Mariposa Town Planning Area

Specific Plan
MARIPOSA TOWN PLANNING AREA

SPECIFIC PLAN

Mariposa County Board of Supervisors

Adopted by Resolution No. 92-38 on January 14, 1992
Amended by Resolution No. 93-552 on October 26, 1993
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Amended by Resolution No. 17-678 on October 3, 2017
Amended by Resolution No. 19-246 on May 7, 2019
CREDITS AND ACKNOWLEDGEMENTS

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Duane Hall ................................................................. Associate Planner / EIR Manager
Sarah Williams ........................................................... Assistant Planner / Planning & Graphics
Roger Evans .............................................................. Assistant Planner / Planning
Todd Lewis ................................................................. Drafting Technician / Mapping
Betty Crisp ................................................................. Administrative Assistant / Production
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# MARIPOSA TPA SPECIFIC PLAN
## TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>PAGE</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
</tr>
<tr>
<td>4</td>
</tr>
<tr>
<td>9</td>
</tr>
<tr>
<td>24</td>
</tr>
<tr>
<td>37</td>
</tr>
<tr>
<td>48</td>
</tr>
<tr>
<td>73</td>
</tr>
<tr>
<td>73</td>
</tr>
<tr>
<td>82</td>
</tr>
<tr>
<td>83</td>
</tr>
</tbody>
</table>

## INTRODUCTION

### SECTION 1 - COMMUNITY PROFILE AND DESCRIPTION OF ENVIRONMENTAL SETTING

1.1 INTRODUCTION, GENERAL GEOGRAPHY, AND REGIONAL SIGNIFICANCE

1.2 NATURAL FEATURES
   - 1.21 Geology and Topography
   - 1.22 Climate and Hydrology
   - 1.23 Soils
   - 1.24 Vegetation and Wildlife

1.3 SOCIAL AND ECONOMIC SETTING
   - 1.31 History
   - 1.32 Governmental Organization and Services
   - 1.33 Economy
   - 1.34 Population
   - 1.35 Housing

1.4 EXISTING LAND USE

1.5 PUBLIC SERVICES AND INFRASTRUCTURE
   - 1.51 Streets and Highways
   - 1.52 Parking
   - 1.53 Pedestrian Paths
   - 1.54 Other Transportation Modes
   - 1.55 MPUD
   - 1.56 Drainage
   - 1.57 Others Public Services

## SECTION 2 - COMMUNITY DEVELOPMENT, GOALS OBJECTIVES AND POLICIES

2.1 BACKGROUND

2.2 INTRODUCTION
   - A. Purpose and Scope of Plan
   - B. Consistency with General Plan
   - C. Opportunities and Issues

2.3 COMMUNITY GOALS

2.4 LAND USE OBJECTIVES AND POLICIES
   - A. Residential
   - B. Commercial
   - C. Industrial
   - D. Public Facilities
2.5 COMMUNITY DESIGN OBJECTIVES AND POLICIES
A. Design Review
B. Historic Design and Preservation
C. Subdivision Standards
D. Planned Development Standards
E. Hillside Protection Standards
F. Drainageways

2.6 PUBLIC SERVICES AND INFRASTRUCTURES OBJECTIVES AND POLICIES
2.61 Access and Circulation
2.62 Public Utilities
2.63 Fire Protection

SECTION 3 LAND USE DEVELOPMENT STANDARDS AND REGULATIONS

3.1 ZONING DISTRICTS
3.11 Residential Districts
A. Single Family Residential (9,000 sq. ft.)
B. Single Family Residential (1/2 acre)
C. Multi-Family Residential

3.12 Commercial Districts
A. Professional Office
B. General Commercial
C. Light Industrial

3.13 Special Districts
A. Public/Quasi-Public
B. Scenic Resource-5 Acre
C. Scenic Resource-20 Acre

3.14 Overlay Districts
A. Planned Unit Development
B. Design Review
C. Historic Design Review

3.15 Supplementary Use Standards
A. Home Occupations
B. Bed and Breakfasts/Transient Rentals
C. Day Care and Community Care Facilities
D. Agricultural Uses
E. Special Use Provisions for Historical Structures

3.2 DEVELOPMENT STANDARDS
3.21 Setbacks
A. Property Lines and Streets
B. Drainage Ways
D. Highway 49 North Right-of-Way

3.22 Building Height
3.23 Parking
3.24 Hillside Development
3.25 Improvement Standards
A. Streets and Roads
B. Water and Sewer
C. Utilities
3.26 Architectural Theme and Development Guidelines for Design Review District
A. Site Development
B. Building Design
C. Landscaping
D. Signs
3.27 Architectural Theme and Development Guidelines for Historic Design Review District
3.28 Architectural Theme and Development Guidelines for Historic Buildings and Structures
3.29 Emergency Shelter Standards

3.3 SUBDIVISION STANDARDS
3.31 Slope Density Requirements
3.32 Road Frontage
3.33 Access Standards
3.34 Drainage
3.35 Fire Safe Protection Standards
3.36 Water Supply
3.37 Sewage Disposal
3.38 Utilities
3.39 Tree Preservation
3.395 Modifications to Standards

3.4 MISCELLANEOUS DEVELOPMENT STANDARDS
3.41 Environmental Protection Standards
A. Grading Standards
B. Water Resource Standards
C. Air Resource Standards
D. Wildlife Protection Standards
E. Archaeological Protection Standards
F. Applicability of Standards
G. Conditional Use Permit Findings for Multi-Family Residential Housing
H. Incentives for Low to Moderate Income Housing

3.42 Prohibited Uses

3.5 ADMINISTRATION AND ENFORCEMENT
A. Non-Conforming Uses and Structures
B. Variances

SECTION 4 PUBLIC IMPROVEMENT PROGRAMS

4.1 COUNTY GOVERNMENT CENTER
A. Background
B. Existing Facilities
C. Program

4.2 STREETS AND ROADS
A. Background
B. Program

4.3 PUBLIC PARKING
4.4 PARKS AND RECREATION
   A. Background
   B. Existing Facilities
   C. Program

4.5 MARIPOSA CREEK PROJECT
   A. Background
   B. Existing Facilities
   C. Program
   D. Organization and Financing

4.6 MPUD
   A. Background
   B. Water Supply Program
   C. Water Storage Program
   D. Water Distribution Program
   E. Wastewater Treatment and Collection System Program
   F. Fire Protection Program
   G. Funding

SECTION 5 APPENDICES

Appendix A Land Use and Zoning Map
Appendix B Parcels Within the Habitat Boundaries of the Mariposa Clarkia
Appendix C Historic Structures and Sites in TPA
Appendix D General Plan/Zoning Amendment Parcels
Appendix E Bibliography
Appendix F Definitions
# LIST OF TABLES

<table>
<thead>
<tr>
<th>Table</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Table 1</td>
<td>Geologic Map Units</td>
<td>10</td>
</tr>
<tr>
<td>Table 2</td>
<td>Soil Types</td>
<td>18</td>
</tr>
<tr>
<td>Table 3</td>
<td>Native Vegetation</td>
<td>19</td>
</tr>
<tr>
<td>Table 4</td>
<td>Introduced Tree Species</td>
<td>20</td>
</tr>
<tr>
<td>Table 5</td>
<td>Unemployment Rates for Mariposa County 1985-89</td>
<td>31</td>
</tr>
<tr>
<td>Table 6</td>
<td>Employment Trends for Mariposa County 1985-89</td>
<td>32</td>
</tr>
<tr>
<td>Table 7</td>
<td>Residential Growth Projections</td>
<td>34</td>
</tr>
<tr>
<td>Table 8</td>
<td>Housing Types</td>
<td>35</td>
</tr>
<tr>
<td>Table 9</td>
<td>Existing Land Uses</td>
<td>38</td>
</tr>
<tr>
<td>Table 10</td>
<td>Commercial and Industrial Floorspace</td>
<td>39</td>
</tr>
<tr>
<td>Table 11</td>
<td>Public Offices and Buildings</td>
<td>40</td>
</tr>
<tr>
<td>Table 12</td>
<td>Daily Traffic on State Highways</td>
<td>51</td>
</tr>
<tr>
<td>Table 13</td>
<td>Peak Monthly Traffic on State Highways</td>
<td>52</td>
</tr>
<tr>
<td>Table 14</td>
<td>Peak Hour Traffic on State Highways</td>
<td>52</td>
</tr>
<tr>
<td>Table 15</td>
<td>County Road Traffic Counts</td>
<td>55</td>
</tr>
<tr>
<td>Table 16</td>
<td>Wastewater Flows 1989</td>
<td>69</td>
</tr>
<tr>
<td>Table 17</td>
<td>Residential Growth Projections</td>
<td>83</td>
</tr>
<tr>
<td>Table 18</td>
<td>Commercial Area Demand</td>
<td>86</td>
</tr>
<tr>
<td>Exhibit</td>
<td>Description</td>
<td>Page</td>
</tr>
<tr>
<td>---------</td>
<td>-----------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>Exhibit 1</td>
<td>Regional Location Map</td>
<td>6</td>
</tr>
<tr>
<td>Exhibit 2</td>
<td>County Location Map</td>
<td>7</td>
</tr>
<tr>
<td>Exhibit 3</td>
<td>Mariposa Town Planning Area Boundaries</td>
<td>8</td>
</tr>
<tr>
<td>Exhibit 4</td>
<td>Geologic Structure of TPA/Melones Fault</td>
<td>11</td>
</tr>
<tr>
<td>Exhibit 5</td>
<td>Topographic Contours</td>
<td>12</td>
</tr>
<tr>
<td>Exhibit 6</td>
<td>Slope of Terrain</td>
<td>13</td>
</tr>
<tr>
<td>Exhibit 7</td>
<td>Drainage</td>
<td>16</td>
</tr>
<tr>
<td>Exhibit 8</td>
<td>Soil Types</td>
<td>17</td>
</tr>
<tr>
<td>Exhibit 9</td>
<td>Rare and Threatened Plant Species</td>
<td>22</td>
</tr>
<tr>
<td>Exhibit 10</td>
<td>Special District Boundaries</td>
<td>28</td>
</tr>
<tr>
<td>Exhibit 11</td>
<td>Existing Land Uses</td>
<td>41</td>
</tr>
<tr>
<td>Exhibit 12</td>
<td>Traffic Counts on State Highways</td>
<td>51</td>
</tr>
<tr>
<td>Exhibit 13</td>
<td>Road Inventory-Maintenance</td>
<td>56</td>
</tr>
<tr>
<td>Exhibit 14</td>
<td>Road Inventory - Surface Grades</td>
<td>57</td>
</tr>
<tr>
<td>Exhibit 15</td>
<td>Road Inventory - Surface Condition</td>
<td>58</td>
</tr>
<tr>
<td>Exhibit 16</td>
<td>Road Inventory - Surface Type</td>
<td>59</td>
</tr>
<tr>
<td>Exhibit 17</td>
<td>Road Inventory - Surface Width</td>
<td>60</td>
</tr>
<tr>
<td>Exhibit 18</td>
<td>Traffic Volumes</td>
<td>61</td>
</tr>
<tr>
<td>Exhibit 19</td>
<td>Slope Density Criteria</td>
<td>161A</td>
</tr>
<tr>
<td>Exhibit 20</td>
<td>County Government Center</td>
<td>188</td>
</tr>
<tr>
<td>Exhibit 21</td>
<td>Road Classifications</td>
<td>197</td>
</tr>
<tr>
<td>Exhibit 22</td>
<td>Antone Road-South Terminus</td>
<td>198</td>
</tr>
<tr>
<td>Exhibit 23</td>
<td>Antone Road - South Section</td>
<td>199</td>
</tr>
<tr>
<td>Exhibit 24</td>
<td>Antone Road - North Section</td>
<td>200</td>
</tr>
</tbody>
</table>
Exhibit 25 - Crosstown By-pass 
Exhibit 26 - Mariposa Mine Loop 
Exhibit 27 - Public Parking and Parking Improvements 
Exhibit 28 - Parking District Boundary 
Exhibit 29 - Parking Improvements - Bullion Street 
Exhibit 30 - Roadside Rest and Recreation Area 
Exhibit 31 - Concept Plan - Mariposa Creek 
Exhibit 32 - Parks and Recreation Master Plan 
Exhibit 33 - Land Use and Zoning Map 
Exhibit 34 - Parcels Within the Habitat of the Mariposa Clarkia 

