site Plan (Figure 2 of the IS/MND), the dumpster, recycling, and composting uses are located at the southwestern corner of the Project site near the intersection of the site's access road and CYA Road. The composting pile is part of the Special Events facility application due to its inclusion in the Site Plan and it is specifically mentioned in the Solid Waste Management Plan. As noted in the Staff Report, Planning Staff is recommending that the Planning Commission adopt a Condition of Approval for the Special Events Facility to move the composting use to an area on the Project site that eliminates the potential odor nuisance to any neighboring properties. Specifically, Condition of Approval No. 19 (Attachment D of the Planning Commission Staff Report) requires the composting use be relocated to an area on the Project site that does not result in an odor nuisance to any neighboring property.

Additionally, if the CUP is approved, pursuant to Section 17.108.220, *Special Event Facilities*, the business owner is required to comply with all requirements of the Operational Standards (Section 17.108.220(D)) and all established Conditions of Approval for the Proposed Project, including meeting the County Noise Standards, dust odor, lighting and similar standards must be adhered to for the life of the project. Annual reporting is required (Section 17.108.220(G)) to confirm that all applicable Operational Standards are adhered to.

The following are pictures from Mr. Wilson pictures regarding the past activities for the project record.

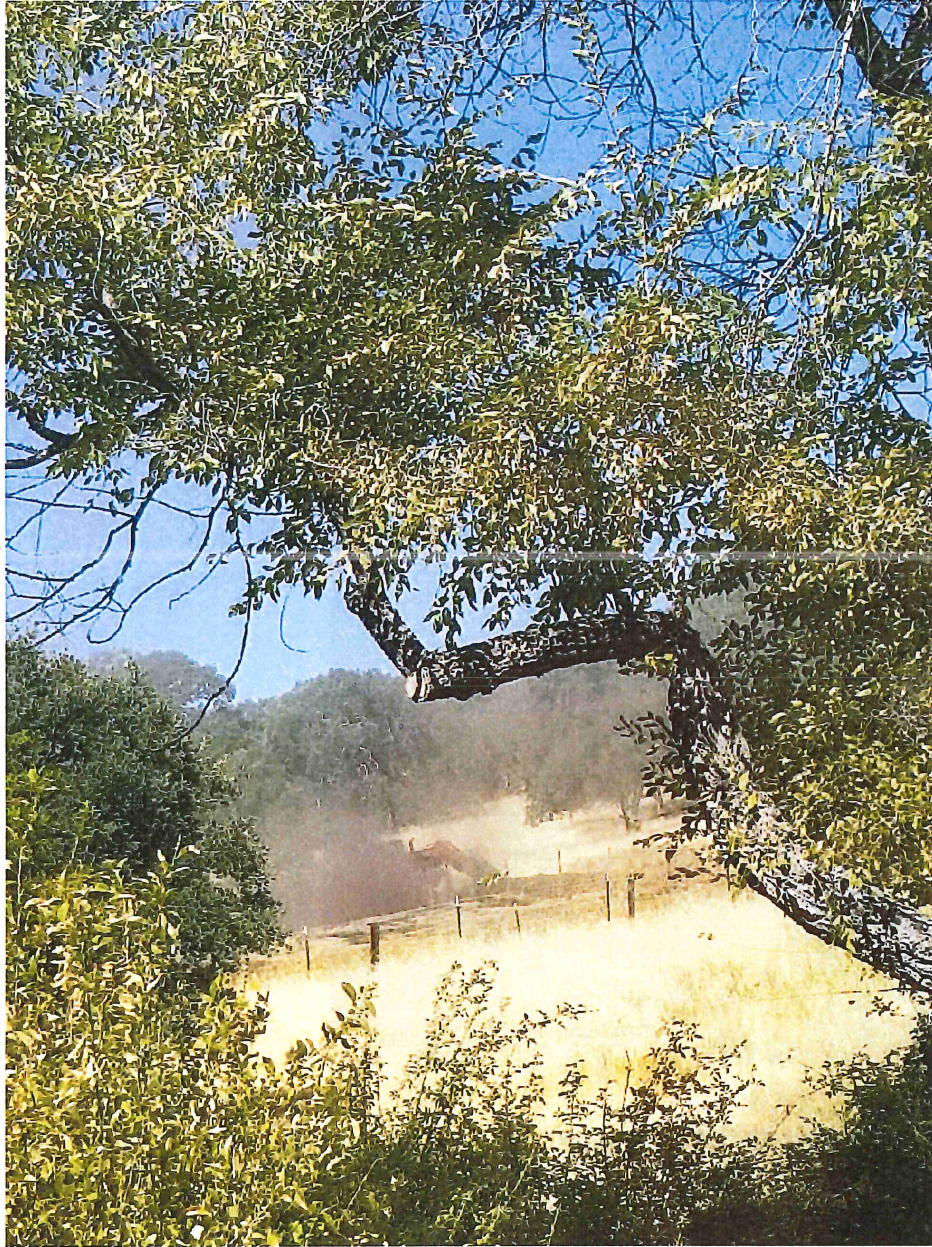


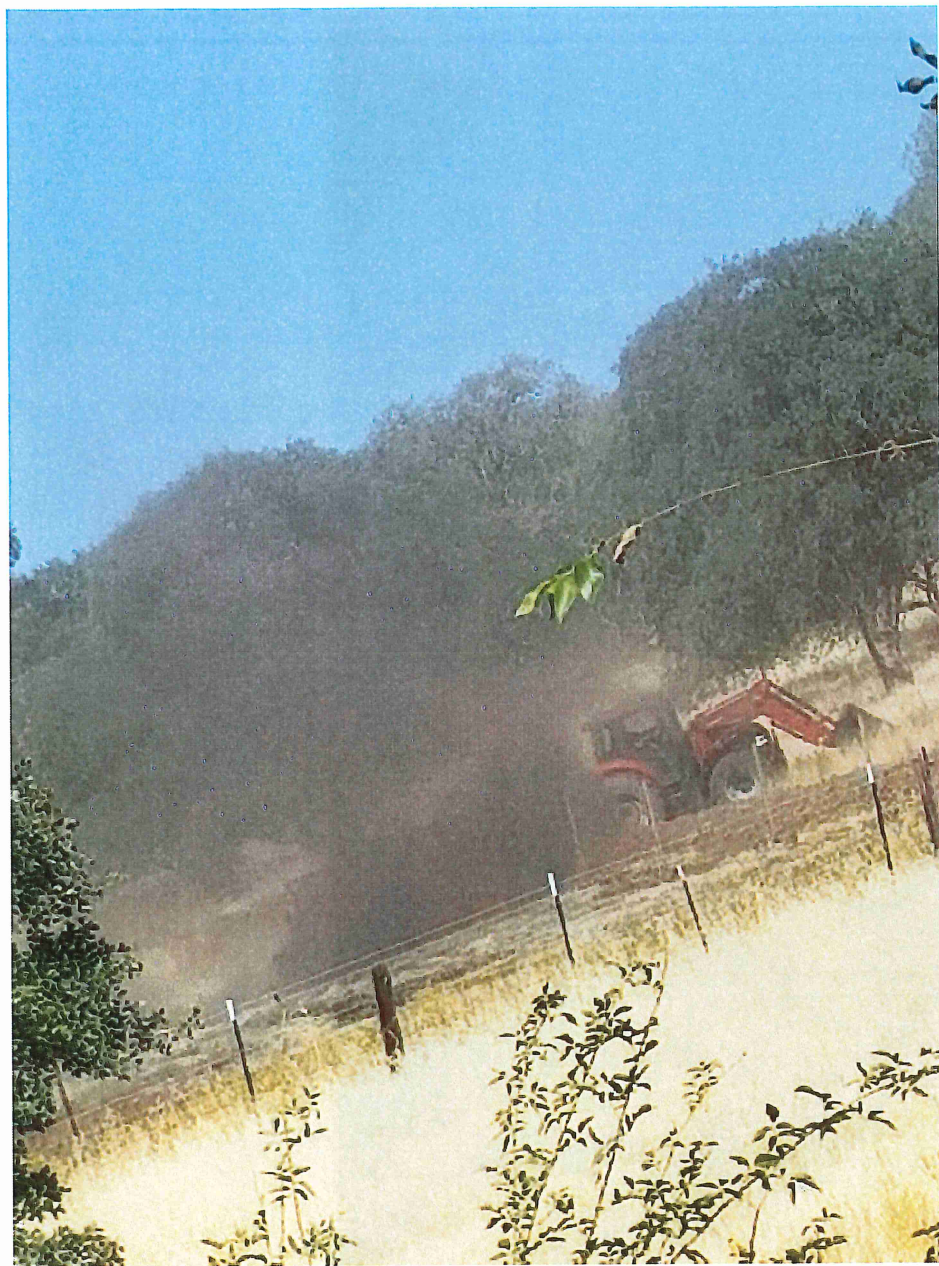








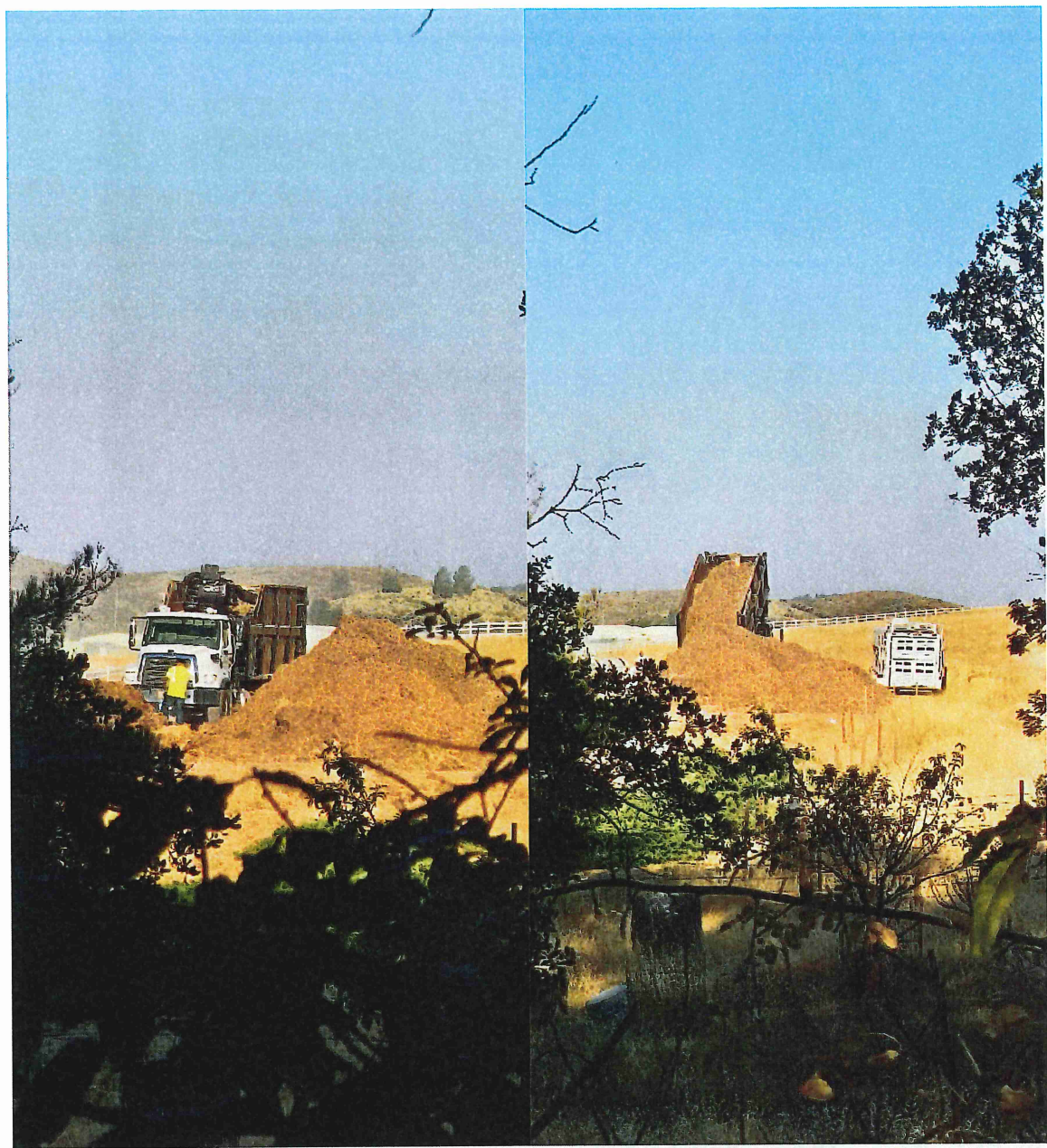


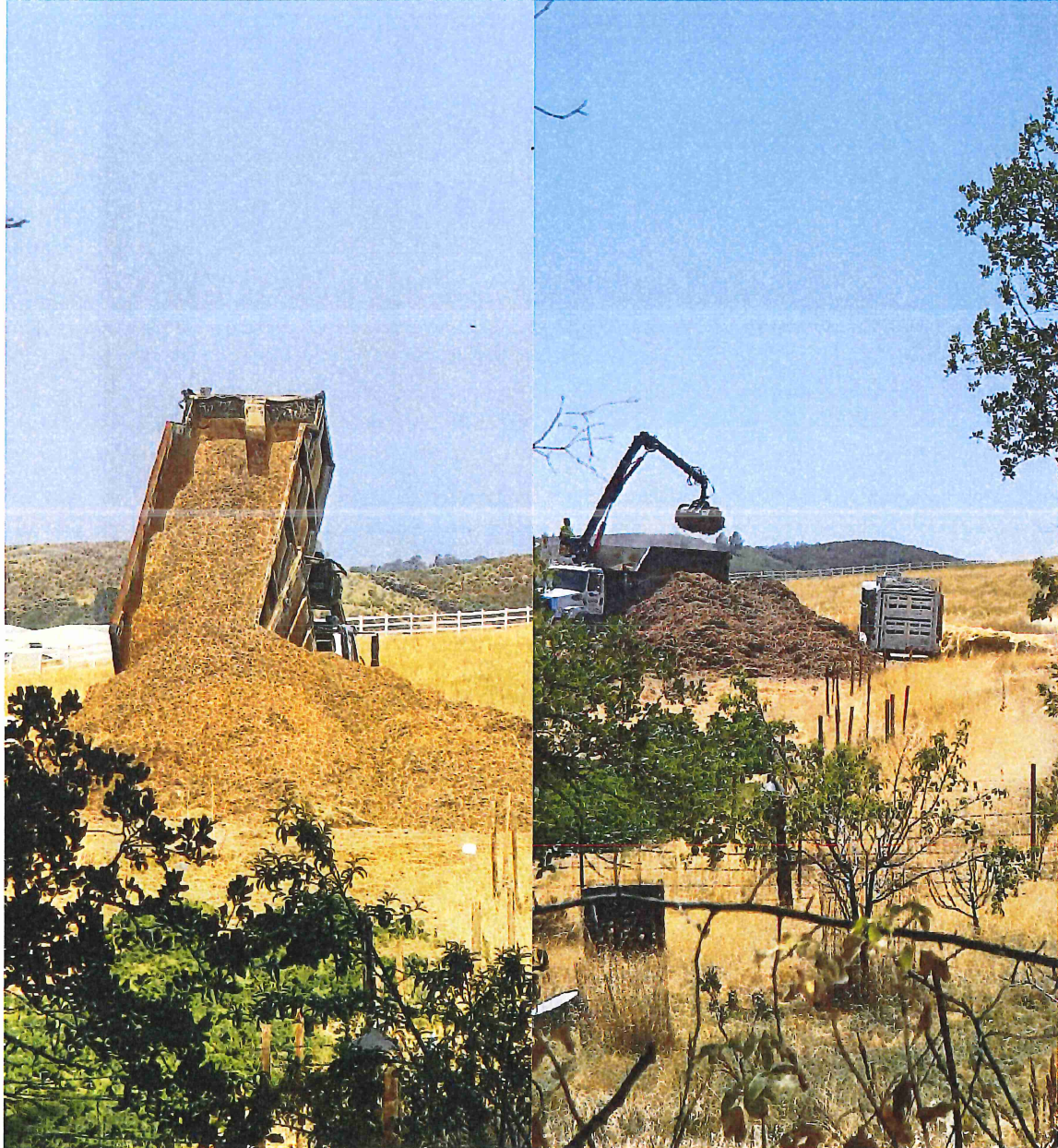
















Conditional Use Permit No. 2023-078

Special Event Facility- Happy Goat

Planning Commission Public Hearing

March 21, 2025

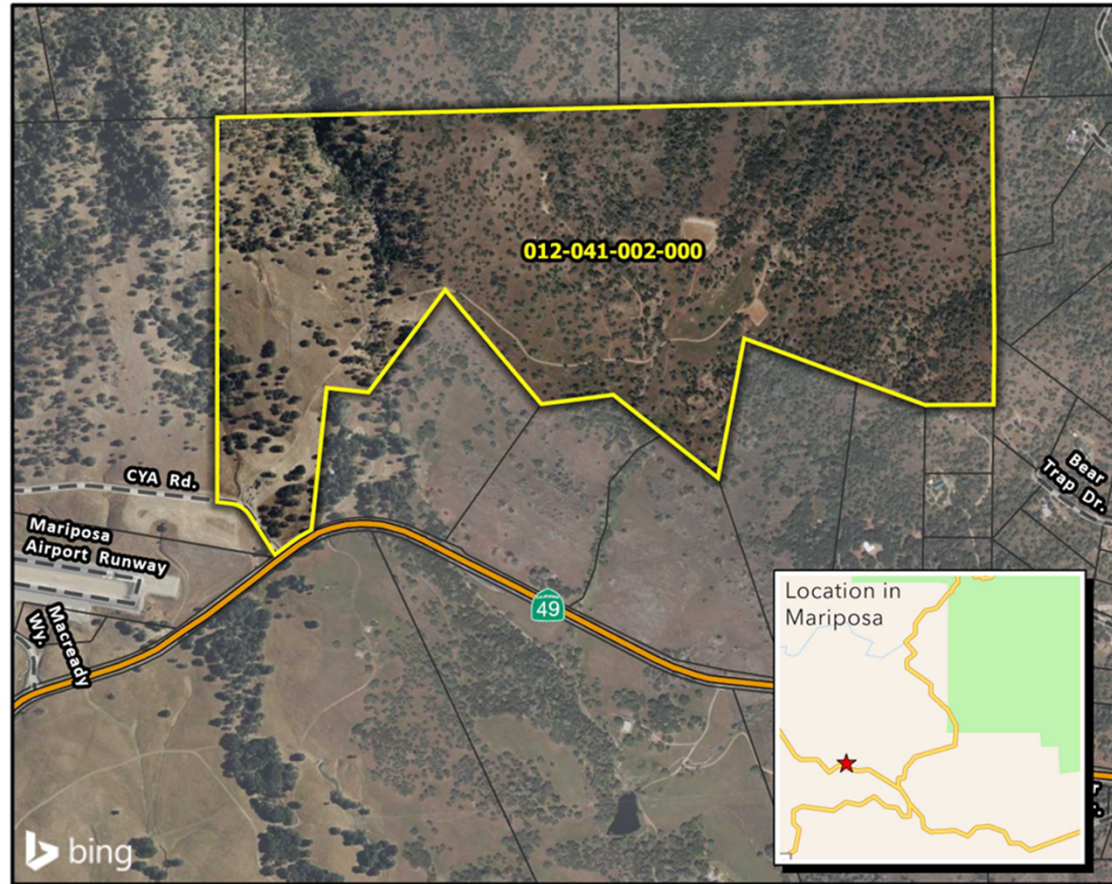
Project Consideration and Action

Applicant: Happy Goat, Inc.

