

DEPARTMENT: Planning

BY: Sarah Williams

PHONE: 966-5151

RECOMMENDED ACTION AND JUSTIFICATION: (Policy Item: Yes \_\_\_ No X)

Adopt resolution declaring that a water efficient landscape ordinance is not necessary for the County of Mariposa in accordance with AB 325.

AB 325 provides that "if any local agency has not adopted a water efficient landscape ordinance or findings, based upon specified factors, that no ordinance is necessary, by January 1, 1993, the (State's) model ordinance shall take effect and shall be enforced by that local agency and have the same force and effect as if adopted by that local agency."

BACKGROUND AND HISTORY OF BOARD ACTIONS:

None

LIST ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:

1. Adopt resolution as proposed; send to State.
2. Do not adopt resolution; prepare and adopt water efficient landscape ordinance for Mariposa County which meets State's requirements; send ordinance to State.
3. Do not adopt resolution as proposed; do not prepare and adopt water efficient landscape ordinance; State's model ordinance will become effective on January 1, 1993.

COSTS: (X) Not Applicable

A. Budgeted current FY \$ \_\_\_\_\_

B. Total anticipated costs \$ \_\_\_\_\_

C. Required additional funding \$ \_\_\_\_\_

D. Internal transfers \$ \_\_\_\_\_

SOURCE: ( ) 4/5ths Vote Required

A. Unanticipated revenues \$ \_\_\_\_\_

B. Reserve for contingencies \$ \_\_\_\_\_

C. Source description: \_\_\_\_\_

Balance in Reserve for Contingencies, if approved: \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:  
List the attachments and number the pages consecutively:

1. Memo to Board \_\_\_\_\_
2. Resolution \_\_\_\_\_
3. AB 325 \_\_\_\_\_
4. State's Model Water Efficient Landscape Ordinance \_\_\_\_\_

CLERK'S USE ONLY:

Res. No.: 92-625 Ord. No. \_\_\_\_\_

Vote - Ayes: 5 Noes: \_\_\_\_\_

Absent: \_\_\_\_\_ Abstained: \_\_\_\_\_

( ) Approved ( ) Denied

( ) Minute Order Attached ( ) No Action Necessary

ADMINISTRATIVE OFFICER'S RECOMMENDATION:  
This item on agenda as:

Recommended

Not Recommended

For Policy Determination

Submitted with Comment

Returned for Further Action

The foregoing instrument is a correct copy of the original on file in this office.

Date: \_\_\_\_\_

ATTEST: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By: \_\_\_\_\_  
Deputy

Comment: \_\_\_\_\_

A.O. Initials: SW/MSW

**MARIPOSA COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 92- 625**

**A RESOLUTION DECLARING THAT A WATER EFFICIENT LANDSCAPE  
ORDINANCE IS NOT NECESSARY FOR THE COUNTY OF MARIPOSA  
IN ACCORDANCE WITH AB 325**

**WHEREAS**, Assembly Bill No. 325, the Water Conservation in Landscaping Act requires the Department of Water Resources to adopt a model local water efficient landscape ordinance; and

**WHEREAS**, the Department of Water Resources adopted the State's Model Water Efficient Landscape Ordinance and filed it with the Secretary of State on July 31, 1992; and

**WHEREAS**, AB 325 states that if any local agency has not adopted a water efficient landscape ordinance based on specified factors or has not adopted findings that no ordinance is necessary by January 1, 1992, the State's Model Water Efficient Landscape Ordinance shall take effect; and

**WHEREAS**, the Board of Supervisors has considered AB 325 and the State's Model Water Efficient Landscape Ordinance with respect to the economic, physical and environmental characteristics of Mariposa County and the use of water in the landscape.

**NOW THEREFORE BE IT RESOLVED** that the Mariposa County Board of Supervisors hereby adopts this Resolution declaring that a water efficient landscape ordinance is not necessary for the County in accordance with AB 325 based on the findings of fact contained in Attachment A of this resolution.

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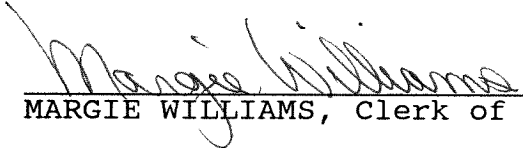
**PASSED AND ADOPTED** by the Board of Supervisors of the  
County of Mariposa, State of California, this 24th day of  
November, 1992 by the following vote:

- AYES: BAGGETT, PUNTE, ERICKSON, RADANOVICH, TABER
- NOES: NONE
- ABSENT: NONE
- ABSTAINED: NONE
- NOT VOTING: NONE

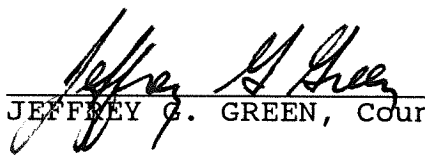
BY   
**VICE CHAIRMAN**

SALLY S. PUNTE, CHAIRPERSON  
Mariposa County Board of Supervisors

ATTEST:

  
MARGIE WILLIAMS, Clerk of the Board

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

  
JEFFREY G. GREEN, County Counsel

ATTACHMENT A

MARIPOSA COUNTY BOARD OF SUPERVISORS  
RESOLUTION NO. 92- 625

**Findings supporting declaration that a water efficient landscape ordinance is not necessary for Mariposa County in accordance with AB 325.**

