MARIPOSA COUNTY RESOLUTION NO. 83-170(b)

STATE OF CALIFORNIA

A RESOLUTION ADOPTING THE FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN
AND CERTIFYING THE SPECIFIC PLAN ENVIRONMENTAL IMPACT REPORT.

The Board of Supervisors of Mariposa County, a political subdivision of the State of California, hereby resolves as follows:

WHEREAS, Fish Camp, an unincorporated community within the County of Mariposa, is identified within the Mariposa County General Plan as a Town Planning Area (TPA); and

WHEREAS, California Government Code provides for the development, adoption and implementation of specific plans as a means of implementing the General Plan; and

WHEREAS, the County of Mariposa has determined that a specific plan for the community of Fish Camp, known as the Fish Camp Town Planning Area, is necessary for the orderly development of the area and implementation of the Mariposa County General Plan; and

WHEREAS, such a Specific Plan and Environmental Impact Report has been prepared through procedures as set forth in the Government Code and the Public Resources Code; and

WHEREAS, said specific plan and E.I.R. has been reviewed by the Planning Commission and following a Public Hearing has recommended approval of the plan and certification of the E.I.R. with specific recommendations for changes as set forth in Planning Commission Resolution No. 83-10.

NOW THEREFORE, this Board determines and orders that the Fish Camp Town Planning Area Specific Plan, attached hereto (Exhibit "A"), is hereby adopted and the Environmental Impact Report of said plan certified in accordance with the following:

I. SPECIFIC PLAN TEXT AND LAND USE MAP AMENDMENTS
Such amendments within the text of the Specific Plan E.I.R. as described in Planning Commission Resolution No. 83-10 (Exhibit "B"), attached hereto and made part hereof as though set out in full, excepting the amendment set forth in Section I, 3a, 3b of this Resolution are approved as set forth and shall be deemed a portion of the Specific Plan/E.I.R. text. Future copies of the Specific Plan/E.I.R. shall be modified and reproduced in such a manner as to reflect such amending language.

A. Section VI Land Use Policies and Standards shall be amended to read as follows:

1. Section D on page 25 of the Specific Plan shall be amended to read:

"D. General Forest Land Use Classification.

This land use is applied to property presently located in the Timber Production Zone.

1. Regulation -

As set forth in Section 3.505 of the Mariposa County General Plan."

2. The existing Section D, E, F, and G of the Specific Plan shall be re-lettered consecutively to the following: E, F, G, and H to allow for the addition as identified in Section A (1) above.

3. The Land Use Map shall be revised to reflect the following:

a. Yosemite Mountain Ranch Property within the Town Planning Area as identified as Assessor's Parcel Number 10-410-11 and a portion of 10-410-01 shall be re-designated General Forest. This land use
map change is officially delineated in Exhibit "C-1" of this Resolution.

b. The property identified as Assessor's Parcel Number 10-370-03 shall be re-designated Multi-Family Residential. This land use map change is officially delineated in Exhibit "C-2" of this Resolution.

c. The property identified as Assessor's Parcel Number 10-370-01 shall be re-designated Single Family Residential - One Acre. This land use map change is officially delineated in Exhibit "C-3" of this Resolution.

II. FINAL ENVIRONMENTAL IMPACT REPORT

Such comments and responses as contained in Exhibit "D-1" and "D-2" shall be included in the Specific Plan Environmental Impact Report in accordance with Public Resources Code Section 21080 et seq, otherwise known as the "California Environmental Quality Act (CEQA), CEQA Guidelines and County policies adopted pursuant to same. With this action, the Specific Plan Environmental Impact Report is deemed certified and directs that a Notice of Determination be prepared and filed in accordance with Section 15085 of the CEQA Guidelines.

Be it further determined and ordered that residential development permits, subdivisions, construction permits and other actions of the County of Mariposa, are not subject to CEQA review proceedings in accordance with provisions of Government Code Section 65453 (b) provided that such residential development permits, subdivisions, construction permits and other actions of the County of Mariposa are found to be consistent with the provisions of the Fish Camp Town Planning Area Specific Plan and the Environmental Impact Report mitigating measures.
In support of the above, it is found that:

A. The Specific Plan was developed and adopted in accordance with the procedures established by Article 9 (commencing with Section 65500 of Chapter 3 of Title 7) of the Government Code.

B. That the above finding shall be effective for five years from the date of this action.

C. The Specific Plan Environmental Impact Report is sufficiently detailed so that significant adverse effects of a project on the environment and measures necessary to mitigate or avoid any such effects can be determined, including significant physical effects on existing structures and neighborhoods of historical or aesthetic significance and measures necessary to mitigate such effects.

D. Specific residential projects undertaken and approved by the County, when found to be consistent with the Fish Camp Town Planning Area Specific Plan and Environmental Impact Report, can be approved subject to one of the findings required under Section 21081 of the Public Resources Code.

Be it further determined that the amendments to the Specific Plan as set forth in Section I of this Resolution do not constitute significant changes and no further environmental review is necessary.

PASSED and ADOPTED by the Mariposa County Board of Supervisors this 7th day of June, 1983 by the following vote:

AYES: Barrick, Taber, Dalton, Erickson

NOES: None

EXCUSED: Moffitt

ABSTAINED: None

Eric J. Erickson, Chairman
Mariposa County Board of Supervisors
ATTEST:

ELLEN BRONSON, County Clerk
Ex Officio Clerk of the Board

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

RICHARD K. DENHALTER
County Counsel
EXHIBIT B
MARIPOSA COUNTY PLANNING COMMISSION
STATE OF CALIFORNIA
RESOLUTION NO. 83-10

A RESOLUTION RECOMMENDING THE CERTIFICATION OF THE EIR FOR
AND ADOPTION OF, THE FISH CAMP TOWN PLANNING AREA SPECIFIC PLAN

WHEREAS, Government Code Section 65450 through 65553 provides for the
development, adoption and implementation of Specific Plans as a means of imple-
menting the General Plan; and

WHEREAS, the County of Mariposa has determined that a Specific Plan
for the community of Fish Camp, known as the Fish Camp Town Planning Area, is
necessary for the orderly development of the area and implementation of the
Mariposa County General Plan; and

WHEREAS, the Mariposa County Planning Commission has held a Public
Hearing on said EIR and Specific Plan in the Fish Camp Community to receive
comments to the document; and

WHEREAS, the Mariposa County Planning Commission considered and
responded to the comments at numerous continued Public Hearings.

BE IT THEREFORE RESOLVED, that the Mariposa County Planning Commis-

sion hereby recommends approval of the Fish Camp Town Planning Area Specific Plan and
Environmental Impact Report with the changes as proposed in the attached Exhibit
"A".

BE IT FURTHER RESOLVED, that the Commission recommends that the
attached Exhibit "B", "Responses to Comments" be incorporated into the document;
and that the attached Exhibit "C", "Comments to the EIR and Specific Plan", be
incorporated in said document in accordance with State Law.

PASSED AND ADOPTED THE 18TH DAY OF FEBRUARY 1983 by the following
vote:

AYES: Hickman, Kendrick, Simpson, Martini and Hackleman
NOES: None
NOT VOTING: None
EXCUSED: None

Janice T. Hickman, Chairman
Mariposa County Planning Commission

ATTEST:
Nancy L. Hubert, Secretary
Mariposa County Planning Commission
"EXHIBIT A"

Page 14, Item V.7.

The words, "public roads" to be inserted between the words "protection", and "water" on this line.

Page 14, all Section VI.

All references in this section which refer to Section VII to be changed to read Section VI.

Page 22, Section VI.B.6.F.1.