Project Background

- The project site is located at 5030 CYA Road
 - **APN 012-041-002**
 - General Plan Land Use
 - Mariposa Town Planning Study Area
 - Zoning
 - Mountain General , Mountain Transition
 - Airport Overlay
 - Current on-site uses
 - Agricultural Uses - Happy Goat Farm
-

Mariposa County Planning Department Project Vicinity Map



0 500 1,000 Feet
1:12,000

PROJECT TYPE: CONDITIONAL USE PERMIT 2023-078

APPLICANT: ECO EXTREME HOLDINGS, LLC

APN: 012-041-002-000

SITE ADDRESS: 5030 CYA ROAD, MARIPOSA, CALIFORNIA 95338

Coordinate System: NAD 1983 State Plane California III FIPS 0403 Feet

Map Date: Thursday, June 15, 2023

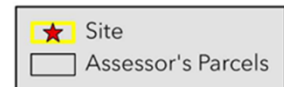
Data Source: Mariposa County Planning Department GIS; Assessor's Parcel Map Update: 01/2023

Map Credit: BEN OGREN, Sr. GIS Specialist



Mariposa County Planning Department
PO BOX 2039 5100 Bullion Street
Mariposa, California 95338-2039
209.966.5151 FAX 209.742.5024
mariposaplanning@mariposacounty.org
<http://www.mariposacounty.org/planning>

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

Project Description

Proposed Special Events Facility

To Facilitate a visitor experience at their regenerative farm located on an approximately 250-acre parcel

The Proposed Project covers approximately twenty-nine (29) acres of the site.

The property is split zoned – with the majority being Mountain General and the remaining area being Mountain Transition with a land use designation of Natural Resources, within the proposed expanded Mariposa Town Planning Study Area.

The parcel is also within the Airport Overlay.

Project Description

The following existing facilities proposed to be available for access by guests during Special Events:

Existing structures:

- 6,912 sq. ft. “big barn”;
 - Six (6) greenhouses located on an approximately 18,000 square foot pad
 - 5,880 sq. ft. goat/work barn
 - pens and corrals containing livestock, including a “goatnasium.”
 - 92 off-street parking spaces with dimensions of 20' x 10'.
-

Project Description

- Proposed Structure/s
 - Restroom Facilities
 - Container bathrooms totaling 160 sq. ft.; two (2) of the restrooms would be standard size with one (1) restroom being ADA accessible.
 - Total square footage of structures on the project for use during Special Events will be approximately 31,000 sq. ft.
-

Project Description - Uses

- Daily public farm tours
 - Bi-weekly outdoor education schools totaling 50 guests per group with up to 175 guests anticipated on a daily basis;
 - Special Events occurring up to once a month with up to 300 guests.
 - Workshops such as culinary workshops to occur in the “big barn.”
-

Project Description - Uses

- Live music occurring on the terraces on a daily basis; within the “big barn” structure during Special Events
- Mobile food vendors serving guests during proposed daily activities, workshops and Special Events. Vendors to be located on existing concrete pads and flat areas near the existing terraces on the site.
- Temporary bar near the terraces
- Composting

Project Description -

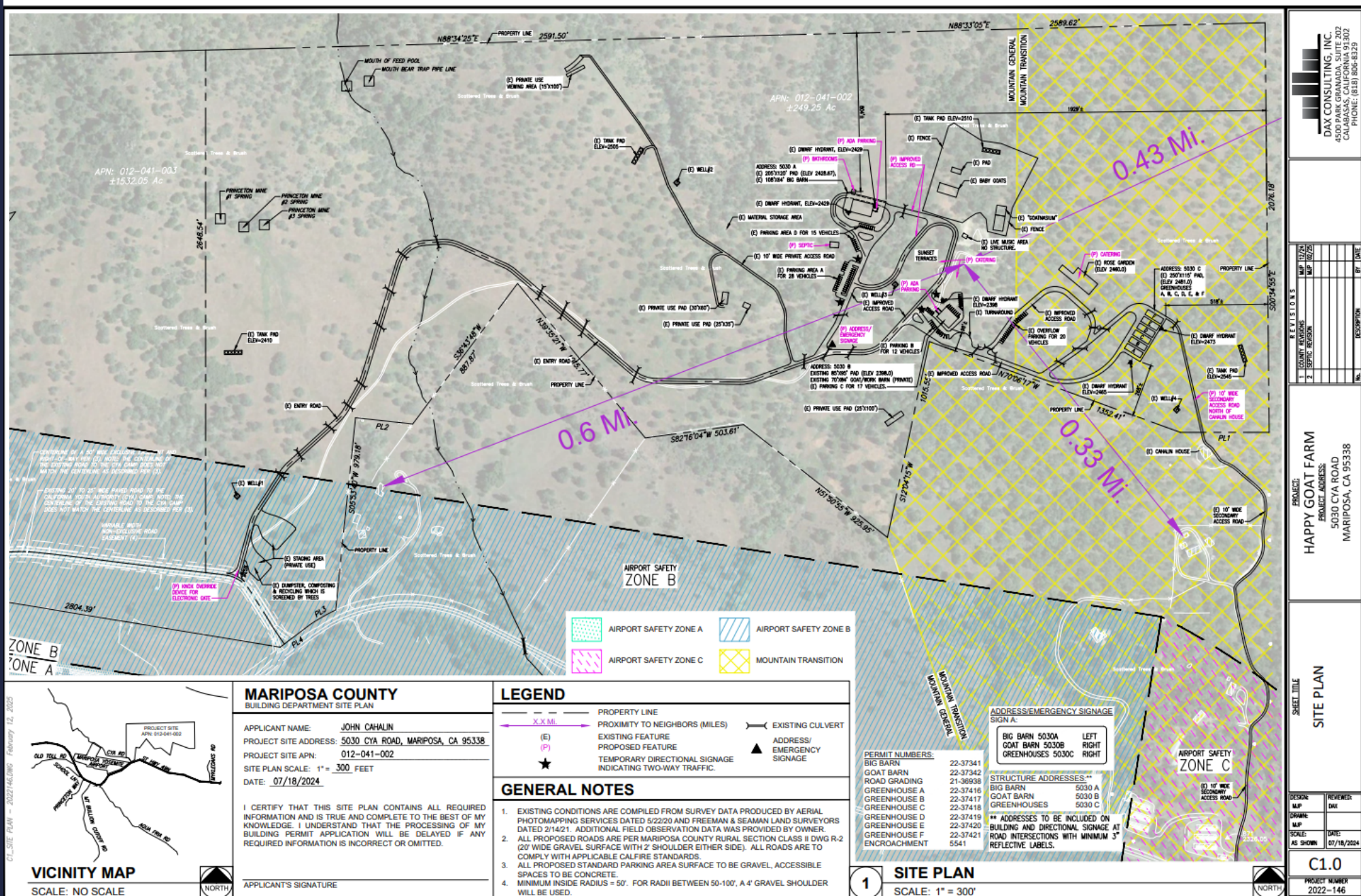
- 17 total employees operating on two shifts
- First shift totaling 15 employees on-site from 7:00 a.m. to 4:00 p.m.,
- Second shift totaling five (5) employees on-site from 4:00 to 10:00 p.m. (Employee numbers and shift hours are allowed to be adjusted as the project demand warrants.)
- • Operational hours to be 9:00 a.m. to 10:00 p.m.