Appendix A

Appendix B
Executive Summary
INTRODUCTION

Background

The project consists of an update to the specific plan for the Mariposa Town Planning Area. A specific plan is defined by C.G.C. Section 65450 and must contain maps and texts which specify all of the following:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.

2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.

3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.

4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

The initial specific plan for the community was adopted in 1981 and this project represents the first comprehensive update of the plan.

The Mariposa Town Planning Area encompasses the historic community of Mariposa. This unincorporated community is the historic and present center of commerce and government within Mariposa County. The town planning area, as defined by the Mariposa County General Plan, comprises approximately 1900 acres and encompasses a narrow valley created by Mariposa Creek. The Town Planning Area is located within the Rancho Las Mariposas Grant boundary in projected Section 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 26, and 36, Township 5S, Range 18E, M.D.B. & M. State Highways 49 and 140 intersect within the community and become the main street within the historic business district. The current population of the community is approximately 1565.

Proposed Plan

The Specific Plan Update focuses on the following issues:

1. Fine tuning of the land use and zoning map to address projected residential, commercial, industrial and institutional growth over the next 20 years.
Mariposa TPA Specific Plan

2. Development of a detailed circulation plan to address growth and associated increases in traffic. This plan addresses road improvements, new roads, pedestrian walkways and parking improvements.

3. Development of a detailed public facilities program in response to projected growth addressing water source and distribution, sewage collection, parks and open space, County facilities, etc.

4. Expansion of the community development and design standards for new development within the town planning area to address historical preservation, tourist promotion and overall community enhancement.

5. Expansion of the community development and design standards for new development within the town planning area to address identified environmental constraints.

6. Modification to the town planning area boundaries to follow legally definable lines and associated general plan amendment and rezoning of those areas removed from the TPA. A detailed list of the affected properties is contained in Appendix B.

Plan Format

The specific plan is formatted in 4 major sections and the E.I.R. is published as a separate document. The contents of the major sections of the specific plan are described as follows:

1. Community Profile- This section provides a comprehensive description of the community including natural features, development and infrastructure, and socio-economic information.

2. Plan Goals, Objectives and Policies- This section provides the background and purpose for all of the regulatory and public improvement programs contained in the plan.

3. Land Use Development Standards and Regulations- This section contains land use standards and development policies that are intended for adoption by ordinance. This section includes all regulatory standards applicable to development within the community.

4. Public Improvement Programs- This section contains a comprehensive discussion of public infrastructure and facilities necessary within the T.P.A.. This section provides the basis for the development of capital improvement plans by the County, M.P.U.D. and other applicable agencies for the construction of public improvements and facilities within the T.P.A..
Mariposa TPA Specific Plan

5. E.I.R.- The E.I.R. is a separate document providing the environmental analysis for growth and development planned within the T.P.A.. The E.I.R. provides specific mitigation measures that must be addressed and implemented through the plan adoption process. In some cases, recommended mitigation measures have not been incorporated into the draft specific plan.
1. Community Profile and Description of Environmental Setting
SECTION 1.1 INTRODUCTION

The Mariposa Town Planning Area (TPA) encompasses the small, rural town of Mariposa and is located in a narrow valley within the western foothills of the central Sierra Nevada (Exhibits 1 and 2). The existence of the town of Mariposa is intrinsically connected with the historic and cultural phenomena known as the California Gold Rush, and the geography and characteristics of Mariposa reflect this period of California history. The town is located at the southern terminus of the rich gold-bearing quartz vein known as the Mother Lode in the Sierra Nevada, and because of the rich placer diggings along Mariposa Creek and the nearby quartz veins of the Mother Lode, the town was established and platted along Mariposa Creek in 1851. The town gained importance as a mining center in the Southern Mother Lode Region and established itself as the County seat and the trading center for the region. The government and trading functions of Mariposa enabled the community to survive the decline of gold mining in which many gold mining towns disappeared.

The town and main streets are oriented northwest-southeast along the surrounding ridges, Mariposa Creek, and the State Highways. The town streets are layed out in a grid pattern running along both sides of Highway 140 between Highway 49 South and Highway 49 North (Exhibit 3). Many of the historic buildings of Mariposa still exist and contribute significantly to its recognition as an historic Mother Lode town. The downtown area consists of a two-block area of historic buildings and is easily recognizable as the historic center of Mariposa. Other amenities of Mariposa that contribute to its uniqueness include Mariposa Creek and the surrounding ridges. The creek flows along the entire length of the TPA and provides valuable open space for the town while the surrounding ridges offer town views of ridgelines and relatively undisturbed hillsides. The historic characteristics and other amenities of the town make Mariposa a unique community which is only replicated in a few towns in the Mother Lode Region.

The TPA has a present population of approximately 1,565 with a total area of approximately 1,900 acres. Located centrally within Mariposa County, Mariposa is the County seat of government and serves as the retail service and trade center for the populous eastern portion of the County. State Highways 49 and 140 intersect and travel through the TPA, and the State Highways connect Mariposa with Merced, Oakhurst, the northern portion of the County, and Yosemite National Park. Mariposa is the last town along the main entrance route into Yosemite Valley, and more than 1,000,000 tourists travel annually through Mariposa on their way to Yosemite National Park. Consequently, Mariposa is also a tourist service center for a significant number of tourists.

The historic downtown area is still a viable commercial area of retail stores, restaurants, and offices. Other major commercial centers in Mariposa include the Coakley Circle area located in the north central part of town between the State Highway and Mariposa...
Creek and the northern intersection of State Highways 140 and 49. The area around the Courthouse is slowly evolving into a professional office area and government center. There are a number of heavy commercial uses located in the southern portion of the TPA near the County Fairgrounds. Major residential areas include the Smith Road/Mueller Tract area in the northern part of the town and along Jones and Bullion Streets north of the Courthouse.

From a regional perspective, Mariposa has significant influence on the entire County in regards to governmental services, but its economic influence is generally restricted to the eastern and central portions of the County. The type and amount of commercial and industrial services available in Mariposa are limited due to the small customer base of the town and the County in general. Regional commercial, trade, and industrial services are not available in Mariposa, and residents and businesses of Mariposa must utilize the Central Valley for these services. In general, the town of Mariposa provides governmental services for the entire County and local economic services to the central and eastern portions of the County, but is within the Central Valley sphere for regional economics.
SECTION 1.2 NATURAL FEATURES

1.21 Geology and Topography

Mariposa is located in the western foothills of the central Sierra Nevada which is one of the major mountain ranges of North America. The mountain range is relatively long and narrow stretching from Oregon to the southern Central Valley in a northwest-southeast trending direction. The Sierra Nevada is a granitic batholith which was formed by the uplifting of metamorphic and igneous rocks through the earth's crust approximately 65 to 150 million years ago.

The Town Planning Area is mostly underlain with metamorphic rocks, but granitic igneous rocks become dominant in the Mormon Bar area (see Exhibit 4). The ridge to the west of town is composed of metasedimentary and metamorphosed ultramafic rocks (e.g. Slate, Serpentine), while the eastern ridge is composed of older metamorphosed ultramafic rocks. Between the ridges within the narrow valley are metavolcanic rocks which consist of metamorphosed volcanic rocks and lava flows. In the southern part of the TPA near the County Fairgrounds and Mormon Bar, granitic igneous rocks commonly described as "Sierra Granite" supplant the metamorphic rocks with granitic surface outcrops occurring in several places.