This section to be amended to read: "Only signs for a non-commercial nature shall be permitted in a residential land use, except that a commercial sign, advertising a commercial use which does not have frontage to Hwy 41, may be allowed subject to the approval of a conditional use permit.

Page 28, Section VI.F.

The definition of carport in this section conflicts with the definition as provided in the Uniform Building Code. All reference to carports to changed to read "Parking Structure".

Page 28, Section VI.H.

(added) In response to a comment, the following addition is recommended: "H. Non-conforming Uses. All those legally established uses, which are in existence at the time of the adoption of this Plan, which are not in conformance with the policies and standards in this Plan, deemed to be non-conforming uses. Said uses shall be allowed to continue, but shall not be allowed to expand. Should a non-conforming use become abandoned for a period of one year, or more, said use shall be voided and shall not be allowed to be restored."

Page 29, Section VII.B.

The lead-in paragraph to have a third principle function which is to read: "3. Seasonal recreation, logging and wood cutting on Sierra National Forest Lands."

Page 29, Section VII.B.

Item 4, under the circulation system analysis, is to read "4. Access to recreational areas and Forest product areas such as timber sales, firewood cutting areas, etc."
Page 30, Section VII.B.

Item 8 to be added to the list of existing problems to read: "8. Road maintenance during timber harvesting activities."

Page 30, Section VII.B.

Item 6, is to be added to the list of mitigation measures to read: "6. All Mariposa County roads used during timber harvesting activities are maintained by the County under a cooperative road maintenance agreement with the United States Forest Service."

Map Changes

"Locations Map" to have Merced and Fresno added.

"Block Map" to be added immediately before Page 3., which would identify "Blocks" "A", "B", "C" and "D" as referred to on Page 3, Section III.A.

Land Use Map Change

The property owned by Mr. Bill Winterbergh is recommended to be changed from Single Family Residential (SFR) 2½ acre minimum parcel size, to the Single Family Residential (SFR) 1 acre minimum parcel size.
"EXHIBIT B"

DRAFT RESPONSES TO COMMENTS RECEIVED ON THE DRAFT FISH CAMP SPECIFIC PLAN AND ENVIRONMENTAL IMPACT REPORT

WRITTEN COMMENTS

The following is a summarization of the written comments received prior to the close of the Planning Commission Public Hearing held in Fish Camp on November 20, 1982. Also provided are responses to comments as required by the California Environmental Quality Act.

1. W. L. Winterbergh submitted a letter addressing the following concerns raised in the Specific Plan.

   a. Disagrees with proposed land use classification of his property being Single Family Residential (SFL) 2 1/2 acre minimum parcel size. Desires the Multi-Family Classification for his property.

      Response - The Planning Commission reviewed the request and recommended that the property be classified SFR 1 acre minimum parcel size.

   b. Requests more acreage along highway in the south end of Fish Camp to be classified Resort Commercial.

      Response - The Planning Commission has considered this proposal, specifically on Mr. Jim Compton's property and has determined that sufficient Resort Commercial property is available in the proposed plan.

   c. Questions the land use classifications of the property owned by the Yosemite Mountain Ranch.

      Response - After a lengthy discussion, and a separate action relative to a possible change in land use, it was decided to leave the land use as is, for the Yosemite Mountain Ranch Property. The discussion centered around placing the property in the General Forest Land Use.

2. Mr. Henry Bergh submitted a lengthy letter with the following comments and criticisms of the proposed plan.

   a. Questions the statement in the Plan indicating that the County provides snow removal services on the existing County roads.

      Response - The statements in the Plan refer to the jurisdiction for snow removal services in Fish Camp and not the amount of snow removed from the roads.

   b. Expresses displeasure with the current standards for the installation of on-site septic disposal systems and their effect on development of existing lots in the area.
Response - The proposed specific plan does not affect the requirements for adequate septic disposal for residential developments. Appendix III of the document provides some cost estimates for the development of a community wide sewer system for Fish Camp.

c. Disagrees with statement on page 10 (J) regarding the projected growth of the permanent population in Fish Camp.

Response - Mr. Bergh disagrees with the project growth in the Fish Camp area. No other response necessary.

d. Comment made in regard to agreement with Section A on page 13 of the Specific Plan addressing increased planning services.

Response - No response necessary.

e. Comments made questioning statements made on page 14 V, 1, 2. Mr. Bergh requests greater population densities in the residential land uses in Fish Camp.

Response - The Plan establishes realistic minimum parcel sizes considering the terrain, elevation, climate and sensitivity of the area. Under current County Code provisions, no parcels less than one acre in size can be created until both community water and sewer systems are available.

f. Request the addition of "Roads" to page 14, section V, 7 as a public service.

Response - Roads were not intentionally deleted from this section and will be included.

g. Page 17 section e, disagrees with 35 ft. building height limitation specified in the plan, believes taller buildings should be allowed.

Response - The building height limitation is included in the Plan primarily because of the limitations of the fire fighting equipment available in the area. Variance procedures could be included in the Plan to allow greater building height if sprinklers or other fire safety devices were included in the building.

h. Page 17, f 1 a, requests greater densities for lodging units within the Resort Commercial land use.

Response - The standard proposed in the Plan has been deemed adequate to provide reasonable "densities" for such lodging units without overburdening the properties. Given the constraints of topography, soils, surface water, and seasonally saturated soils, the density in the Plan is deemed a prudent standard. If densities were doubled, significant environmental impacts could result and full mitigation of these impacts may not be possible.
i. Page 20, Section 6. Requests smaller building set back areas for buildings on existing parcels in Fish Camp. Specifically disagrees with Section 6 b, 2 requiring a minimum of 25 feet between residential buildings.

Response - Such requirements were developed by the California Department of Forestry for residential development in California. The purpose of the set backs is to maintain adequate building separation in the event of a fire. Variance procedures could be developed to allow smaller set backs if fire hydrants, fire retardant building material and other fire safety equipment and materials were required. This section in the Plan only deals with the separation of buildings on the same parcel and would not affect buildings on other parcels.

j. Page 22, VI d 3 - Comment only, no alteration requested.

Response - No response necessary.

k. Page 22, VI, f 1 - Comment only, no alteration requested.

Response - No response necessary.

l. Page 22, VI, f 2 - Comment only, no alteration requested.

Response - No response necessary.

m. Page 23, Section VI, g 4 - Comment only, does not request alteration of the plan.

Response - No response necessary.

n. Page 23, Section VI, g 7 - Comment only, does not request any alteration of the plan.

Response - No response necessary.

o. Page 29, Section VII A 2 - General comment regarding water, no alteration of the plan requested.

Response - No response necessary.

p. Page 30, Section 4 and 7. General comments regarding roads and road maintenance in Fish Camp. No alteration in the plan requested.

Response - No response necessary.

q. Page 33, #2. Questions the use of the phrase "Commercial Sewer Facility" in the plan.

Response - This section of the plan refers to a community sewer facility and does not refer to commercial.
r. Page 36, Section c 2. Comment made regarding road signing. No alteration to the plan required.

Response - No response necessary.

s. Page 38. General comment, no alteration of the plan is requested.

Response - No response necessary.

t. Page 39. Expresses general disagreement with the densities proposed by the Specific Plan.

Response - Fish Camp is presently in the Rural Residential Land Use Classification - creating a \( \frac{3}{2} \) acre minimum parcel size for the purpose of subdivision. The proposed specific plan proposes densities ranging from 1/2 acre to 5 acre minimum parcel sizes. The plan allows for greater densities than are presently permitted in the area.

u. Page 39. Questions how future commercial development will "erode" residential development.