Project – CUP Required-

- Based on the proposed project a CUP application was required pursuant to:
- Mariposa County Zoning Ordinance Section 17.108.220 Special Event Facilities



Project Site Plan





AM10:56 SEP/11/2024



AM10:39 SEP/11/2024







AM10:46 SEP/11/2024



AM10:48 SEP/11/2024



AM10:56 SEP/11/2024



AM10:56 SEP/11/2024

























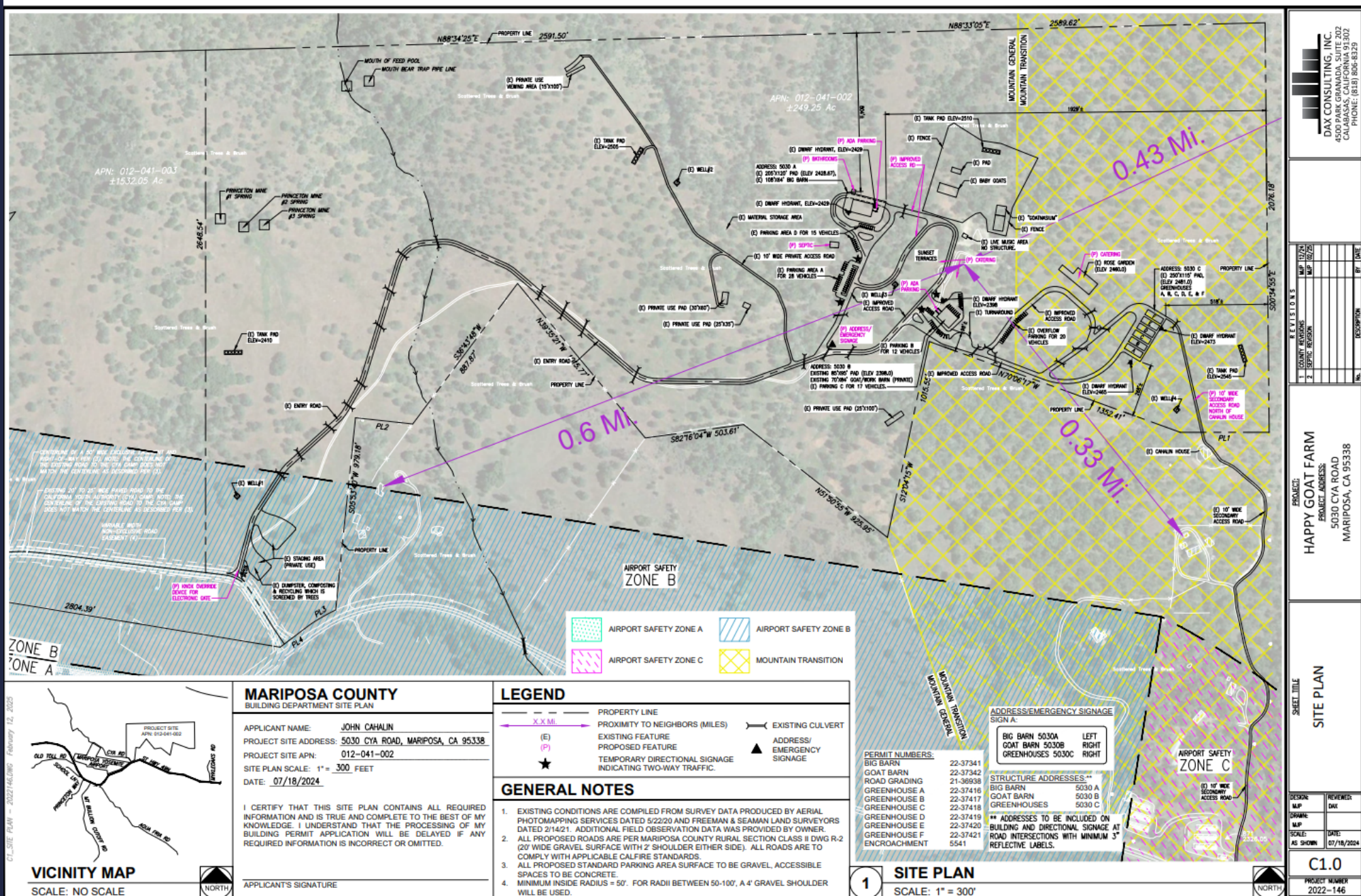


Project – Evaluation

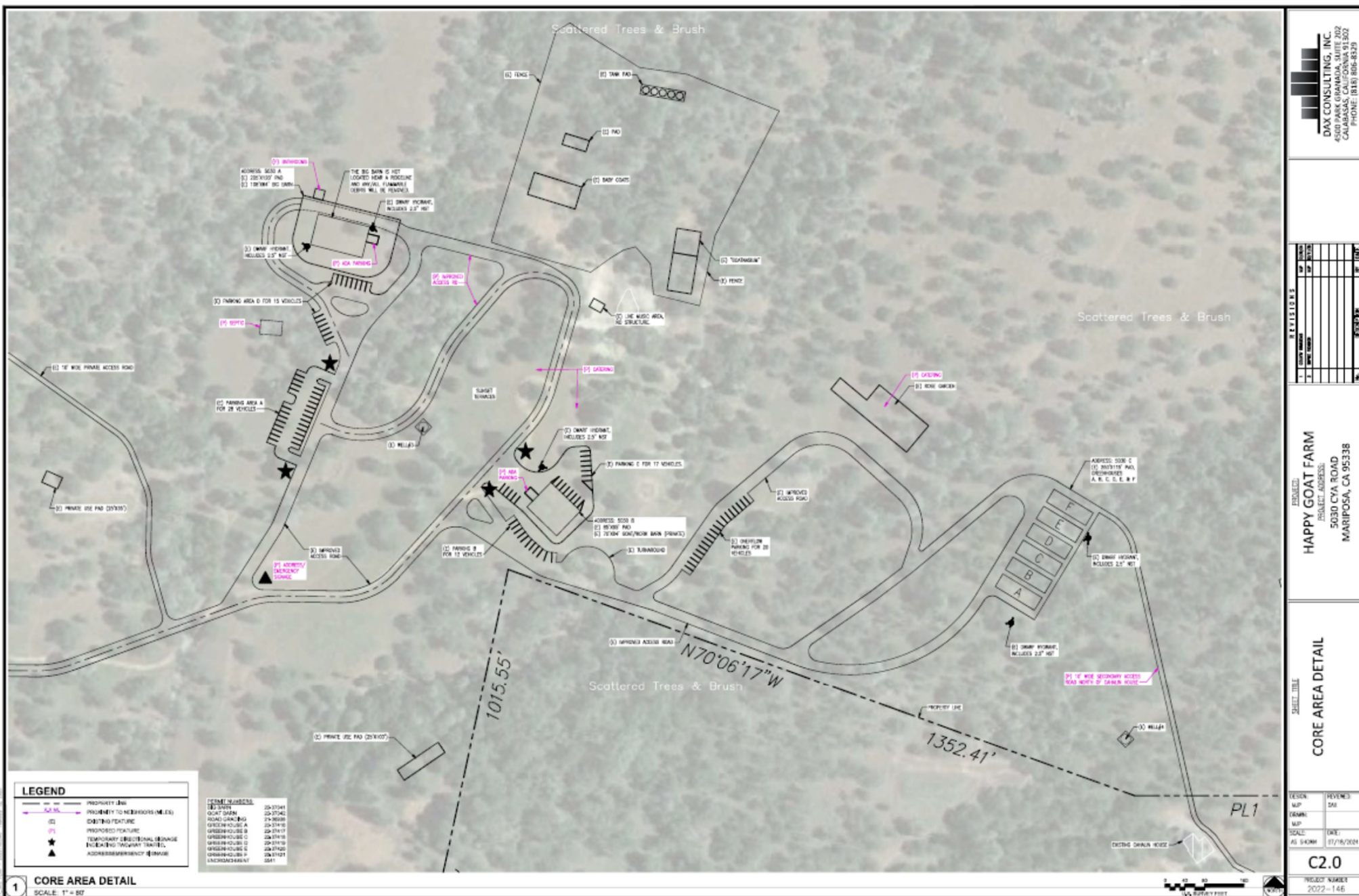
- Please note:
- In order to avoid duplication in the agenda packet; this presentation slide will open links to the Staff Report and Initial Study that is published as a part of this packet.