The Melones Fault Zone which begins several hundred miles north of Mariposa runs along the western edge of the TPA and terminates at the southern end of the TPA (see Exhibit 4). Physical traces of the fault consisting of small benches can be seen on the western hillsides of town. It is believed the fault extends beyond the TPA underneath the granitic igneous rocks which become dominant in this area. There has been no recent geologic movement along the Melones Fault Zone, and the Fault Zone is rated as low to moderate in seismicity. The Foothill Fault System (also known as the Mother Lode Fault System) which includes the Melones Fault Zone was recently thought to be an inactive fault system. However, a strong earthquake (5.7 on the Richter Scale) along the fault system near Oroville occurred in 1975, and the fault system to the Tuolumne-Mariposa County line is now considered an active fault system. No recent studies or determinations have been made on the activity of the Foothill Fault System or Melones Fault Zone within Mariposa County.

Although the Melones Fault Zone is rated as low to moderate in seismicity, the Mariposa County General Plan has designated the TPA as an area with a "High Risk of Seismic Hazard". Areas with this designation are identified as areas of weak rock subject to failure, and Mariposa has been designated as high risk because of the steep slopes of the surrounding ridges and the layered formation of the underlying metamorphic rocks. Potential hazards associated with this designation and these conditions include rock failure, slope failure, and landslide hazards. The potential seismicity of the Melones Fault Zone was not a primary criteria in
<table>
<thead>
<tr>
<th>Code</th>
<th>Description</th>
<th>Geologic Age</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jms</td>
<td>Metasedimentary Rocks West of Melones Fault. Metamorphosed sedimentary rocks. Exemplary rocks—slate, phyllite, mica schist, hornfels, quartzite.</td>
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</tr>
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<td>Uncertain; probably Jurassic Period.</td>
</tr>
<tr>
<td>pKms</td>
<td>Metasedimentary Rocks East of Melones Fault. Metamorphosed sedimentary rocks. Exemplary rocks—slate, phyllite, mica schist, hornfels, quartzite.</td>
<td>Uncertain; at least as old as Jurassic Period, part of all may be Paleozoic Period.</td>
</tr>
</tbody>
</table>

the identification and designation of Mariposa as a high risk area
in the General Plan.

The Sierra Nevada has numerous gold-bearing quartz veins, and the
1849 Gold Rush miners christened these quartz veins as "The Mother
Lode" or "La Veta Madre". The gold and other metals-bearing quartz
veins were formed by the cooling of mineralized solutions within
joints and fractures of the granitic magma which formed the Sierra
Nevada and are generally found in areas of faulting and fracturing
within the range. The gold in these solutions solidified in
various shapes and sizes ranging from nuggets to chemically
attached particles. Some of the gold has been eroded from the
quartz veins and has been transported and deposited in the many
streams of the Sierra Nevada including Mariposa Creek. The Mother
Lode ends in the southern part of the TPA coinciding with the
Melones Fault Zone. Consequently, the gold-bearing quartz veins of
the Mother Lode are evident in the TPA. There have been several
gold mines in the TPA with the most important being the Mariposa
Mine located east of Second Street.

The town of Mariposa is laid out in a valley formed by narrow
ridges which converge inwards from northwest to southeast. The
ridges are approximately 700 feet above the townsite and generally
travel in a northwest-southeast direction. However, the ridges
enter the northern part of the TPA from the northwest and north
before converging together, and the northern part of the TPA has an
extended, relatively low-lying area with several hills. As the
ridges go further south, the ridges converge with the valley
becoming narrower until the ridges converge together immediately
southwest of the First Street alignment. For approximately one-
half mile, the ridges abut each other with only Mariposa Creek and
a narrow flood plain separating the ridges. However, the ridges
abruptly change direction and diverge near the Fairgrounds area
which results in moderate terrain in this southern portion of the
TPA. The Mariposa valley has been somewhat modified by stream
erosion processes from Mariposa Creek.

The TPA generally slopes to the southeast and toward Mariposa
Creek. The average elevation of the TPA in the northern part is
2,100 feet with the average elevation in the southern part being
1,800 feet. The ridges surrounding the TPA reach a height between
2,600 and 2,700 feet. The terrain of the town is moderate to steep
with limited areas of natural gentle slopes. Moderate terrain
(slopes less than 30%) is generally found in the Smith Road/
Hospital Road area, on the northeast side of Mariposa Creek, and in
the Fairgrounds area. Steep terrain (slopes 30% or greater) is
generally found north of Hospital Road, on the southwest side of
Mariposa Creek along the western ridge, and along the upper reaches
of the eastern ridge. Between First Street and the Fairgrounds,
steep terrain abuts Mariposa Creek and State Highway 49.
1.22 Climate and Hydrology

Like most of California, Mariposa County has a Mediterranean type climate with pronounced summer and winter seasons. The TPA has an annual average temperature of 59° with an average maximum of 73° and an average minimum of 45°. In July the maximum average temperature is approximately 93° with the maximum falling to 52° in January. Most of the precipitation is rainfall though snow falls several times during the winter. The average precipitation in the TPA is 29 1/2" with approximately 85%-90% of the precipitation falling between November and April (Barrett 1, Page 2-4). In general, the climate of the TPA is characterized by hot and very dry summers and cool and wet winters.

The controlling hydrological feature of the Mariposa TPA is Mariposa Creek which flows through the middle of the TPA between the town ridges. The creek begins approximately three (3) miles northeast of the TPA, and the town ridges form the watershed for the headwaters of the creek. A number of tributary streams flow into Mariposa Creek below the town, including Stockton Creek which flows into Mariposa Creek within the TPA. Although Mariposa Creek only drains a small area north of the TPA, the watershed for the entire creek downstream from the TPA is relatively large providing drainage for a narrow portion of land in Mariposa County and Merced County between the Chowchilla River, Merced River, and Bear Creek watersheds. Eventually, Mariposa Creek flows directly into the San Joaquin River.

Due to the limited watershed north of town, Mariposa Creek is an intermittent and seasonal stream along the northern half of its route in the TPA. However, there is substantial spring activity within the TPA, and near the downtown area, the creek becomes a perennial stream. In addition to Stockton Creek, there are two other intermittent and seasonal streams located in the TPA which flow into Mariposa Creek from the east. There are also several minor drainage courses in the TPA that provide drainage for the hillsides of the town and discharge into Mariposa Creek. Exhibit 7 shows the locations of Mariposa Creek and the other intermittent streams and drainage courses of the TPA.

1.23 Soils

According to the Mariposa County Soil Survey, there are five types of soil series--Auburn Series, Blasingame Series, Boomer Series, Heneke Series, and Riverwash and Tailings--within the Town Planning Area. The Auburn Series are well drained soils with moderate permeability, and the soils are underlain at a depth of eight (8) to 20 inches by basic igneous rock. The Auburn Series soils are found in the northern and southern portions of the TPA. The Blasingame Series soils are found throughout the TPA and are excessively drained soils underlain at a depth of 24 to 40 inches by basic sedimentary and metamorphic rocks. Found mostly in the southern portion of the TPA near the confluence of Mariposa Creek.
<table>
<thead>
<tr>
<th>Soil Type</th>
<th>Map Symbol</th>
<th>Slopes</th>
<th>Runoff</th>
<th>Erosion Hazard</th>
<th>Soil Class</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aburn Series</td>
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<tr>
<td>A. Stony Loam</td>
<td>A6G2</td>
<td>30%-50%</td>
<td>Rapid</td>
<td>High</td>
<td>VII</td>
<td>Stones cover 1%–3% surface area(%)</td>
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<tr>
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<td>A6E</td>
<td>15%-30%</td>
<td>Medium to Rapid</td>
<td>Moderate to High</td>
<td>VI</td>
<td>Rock outcrops 10%–25% sa</td>
</tr>
<tr>
<td>A. Very Rocky Loam</td>
<td>A6G2</td>
<td>30%-75%</td>
<td>Rapid</td>
<td>High to Very High</td>
<td>VII</td>
<td>Rock outcrops 10%–25% sa</td>
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<td>Casingame Series</td>
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<td>B. Loam</td>
<td>B6D</td>
<td>2%-15%</td>
<td>Slow to Medium</td>
<td>Moderate</td>
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<td>B6E</td>
<td>5%-30%</td>
<td>Medium to Rapid</td>
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<td>B6P</td>
<td>15%-50%</td>
<td>Medium to Rapid</td>
<td>Moderate to High</td>
<td>VI</td>
<td>Rock outcrops 2%-10% sa</td>
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<tr>
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<td>B6G</td>
<td>50%-75%</td>
<td>Very Rapid</td>
<td>Very High</td>
<td>VII</td>
<td>Stones/rock outcrops 10%-50% sa</td>
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<tr>
<td>Hopper Series</td>
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<td>B6D</td>
<td>2%-15%</td>
<td>Slow to Medium</td>
<td>Slight to Moderate</td>
<td>III</td>
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<td>B. Cobbly Loam</td>
<td>B6G2</td>
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<td>Rapid to Very Rapid</td>
<td>Very High</td>
<td>VII</td>
<td>Cobbles/rocks/gravel 15%-30% sa</td>
</tr>
<tr>
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<td>B6F2</td>
<td>50%-75%</td>
<td>Medium to Rapid</td>
<td>Moderate to High</td>
<td>VI</td>
<td>Soil contains 15%-30%</td>
</tr>
<tr>
<td>B. Cobbly Loam</td>
<td>B6F3</td>
<td>10%-50%</td>
<td>Rapid</td>
<td>High</td>
<td>VII</td>
<td>Stones/cobbles 15%-30% sa</td>
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<td>H. Extremly Rocky Loam</td>
<td>B6G</td>
<td>15%-75%</td>
<td>Rapid to Very Rapid</td>
<td>High to Very High</td>
<td>VII</td>
<td>Rock outcrops 25%-50% sa</td>
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<td>Clay Loam</td>
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<td>Tailings</td>
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</table>
and Stockton Creek and near the Fairgrounds, the Boomer Series soils are well drained and are underlain at a depth of 40 to more than 60 inches by basic and meta basic igneous rock. The Henneke Series are soils found on the sides of the ridges flanking the TPA and are excessively drained with slow permeability. They are underlain at a depth of 10 to 20 inches by serpentine bedrock. Lastly, Riverwash and Tailings are gravelly, cobbly, and stony mixed alluvium found adjacent to the Mariposa Creek and Stockton Creek stream channels. The location of these soil series with their specific soil types and soil characteristics are contained in Exhibit 8 and Table 2. In general, soils in the TPA are on moderate to steep slopes and have medium to very rapid runoff and moderate to very high erosion hazard. These soil characteristics result in significant soil erosion and surface runoff during wet periods.