Response - The specific plan designates specific areas for resort commercial and residential development. By prohibiting intensive commercial uses within existing or proposed residential areas, potential conflicts created by increased noise, traffic, light and glare, etc. will be avoided.

v. Page 41, Section XI, A 1, Questions stated effect on residential property value by nearby commercial development. Requests no alteration in the Plan.

Response - No response necessary.

w. Page 41, Section 3 - General comment on existing road system and circulation patterns. No alterations requested.

Response - No response necessary.

x. Page 41, Section B - General comment on plan development process.

Response - The Fish Camp Community Planning Council held both regular and special meetings which were open to the public, and therefore were public meetings. While notices of the meeting were not always advertised in the community, advertisements were filed by the County, in the "Mariposa Gazette", for both regular and special meetings. Copies of all meeting minutes were available to the public, which not only covered the topics of discussion, but also included statements as to future meeting dates.

y. Comments on proposed land use map.

1. Requests additional commercial areas along Highway 41 for "either resort commercial or professional office uses".

2. Recommends concentric growth beginning with resort commercial land use and expanding away with greater and greater densities.

Response -

1. The Planning Commission, after evaluating this comment and the letter from Mr. Compton, does not feel that it would be good planning practice
Response - 

1. to place all property frontage on Hwy 41, in a commercial land use. Strip commercial development, of such a nature, could dramatically affect the visual and social environment of the community. Further, there does not exist a sufficient demand, or need, for such a large amount of land to be placed in the Resort Commercial land use. If, as time goes along, there exists a demand or need for more resort commercial acreage, the Specific Plan could be amended. This is not to say that, however, it would be proper planning to create strip commercial on Hwy 41 since other areas may be more appropriate for such a future consideration.

2. The concept of concentric growth, while an old and tested planning theory, was developed for urban areas where land variables are more constant as one moves away from the core. Further, it is a concept that was developed for urban areas of greater size. In a mountain community, such as Fish Camp, the concentric growth theory cannot reasonably be applied due to the numerous variables of land. Further, there does not exist a "Central Business District" in the Fish Camp area that could reasonably act as a "core" from which to start such concentric growth.
2. **Comments** - General comments regarding Appendix II and III.

   **Response** - No response necessary.

3. Mr. James D. Compton submitted a letter primarily dealing with the members of the Fish Camp Town Planning Council. No specific comments are made regarding the contents of the Plan.

   **Response** - No response necessary.

4. Jerry S. Freeman submitted letter and map in behalf of Mr. James D. Compton requesting a change to the Resort Commercial Land Use classification on approximately 5 acres adjacent to State Highway 41.

   **Response** - The Planning Commission has reviewed this request and determined that the property should remain in SFR 2 1/2 acre land use classification as designated in the Specific Plan.

5. Memo submitted by Manuel Dillard, Chief Building Inspector, Mariposa County addresses the following items.

   A. Requests a provision requiring sign permits for sign construction.

      **Response** - Comment is noted and will be included in the requirements when specific zoning is developed for the TPA.

   B. States that the definition of a carport on page 28, Section VI, F 3 conflicts with the Uniform Building Code.

      **Response** - Comment is noted. Reference to carports should be changed to a different term.

6. Edgar and Sarah Mills submitted a letter addressing the following:

   A. Request for more information on the maps provided in the document, including city names, topographic lines and subdivision names.

      **Response** - The amount of information that can be included on the maps inside the document is limited by the size and scale of the map. It appears practical to include the towns of Fresno and Merced on the location map and locate blocks A, B, C, and D and the Yosemite Alpine Subdivision on the TPA map. The additions will be made.

   B. Questions the wording and intent of 35' building height limitation.

      **Response** - The height limitation was provided primarily to allow access with fire equipment to all buildings in the case of a structural fire. Buildings greater than 35 ft. in height are not accessible with the existing fire fighting equipment in the area.
C. Requests "grandfathered" statement in the plan dealing with existing uses that will become non-conforming after adoption of the specific plan.

Response - The existing zoning ordinances adequately addresses nonconforming uses and their legal use and expansion. A statement in the plan referring to the zoning ordinance may provide additional clarification of this issue. Section VI,H, to be added to read: "H. Non-conforming Uses. All those legally established uses, which are in existence at the time of the adoption of this Plan, which are not in conformance with the policies and standards in this Plan, are deemed to be non-conforming uses. Said uses shall be allowed to continue, but shall not be allowed to expand. Should a non-conforming use become abandoned for a period of one year, or more, said use shall be voided and shall not be allowed to be restored.

D. Believes that restrictions on commercial uses in residential land use areas are too restrictive.

Response - Due to the very nature of a residential land use (that is, to provide for residences) it is very poor planning to allow true commercial uses to be established in residential areas. The Plan does allow for home occupations in the residential land uses, but it sufficiently restricts it so that such a home occupation does not operate as a commercial use in a residential land use.

E. Believes that sign restrictions are too limiting for both commercial and home occupation uses.

Response - A commercial sign can be 32 square feet, or of a 4 X 8 ft.size, in the commercial land uses. Anything larger than that is almost a "billboard" in nature, and would be out of scale with the community. A sign of 32 square ft is of adequate size to allow travelers to see the sign and yet not be so large that it is asthetically offensive. Signs advertising commercial uses (home occupations) in the residential are prohibited and such a restriction is necessary. The residential land uses are just that, residential, and commercial intrusions should be kept to a minimum. If all residences were allowed to advertise commercial businesses, the area would loose its residential nature. See the response to the verbal comment from Wally Stovall for a further discussion.

7. Letter submitted by Irl H. Everest, District Ranger, Bass Lake, U.S. Forest Service, provides the following comments.

A. Requests a 30 ft building set back for all buildings from the National Forest boundary.

Response - The Specific Plan provides for a 25 foot rear yard for all properties, including those which are adjacent to U.S.Forest Service Lands. While a 30 ft setback might be the most desirable standard for fire protection, to place all of this burden on the property owner ignores the fact that it could severely limit property usage. The 25 foot rear yard set back is felt to be an equitable compromise.

B. Page 8, Section I, recommends addition of "Fish Camp Town Planning Area is bordered by the Sierra National Forest on its north, east and south sides."

Response - Addition is noted and should be added to the plan text.
C. Page 29, Section B, comment in regard to traffic and circulation regarding function and uses of the road system.

Response - Comments are noted and should be added to the plan text.

D. Page 30, comments regarding additions to condition and mitigating policies and procedures for roads.

Response - Comments are noted and should be included in the Plan.
RESPONSES TO COMMENTS

VERBAL COMMENTS RECEIVED 11/20/82

The following verbal comments were received at the public hearing held by the Mariposa County Planning Commission at the Green Meadows facility in Fish Camp on November 20, 1982.

Robert Egan spoke giving a brief explanation of how the plan was developed by the Community Planning Advisory Committee.

Response - No response necessary.

Mrs. McCline questioned the land use on the Yosemite Ranch property. She also felt that the existing water systems should not be included with any new systems, and she questioned the establishment of a community-wide service district to deal with snow removal and other services.

Response - YMR land use is a policy issue which the Commission must address. No response is necessary relative to the other issues in as much as it simply expressed an opinion. As a planning document, this office believes that the points raised in the Plan may have a great deal of validity in the future as needs and conditions change.

Wally Stovall questioned (1) the fact that all commercial uses in the Resort Commercial land use requires a use permit, with the only permitted use being residences; (2) the lack of a provision to allow highway signs for business that doesn't have highway frontage, (3) the 35 ft. height limit; (4) the need to deal with grandfathered uses; and (5) the lack of a map to identify the different "blocks" discussed in the Plan.