[FINALS\250321 CUP 2023 078 Happy Goat Staff Report Final.pdf](#)

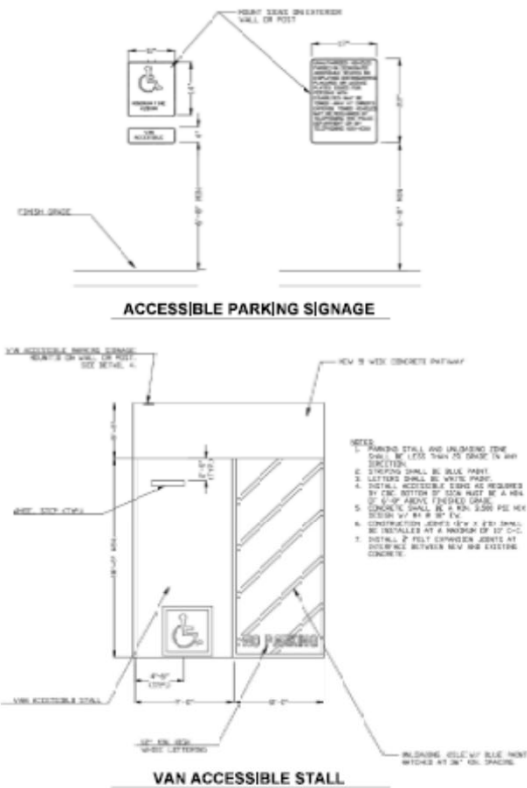
Project Site Plan



Project Site Plan - Parking & Circulation



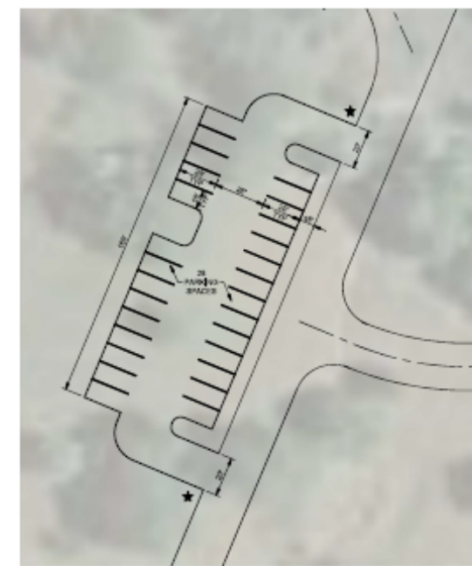
Project Site Plan - Parking & Circulation