1.24 Vegetation and Wildlife

The TPA is located within the Foothill or Digger Pine Chaparral Belt (Storer, p. 27). This plant belt and habitat consists of Pine-Oak Woodlands and brushlands or chaparral. Representative vegetation of this habitat and the TPA are listed in Table 3.

TABLE 3
NATIVE VEGETATION IN THE MARIPOSA TPA

Trees
Ponderosa or Yellow pine (*Pinus ponderosa*)
Digger or Bull pine (*Pinus sabiniana*)
Interior live oak (*Quercus wislizenii*)
Blue oak (*Quercus douglasii*)
Western redbud (*Cercis occidentalis*)
Fremont cottonwood (*Populus fremontii*) [Found along stream beds]
California sycamore (*Platanus racemosa*) [Found along stream beds]
California buckeye (*Aesculus californica*)

Shrubs
Manzanita (*Arctostaphylos sp.*)
Poison oak (*Rhus diversiloba*)
Toyon (*Heteromeles arbutifolia*)
Deer brush (*Ceanothus integerrimus*)
Yerba santa (*Eriodictyon californicum*)
Gooseberry (*Ribes sp.*)
Mountain mahogany (*Cercocarpus betuloides*)
Chamise (*Adenostoma fasciculatum*)

There is also a narrow band of riparian vegetation along Mariposa and Stockton Creeks. In addition to Fremont cottonwoods and California sycamore, vegetation found along Mariposa Creek include White alder (*Alnus rhombifolia*) and Willow (*Salix sp.*).
The vegetative landscape of Mariposa has been greatly modified by man since 1850 and has slowly evolved into its present form. Modification of the landscape has been accomplished by the removal of prevalent species of trees and the introduction of non-native species into the TPA. In the mid-19th century the TPA was covered with dense areas of oak woodlands and pine-oak woodlands on the north-facing slopes and along Mariposa Creek. However, the Ponderosa pines in the pine-oak woodlands were quickly logged to provide construction materials for the rapidly growing town of Mariposa. In addition, Digger pines and oaks were removed for firewood for residences and steamboilers and also to create building areas. Consequently, the once prevalent Ponderosa and Digger pines have become less dominant in the vegetative landscape of Mariposa, and today, Mariposa vegetation is dominated by oak trees and chaparral with a limited number of Ponderosa pines and a reduced number of Digger pines. One notable exception to this is a dense stand of Ponderosa pines on the west side of Highway 140 entering the town from the south.

Gold miners and subsequent settlers who migrated to Mariposa from various parts of the United States and the world introduced non-native tree species to the area. Usually, the gold miners and settlers planted tree species that were dominant in their native land which could survive in the new climatic and soil habitat found in Mariposa. An excellent example of this is the tree-of-heaven brought to and planted throughout the Mother Lode region by Chinese settlers. The tree has become prevalent throughout the Mother Lode region and has adapted to the Sierra Nevada foothill environment. Consequently, many botanists believe this tree has become "naturalized" in the Sierra Nevada. Also, tree species from higher elevations such as the Giant sequoia and Incense cedar have been planted within the TPA and individual specimens have survived. Most of the introduced tree species have been planted in the established commercial and residential areas of Mariposa. Table 4 lists several non-native tree species which have been introduced into Mariposa and presently exist.

**Table 4**

**Introduced Tree Species in the Mariposa TPA**

Tree-of-heaven (*Ailanthus altissima*)
Western catalpa (*Catalpa speciosa*)
White mulberry (*Morus alba*)
Black locust (*Robinia pseudoacacia*)
Giant sequoia (*Sequoiadendron giganteum*)
Incense cedar (*Calocedrus decurrens*)
Deodar cedar (*Cedrus deodora*)
In general, the type of vegetation in the various areas of the TPA can be described as follows:

*Downtown area/residential areas along Bullion Street and Jones Street—Mixture of Blue oaks and Interior live oaks and introduced tree species including White mulberry, Black locust, and Tree-of-heaven. A Giant sequoia is located adjacent to the Trabuco Warehouse in the downtown area and is listed in the Mariposa County Historic Resources Inventory.

*Smith Road area/North of Hospital—Moderately dense oak woodland including Blue oaks and Interior live oaks with Digger pines and shrubs in undeveloped areas.

*Fairground area—Mixture of Blue oaks, Interior live oaks, and Digger pines with some introduced landscape species within the Fairgrounds and surrounding residential and commercial/industrial developments.

*Western Ridge—Moderately dense pine-oak woodland with Ponderosa pines, Digger pines, and Interior live oak. The only dense stand of Ponderosa pines in the TPA are found along this ridge adjacent to State Highway 140 entering the town from the south. These Ponderosa pines are one of the critical elements which create the character of Mariposa as a mountain community and contribute to the aesthetic quality of this heavily travelled tourist route. They also provide a visual barrier of the town as one enters Mariposa along Highway 140. Thence, the Ponderosa pines have aesthetic value for the visitors and residents of Mariposa.

*Eastern Ridge—Oak woodland with Digger Pines on higher elevations and dense shrub growth in other areas.

According to the California Department of Fish and Game's (DFG) Natural Diversity Data Base, two rare or endangered plant species may be located within the TPA. These species are the Congdons Lomatium (Lomatium congdonii) and the Mariposa Clarkia (Clarkia biloba australis). The Congdons Lomatium is listed by the DFG as a rare or threatened species and is a candidate for Federal listing. In Mariposa, the plant species was last sited in 1903 along the West Water Ditch, and several surveys conducted since then have not identified or located the plant at or near this location. The habitats most conducive for the Congdons Lomatium are rocky places between 1,500' to 2,000' in elevation. However, the DFG believes the species has possibly been eliminated at this site based upon the length of time since the last sited and degradation of the plant habitat. Conversely, the Mariposa Clarkia is presumed to be currently existing and has been sited as recently as 1979. The Mariposa Clarkia is listed as a very rare, endangered, or threatened subspecies and is also a candidate for Federal listing. The plant was last seen in 1979 on the slopes above Mariposa Creek Drive and north of Highway 140 near Mormon Bar, and approximately
MARIPOSA TOWN PLANNING AREA

EXHIBIT 9

RARE / THREATENED PLANT SPECIES

(SOURCE: CALIFORNIA DEPARTMENT OF FISH & GAME, NATURAL DIVERSITY DATA BASE)

SCALE: 1" = 2,000'
100 plant individuals were sited in the survey. The habitats most conducive for the Mariposa Clarkia are dry slopes between 1,000' to 2,000' in elevation. Exhibit 9 shows the possible ranges of the plant species in the TPA as delineated in the Natural Diversity Data Base.

The range and diversity of wildlife in the TPA has been disturbed by development in the TPA and surrounding areas. Wildlife has been driven to the ridges and outer undeveloped areas, and there is little evidence of permanent habitation of wildlife in the developed areas. Occasional forages into the developed areas by wildlife from the surrounding areas are common, and wildlife is often seen in town. Wildlife found in the TPA is typical of that found in the Digger Pine Chaparral Belt. Mammals such as the Grizzly Bear (*Ursus arctos*) and the Mountain Lion (*Felis concolor*) which were once prevalent in Mariposa are extinct or have been significantly reduced in the area and are no longer evident in the TPA. Mammals prevalent in the TPA include the Western Gray Squirrel (*Sciurus griseus*), Spotted Skunk (*Spilogale putorius*), Striped Skunk (*Mephitis mephitis*), California Ground Squirrel (*Spermophilus beecheyi*), and Mule Deer (*Odocoileus hemionus*). According to the Department of Fish and Game's Areas of Special Biological Importance Map, there are no unique, rare, or endangered animal species in the Mariposa TPA, and there are no other special wildlife concerns.
SECTION 1.3 SOCIAL AND ECONOMIC SETTING

1.3.1 History of Mariposa

The community of Mariposa is one of the dominant points of historical interest within Mariposa County. The first recorded mention of the name Mariposa was in September 1806, when the Spanish explorer Gabriel Moraga and his party camped along a creek near Pacheco Pass in present day Merced County. Moraga named this creek, Arroyo de las Mariposas, or "stream of the butterflies" because of the great number of butterflies at the camp site. This name (Las Mariposas) was then given to one of two large Spanish land grants, one of which was deeded to Juan Bautista Alvarado in 1844 by the early Mexican governor Manuel Micheltorena. This name was then later given to Mariposa County which was formed in 1850 in the area surrounding the Las Mariposas Grant.

In 1845 John C. Fremont visited the area as part of an extensive western mapping expedition, and expressed interest in purchasing the Alvarado grant. In 1847 Thomas Larkin as an agent for Fremont purchased the Alvarado grant or Las Mariposas grant for $1000. After learning of the discovery of gold in California in 1848, Fremont contracted a group of Sonoran miners to travel to the Las Mariposas Grant and mine for gold. The Sonorans, lead by Alexander Godey, discovered rich deposits of gold in quartz in the area which later became the Mariposa Mine. The news of the discovery of gold in the Las Mariposas area attracted a great many gold seekers. Most of these miners worked the various streams and creeks for the abundant placer gold. These miners began to settle along many of the creeks and began to form permanent settlements. One such settlement began in 1849 along Mariposa Creek below the area of the present townsite. In the spring of 1850 Mariposa Creek flooded, destroying a large portion of the town at the lower elevations. The residents relocated to higher ground establishing the current townsite, and a smaller settlement known as Logtown was established a half-mile upstream in the area of the present day cemetery.