Response - See page 1A

James Compton felt that there should be more commercial frontage on Hwy. 41; that in addition to the letter from J. Freeman regarding Resort Commercial land use, he requested that the property on which the Mile High Frosty is located should also be Resort Commercial. Suggested that the Commercial land use around the Silvertip Lodge should be decreased. Questioned the two square foot sign limitation, and the 35 ft. height limitation.

Response - Following an evaluation of the land use change request, the Commission has determined that they would not change the land use to Resort Commercial as requested.

See response to letter from Edgar and Sarah Mills and the response to the verbal comment from Mr. Wally Stovall for a response to the sign and height limitations.
Wally Stovall

Response - The following responses are made to the points on page 1

1. After careful evaluation, the decision of the Commission is to keep the resort commercial standards, for a use permit, as proposed by the Specific Plan. While including some commercial uses as "permitted" uses would expedite some projects, the Fish Camp area was deemed too sensitive to allow development projects without adequate review. The relatively high densities, small parcels and natural environment, demand sufficient evaluation and protection to reduce impacts, and the use permit process provides this.

2. After deliberation, the Commission felt that some provision should be made for commercial signs, in residential land uses, when the commercial use does not have Hwy frontage. Section VI, B.6.f.1, Page 22, of the Plan to be changed to read:

(1) Only signs of a non-commercial nature shall be permitted in a residential land use, except that a commercial sign, advertising a commercial use which does not have frontage to Hwy 41, may be allowed subject to the approval of a conditioned use permit.

3. See response to H. Bergh, letter, item 2g.

4. See response to Edgar & Sarah Mills letter, item 5C.

5. See response to Edgar and Sarah Mills letter, item 6A.
Les Pacheco questioned the lack of commercial parking standards and the requirement for loading zones. On behalf of the Yosemite Mountain Ranch, Mr. Pacheco requested that the YMR property's land use be changed to reflect the Timber Preserve Zone on the property.

Response - See response to letter from Yosemite Mountain Ranch.

Robert Keller briefly discussed the YMR property history.

Response - None required.

Irl Everest reiterated his points in his letter, and discussed possible land transfer next to the TPA.

Response - See response to Mr. Everest's letter.

Bill Reinhardt felt that the State Highway should be widened.

Response - None required.

Bill Kidwell briefly discussed the Plan and the development of the land use.

Response - None required.

Alahna Chartrand spoke on behalf of the Water Wheel Restaurant with concerns that the widening of Hwy. 41 would remove parking. Questioned the Plan's impact on the environment as a growth inducing impact.

Response - The Plan does not propose to widen Hwy. 41. While the Plan does allow for growth, the intention of the Plan is to put the more intensive uses within Town Planning Areas to relieve certain environmental pressures in the rural areas. Based upon the environmental issues discussed, the Plan is seen as a way of reducing the impacts of growth.

Thorn Hartwig expressed concerns over future plans for snow removal in Fish Camp. Stated that inadequate snow removal may cause safety hazards by creating inadequate access for snow removal equipment.

Response - The Fish Camp Specific Plan is primarily concerned with land use in the area. Recommendations for road construction standards, the formation of service districts, etc. are included in the Plan to provide for improved snow removal and winter access in the future.

Don Stovall requested that the Plan require adequate off-street parking because on-street parking is hampering access, particularly in emergency situations.

Response - The Plan requires adequate off-street parking for all future commercial and residential uses.
"EXHIBIT C"

"COMMENTS TO THE EIR AND SPECIFIC PLAN"

As referred to in the Resolution recommending the certification of the EIR for and adoption of the Fish Camp Town Planning Area Specific Plan
November 15, 1982

Mariposa County Planning Commission  
P. O. Box 2038  
Mariposa, California 95338

Gentlemen:

Subject: Proposed Land Use Plan, Fish Camp and Vicinity

Please be so kind as to accept our written comment on the proposed Land Use Plan for the Fish Camp area. The Yosemite Mountain Ranch is a tree farm containing approximately 4,000 acres. We have been operating in the Fish Camp community since prior to 1926. Our property is owned by ninety stockholders.

In the past the Yosemite Mountain Ranch has regularly provided support to the community of Fish Camp. We have provided them with assistance in solving their water supply problem, the location for their volunteer fire department, and a bypass highway to remove the traffic from the town streets by routing it to the west. We have provided a location for the telephone company’s central office. We have also provided a location for the cable television. In summary, we believe we have established that we have been good citizens for the town of Fish Camp.

Comes now a plan from the Mariposa County Planning Commission which purports to rezone a portion of our agriculture timber land to an urban purpose. Such a rezone is entirely inconsistent with the needs of the community and inconsistent with the desire of the property owners.

The impact of such a zoning would be inconsistent with the goals and objectives of the property owners and could possibly impact the property taxes.

For these reasons, we request the County Planning Commission to remove the Yosemite Mountain Ranch from any altered land use.

Mr. Les Pacheco, our ranch manager, is available as a local spokesman, should you have any questions regarding the views of the Yosemite Mountain Ranch.

Very truly yours,

Yosemite Mountain Ranch, LTD.

J. Edward Martin, Treasurer

JEM:mm
November 18, 1982

Mr. James Kendrick, Chairman
Mariposa County Planning Commission
County of Mariposa
Mariposa, CA 95338

Dear Commissioners:

Having reviewed the Fish Camp Community Planning Advisory Council's Proposed Town Plan, I would like to comment on this matter.

I am unable to attend this meeting but will be present at the continued meeting to be held December 3, 1982 in Mariposa.

I would like to comment on the proposed plan for our two parcels on the North side of town. It is very hard to understand why we are proposed two and a half acre size when the neighbors to the East have lots varying from one-eighth to one-third acre in size and land use to the West is proposed one acre, with commercial proposed to the South.

In talking to Mr. Robert Egan about this, he stated I have deed restrictions which mandate this two and a half acre size. I have no deed restrictions relating to this matter, and will be happy to produce my deed for your examination. As you are aware, if private deed restrictions are in effect they are not enforceable by a public agency.

The North parcel was purchased in 1967, and has been used as a guest camp since that time. Friends, school groups, youth groups, YMCA, etc., have used this property at no cost to them.

The South parcel was purchased in 1971, having five cabins on it at that time. These have been used for guest, family members and rentals.

I am requesting the proposed zoning be changed on this property to multi-family.

As the plan relates to the area in general:

1. Why should one property owner receive one acre proposal for his undeveloped land and another property owner two and a half acre proposal.

2. Why not propose more resort - commercial on the highway in the South end of town - conflict with home owners would be minimal.

3. Why is the Mountain Ranch involved in this matter when they have no desire to develop - and in fact, are listed with the State as a 'tree farm'. It appears the advisory group is attempting to force this plan on the Mountain Ranch. If we the people of Fish Camp want Public Land we should purchase same at the market price, not forcing an adjoining property owner.

I appreciate this opportunity to address you and will attend the December 3 meeting. Thank you.

Sincerely,

[Signature]

L. Winterberg
October 31, 1982
Fish Camp, Ca. 93623

Mr. William Moffitt, Chairman
Board of Supervisors
County of Mariposa
Mariposa, Ca. 95338

Dear Mr. Moffitt:

It just became my privilege to review in detail the draft copy of the specific plan for the Fish Camp Town Planning Area. The draft suggests in several places that the "F C C P A C held numerous public meetings," but I don't believe that is in the usual sense of the word public, for normally when the County holds "public" meetings citizens of the area are notified of the time, place, and purpose of the meeting. I, for one, never received even one notice of a meeting. I knew from talking with some of the committee members that they were having meetings, and they told me of some of the areas of discussion, but I never received notice of, or was invited to, any of the meetings.