4 ACCESSIBLE PARKING DETAILS
SCALE: NOT TO SCALE



5 OVERFLOW PARKING AREA
SCALE: 1" = 30'



2 PARKING AREA A
SCALE: 1" = 30'



3 PARKING AREA D
SCALE: 1" = 30'



1 PARKING AREA B AND C
SCALE: 1" = 30'

DAX CONSULTING, INC.
4500 PARK GRAMADA, SUITE 202
CALABASAS, CALIFORNIA 91302
PHONE: (818) 806-8529

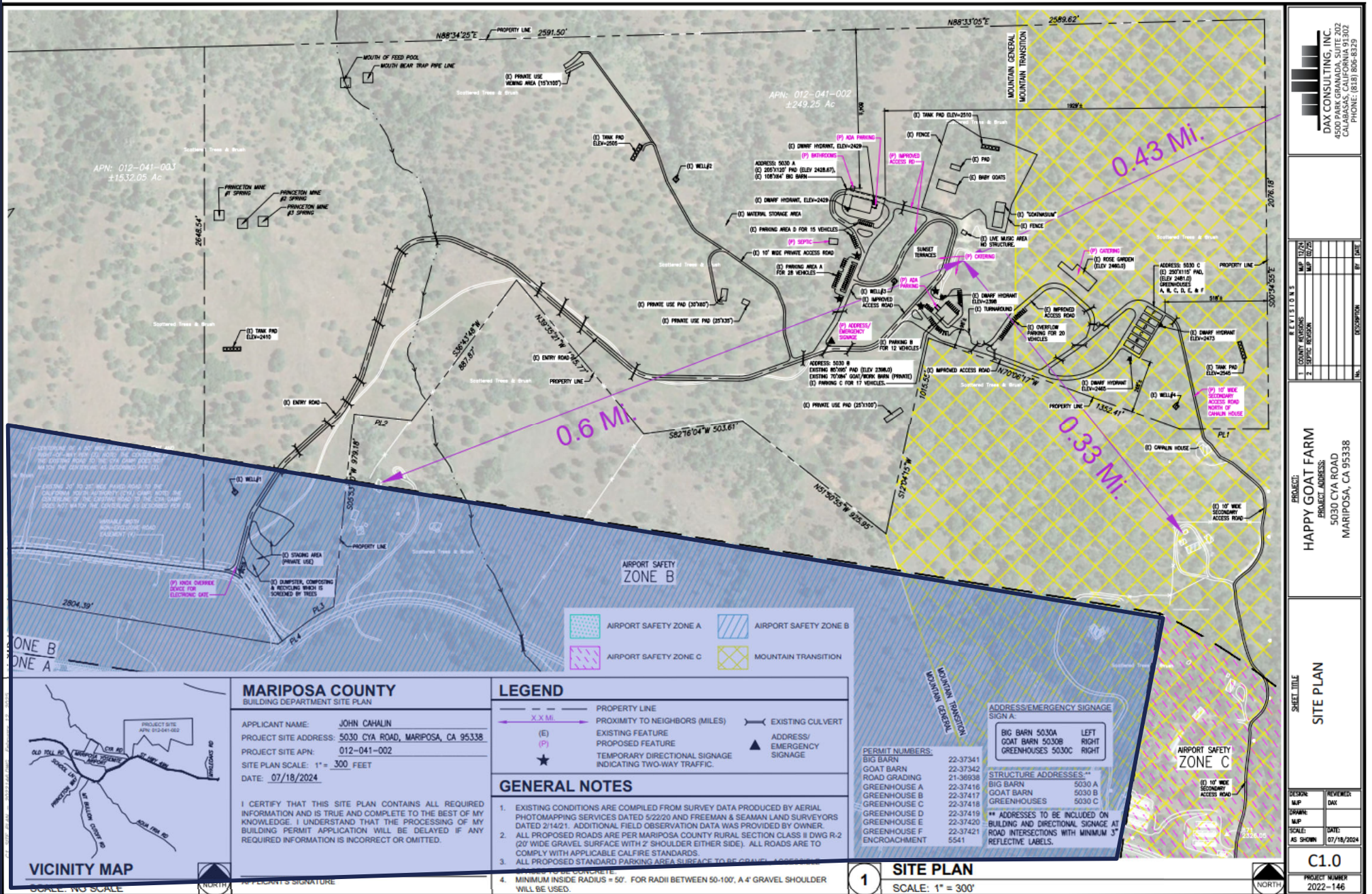
REVISIONS	DATE	BY	CHK

HAPPY GOAT FARM
PROJECT ADDRESS:
5030 CVA ROAD
MARIPOSA, CA 95338

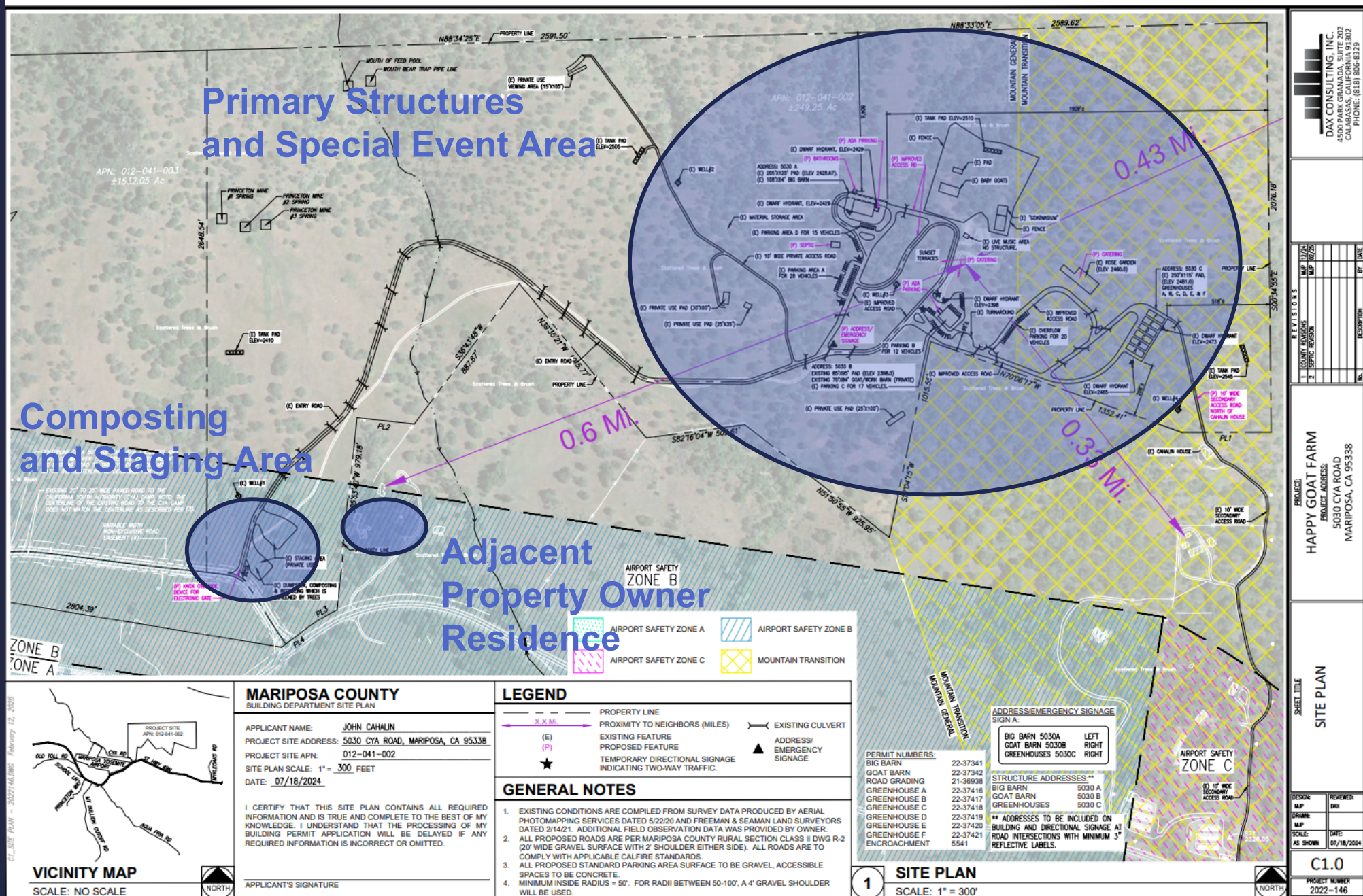
PARKING AREA DETAIL

DESIGN	REVIEWED
M.P.	DAI
DRAWN	DATE
M.P.	07/16/2024
SCALE	PROJECT NUMBER
AS SHOWN	2022-146

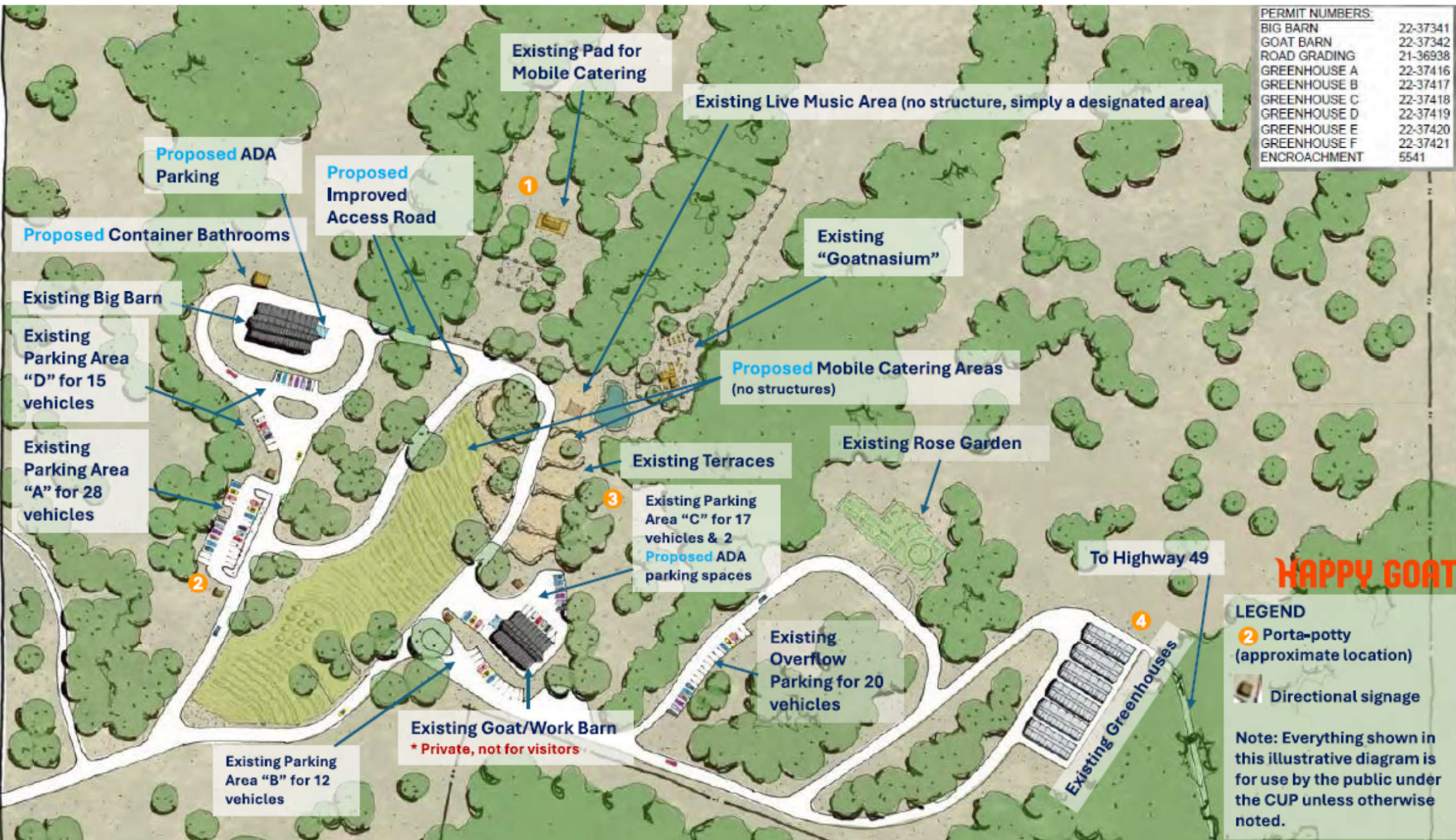
Project Site Plan - Airport Overlay



DAX CONSULTING, INC.
1500 PARK GRANADA, SUITE 202
CALABASAS, CALIFORNIA 91302
PHONE: (781) 605-8330



Project Site Plan- Project Features



Project Evaluation – Agency Review

Departments and agencies involved in the review conducted the evaluation pursuant to the approved Project and its conditions of approval, and/or mitigation measures as required:

- California Department of Fish and Wildlife
 - CALTRANS Traffic and Operations and Office of Aviation
 - Mariposa County Air Pollution Control District
 - Mariposa County Public Works Department
 - CALFIRE
 - Mariposa County Fire Department
 - Mariposa County Building Department
 - Mariposa County Health and Human Services Agency, Public Health, Environmental Health Unit
 - Mariposa County Planning Department
 - California Water Resources Control Board Department of Drinking Water
-

Project Evaluation –Public Notice

- Public Noticing was prepared and published as follows:
- **Gazette Ad: February 20, 2025**
- **Mailed Notice: February 13, 2025**
 - **600-foot mailed notice**
- **Posted Notice: February 13, 2025**

Project Evaluation –Public Comments

- Written Public Comments were received from the following prior to the publication of the Planning Commission Agenda packet :
 - State Water Resources Control Board – Division of Drinking Water