In 1849, the first steam driven mining operation was established at the Mariposa Mine east of the townsite. The Mariposa Mine soon became the largest producing mine in the Southern Mother Lode. The further development of the Mariposa Mine attracted a large influx of settlers into the region, many of whom began to develop businesses which supported the mining boom around Mariposa.

The Mariposa townsite was surveyed in 1850, and many of the streets were named after members of Fremont's family: Jessie Street for Fremont's wife; Charles Street for Fremont himself; Bullion Street for Fremont's Father-in-law's nickname "Old Bullion"; and lastly, Jones Street, which was named after Fremont's attorney.

Fremont had the townsite and most of the main streets oriented in a northwest-southeast linear grid along Mariposa Creek and between the ridges to the east and west. The grid pattern used by Fremont
was the standard pattern for the layout of most towns in the 19th century. Unfortunately the use of the grid pattern often disregarded the terrain of the area. Several of the streets which run in an east-west direction are short and steep and most of the resulting residential development occurred and continues in areas of moderate slope. The constraints of the topography within the townsite forced development to move in a linear fashion along Mariposa Creek and State Highways 140 and 49.

In 1851 the California State Legislature ordered the residents of the newly formed Mariposa County to select a permanent county seat. The county seat originally was formed in Agua Fria as it was the largest community in the area. An election was held in late 1851 to change the County seat from Agua Fria to the town of Mariposa. Because of the loss of population in Agua Fria and the establishment of the Mariposa Post Office, Mariposa was selected to be the county seat. By this time the town of Mariposa was firmly established as the largest permanent settlement and was continuing to grow at a steady pace.

By 1854 Mariposa was the center of local government and a thriving community with a wide range of services including a number of hotels, livery stables, general merchandise stores, several saloons, a jewelry store, a brewery, and a sawmill. The population at this time was reported to have been between 3,000 to 4,000 persons. A large percentage of this number established permanent residences in Mariposa. In response to Mariposa's designation as the County Seat, on July 21, 1854, a contract was awarded to Perrin V. Fox and Augustus F. Shriver for the amount of $9,000 to construct a 40 1/2 foot by 50 1/2 foot two story courthouse. The Mariposa County Courthouse was completed by January 1855 and it has been in continuous use since then.

During the summer of 1858 a fire destroyed a portion of Mariposa, and many buildings were rebuilt using stone and iron shutters were used to cover the windows. The town of Mariposa continued to grow as the mining boom within Mariposa County drew an increasing number of miners to the area. Once again, in 1866 a fire destroyed over 60 buildings between First and Seventh Streets within Mariposa. The area was rebuilt with almost all of the buildings using stone, tin and iron to reduce the possibility of fire damage.

Soon after this fire, placer mining activity began to steadily decline. Most of the easy placer areas had been worked several times. As placer mining activity declined, lode mining continued to be a source of jobs attracting miners into the Mariposa area. Many outlying communities were being abandoned, or were also destroyed by fires and not being rebuilt. As these communities and camps were abandoned many of the residents relocated to Mariposa as it was becoming the largest commercial and cultural center within the county. Mining continued to be the major focus of the area.

The introduction of tourism into the economy began in 1875 when the Mariposa Road into Yosemite Valley was completed. The completion
of this road made Yosemite Valley accessible to visitors from Mariposa via horseback or stagecoach. Mariposa became a staging point for the hardy tourists who would make the long 3 day trip to Yosemite. Lodging facilities within the town of Mariposa were often filled to capacity by those travelling to Yosemite.

From the 1890's up into the mid-1930's the area surrounding Mariposa experienced a renewed lode mining boom. Several large lode mines were reopened (Mariposa Mine, Mt. Gaines Mine and the Princeton Mine) and were refitted with more proficient machinery for the extraction of ore. The renewed interest in mining and the development of the logging industry in the mountains around Mariposa led to a period of growth and prosperity in Mariposa. Between 1905 to 1907 a hydroelectric generating plant was built on the Merced River, at Bagby, by the Mariposa Commercial and Mining Company. A transmission line was strung through Bear Valley and Mount Bullion to provide electricity to mines in the area. This line was later extended into Mariposa by 1907 providing the town with electricity. The improvement of State Highway 140 in 1926 into an "All Weather Highway" provided year round access to both Mariposa and Yosemite National Park. The opening of the Highway began an increase in tourism in the region. Tourists were now travelling by automobile to visit Yosemite National Park and additional tourist facilities began to appear in the town of Mariposa.

The depression of the 1930's caused a severe slump in the economy in both the town of Mariposa and the County. Many mines closed permanently, forcing a large number of residents to leave, resulting in a severe drop in population. The depression forced many residents to look for jobs outside of the county. Fortunately, many local residents were employed to work on a variety of public works projects financed by the Federal Government through the Civilian Conservation Corps and the Works Project Administration. These projects included the building of several of the bridges in the County along with the construction of the Mariposa High School in 1937.

The major growth in the late 1930's and into the 1940's occurred north of the Courthouse on Jones and Bullion Streets. Large residential areas began developing in this area, while businesses began to expand along the Highway north of the downtown area. Some of the retail trade was becoming oriented towards the tourists travelling to Yosemite.

In the late 1950's and early 1960's two large residential tracts were developed at the north end of town. The Cambell Tract was built on the hillsides above the end of Jones Street and developed in a non-grid like pattern that conformed to the topography of the area. The Mueller Tract was developed south of Smith Road and the Hospital and again utilized a non-grid like pattern which conformed to the existing topography. Commercial development continued to expand along Highway 140 and Highway 49 outside of the downtown area.

Page 26
Several large commercial areas were developed in the late 1970's and early to mid 1980's. These included the development of several large motels at both the north and south end of town (Miners Inn at the north end, and the Best Western Motel and the Gold Rush Inn at the south end). The Coakley Circle area was developed adjacent to Mariposa Creek west of Highway 140, and includes the Pioneer Market and the Mariposa Terrace Apartment Complex. The establishment of the larger and newer motels increased the revenues generated from tourism, while many of the other commercial uses were expanded to meet the needs of both residents and tourists. Several heavy commercial uses were developed adjacent to the Fairgrounds to serve the existing and growing residential population.

Presently residential growth is continuing in the area north of Smith Road adjacent to the hospital. Commercial growth continues to expand along both Highway 140 and Highway 49. In addition a small scale Industrial Park has been developed adjacent to the County landfill to the north of the Mariposa Town Planning Area.

Over the last several years, Mariposa has continued to be a stopping-off point for tourists travelling to Yosemite. A large portion of the economy of the town of Mariposa is dependent upon tourism. Over a million tourists a year travel along Highway 140 through Mariposa to Yosemite providing revenue and jobs to local residents. The town of Mariposa also continues to be the center of County Government activities. Additionally, the community of Mariposa continues to be the major population center within the county, with a current population of approximately 1,565 residents.

Many of the historic homes, buildings, and churches built during the early days of Mariposa are still in use. Several of these buildings are visible in the downtown area along the Highway, particularly the Schlageter Hotel, the Trubucco Warehouse, the Gold Coin Saloon, and the Odd Fellow's Lodge. Also, many of the residences from the 1860's are still standing along Bullion and Jones Streets and are fine examples of the architectural style of that period. The headframe and the old stamp mill used on the Mariposa Mine are still visible, and below the mine is located St. Joseph's Catholic Church and a cemetery containing the graves of several of the original pioneer families.

A Historical Site Inventory with descriptions of these historic structures is included in Appendix "A" along with a map showing their location within the Mariposa Town Planning Area.

1.32 Governmental Organizations and Services

Mariposa is the major community in Mariposa County and is the seat of County government. It is located in the central part of Mariposa County approximately 40 miles southwest of Yosemite National Park. Mariposa is not an incorporated community, so it is therefore dependent upon and governed by the County. All of the
MARIPOSA
PUBLIC UTILITY
DISTRICTS

- MPUD - 83 Annex
- MARIPOSA LIGHT & PUD
- MARIPOSA LIGHT & PUD - 83 Annex
- MARIPOSA PARKING, PUD, LIGHT

EXHIBIT 10

DEPT. OF PUBLIC WORKS
4639 BEN HUR RD.
MARIPOSA CA 95338

DRAWN
ERICH MILLER
APPROVED
DAVID THOMPSON
DATE
9-21-83
SHEET
1 OF 1

SCALE: 3/8" = 50' APPROX.
major County offices are located within the community, generally centered around the Courthouse on Bullion Street, except for the County Welfare Department and Public Works Department. The Welfare Office is located on Highway 49 North adjacent to the 49'er Shopping Center, and the Public Works Department is located on the corner of Highway 49 South and Ben Hur Road. These offices provide general government services for all residents living in Mariposa County and the Mariposa Town Planning Area.

The Mariposa Public Utility District (MPUD) provides fire, water and sewer service within a portion of the community. MPUD is the only independent special district within the community, and it is governed by five Directors elected from within the District boundaries. There are several areas within the Town Planning Area that do not receive MPUD services. These areas include a portion of the area north of the hospital and the area surrounding the fairgrounds. The area north of the hospital is included in the MPUD Sphere of Influence which specifies that services will be provided at some future date although the Fairgrounds area is not. Outside of the MPUD the County provides fire services and the other services. Water and sewer are generally provided by private wells and on-site septic systems in those areas not served by MPUD. Any additional services not provided by the County are provided by various special districts.

Other community level service districts in the Town Planning Area include the Mariposa Lighting District, and the Mariposa Parking District. The Mariposa Lighting District is responsible for providing street lighting for the unincorporated community of Mariposa. The Mariposa Parking District (Vehicle Parking District No. 1) is responsible for developing, constructing and maintaining parking facilities in a defined area of downtown Mariposa. The boundaries of the Lighting and Parking Districts are shown in Exhibit 10. These districts are governed by the Board of Supervisors who act as their directors.