I've spent considerable time studying the draft of the specific plan, and wish to make some comments. I apologize that it is not possible for me to attend the hearing, for two reasons. One is that I am one of the six property owners in Fish Camp who is a Seventh-day Adventist, and I do not conduct or discuss business on the Sabbath. Hopefully meetings in the future can be planned for another day, so we can also be present or represented. Secondly, my wife and I are vacationing in the desert at the time of the meeting (though I would have returned if I could have attended the meeting otherwise.)

We have been property owners in Mariposa County (Fish Camp) since 1964, and full time residents since 1979. We live in Block D, on lot 35. We have 1/10th of an acre! How non-conforming we will be under the specific plan! Let me say, further, that I received my first Real Estate Brokers license in 1946, so I approach the specific plan with the eye of a professional.

My thanks and felicitations to the person who researched and compiled the history of Fish Camp in Appendix 1. Very well done. It will be of value.

Now, may I pass through the pages of the specific plan, and call your attention to items I would suggest need further study, and possibly revision. I know the committee spent a lot of time on these, and I have only spent about a day and a half, so I just may not have a full understanding of the intent, and will be pleased to be corrected. If I sound critical, forgive, I just want to be as honest as I can in my appraisal.

Page 9 #1. "Mariposa County provides snow removal services on the existing County roads. Non County roads have obtained snow removal services through contracts with the County and local businessmen." Partly true. There are many County roads that receive absolutely no service of snow or other services. We live on one, and we are not on a non-county road. We are just as much a County Road as Railroad avenue which does get snow removal, and other maintenance. I assume I pay the same kind of taxes, too, maybe more since I was reassessed when we remodeled a couple of years ago. This inaccurate statement appears in many places in the specific plan draft.
Page 10. "69 undeveloped lots (some may not be improbable because of present building code requirements) remain in these subdivisions." No doubt it is the Sanitarian that prevents the development of these lots, and if this County would approve a closed septic system, as other counties have now done, and as the State uses in some of its facilities, these lots which at the time of their acceptance by the County were legal building lots, could be improved. I have recently spent considerable time and money in an endeavor to obtain approval of one of these 69 lots, and was imminently unsuccessful. Is this not reverse condemnation? No doubt a community sewer system is the answer.

Page 10. "However it should be noted that the permanent population could grow significantly as towns in nearby Fresno and Madera County contrive to grow, with Fish Camp expected to become somewhat of a retirement and bedroom community for the area." No way. My profession is to help people appreciate Fish Camp, and want to live here, but it takes a very special kind of person to live or retire in Fish Camp. You must like snow and lots of it. You must be willing to be 55 or so miles and better than an hour of driving to the nearest hospital (so important to retirees.) You must be willing to be sixty miles or so from major shopping areas (apologies to the Fish Camp General Store.) You must be willing to put up with numerous power outages, telephone outages, and occasional Cal Trans breakdowns with resultant snowboundness. You must be willing to drive sixty crooked miles to cultural and educational pursuits, arriving home in the wee hours of the night after a symphony concert, for instance. But, saying all that, I recognize there are a few of us of that different breed who have chosen Fish Camp for home. Not many others are willing. I know! I've tried convincing many during the three years I've been selling Real Estate here. Bedroom community? When did you last drive those thirteen miles from Oakhurst? My son-in-law says it is the crookedest 13 miles in the world. Not many people want to tackle that, either. In my opinion, this will remain essentially a second home community.

Page 13 A 3. "Planning department services, applications and information should be made available on a regular basis in the community of Fish Camp." Right on. I don't believe we even have a representative either on the planning commission or the board of supervisors at present. No doubt we need information.

Page 11 V 1. "To provide for an orderly expansion of the community of Fish Camp." Can Fish Camp expand? Aren't we pretty well bound by Forest Service and Yosemite Mountain Ranch? Mariposa, Kipdines, Bootjack, et. al. can orderly expand, but I believe we must just develop what we already have in our constricted area. That should cause us to be more generous in our thinking of lot sizes, than possibly would be the case in Mariposa, et. al., since we cannot expand. Or do we want to say, "We're here, and we like it, but please don't let many more come."

Page 11 V 2. "To provide for, and promote, planned commercial and residential development within the F C T P A." This one will need to be explained to me. How does the plan promote when it starts with the smallest lot as ½ acre. We could do a better job of promoting if we made lot sizes smaller, and shared our beautiful community with more people.

Page 11 V 7. "To promote and provide adequate and cost effective public services such as fire protection, water and sewer services and snow removal." Agreed, but somehow roads were left out. Can't we promote road service, too? Some study really needs to be given in this area.
Page 17 e. "The vertical distance from the uphill side of a building to the highest point of a building shall not exceed 35 feet above natural grade line." Would this even allow for a three story, if such were to be built to replace Silver Tip Lodge on that relatively level area? I discussed this with a general contractor and he believes it would be exceedingly tight with the services you need between floors for air conditioning, etc. He suggested a minimum of 36', depending upon how steep the roof would be. Is three stories the highest we are thinking should be built? Many homes in town are three stories high.

Page 17 f 1 a. "One lodging unit shall be permitted for each 5,000 sq. ft. of net lot area." If I have figured right that would mean that a net acre would be approx. 40,000 sq. feet and on a five acre plot only 40 units in a condo or hotel could be built. It would be extremely difficult to come up with an investor who will want to pay the prices of the extremely valuable and rare resort commercial land in Fish Camp, with that kind of density. I would suggest doubling the density, in the light of the statement, "to provide for and promote planned commercial...development." With a sewer system, double the density would easily be possible.

Page 20 VI a. "Setbacks - front 20', side 10', rear 20'."

b. "25' between buildings for residential purposes." Very few of us have such setbacks now, and is it reasonable to require it of our neighbors who are joining us, at least on those lots in the present subdivisions that are available for building. Very few of them would be buildable, either with the side setbacks or the 25' between buildings. With these kinds of ordinances, planning could also be engaging in reverse condemnation.

Page 22 VI d 3. "All required off-street parking spaces within residential areas shall be encouraged to be located to be easily accessible from the street when there is snow on the ground." We who live on some of these County roads find ourselves parking for months on Highway 11.

Page 22 VI f 1. "Only signs of a non-commercial nature shall be permitted in a residential area." Are those signs now existing to be removed? This would mean removal of White Chief, Green Meadows and my Real Estate sign from along Highway 11, for they are all in residential area. Does this really mean that? I am grateful that later Real Estate signs advertising home for sale are exempted.

Page 22 VI f 2. "No sign shall exceed two square feet in area." Highway travelers would have to look fast to see a White Chief sign two square feet in area.

Page 23 VI g 4. "Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which such use is located." I believe this home occupation business is talking about me, for I am the only person in town doing business in my home, with a sign indicating my business. With regard to generating traffic beyond normal, I don't believe my office could be indicted on that count, for though I might wish it different, I have on the average of two cars a week calling to inquire about real estate.

Page 23 VI g 7. "Signs advertising a home occupation business and externally visible shall not be allowed." Again, this must be me, at present. I do have a sign on the front of our home that is the same size as my For Sale signs, 18" X 24", indicating the office is in my home. There are three Real Estate professionals in Fish Camp. We all work out of our homes. The other men are associates (salesmen) and do not need to identify their office (for they hang their license in brokers offices in Oakhurst and Fresno,) but I must identify
my office with a sign, as a broker, by State Real Estate Law. Hence the modest sign. Before opening my office in my home I talked with all my close neighbors to make sure I would not offend them, and they all agreed it was alright. Real Estate work is fun, and I feel I am helping people—both buyer, seller, and even the "tire-kicker." So I would like to continue my business in Fish Camp, but do not wish to rent an office, for it would take me away from home, and during my working years I travelled away from home, and cherish the time at home now. Further, there are presently no suitable offices for Real Estate in Fish Camp, and I suppose even if there were, and I were inclined to rent one, I would not generate enough from sales in Fish Camp to pay for the rent. I know I would not have this year. No doubt I will be "grandfathered" in, and be permitted to continue, or the plan could be amended to set lot 35 in Block D apart as a commercial lot. I don't suppose it would be any stranger than where commercial now appears on the map, in some unique places, in the middle of residential, but because it now exists the map indicates it as commercial.

