Vallecito Project Viewshed Report

Catheys Valley
Mariposa County
California

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A. Purpose

The purpose of the document is to discuss and address the issue of Visual Quality for the Vallecito Project as outlined in the Mariposa County General Plan. The Conservation and Open Space Element (section 11.1.01) of the General Plan requires "careful site planning and subdivision design preserves the rural character while accommodating the County’s need for housing". This document will demonstrate that the Vallecito Project is located in a community of established commercial and residential build sites. This document will also illustrate how the Vallecito Project will protect scenic qualities and landscape elements through the usage of site layout, topographical features, sensitive wetland reserve and mitigation measures that preserve the scenic and rural qualities while offering new residential home and commercial building sites maintaining the "village" character of Catheys Valley.

B. History of Catheys Valley and Vallecito Property

Catheys Valley is located within California’s historic motherlode gold country. The town itself was named for Captain Andrew Cathey, one of the original 49er’s, who came to California from North Carolina during the gold rush. Andrew Cathey, his son, Daniel, and his son-in-law, Benjamin Wills, came to work in the gold mines around the mining settlement of Indian Gulch. Around 1854, he and Benjamin occupied and leased the Vallecito Rancho, located in and around the town of Owens Creek, from the Freemont Trust Land Grant. A portion of the property that is now the Vallecito Project was patented by the U.S. government in 1878 and the remaining portion in 1880, allowing the land to subsequently be deeded to Andrew and Benjamin. The Catheys Valley School was constructed to the southeast of the property in 1878. Ranching became the major land use in the area, a use that continues on the subject property today. The site of the proposed Vallecito Project was acquired by the Eugene D. & Dolores Fortner Family Trust, who took title to the property in 1991. Presently the site is under the ownership of Forbello LLC, a limited liability company managed by the children of Eugene & Dolores Fortner.

C. Site Description and Setting

Regional Setting

The Vallecito Project is located within the community of Catheys Valley in southwest Mariposa County in the westerly foothills of the central Sierra Nevada Mountains. The region is characterized by a cool, wet winter followed by a long dry period during the summer. Annual precipitation in the vicinity of Catheys Valley is approximately 25 inches, almost 85% of which falls between the months of October and March, mostly in the form of rain. Well monitoring and water studies accomplished over the past 11 years indicate the aquifer in and around the Vallecito Project reaches saturation with approximately 20
inches of rain fall. The Census (2010) reported that 825 people (100% of the population) lived in households, 0 (0%) lived in non-institutionalized group quarters, and 0 (0%) were institutionalized. There were 381 housing units of which 224 (70.9%) are owner-occupied, and 92 (29.1%) were occupied by renters. The homeowner vacancy rate was 2.2%; the rental vacancy rate was 16.7%.

The University of California, Merced (also referred to as UC Merced or UCM), is the tenth and newest of the University of California campuses. Located in the San Joaquin Valley in unincorporated Merced County, California, near Merced, UC Merced was the first American research university to be built in the 21st century. As the San Joaquin Valley was the state's largest and most populous region without a UC campus, on May 19, 1988, the Regents of the University of California voted to begin planning for a campus in the region, in response to increasing enrollment and growth constraints at existing UC campuses. On May 19, 1995, the Regents selected the Merced site, mid-way between Fresno and Modesto, as the location for the University of California's tenth campus. The campus groundbreaking ceremony was held October 25, 2002, and the first day of class was September 6, 2005. Although UC Merced is located in a rural area associated with agriculture, it emphasizes cutting edge interdisciplinary research grounded in natural science, math, engineering and social sciences. The university is one of the largest employers in Merced County with more than 1,300 employees, including faculty and staff members. UC Merced's future medical school will increase access to health care for local residents and address the specific health problems commonly found in the area. The campus location is approximately a 25 minute drive from Catheys Valley and the Vallecito Project is the closest Community Planning Area within Mariposa County. As a research university, UC Merced will have an important influence on Mariposa County and because of its proximity, Catheys Valley and the Vallecito Project have the greatest potential to benefit. Catheys Valley offers the first opportunity to reside in the foothills of the Sierra Nevada Mountains above the summer heat and winter fog of the Central Valley. The milder climate and an oak woodland community is a preferable location for UC faculty, administrators and employees to reside and raise their families.