1. There are no incorporated cities in Mariposa County. The County is very rural in character and has very low population densities. The County encompasses approximately 931,200 acres and supports a population of approximately 15,000 people - an average density of 1 person per 62 acres. Based on these density figures, an average rainfall of 30 inches per year, and infiltration/percolation rates for both the granitic and metamorphic regions of the County, water consumption for ALL development in the County is far less than that returned to subsurface supplies by normal rainfall.
2. The amount of publicly-owned land, Mariposa County's land use policies for privately-owned land, and the County's growth rates will maintain the rural character and low population densities of the County. Approximately sixty percent (60%) of the County is publicly-owned land (including Yosemite National Park, Stanislaus and Sierra National Forests, Bureau of Land Management lands, Merced Irrigation District lands, and State and County-owned facilities). Of the remaining 359,000 acres, approximately 210,000 acres are in the Agricultural Exclusive or Mountain Preserve Zone which establishes a minimum parcel size of 160 acres (176,000 acres of which are also in Williamson Act Contracts, long term commitments to open space uses); approximately 12,000 acres are in the Timber Preserve Zone, which restricts development to growing and harvesting of timber; approximately 68,000 acres are in the General Forest or Mountain General Zones, which establish a minimum parcel size of 40 acres, approximately 3,000 acres are in the Mountain Transition Zone, which establishes a minimum parcel size of 20 acres; and approximately 62,000 acres are in the Mountain Home Zone, which establishes a minimum parcel size of 5 acres. Most of the remaining 4,000 acres limits parcel sizes to 2-1/2 acres.
3. Less than one half of one percent (<0.5%) of land in the County is served by community water systems over which the County has jurisdiction (outside of Yosemite National Park), and there are only 6 community water systems in the County.  
- The Mariposa Public Utility District serves the community of Mariposa (Mariposa Town Planning Area) (population

- 1,565) and reports a total of 600 meters (with less than 90 connections currently available).
- The water system for the Coulterville Town Planning Area (population 135) has a total of 84 meters/connections.
  - There are 101 meters in Yosemite West, a residential community of mostly vacation homes on the boundary of Yosemite National Park (elevation approximately 6,000 feet).
  - The Ponderosa Basin Mutual Water Company reports a total of 250 connections, and
  - the Mariposa Pines Mutual Water Company a total of 78 connections. Neither the Ponderosa Basin or Mariposa Pines community systems are metered however.
  - The Lake Don Pedro Community Services District reports a total of 440 metered connections in the County.

Development on all remaining lands in Mariposa County is served by on-site wells, where monitoring of water usage for landscaping by meters is not practical or possible.

4. Yosemite West was subdivided in the 1960's (prior to the County's adoption of its Zoning Ordinance) and has parcel sizes averaging approximately 1/4 acre. Based on typical building area for residential and site development, and exemptions in the State Model Ordinance for landscaped areas of less than 2,500 square feet, it is unlikely that AB 325 would apply to landscaping in Yosemite West.

The communities of Lake Don Pedro, Ponderosa Basin and Mariposa Pines are also older residential subdivisions, which have larger average parcel sizes (2 to 2-1/2 acres). These communities are located in the rural parts of the County. Based on these communities' elevations and parcel sizes, parcels are not landscaped but largely left in natural states or fenced for livestock.

Consequently, throughout all of the County of Mariposa, AB 325 would theoretically apply to new landscaping in the communities of Mariposa (population 1,565) and Coulterville (population 135) only.

5. The development standards of the Design Review Overlay District, special Hillside Development Standards, and other general standards of County Code for both the Mariposa and Coulterville Town Planning Areas address those items required of the model ordinance as listed by Article 65597 of AB 325 as follows:
  - a. Landscaping is required for new commercial, multi-family residential and light industrial development. The landscaping standards require use of native or drought tolerant plant species. This requirement provides for water conservation based on plant selection.

- b. Provisions for irrigation of landscaped areas are required, and use of drip irrigation is strongly encouraged as a water conservation measure. This requirement provides for efficient (low water waste) automatic irrigation systems.
- c. The site development standards of the Design Review Overlay District require that grading be minimized and that natural topographic and vegetative elements be incorporated into project designs. All areas exposed by grading activities must be revegetated. In addition, special Hillside Development Standards significantly restrict grading and heights of cuts/fills on slopes greater than 20%, as well as require engineered grading plans. All of these standards are intended to maintain existing topographic and vegetative elements and minimize grading, both of which will prevent erosion and runoff. Maintaining existing topography and minimizing grading will also result in the best conditions for plant establishment and healthy plant growth.
- d. The County's Greywater Ordinance (Chapter 13.10 of County Code) permits use of reclaimed water for irrigation of landscaping throughout the County.
- e. The County's Hillside Development Standards and the standards of the Scenic Resource District apply to the steep slopes surrounding Mariposa - those areas which are the most susceptible to wildland fires. These standards restrict minimum parcel size to 20 acres to minimize density of residential development which results in minimizing fire protection needs. In addition, fuel modification and design requirements of the County's Road Improvement and Circulation Policy and Public Resources Code 4290 and 4291 are applied to new development for the purpose of minimizing fire protection needs.
- f. Landscaping requirements would not be applied by the County to registered historical sites, unless a new parking lot was installed or major modifications were made to the building (which would be limited by the County's Historic Design Review standards). The County has a list of plants which were historically used in the region. These plants tend to be very drought tolerant.
- g. Economic incentives to promote efficient use of water exist through application of water rates for water use. There are a total of 684 water meters/connections in the Mariposa and Coulterville Town Planning Areas. Decreased water use results in decreased water bills.

- h. The design review standards require that all plants be maintained in a healthy and neat condition, and that dead or diseased plants be immediately replaced. Drought tolerant plants are required as described in item a. above. Once drought tolerant plants are established, irrigation is typically cut back, which reduces water used for landscaping in the long term.