Page 29 VII A 2. "The feasibility of combining the existing water suppliers into a community water district should be evaluated. Such action should reduce overall costs and provide improved service to the entire community." No doubt true to all subdivisions with the exception of Block D, and there it might possibly improve the service, though our service has been quite good for the past year or so, but it could hardly reduce our costs, for Block D has "free" water in perpetuity, as recorded in our deeds.

Page 30 #4. "This has produced a variety of subdivision roads that create problems with access and maintenance." Were not these roads all approved by the County at the time the subdivisions were created, and were they not also accepted into the County system (except YAV.)?

Page 30 #7. "Dirt roads which are difficult or impossible to keep passable in winter." Let's get them paved!

Page 33 #2. "All proposed parcels not connected to a commercial sewer facility should have adequate septic areas (including 100% replacement) located at least 100 feet beyond the high water mark of the 10 year flood level of Big Creek." We have addressed this issue elsewhere, but what is meant by the word commercial? Community wide, or just a plant approved by Health department and provided by the developer? Should this not be made clear? If it is impossible to get the citizens of Fish Camp to agree to a community wide sewer plant, this section could dictate that all future subdivisions would be no less than 2 1/2 acres. Let's spell out what is meant by commercial.

Page 36 C 2. "All street names should be signed as to be visible from all intersections." Great. When do we get our signs in existing subdivisions (except Yosemite Alpine Village?)

Page 38. "Promoting more intensive land uses..." We've dealt with this elsewhere, but it seems contradicted by what is indicated as to future development according to the map in the specific plan.

Page 39. "Promoting greater densities within the T&D will also meet the goal of providing affordable housing without affecting the environment or the rural lifestyle of Mariposa County." A true statement. But, given the situation as proposed by the map, nearly every lot in Fish Camp is going to be non-conforming, and instead of selling a 1/10 acre to 1/3 acre lot, I will be asked to sell lots beginning at one acre—how does this "promote greater densities?" And does anyone believe 1 acre lots will sell at the cost of a 1/10th acre or 1/3 acre? Affordable? His specific plan will boost the prices of all future subdivisions.
Page 39. "The proposed specific plan will also help to preserve existing residential neighborhoods which may be eroded by the intrusion of intensive resort commercial development. By establishing specific resort commercial land use areas, this erosion can be eliminated." I'm not sure what this is intended to say. Does it mean the present subdivision might be "eroded." Surely it does not mean new subdivisions, for the planning commission has complete control over these, so it must mean present. How does this "erosion" come about? With renegades like me? Or maybe a dentist or doctor with enough courage to retire in Fish Camp, and do just a bit of practicing in his home on the side. What a blessing it would be—not erosion. I know of no area where a hotel could be built in the present subdivisions, so it could hardly be speaking to that type commercial development. I'm still not clear on this.

Page 41 XI A 1. "Potential conflicts between residential and resort commercial uses and unstable property values." Unstable because of the intrusion of commercial. Perhaps, but in most cases unstable upwards. Places along Highway 1, in block D, would be worth considerable more, if there were commercial interests wanting to move into that area. Which there are not! But the instability would only be upwards, which most of us would gladly accept.

Page 41, 3. "Potential congestion and circulation hazards associated with poorly planned streets and roads." Planning department already has this in its prerogatives for any future development, and present system is stable and has created few problems. I suppose I drive all the streets of Fish Camp more than anyone else, with the probably exception of the garbage truck, and I am aware of only a few hazards, and they center mostly around private drive encroachments on Highway 1. Perhaps by paving the streets adjacent to the highway and eliminate those encroachments, those hazards could be removed.

Page 41, B. "The community planning council has spent a considerable amount of time in public meetings developing the proposed plan." I salute my fellow citizens for a monumental work. But, again I question the use of word "public."

Page 41, B. "Mitigating policies and standards may be infeasible and/or inadequate if different densities and land use patterns are established. Therefore, such alternatives are considered undesirable to the residents of Fish Camp and to the local environment." Which is to say, we do not really intend to "promote" or make "more intensive land use" as indicated by the County General plan. Why did we go through all the motions, then, if there was no intent to really do anything about it? And, I am not sure the TPC really speaks for all "the residents of Fish Camp." What efforts did they make to seek counsel other than their own. What approaches did they make to the 90% of the property owners who aren't resident, but have a positive interest in Fish Camp?

May I refer to the map for a few comments. The specific plan suggests we should not proliferate resort commercial areas in diverse and poorly planned areas, but please observe on your map where the TPC has placed some of these resort commercial areas. White Chief Lodge, South Gate Trailer Court (an proposed hotel) seem to me to be in poorly planned areas for best planning. If the Planning Commission was going to lay out a town, it would certainly not look like this one. So we make the best of a situation, and I don't object to that at all.

In addition to the resort commercial areas indicated on the map, would it not be well to indicate additional areas along highway 1 that could be for either resort commercial or professional office type occupancy? We do not have any professional office area, or areas. Perhaps along the highway in Block D, or South of the store.
Following the specific plans suggestion on page 50 and elsewhere of "encouraging greater densities in the urban" perhaps a more logical progression of planning would be from resort commercial, to professional, to 1/3 acre, to 1/2 acre, to 1 acre, to 2 1/2 acres to 5 acres. It would give us greater density, and also make fewer of the present subdivision lots non-conforming.

With this progression Kellers undeveloped acreage west of the highway would be designated as resort commercial, to 1/3 acre, then 1/2 acre, and to 3/4 acre and finally 1 acre toward the top of the acreage. The other Keller plot to the East of the highway would be some 1/3 acre, 1/2 acre for most, then possibly to 3/4 toward the South and East, finally with 1 acre for the Compton parcel now indicated at 2 1/2 acre. Winterbergs parcel would logically be 1/2 or possibly 3/4, sandwiched as it is between Block D, and resort commercial. Yosemite Mountain Ranch should begin with 2 1/2 acre then into 5 acre. Present subdivisions could be designated as 1/3 acre, but of course this is all rather academic since they have been accepted by the County at their present sizes. It seems to me that this is a more logical progression, and more faithfully follows the general plans counsel to "encourage greater densities in the urban areas." It would also give us more affordable land.

Appendix II states, "Maintenance of the County Road system is the responsibility of the Mariposa County Road Department." Right! Just what we were saying.
Nice of the specific plan to agree.

Appendix III deals with the wastewater and is an issue which the citizens of Fish Camp need to come to grips. The costs are scary, but with higher density as we have advocated it would proportionately reduce the cost of a sanitation project. More lots, more distribution of the costs. It was not stated on what basis the distribution was made, but it seemed to be on tax values, and under proposition 13 persons with equal homes could have greatly diverse taxable values. Perhaps there is another more equitable method for assessing the wastewater installation costs. Is there a method of equalizing the costs for those who only occasionally come up, as opposed to those who are here year-round? And was the cost indicated in the plan to be a continuing fee, was it a one time, or would it continue over a span of years? No mention was made of federal funds for this type project. Are there not federal funds available?

Sorry to have been so lengthy with this letter, but I thought it all needed to be said. It is my hope that nothing I have written will be misunderstood, but will be taken with the grace with which it was intended. I would not object to having any, or all of it read at the public hearing. Sorry I cannot be present to relate it personally. Thank you for listening to my offering.