This influence and benefit has already been demonstrated with respect to the Catheys Valley Elementary School. Because of budget constraints, the Catheys Valley Elementary School was closed by the school district. Through the hard work of community members, monetary donations from supporters and the guidance & administrative assistance from UC Merced administrators, the school has reopened as a charter school now named Sierra Foothill Charter School. Due to the strong influence and community support from UC Merced, the school is once again able to serve the community of Catheys
Valley. Besides being a center of education, UC Merced has a mission statement to make a strategic investment in local communities and also contribute to the economic growth of Central California. Once again, Catheys Valley and Mariposa County have the opportunity to benefit significantly.

Local Setting

The **Vallecito Project** includes approximately 98.81 acres in southwest Mariposa County, in the unincorporated community of Catheys Valley. The project site is located along the south side of Highway 140 between Schoolhouse Road and Hornitos Road, approximately 30 miles northeast of Merced, 10 miles southwest of the town of Mariposa, and 57 miles southwest of Yosemite National Park. Its location is described as portion of Section 10 of Township 6 South, Range 17 East, of the Mount Diablo Base and Meridian, Catheys Valley USGS quadrangle. The project site has frontage along Highway 140, a two-lane rural highway that provides year-round access to nearby Yosemite National Park. Hornitos Road is a two-lane, local interest public roadway located approximately 500 feet to the east of the property. This roadway connects to Catheys Valley Drive (onsite) via a private road easement. Schoolhouse Road is approximately 230 feet to the west of the site. The property presently stands undeveloped. The perimeters of all parcels have been fenced and the property is currently utilized for livestock grazing. There are no occupied dwellings on the property, although the project is bordered by single-family residences and commercial activity along Hornitos Road and to the northeast along Highway 140.

Remnants of an old barn are present on the northerly portion of the 43-acre parcel. Several onsite infrastructure improvements have been made and include construction of a 286,000 gallon water tank equipped with a 2 1/2 inch standard port fire hose connector. The water tank is accessible to the California Department of Forestry and Catheys Valley Volunteer Fire Departments thus providing an additional emergency water source for fire suppression. In addition, eight water wells presently exist on the site. A small service building has been constructed by Sierra Telephone in the northeasterly portion to act as a carrier building for communications cabling. A fiber optic cable line and switching station have been installed to enable broadband internet access, video conferencing, and networking, among other capabilities. When demand is adequate, a digital subscriber line (DSL) or other high-speed internet connection will be installed that will be capable of improving communications service within a three mile radius of the project site. Besides monetary contributions, the Fortner Family has granted easements though the **Vallecito Project** allowing Sierra Foothill Charter School to be connected to this source of high-speed internet. In August/September of 1999, Pacific Gas & Electric (PG&E) upgraded the area's electrical capacity from 750 KVA to 3,600 KVA to correct an area shortage and to allow for
anticipated growth. A regional electrical switching station and transformers have been installed onsite and currently provides service to approximately 600 users. As a result, PG&E is currently capable of providing adequate service for all uses proposed for the Vallecito Project.

D. Topography

The Vallecito Project is characterized by rolling to moderately steep hills and drains via Owens Creek and its tributaries. The creek is an intermittent watercourse that flows southwesterly through the 246-acre adjoining parcel owned by the Fortners. The average slope of the Vallecito Project is under 15%. The easterly region of the San Joaquin Valley is composed of the lower slopes of the central Sierra Nevada Mountains and encompasses gentle to steep slopes, ravines, and ridges of significant depth. Ridges become measurably steeper to the east of the subject property. The Guadalupe Grade reaches an elevation of 3,000 feet NGVD, about 4 miles east of the property. Slopes of the Guadalupe range are generally inclined toward the west and drain toward the project site. The topography of the Vallecito Project is an important consideration as a development site. Due to the undulating character of the terrain, the majority of the purposed building sites are obscured from the view of Highway 140 and Schoolhouse Road.