Other services not provided by the County, MPUD, or by Special Community districts are provided by Countywide Special Independent Districts which include the following: The John C. Fremont Hospital District which provides hospital services throughout Mariposa County. Their only health care facility is John C. Fremont Hospital which is located within the town of Mariposa. The Mariposa County Unified School District provides educational programs for children from grades K-12. Facilities within the community under the jurisdiction of this District include the Mariposa County High School, Mariposa Elementary School, the School District Administration Offices, and the bus storage yard. The Mariposa County Resource Conservation District provides information and assistance to control surface water runoff, for the prevention of, and control of soil erosion, and the distribution of water and the improvement of land capabilities. The District works closely with the Soil Conservation Service to provide expertise to local government agencies.
Also located within the community are several important Federal and State government agency offices. These offices primarily provide information and support to County residents, the general public, and tourists travelling through the area. Additionally these offices provide information and support to local government agencies, and are responsible for the management and control of large tracts of land within Mariposa County. Federal Offices located within the community include the Bureau of Land Management, the National Park Service, and offices for both Sierra National Forest and Stanislaus National Forest.

The State agencies located within the community include the California Department of Forestry, the California Highway Patrol, and California Department of Motor Vehicles. The location of all the major County, State and Federal agency offices are shown on Exhibit 11.

1.33 Economy

The economy of the Community of Mariposa is based primarily on Government employment, agriculture, and both local and tourist retail sales and services. Tourist retail sales and services include lodging facilities, restaurants, grocery stores, and merchandise sales supporting the tourist economy. The retail sales and service sectors account for approximately 56% of all current jobs and employment opportunities within Mariposa County. Approximately 64% of the employment in Mariposa County is dependent upon the services sector in addition to wholesale and retail sales, and transportation, finance, manufacturing, and real estate (Employment Development Department, Annual Planning Information for Mariposa County, Table C, Page 55, June 1990).

During 1990 about 3.2 million visitors travelled to Yosemite National Park, and of those over one million travelled through the community of Mariposa on State Highway 140. The visitors travelling on Highway 140 have created much of the demand for the employment opportunities within the private sector. Tourist spending in fact contributes towards creating over 60% of the retail and service jobs in the community (Employment Development Department, Annual Planning Information for Mariposa County, Table C, Page 55, June 1990). These opportunities exist in the following areas: lodging facilities, restaurants, food stores, and automobile repair and service stations. The community of Mariposa has approximately 277 motel and hotel rooms which offer employment. A large percentage of the service oriented employment opportunities are also located within Mariposa.

The largest employer in the County is Yosemite Park and Curry Company, the concessionaire in Yosemite National Park. This concessionaire employs between 1,500 to 2,000 part and full time employees within the park. There are approximately 2,675 motel rooms within Mariposa County, with approximately 1,700 located within Yosemite National Park. This is about 63% of the total
number of rooms within the County. The next largest employer is the County and various other government affiliated agencies. Government provides 11% of all the employment opportunities within Mariposa County, with the majority of the positions located within the town of Mariposa as the County seat of Government (Employment Development Department, Annual Planning Information for Mariposa County, Table C, Page 55, June 1990). The growth of employment opportunities within the government sector has been much slower than that within the private sector.

Due to the community's dependency upon tourism and the seasonal nature of the employment opportunities, employment levels within Mariposa fluctuate seasonally. Unemployment rates are generally at their lowest during summer months and at their highest in winter due to the decline in tourist travel through the community. Unemployment levels also generally reflect trends within the national economy. During periods of recession employment opportunities are reduced, decreasing the number in the labor force. Table 5 shows the gradual reduction in unemployment within the County for the last several years. This gradual decrease in unemployment levels is an indication of both growth in employment opportunities, and the increased level of tourist spending and activities within the community of Mariposa and throughout the County.

TABLE 5

UNEMPLOYMENT RATES FOR MARIPOSA COUNTY 1985 TO 1989

<table>
<thead>
<tr>
<th>Year</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>1985</td>
<td>8.4%</td>
</tr>
<tr>
<td>1986</td>
<td>6.8%</td>
</tr>
<tr>
<td>1987</td>
<td>6.0%</td>
</tr>
<tr>
<td>1988</td>
<td>5.8%</td>
</tr>
<tr>
<td>1989</td>
<td>5.5%</td>
</tr>
</tbody>
</table>


Table 6 reflects the ranking of employment sectors within Mariposa County. These rankings are also somewhat representative of the employment trends within the community. No specific figures are available for the Town Planning Area.
### TABLE 6

**EMPLOYMENT TRENDS BY RANK FOR MARIPOSA COUNTY 1985-1989**

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>SERVICES</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Government</td>
<td>1250</td>
<td>1300</td>
<td>1300</td>
<td>1400</td>
<td>1450</td>
<td>31.0%</td>
</tr>
<tr>
<td>Federal</td>
<td>525</td>
<td>550</td>
<td>550</td>
<td>625</td>
<td>600</td>
<td>12.8%</td>
</tr>
<tr>
<td>State</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>150</td>
<td>3.2%</td>
</tr>
<tr>
<td>Local/Edu</td>
<td>575</td>
<td>600</td>
<td>600</td>
<td>650</td>
<td>675</td>
<td>15.0%</td>
</tr>
<tr>
<td><strong>WHOLESALE/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>RETAIL SALES</strong></td>
<td>550</td>
<td>500</td>
<td>475</td>
<td>500</td>
<td>525</td>
<td>11.25%</td>
</tr>
<tr>
<td><strong>MINING &amp;</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CONSTRUCTION</strong></td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>225</td>
<td>200</td>
<td>4.25%</td>
</tr>
<tr>
<td><strong>TRANSPORTATION/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PUBLIC UTILITIES/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FINANCE/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>INSURANCE/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>REAL ESTATE</strong></td>
<td>150</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>200</td>
<td>4.25%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>150</td>
<td>150</td>
<td>175</td>
<td>175</td>
<td>175</td>
<td>3.75%</td>
</tr>
<tr>
<td><strong>AGRICULTURE/</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>FORESTRY/</strong></td>
<td>50</td>
<td>50</td>
<td>25</td>
<td>25</td>
<td>25</td>
<td>0.50%</td>
</tr>
<tr>
<td><strong>FISHING</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Total, All Sectors</strong></td>
<td>4,075</td>
<td>4,200</td>
<td>4,250</td>
<td>4,600</td>
<td>4,780</td>
<td>100%</td>
</tr>
</tbody>
</table>

**SOURCE:** Table B and Table C, Annual Planning Information, Mariposa County, June 1990. Employment Development Department, State of California, Health and Welfare Agency.

The median individual income of $16,067 in the County is well below the State median of $20,010 (California Franchise Tax Board, Annual Personal Income Tax Report for 1988/1989). This is partially due to the concentration of retirees living on fixed incomes and the large percentage of lower wage private sector employment within the County. Most service sector employment is paid at or near minimum wage which lowers the overall median income level and will also keep County levels below the State median for income.

Transmit Occupancy Tax collected on room rentals continues to be the major source of revenue for the County General Fund with property and sales taxes the next largest sources (Mariposa County...
Budget 1989-90). Retail sales and services provided for both residents and tourists generates the revenue from sales tax on the goods and services provided. Secured property taxes provide the next largest source of revenue for the County.

1.34 Population

Mariposa County is one of the fastest growing counties in California. The population in Mariposa County increased by 34.6% from 1980 to 1990, from a population of 11,108 (1980 Census) to an estimated population of 14,950 in 1990. An average of the 1990 Preliminary Census population figure of 14,302 and the January 1990, Department of Finance population estimate of 15,600 has been used to estimate the County population. Using the 34.6% growth figure for the ten years between 1980 and 1990, it is estimated the average annual growth rate for the County is 3.0%. The average annual growth rate figure for the County may be higher or lower than the actual growth rate for the Town Planning Area.

Increases in population within Mariposa County have occurred primarily as a result of in-migration from outlying regions, rather than as a result of natural increase of the resident population. Information from the 1980 Census breakdown of households showed that the majority of those migrating into Mariposa County were retirees.

The community of Mariposa is the major population center as it is the focal point of County Government and a major employment center, along with having a large concentration of tourist and retail businesses. This has led the community of Mariposa into developing into one of the largest residential areas due to the availability of some urban level services and the concentration of multi-family housing, including government assisted housing. The proximity of services, jobs and housing continues to draw people into the community of Mariposa.

The current estimated population of the Mariposa Town Planning Area is 1,565 persons. This estimate is based on information gathered in a Land Use Survey completed by the Planning Department in August 1990. This survey identified 765 housing units in the Town Planning Area. The methodology used to derive an estimated population figure for the Mariposa Town Planning Area included using the 1980 Census figures of 2,20 persons per household and an average vacancy rate of 7.0% derived from averaging the figures for the four Enumeration Districts which comprised the Mariposa Town Planning Area (TPA) in 1980. It is assumed that these figures are more reflective of the true population within the TPA than utilizing Countywide household figures and vacancy rates. The figures for the County include a larger proportion of summer and vacation homes which in part raise the Countywide vacancy rate to over five times the estimated vacancy rate in the Town Planning Area.
In 1986 there were approximately 569 housing units (Mariposa Community Advisory Council Recommendations for Mariposa Town Specific Plan, Spring 1987) within the Mariposa Town Planning Area accommodating an estimated population of 1,164 people. The community has experienced significant growth since that time adding a total of 196 new dwelling units in the past five (5) years. This equates to an average annual growth rate of 6.2% for housing units in the Town Planning Area which is over two times the County Wide annual population growth rate of 3.0%. Of the 196 new units added in the last five years, 160 units or 82% are either multi-family units or manufactured/mobile homes, while 68 or 34% of the total are government assisted housing units developed for low and moderate income families and senior citizens. Although it is projected that the ratio of housing units targeted for low to moderate income families will remain high, it is assumed that the number will not be as high as the number developed in the last 5 years.