 - Caltrans – Office of Aviation Planning
 - Sue Overstreet
 - Jeff Knobles (sp)
 - Kelly White & Michael Pieper
- Verbal Comments Received From – Harry Strawbridge

Staff Response to these comments were included in the Staff Report

Project Evaluation –Public Comments

- Public Comments were received after publication of the Planning Commission Agenda packet :

Response Code	Signatory	Affiliation	Date Received
A	Leana Tolentino, Associate Transportation Planner	Caltrans Division of Aeronautics	March 17, 2025
B	Jonathan Oshalim, Chief	Caltrans Office of Rural Planning, District 10	March 17, 2025
C	Janet Bibby	Resident	March 18, 2025
D	Robert and Jeanne Schmidt	Resident	March 14, 2025
E	Harry Strawbridge and Jennifer Latta	Resident	March 14, 2025
F	Daniel Wilson	Adjacent property owner	March 19, 2025

Staff Response to these comments were included in the Staff Report; And as provided to the Planning Commission prior to the hearing, also available today in hardcopy

Project-Environmental Review

- The project was evaluated pursuant to CEQA and an Initial Study and Mitigated negative Declaration was prepared.

Project-Environmental Review

The project was evaluated pursuant to CEQA. An Initial Study and Mitigated Negative Declaration were prepared.

- Land Use and Forest Resources
- Biological Resources
- Cultural Resources
- Transportation and Circulation
- Air Quality
- Greenhouse Gas Emissions
- Noise
- Geology, Soils, and Seismicity
- Hydrology and Water Quality
- Utilities/Public Services
- Hazards and Hazardous Materials
- Visual Resources
- Cumulative Impacts

Project-Environmental Review

- Mitigation Measures are proposed
 - ❑ Biological Resources
 - ❑ Cultural Resources
 - ❑ Sewage Disposal System/Septic

Conclusion and Recommendation

Staff recommends the Planning Commission:

- Adopt a Resolution:
 - Adopting a Mitigated Negative Declaration;
and
 - Approving Conditional Use Permit Application No. 2023-078 with findings, conditions and mitigation measures.
-