E. Biology and Reserve Areas

Several biotic habitats were identified on the Vallecito site as a result of field surveys. These include Oak Woodland, Annual Grassland and Seasonal Wetlands. Of these habitats, the Oak Woodland and wetland-associated habitats would be considered sensitive for their potential to provide habitat for special status plant species and animals. The Army Corps of Engineers has completed a Wetland Determination and guidelines for setbacks from the sensitive wetland areas and these areas have been mapped. The sensitive wetland occupies a significant portion of the viewshed from Highway 140 and Schoolhouse Road thus maintaining the open scenic character.

Vegetation communities on the Vallecito Project have long been impacted by cattle grazing activities. This use will be gradually eliminated onsite with the removal of the grazing as development is undertaken, hereby providing greater protection for onsite biological resources and allowing for the natural recruitment of oaks and other native plant species.
F. Background

The Vallecito Project presently consists of six parcels combining to make approximately 98.81 acres. The property was originally acquired by the Eugene D. & Dolores Fortner Family Trust in 1991. The 1981 Mariposa County General Plan designated the site as a portion of a "Town Planning Area" (TPA). TPA's are those areas that may provide basic services, public water and sewer systems and are the centers for industrial and commercial activity and population concentration. The General Plan determined it appropriate that the TPA's be areas with increased commercial and employment opportunities. The TPA designation is appropriate for areas where site-specific development issues have been addressed. In May of 2001, the Eugene D. & Dolores Fortner Family Trust submitted the Vallecito Specific Plan to the Planning Department for review and determination of compliance to the General Plan. About this same time period, the County of Mariposa commissioned of review of its General Plan and a finding was made that the 1981 General Plan was inadequate and subject to legal challenge. Because of this finding, the Specific Plan was withdrawn to await compliance with a revised General Plan.

In 2006, the revised Mariposa General Plan was adopted and the zoning designation of Town Plan Area was changed to Interim Community Center. The interim term was to allow for the adoption of a community plan that would govern the future development of Catheys Valley. The Catheys Valley Community Plan (CVCP) was adopted in 2012 by the Board of Supervisors. The CVCP designates the Vallecito site to have 11.56 acres zoned for Community Commercial and the remaining 87.25 acres zoned Community Residential. However, the Vallecito Project submitted application was deemed complete prior to the adoption CVCP and its approval should be reviewed by the guidelines established in the 2006 General Plan. Therefore, evidence of compliance shall be made specifically to the General Plan and not to the CVCP.

The Vallecito Project is surrounded by both large and small privately owned parcels exhibiting a variety of commercial and residential land uses. Single-family residences on small lots ranging from 0.5 to 6.0 acres border the westerly edge of the project along Schoolhouse Road. The Sierra Foothill Charter School borders the property to the southwest and a historic Methodist Church (circa 1870's) that can be traced back to the original settlers of Catheys Valley is located near the school to the west of Schoolhouse Road. A small tavern is located on the southwesterly quadrant of Highway 140 and Schoolhouse Road. Residential uses on large-acre parcels zoned Mountain Home (MHZ), ranging in size from to 74 to 160 acres, border the property to the south, east, and northeast while several smaller parcels with single-family residential uses border the northeast edge. Numerous "historic parcels" in
surrounding Agriculture Exclusive (AEZ) properties exhibit 20-acre, 40-acre, and larger parcels. At the intersection of Hornitos Road and Highway 140, several commercial buildings are clustered and include a real estate office. An engineering design firm for custom racing cars and a fencing company/storage yard are also within this quadrant. Contiguous to the site at the southwest quadrant of Hornitos Road and Highway 140 is an auto service station, with a convenience store and restaurant. To the north of Highway 140 and east of Hornitos Road are the Catheys Valley Post Office, a small restaurant, market & service station and two mobile home parks. Large-acre single family residential uses exist immediately to the north across the highway between Hornitos Road and Schoolhouse Road. Outlying areas maintain a rural, low-density residential or agricultural character. Although not intense, residential, commercial and industrial development has historically occurred at Catheys Valley bordering the Vallecito Project site.