For the purpose of estimating population growth within the TPA, the Countywide annual population growth rate of 3.0% was used as the low estimate and the 5 year Mariposa TPA annual housing unit growth rate of 6.2% as the high estimate. Population growth was projected using a "straightline" technique which typically overestimates growth over time but is adequate for the purposes of this analysis.

**TABLE 7**

**RESIDENTIAL GROWTH PROJECTIONS FOR MARIPOSA TPA**

<table>
<thead>
<tr>
<th>Year</th>
<th>Population Estimate</th>
<th>Total Housing Units</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>1986</td>
<td>1,164</td>
<td>569</td>
</tr>
<tr>
<td>1991</td>
<td>1,565</td>
<td>765</td>
</tr>
<tr>
<td>1996</td>
<td>1,814</td>
<td>2,114</td>
</tr>
<tr>
<td>2001</td>
<td>2,103</td>
<td>2,856</td>
</tr>
<tr>
<td>2006</td>
<td>2,438</td>
<td>3,858</td>
</tr>
<tr>
<td>2011</td>
<td>2,826</td>
<td>5,212</td>
</tr>
</tbody>
</table>

Notes: Low Population Estimate based upon 3.0% annual growth Countywide.  
High Population Estimate based upon 6.2% annual housing growth in Mariposa Town Planning Area.  
Average household size = 2.2 persons  
Vacancy rate = 7%

The preceding table projects the need for between 617 and 1,783 new housing units within the community in the next twenty (20) years to accommodate the projected population growth within the Town Planning Area.
1.35 Housing

The Land Use Survey shows the dramatic increase in housing stock within the Mariposa Town Planning Area. From 1980 to 1990 dwelling units (housing stock) within the Town Planning Area increased by a estimated 223 units, or 41.1%, from 542 dwelling units to 765 dwelling units (Model Mountain Community Development Program, August 1980, and Planning Department Land Use Survey, August 1990). Most of the housing units are single family residential units (365 units or 48%). However there is also a significant number of multi-family units (223 total or 29%, 184 Multi-family, 28 duplexes, and 11 apartments) along with a large number of Manufactured or Mobile homes (177 total or 23%). A breakdown of housing types found within the Mariposa Town Planning Area is shown in Table 8.

<table>
<thead>
<tr>
<th>Housing Type</th>
<th># of units</th>
<th>% of Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single Family Resid.</td>
<td>365</td>
<td>48%</td>
</tr>
<tr>
<td>Multi-Family Resid. (Total)</td>
<td>223</td>
<td>29%</td>
</tr>
<tr>
<td>Multi-Family Units</td>
<td>(184)*</td>
<td></td>
</tr>
<tr>
<td>Duplexes</td>
<td>(28)*</td>
<td></td>
</tr>
<tr>
<td>Apartments</td>
<td>(11)*</td>
<td></td>
</tr>
<tr>
<td>Manufactured Homes/</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mobile Homes (Total)</td>
<td>177</td>
<td>23%</td>
</tr>
<tr>
<td>Individual</td>
<td>(39)*</td>
<td></td>
</tr>
<tr>
<td>In Mobile Home parks</td>
<td>(138)*</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Subtotals)*</td>
<td></td>
</tr>
<tr>
<td>Total # of Units</td>
<td>765</td>
<td>100%</td>
</tr>
</tbody>
</table>

SOURCE: Land Use Survey Data, Mariposa County Planning Department, August 1990.

The 765 residential units are on approximately 389 parcels within the Town Planning Area. Out of the total 389 parcels containing residential development, 325 of the parcels have single family residences located on them. Approximately 26 parcels have some type of multi-family unit or apartment on the parcel. The balance (38 parcels) have Manufactured or Mobile homes on them, or a mix of residential and commercial uses.

Specific information on the types of housing units developed within the TPA from January 1986 to January 1991 shows that the highest percentage of units developed were multi-family residential units. Of the 196 units constructed during this time, 128 units or 65% were multi-family residential units. Approximately 16% of the
Housing units added to the TPA were manufactured/mobile homes located within the Idle Wheels Park. The remaining 18% percent of the housing units developed during this period were either attached apartments, manufactured/mobile homes on individual parcels, and individual single family residences throughout the TPA.

Manufactured/Mobile homes continue to be affordable alternatives to single family residences within both the County and the community of Mariposa. As seen in Table 8 Manufactured and Mobile homes are approximately 23% of the total dwelling units within the Mariposa Town Planning Area. The largest single concentration of Manufactured/Mobile homes within the County is located within the Town Planning Area in the Idle Wheels Mobile Home Park (110 units) with the remaining in a development located behind the 49'er Shopping Center and throughout the community. This is a reflection of the continued influx of retirees and others into the community who often purchase a Manufactured/Mobile Home as an affordable alternative to a custom designed or tract constructed residence.

A number of the single family residences within the Town Planning Area exhibit various degrees of deterioration and/or dilapidation. Most of these homes and buildings are over 30 years old and some upwards of 100 years old. The majority of these homes require either minor or intermediate repairs which address cosmetic and surface problems such as lack of paint, cracked plaster, open cracks, missing materials and wear on doorsills, door frames, steps and floors. The quality of housing has been improving over the last several years with the construction of newer single family residences and multi-family residences. These newer units include the low-to-moderate income units on Coakley Circle and the senior citizen units near the hospital.

Housing values within Mariposa County were generally well below the State median of $35,000 in 1980 (1980 Census figure, California Statistical Abstract). Information in the California Statistical Abstract from 1980 indicated that median housing value in Mariposa County was $62,100. Median rent within the state was reported to be $253.00 in 1980, while the figure for Mariposa County in 1980 was reported to be $153.00.

Neither the Planning Department or Assessor’s Office has records which accurately give the median housing cost or rents for 1990. At this time the average cost of a home in the community of Mariposa continues to be less than the statewide average.
SECTION 1.4 EXISTING LAND USE

The town of Mariposa and its development has been defined by terrain, Mariposa Creek, and the ridges surrounding the town. The ridges form a narrow valley along Mariposa Creek which provide a narrow area of gentle to moderate slopes for building. Consequently, development in Mariposa first occurred along Mariposa Creek and the gentle and moderate slopes adjacent to the creek, and the town later took on a linear form with commercial businesses located along Charles and Jessie Streets and residences along Bullion and Jones Streets.

The general layout of Mariposa has not changed much from yesteryear. Commercial and other non-residential uses are still oriented along the major access route (Highway 140) with the historic downtown area still being a strong, compact commercial area. At first glance, Highway 140 appears as a small-town form of "strip development", but this linear commercial development along Highway 140 is necessitated by the terrain of the area. As further development has occurred, commercial uses have located away from Highway 140. The major commercial areas located away from Highway 140 are Bullion Street near the Courthouse with office development (including County offices) and the Pioneer Market shopping center on Coakley Circle. Highway 49 North is a transition area where mixed uses and commercial uses are just beginning to be developed.

The older residential neighborhoods of the town extend along Bullion Street and Jones Street. These streets south of 11th Street were first developed before the turn of the century while the areas north of 11th Street were developed afterwards beginning in the 1930s. The residential neighborhoods along Jones and Bullion are 12 blocks long but only two blocks wide which adds to the linear nature of the town. However, the residential neighborhood south of 11th Street is being slowly eroded by the encroachment of commercial uses along Bullion Street.

The other major residential areas of the TPA are the Campbell Tract, the Mueller Tract, and the Smith Road/Hospital Road area. The Campbell and Mueller Tracts were created in the 1960s in the then-undeveloped northern portion of the town, and broke away from the linear form of development that dominated the land use of the town. The area along Smith Road/Hospital Road has developed along with the Mueller Tract, and there are now three apartment complexes containing 66 units in this area in addition to a number of single family residences. Other significant areas of residential development in the TPA include the Idle Wheels area with a 111-unit mobile home park and a 24-unit apartment complex, a 28-unit mobile home park located immediately northwest of the 49er shopping center, and the 32-unit Mariposa Terrace I apartment complex and 20-unit Sierra Garden apartment complex on Coakley Circle and Joe Howard Street.

The Fairgrounds area is a mixed use area with single family residences, industrial uses, commercial uses, and public facilities
and uses. The south side of Fairgrounds Road is slowly being developed with mixed commercial uses and some light industrial uses. These uses are generally located near Highway 49 South although there is a small mini-storage complex further up on Fairgrounds Road. The County Fairgrounds is also located on Fairgrounds Road and provides recreational vehicle services, community buildings, a small park, and an assembly stadium. The California State Mineral Exhibit and Museum is situated within the Fairgrounds. Other intensive uses in this area are a propane storage facility/cardlock gas station located on Ben Hur Road, a cardlock gas station, freight line business, and office complex on Highway 49 South, and the Public Works Department office building and maintenance yard.

The following table delineates the approximate acreages and number of parcels for each use with Exhibit 11 showing the locations of uses throughout the TPA.

**TABLE 9**

**EXISTING LAND USES**

<table>
<thead>
<tr>
<th>Type of Use</th>
<th>Acres</th>
<th>% Total</th>
<th>Parcels</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>516.7</td>
<td>27.0</td>
<td>357</td>
</tr>
<tr>
<td>Commercial</td>
<td>94.0</td>
<td>4.9</td>
<td>82</td>
</tr>
<tr>
<td>Industrial</td>
<td>28.6</td>
<td>1.5</td>
<td>8</td>
</tr>
<tr>
<td>Institutional (e.g. Church)</td>
<td>13.5</td>
<td>0.7</td>
<td>17</td>
</tr>
<tr>
<td>Mixed</td>
<td>29.9</td>
<td>1.6</td>
<td>26</td>
</tr>
<tr>
<td>Vacant</td>
<td>1,053.8</td>
<td>55.1</td>
<td>126</td>
</tr>
<tr>
<td>Public Lands</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>J.C. Fremont Hospital Dist.</td>
<td>(21.0)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Unified School Dist.</td>
<td>(45.0)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mariposa Public Utility Dist.</td>
<td>(10.2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>County</td>
<td>(42.7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>State (includes Fairground)</td>
<td>(55.9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Federal</td>
<td>(0.5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>175.3</td>
<td>9.2</td>
<td>58</td>
</tr>
<tr>
<td>TOTAL FOR TPA</td>
<td>1,911.8</td>
<td>100.0</td>
<td>673</td>
</tr>
</tbody>
</table>

SOURCE: Mariposa County Planning Department Land Use Survey, August 1990

As of January, 1991, there was approximately 482,143 square feet of commercial and industrial floor space in the Mariposa TPA. Over half of the commercial and industrial floor space was utilized by retail sales, services, and professional offices, and motels with a total of 274 units occupied nearly a quarter of the total floor space. Industrial development in the TPA is limited with only 4%
of the total floor space in the TPA being used for manufacturing and industrial purposes excluding mini-storage warehouses.