Respectfully yours,

Henry T. Bergh
Licensed Real Estate Broker

xc: Beverly Barrick, Supervisor, District 1
    James Kendrick, Chairman Planning Commission
    Janice Hickman, Planning Commision, District 1
    Robert Egan, Chairman FUCPAC
    Robert L. Borchard, Planning Staff
Mariposa County Planning Commission
5101 Jones Street
Mariposa, California 95338

October 10, 1982

Dear Sirs,

I wish to protest the zoning plan as presented by Mr. Bill Kidwell of Oakhurst, Chairman of the Land Use Committee for the Fish Camp Town Planning Counsel.

The following facts are well known and documented and I will address them in order to express my belief there is ample evidence to prove conflict of interest, favoritism and collusion.

The members of the Fish Camp Town Planning Counsel were selected by Mr. Robert Keller of Fish Camp and Mr. Bill Kidwell and presented to Mr. Jim Owens, Supervisor for the County of Mariposa who appointed the Counsel Members. Mr. Owens character is attested to by the fact he was indicted by the California State Attorney General for improper acts while in office and he was subsequently removed from office.

Mr. Keller is a documented liar and seems to be connected with most covert actions in the area.

Mr. Kidwell has expressed his opposition to commercial development in the Fish Camp area while acting as President of the Eastern Madera County Chamber of Commerce in Oakhurst. He was specifically empowered by the Chamber of Commerce to promote tourism and commerce in the Oakhurst area. This is clearly a conflict of interest on the part of Mr. Kidwell. Mr. Kidwell did attempt to use his position as Chairman of the Land Use Committee to down zone the existing White Chief Lodge, South Gate Trailer Park and the then Mile High Frostee Restaurant. This met with overwhelming opposition and he was forced to leave these properties in their proper zoning. However Mr. Kidwell did propose to more than double the commercial acreage controlled by his cohort, Mr. Keller. Mr. Kidwell proposed the noncommercial properties controlled by Mr. Keller be
zoned one acre residential while proposing my property adjoining the Keller properties be zoned two and one-half acre residential. These two action clearly reflect favoritism and collusion.

I do not find fault with all the members of the Fish Camp Town Planning Counsel. There are some fine intelligent people on the counsel such as Mr. Cal Vincent and Mrs. Lilian Smith and they are surely entitled to their desires regarding the community. I do find fault in the selection process of the counsel members in not selecting an equal balance of counsel members who are pro and con development in the Fish Camp area and for selecting counsel members who are indebted to or controlled by Mr. Keller.

I suggest the Mariposa County Planning Commission be very cautious when reviewing the Fish Camp town plan and not condone action and recommendations that would place the County of Mariposa and its officials in a precarious position.

[Signature]

James D. Compton
Fish Camp, California
Mariposa County Planning Commission
5101 Jones Street
P.O. Box 2038
Mariposa, California 95338

Upon reading the Draft Fish Camp Town Planning Area Specific Plan and Environmental Impact Report we noted the following problems:

- Road map needs two towns labeled where roads lead off of Rt. 99 toward Fish Camp.

- A map with contour lines would be more explanatory than lengthy paragraphs describing the terrain of Fish Camp.

- Fish Camp areas A, B, C, and D are discussed in the report but are not defined adequately or shown on any figure.

- Figure showing minimum allowable height of houses as 35' is wrong. Figure does not show chimney height. I believe the intent of the requirement was to prevent a person from building a house in such a manner as to block the view of another house. If the chimney is not included in the requirement, a person could build the roof to 35 feet as shown on the figure but build the chimney 20' wide and 20' above the roof high point.

- There is no statement in the report indicating a "grandfather" clause; that is, what exists stays, and will not be changed by the report.

- The restrictions on engaging in commercial enterprises in your house seem too restrictive. They essentially eliminate all commercial activities except resort-commercial. This is too restrictive. Other commercial activities may want to move into Fish Camp with the new
higher density population the report implies will be coming to Fish Camp.

- Sign restrictions should be reviewed. They are too restrictive to new businesses and businesses operated out of residences.

We request that these comments be incorporated into the minutes of the public meeting and considered in revisions to the report.

Respectfully submitted,

Edgar S. and Sarah M. Mills
October 19, 1982

From: Manuel Dillard, Chief Building Inspector  
To: Larry Enrico, Associate Planner

Subj: Fish Camp Specific Plan/Draft E. I. R.; comments on

Under the heading of General Sign Standards, it does not address
the requirements for the sign permit.

In reference to General Carport Standards (page 28), item 3, this
conflicts with the Uniform Building Code.

MD/sw
September 13, 1982

Mariposa County
Planning Commission
P.O. Box 2038
Mariposa, Ca. 95338

Attn: Mr. Larry Zanrico, Associate Planner

Dear Larry,

This letter is written on behalf of Mr. James Compton, who owns a parcel of land in Fish Camp, Ca. The parcel contains 21.49 acres and is delineated as Parcel #1 on Parcel Map Book 10, Page 27, Mariposa County Records.

The Parcel is classified as Single Family Residential (2 1/2 acre minimum) on the proposed Specific Plan for Fish Camp; both Mr. Compton and I believe the highest and best use of this parcel would be to place a portion of the land in the Resort Commercial land use designation. Enclosed please find 6 copies of a Plat Map indicating approximately 16.5 acres to be left in 2 1/2 acre single family residential and approximately 5 acres adjacent to State Highway 41 which we feel should be placed in Resort Commercial. The reasons for the requested change to Resort Commercial classification are as follows:

(1) The property has an existing State of Ca. approved encroachment and is ideally situated for ingress and egress from Highway 41.

(2) The Resort Commercial classification would not interfere with adjoining property owners residential uses to the north due to a natural buffer area consisting of a meadow. The proposed land use classification to the south is already Resort Commercial.

(3) The proposed Resort Commercial land use classification presently exists in only three places along Highway 41; allowing a portion of this property to have a Resort Commercial classification is good planning for future development.
(4) The proposed Resort Commercial classification only allows one single family dwelling unit for each land parcel subject to requirements. This would allow the community residents control at any time another use was proposed, since a conditional use permit would have to be approved by the county.

Thank you for your consideration to this matter.

Sincerely,

Jerome S. Freeman, L.S. 4079

JSP/mla
enclosures

cc: Mr. James Compton
FISH CAMP PROPERTY OWNERS SURVEY RESULTS
January 1979

Total Mailing 170
Total Received 84 (49%)

Questions 1-4 listed individually with property information
Question 3C - Home used 180 days per year or more (17) 20%

OPINION QUESTIONS

Question 1. Restriction on lot size? Yes (78) 93%

(Yes answers N=78)
Minimum ¼ acre (16) 20%
¼ acre (34) 44
1 acre (16) 20
1½ acre (3) 4
2 acre (3) 4
More than 2 acres (2) 3
Misc. & no answer (4) 5

Question 2. Restriction on square footage and/or design? Yes (68) 81%

(Yes answers N=68 plus multiple answers)
Yes only (19) 28%
Compatible design (22) 32
Minimum square footage (20) 29
Building height (6) 9
Maximum square footage (4) 6
No metal roofs (4) 6
No mobile homes (2) 3
Misc. and no answer (8) 12

Question 3. Balance of housing types

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To be submitted as part of permanent record.

20/9/82
Question 4. New businesses? None (36) 43%

Suggestions (multiple answers)
Larger market (General store) (17) 20
Restaurant (10) 12
Another motel (7) 8
Laundromat (5) 6
Hardware (5) 6
Drugstore (5) 6
Gift shop (3) 4
Auto repair (3) 4
Misc. and no answer (17) 20

Question 5. Should Fish Camp attract tourists? No (75) 89%
Yes (7) 8
No answer (2) 3

(All 7 Yes answers were single mentions and have been counted in either Question 4 or Question 6.)