G. Governing Guidelines of the General Plan

The 2006 Mariposa County General Plan contains elements that require conservation of “important scenic resources” and “rural character”. Although the Plan requires the conservation of these elements and the Plan cites “goals” for the implementation of these regulations, none have been adopted as to date. However, the Vallecito Project has been laid out with the specific design of maintaining the rural nature of Catheys Valley and minimizing the visual impact or viewshed from the public transportation corridors of Schoolhouse Road and State Highway SR 140.

General Plan measure 5.1.01 “Rural Character” states “The General Plan creates a balance through which new residents, new property owners, visitors and existing constituents can enjoy quality of life aspects countywide” (emphasis added). The General Plan realizes and acknowledges the need to protect the rural character while establishing the opportunity for new residences and new property owners.

General Plan measure 5.1.11 “Scenic Character” states “Mariposa County’s most significant asset is its scenic character, and there is an extraordinary diversity of scenic resources contributing to the County’s overall character and its tourism base.” .... “Along with the County’s dedicated scenic lands, the open space that contributes to the scenic character of much of the County is residential and working landscape” (emphasis added). The General Plan realizes and acknowledges that part of Mariposa County’s scenic character is its residential and working landscape.
General Plan measure 5.4.03(c) states "In the 1990s, Mariposa County established scenic highway corridors review requirements. Protecting the scenic assets of the County requires a properly designed and implemented program creating fair, efficient, and predictable standards that are understood prior to project design" (emphasis added). Since State Highway SR 140 is adjacent, the Vallecito Project has taken the scenic character into consideration. SR 140 is part of the California Freeway and Expressway System and is eligible for the State Scenic Highway System. However, only the part of the road from Mariposa to El Portal is designated as a scenic highway. The General Plan realizes and acknowledges the requirement to provide an implementation program creating fair, efficient, and predictable standards for protecting the scenic character and viewshed within the County. However, these standards have not yet been established.

Implementation Measure 5-4c(2) states "Standards shall be included that protect visual character related to:

- Viewsheds;
- Structure design, landscaping and scenic environment;
- Landform grading;
- Site development; and
- Lighting."

The Vallecito Project will comply with this measure through site design with topography consideration, parcel sizing, wetland reserves and mitigation measures discussed in the following sections.

General Plan measure 11.1.01 "The Conservation and Open Space Element" requires "careful site planning and subdivision design preserves the rural character while accommodating the County's need for housing" (emphasis added). The General Plan realizes and acknowledges the County's need for housing.

H. View sites and Viewshed

The Vallecito Project is bordered on three sides by private property and on the fourth side by public highway SR 140. The eastern boundary is made up of the commercial site for the service station with the mini-market & restaurant and undeveloped land zoned residential within the Community Planning area. The southern boundary is comprised of a 250 acre parcel (owned by the Fortner Family), a privately owned 5 acre parcel and the site of the Sierra Foothill Charter School. On the west side there are
multiple private residences fronting Schoolhouse Road. And on the northern boundary is Highway 140. Only the western and northern boundary offer a viewshed to the public.

Because the western boundary of the Vallecito Project is lined with private residences, only a broken view is given along Schoolhouse Road. The most significant view site offering a viewshed of the Vallecito Project is at the intersection of the access road to the Charter School and Schoolhouse Road. Photo #1 and Viewshed Map “1” show this viewshed from this view site. The viewshed from view site #1 is limited to only portions of 5 lots of the purposed 26 lots. These lots within the viewshed consist of lots #16, #12, #11, #10 and #26. Lots #11 and #26 are the largest lots within the purposed project and consist of 7.89 acres and 13.89 acres respectively. Combined acreage, these two lots represent one-fifth of the entire project. These lots contain the majority of the wetland areas and serve as large, open acreage for pasture land. This viewshed allows only partial views of the other three lots and because of desirable building site location on these lots, future residences may not be visible at all. From view site #1 travelling north along Schoolhouse Road towards Highway 140, the sight line of the Vallecito Project is broken by residential buildings and landscape features that offer no additional panoramas.