Question 6. Areas for recreation? No (56) 67%
Yes (24) 28
No answer (4) 5

Suggestions (multiple answers)
Snowplay areas (16) 19%
Hiking and Bike trails (7) 8
Picnic areas (4) 5
Swimming pool (4) 5
Recreation center (3) 4
Tennis courts (3) 4
Misc. answers (13) 15
Mariposa County Planning Office
Attn: Mr. Larry Enrico
P. O. Box 2038
Mariposa, California 95338

November 17, 1982

Dear Mr. Enrico:

Thank you for the opportunity to comment on the specific plan and draft Environmental Impact Report, much hard work has been accomplished. I also appreciate the opportunity to attend some of the Fish Camp Town Planning Meetings and work with the Council.

A general comment that I'd like to start with is to encourage the Town Planning Council to use the reference "Fire Safe Guides for Residential Development in California" produced by the California Department of Forestry and the United States Forest Service. This guide is to be used by planners, developers and fire agencies as a source of standards for fire prevention in situations such as the Fish Camp Town Planning area. A copy is enclosed.

Some specific comments are: we would like to have the plan include a specific set-back of 30 feet for all buildings from the National Forest boundary. This would allow for compliance with Public Resources Code No. 4291 which speaks to a 30 foot clearance around all buildings of flammable vegetation or other combustible growth.

On Page 8, Item I, Governmental Organization and Service. A recommended addition is that "The Fish Camp Town Planning area is bordered by the Sierra National Forest on its north, east and south sides.

On Page 29, Item B, Traffic and Circulation. A suggested change is that the circulation system of the area serves three principle functions instead of two. The third principle function would be seasonal recreation, logging, and woodcutting on Sierra National Forest lands. The circulation system of the community is analyzed considering four factors. The fourth factor reads "access to recreational areas" and we would like to add "and forest product areas such as timber sales, firewood cutting areas, etc.".
On Page 30, the analysis of existing conditions contains four items, we would like to add a fifth item to read "boarded on three sides by National Forest land". Discussed are seven problem areas and we would like to add an eighth area to read "Road maintenance during timber harvesting activities." That's followed by Mitigating Policies and Procedures. Five are cited and we would like a sixth to read "all Mariposa County roads used during timber harvesting activities are maintained by Mariposa County under a cooperative road maintenance agreement with the United Stated Forest Service".

If you have any questions or comments please Irl H. Everest at the Oakhurst Office, 603-4665.

Sincerely,

[Signature]

IRL H. EVEREST
District Ranger
Exhibit C-1
FISHCAMP TPA

Specific Plan Land Use Map
adopted amendment.

From Single Family Res 5ac.
And Public-Quasi Public

TO General Forest
As defined by section 3505 of the Mariposa County General Plan.
EXHIBIT D-1

Summary of comments received during the Board of Supervisor's Public Hearing relative to the Draft Environmental Impact Report for the Fish Camp Specific Plan in accordance with Section 15146 (a) 2 of the California Administrative Code.

I. WRITTEN COMMENTS:

A. Mrs. Harold Welch
   1. Concerned that proposed land use for the Yosemite Mountain Ranch property is too intense, creating impacts on nearby residential properties.
   2. Concerned that future development in Fish Camp may affect existing water supplies.

B. Alda Rider
   1. Comments similar to A.1, and A.2, above.

C. J.D. and H.P. McClymonds
   1. Concerned about contamination of Big Creek from septic effluent created by future development in swampy areas.
   2. Other concerns are similar to A.1 and A.2 above.

D. Judy Saelzer
   1. Concerns are similar to A.1, A.2 and C.1, above.

E. Mr. and Mrs. Wright
   1. Comments do not pertain to the E.I.R.

F. Ken and Shirley Marshall
   1. Comments do not pertain to the E.I.R.

G. Roger Wood
   1. Concerned about the proposed commercial land use in the meadow behind the Silver Tip Lodge site due to limitations posed by soil type, drainage and high ground water.

H. Jim Bersotti
   1. Comments do not pertain to the E.I.R.

I. Bud Cook
   1. Comments similar to A.1, A.2 and C.1 above.

J. Karolynn Peterson
   1. Comments similar to A.2 and C.1 above.
I. WRITTEN COMMENTS (cont'd)

K. Charles Nelson
1. Concerns expressed in regard to the possible destruction of the historical and scenic cove in Fish Camp by commercial and residential growth.
2. Concerns expressed regarding impacts associated with commercial development near residential areas.
3. Concern expressed regarding commercial and residential development near the banks of Big Creek.
4. Concern expressed regarding commercial and residential development in the wet meadow areas.
5. Concerns expressed regarding impacts to rare and endangered plants in Fish Camp.

L. J. Edward Martin-Yosemite Mountain Ranch
1. Concern expressed regarding impacts created by log truck traffic through the area proposed for single family residential $2\frac{1}{2}$ acre minimum parcel size.

II. VERBAL COMMENTS:

A. Les Pacheko
1. Comment similar to A.2 above in I. Written Comments section.
Response to comments received in regard to the draft E.I.R. for the Fish Camp Specific Plan.

Comment A.1  Response: In response to this concern and others, the Board of Supervisors has amended the land use map to place the Yosemite Mountain Ranch into the General Forest Land Use as set forth by Section 3.505 of the General Plan. Although, conflicts between the Timber Operation and adjacent residential properties may occur during timber management and harvesting activities, the Board has determined that this impact is not significant and does not require further environmental review.

Comment A.2  Response: The Environmental Impact Report provides for proof of adequate and reliable supplies of water for domestic and fire protection services prior to issuance of a development permit for any commercial or residential development.

Comment C.1  Response: The Environmental Impact Report provides extensive mitigation measures to ensure adequate filtration of septic effluent and to minimize reductions in surface water quality. These mitigation measures include adequate set backs from Big Creek.

Comment G.1  Response: The author assumes that Mr. Wood's comments are relative to impacts associated with septic disposal and building constraints on saturated soils. Present County grading and building standards are designed to deal with soil conditions of this type. Potential impacts associated with septic effluent are discussed in the response to comment C.1 above.

Comment K.1  Response: All commercial development proposals are subject to review through the Use Permit provisions. It is assumed that any project processed under these provisions would be reviewed to ensure proper architectural design, building location, and building materials so as to enhance the visual quality of the area. Archaeological resources in the area were not considered as unique in accordance with Section 21083.2 (g) of the Public Resources Code and specific protection measures were not required. This finding was reviewed by the State Office of Historical Preservation which had no comment.

Comment K.2  Response: Commercial development is presently permitted through the Conditional Use Permit process in any part of the Fish Camp Town Planning Area. The Specific Plan has reduced the potential commercial areas to approximately 30-35 acres located in various areas throughout the 280 acre TPA. The Plan requires that all commercial developments obtain conditional use permits prior to development. Environmental and land use impacts will be reviewed and addressed on a project basis as such use permit are submitted.
Comment K.3  **Response:** The Specific Plan does not allow for any residential or commercial development within the Big Creek Flood Channel. In addition, septic disposal areas on future development proposals are to be located at least 100 feet beyond the 10 year flood level of Big Creek.

Comment K.4  **Response:** See response to comment G.1 above.

Comment K.5  **Response:** Specific mitigation measures for protection of identified rare and endangered species are contained on page 34 of the document.

Comment L.1  **Response:** Concern noted, however the proposed Specific Plan does not allow for any future subdivisions in the area identified.