The northern boundary along Highway 140 affords the second viewshed. Photo #2 and Viewshed Map “2” show the second viewshed. View site #2 is located at the property corner of the Vallecito Project and the cluster of small residences that front Schoolhouse Road and Highway 140. This viewshed offers genuine views of 7 lots out of the purposed 26 lots. These lots are lot #26, #11, #24, #25, #9, #10, and #12. Once again, the majority of this viewshed is comprised of lots #26 & lot #11, the two largest lots within the project and all of the wetland reserve that will remain open pasture land. Travelling east along Highway 140 towards the town of Mariposa, the topography changes from an open view to a view of a closed-in slope. Because of the proximity of the slope to the highway and the height of the slope, no additional views of building sites are available.

I. Purposed Mitigation Measures

In addition to the wetland reserve, large lots and topography features that limit the number of visible lots within the Vallecito Project, mitigation measures will be enacted. Covenants, Conditions and Restrictions (CC&Rs) shall be written and adopted that contain the following viewshed mitigation measures. Before a residence can be built by a property owner, the director/president of the Association of Homeowners will establish a review process guaranteeing compliance.
As a condition of final map approval, the project applicant shall submit for review and approval by the Director of the Planning Department CC&Rs that contain language requiring the following mitigation measures:

1. Structures to fit the natural landform.

2. If located along a slope, architectural and site elements should be at different elevations to avoid grading one large pad.

3. On slopes, utilize stepped building foundations or retaining structures as an alternative to conventional cut and fill methods.

4. Encourage site development that avoids steeply sloping terrain.

5. Locate site access roads and driveways to follow natural contours.

6. Encourage daylight cut situations where pads interface with natural open space.

7. Blend transitional manufactured slopes with the natural slope.

8. Balance earthwork on the individual lot when possible to avoid soil import or export.

9. Do not grade outside individual property lines.

10. Employ blending and rounding techniques where manufactured slopes meet natural ground.

11. Vary slope gradient and width and contour edges to achieve a more natural appearance to slope banks.

12. Preserving existing rocks, vegetation, and drainage patterns to the maximum extent possible.

13. Using existing topography, landscaping and vegetation as screening or partially screening devices.

14. Camouflaging by using natural and earth tone building colors. Earth-tone colors such as reddish-brown brick help to soften the visual impact of a building. Darker roofs (Brown, black, gray) are preferred. Expansive flat roofs can be camouflaged by mottled patches of light and dark roofing material.

15. Control lighting to promote “dark sky” qualities

16. Utilize “non-spectacular” materials in building construction. Building facades are less intrusive if articulated and not monolithic.
17. Pre-fab or manufactured homes are prohibited. Custom home design shall be reviewed for compliance by the Association prior to construction.

17. Limit building size and type minimizing visual dominance of projects.

J. Summary

In summary, the following points should be taken into consideration:

- The Vallecito Project is located within the previous Town Planning Area of Catheys Valley and within the current Community Planning Area for the Catheys Valley Community Plan.

- Catheys Valley has historically been and currently is a location for commercial and residential use.

- Although under the governing requirements of the General Plan, the Vallecito Project is also compliant with the requirements of the recently adopted Catheys Valley Community Plan. Both the General Plan and the Catheys valley Community Plan designate the location of the Vallecito Project for residential and commercial activities.

- The topography and planned layout of the Vallecito Project will obscure the majority of the Project from the public viewsheds maintaining the scenic and rural character of Catheys Valley.

- Within the viewshed areas, only 7 of 26 parcel build sites would be visible from the greater of the two view sites.

- Measures will be enacted to mitigation viewshed issues that could compromise the scenic quality of the Project.

- The General Plan directs the maintenance of rural character and scenic quality while promoting the availability of new residences and new property owners.

- The Vallecito Project maintains the scenic and rural qualities of the community while providing new residential and commercial building sites with high speed internet service for local families, retirees and the faculty, administrators & employees of the recently established UC Merced.