Commercial and industrial floor space in the TPA has been growing at an annual growth rate of 4.5% for the past five years with 94,542 square feet of floor space being added. Almost half of the floor space added in the last five years has been for earmarked for offices and retail services, and a third has been added by the construction of 74 motel units since 1986. There has been no additional floor space constructed since 1986 for retail sales.

The following tables outlines the commercial and industrial floor space existing in the TPA in 1986 and 1991 by various sectors and the growth that occur between those years.

### TABLE 10

**COMMERCIAL AND INDUSTRIAL FLOOR SPACE**

* (square feet)

<table>
<thead>
<tr>
<th>Type</th>
<th>Jan 1986</th>
<th>1/86 to 1/91</th>
<th>% Increase</th>
<th>Jan 1991</th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing</td>
<td>6,840</td>
<td>0</td>
<td>0.0%</td>
<td>6,840</td>
</tr>
<tr>
<td>Restaurant</td>
<td>38,950</td>
<td>800</td>
<td>2.1%</td>
<td>39,750</td>
</tr>
<tr>
<td>Retail Sales</td>
<td>122,532</td>
<td>0</td>
<td>0.0%</td>
<td>122,532</td>
</tr>
<tr>
<td>Office/Service</td>
<td>80,516</td>
<td>38,642</td>
<td>48.0%</td>
<td>119,158</td>
</tr>
<tr>
<td>Mixed</td>
<td>23,749</td>
<td>7,050</td>
<td>29.7%</td>
<td>30,799</td>
</tr>
<tr>
<td>Motel</td>
<td>86,700</td>
<td>29,050</td>
<td>33.5%</td>
<td>115,750</td>
</tr>
<tr>
<td>Industrial</td>
<td>17,068</td>
<td>2,500</td>
<td>14.6%</td>
<td>19,568</td>
</tr>
<tr>
<td>Vacant/Storage</td>
<td>11,246</td>
<td>16,500</td>
<td>146.7%</td>
<td>27,746</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>387,601</td>
<td>94,542</td>
<td></td>
<td>482,143</td>
</tr>
</tbody>
</table>

**SOURCE:** Mariposa County Planning Advisory Council Recommendations for Mariposa TPA Specific Plan, Spring 1987 and Mariposa County Planning Department Land Use Survey, August 1990
Table II

LIST OF PUBLIC OFFICES AND BUILDINGS
IN THE MARIPOSA TOWN PLANNING AREA

The numbers below correspond to the numbers on Exhibit II

1. Mariposa County Courthouse
2. Mariposa County Planning and Building Departments / Mariposa County District Attorney's Office / Auditor and County Recorder's Office
3. Mariposa County Mental Health Department / Mariposa County Probation Department
4. Mariposa County Health Department
5. Mariposa County Department of Human Services (Welfare)
6. California Highway Patrol / Department of Motor Vehicles
7. U. S. Forest Service / Bureau of Land Management / Yosemite National Park Information Center / Mariposa County Resource Conservation District Office / Mariposa Chamber of Commerce
8. California Department of Forestry / County Fire Warden's Office
9. Mariposa County Public Works Department
10. Mariposa County Sheriff's Office
11. Mariposa County Library / History Center
12. Mariposa Public Utilities District Office
13. Mariposa County Unified School District Office
14. Mariposa County Parks and Recreation Office
15. Mariposa County High School
16. Mariposa County Elementary School
17. John C. Fremont Hospital
18. U.S. Post Office
19. Mariposa County Fairgrounds and California State Mineral and Mining Museum
20. MPUD Sewage Treatment Facility
SECTION 1.5 PUBLIC FACILITIES AND SERVICES

1.51 Streets and Highways

Vehicular circulation in the Mariposa TPA is provided by State highways, County streets and roads, and private roads. State Highways 49 and 140 are the primary traffic routes for the TPA with County streets providing secondary routes and access to the outer portions of the TPA. There are a few private roads which serve specific development areas.

A. State Highways

State Highway 49 and State Highway 140 provide the Mariposa TPA with excellent access to the San Joaquin Valley, eastern Madera County, Yosemite National Park, and other parts of Mariposa County. The highways serve as the primary external access for the TPA and there is considerable through traffic along these highways. The highways also serve as the primary internal access for the TPA connecting the southern, central, and northern sections of the TPA. The location of the highways within the County and the TPA is shown in Exhibits 2 and 3.

Highway 49 is known as the Golden Chain Highway and travels along the western slope of the Sierra Nevada connecting Mother Lode communities from Oakhurst to Nevada City. Highway 49 south of Mariposa (referred to as Highway 49 South) travels in a southeasterly direction to Oakhurst in eastern Madera County and connects the populous eastern section of Mariposa County with Highway 140 and the San Joaquin Valley north of Merced via Highway 140. The highway is also one of the TPA's primary routes to Fresno and the southern San Joaquin Valley via Highway 41. Highway 49 north of Mariposa (referred to as Highway 49 North) is the access route to Mount Bullion (including the Mariposa-Yosemite Airport), Bear Valley, and that part of the County north of the Merced River. Highway 49 North serves a small population base and there is limited through traffic, and consequently, traffic on Highway 49 North is substantially less than Highway 49 South.

Highway 140 west of Mariposa is the main route to Merced and the northern San Joaquin Valley for Mariposa travellers. The highway, travelling east, is one of three state highway routes into Yosemite National Park and experiences heavy tourism traffic including buses. There is also significant truck traffic which utilizes this highway to supply the commercial and industrial businesses of Mariposa and Yosemite National Park. Highway 140 east of Mariposa is the route into Yosemite National Park and provides access to the Midpines community and the west Triangle Road area.

Highways 49 and 140 enter and exit the TPA as separate highways, but they merge into one highway for approximately three-fourths (3/4) of a mile in the central section of the TPA. Highway 49 South enters the TPA in the Fairgrounds area and runs along
Mariposa Creek until it intersects with Highway 140 near Third Street. Highway 140 from Merced travels along a bend of the western ridge as it enters the TPA where it then intersects with Highway 49 South and continues in a northwesterly direction through the historic downtown area. Highway 140 between Highway 49 South and Highway 49 North generally follows the Charles Street right-of-way and bisects the town into two sections. Approximately 3/4 mile north of Highway 49 South, Highway 49 North begins travelling east parallel to Mariposa Creek. Highway 140 continues north towards Yosemite National Park.

Since Highway 140 generally follows the Charles Street right-of-way which was established by the original plat map of the townsite, most of the County streets adjacent to this section of Highway 140 are oriented towards the highway. The main County streets in Mariposa (Jessie, Bullion, and Jones) run parallel to the highway while cross-streets such as Eighth Street are perpendicular to the highway. Outside the central section of the TPA, County streets and roads are less numerous and generally follow terrain. As such, County street and road intersections with these highways are less frequent and occur at irregular intervals in the northern and section sections of the TPA.

B. Highway Improvements

Highways 49 and 140 within the TPA consist of two travel lanes with no passing lanes or left-turn lanes. Left-turn lanes are provided only at the Highway 140/Highway 49 junctions, and there are no left-turn lanes, right-turn lanes, or deceleration lanes along the highways for County road intersections. A merge lane with yield control is used for northbound traffic entering Highway 140 from Highway 49 South.

Highway 140 from Fourth Street to Seventh Street has a right-of-way of approximately 58' with two 15' travel lanes, two 8' paved shoulders used for parallel parking, and concrete sidewalks. The sidewalks between Fifth Street and Sixth Street are elevated above the travel lanes and shoulders and are underneath building walkways and awnings; however, they are still within the highway right-of-way and are administered by the California Department of Transportation (CalTrans). Between Seventh Street and Highway 49 North, Highway 140 has a minimum 100' right-of-way with two 12' travel lanes and generally 2' shoulders. In a few areas in this section, Highway 140 has extended paved shoulders with curb used for parallel parking and unpaved walking areas. In the northern and southern sections of the TPA, Highways 140 and 49 generally have a minimum 100' right-of-way with two 15' travel lanes and 3' shoulders.

Driveway and private road encroachments onto the State Highways in the TPA are controlled by CalTrans encroachment permit standards except between Third Street and the eastern boundary of the TPA along Highway 49 South. Highway 49 South between Third Street and the eastern boundary of the TPA has been designated as an access
controlled expressway, and the creation or expansion of
encroachments along this portion of the highway must be approved by
the California Transportation Commission. Existing County road
encroachments onto the highways are not regulated by CalTrans
encroachment permit standards, and development accessing the
highways from these County road intersections are not regulated by
CalTrans.

C. Highway Traffic Counts

CalTrans conducts annual traffic counts on the State Highways to
calculate peak hour traffic, peak month average daily traffic
(ADT), and annual average daily traffic (AADT). The AADT is the
total traffic volume for the year divided by 365 days. It is
calculated by traffic sampling in certain portions of the year and
adjusted for seasonal influence, weekly variation, and other
variables which may be present. Because of these variables, the
AADT volumes shown in Table 12 may deviate from actual counts by as
much as 13% to 18%. The peak month ADT shown in Table 13 is the
ADT for the month with the heaviest traffic flow and may be more
representative for the Mariposa highways than AADT due to the high
traffic volumes associated with summer tourism traffic to Yosemite
National Park. Lastly, the peak hour traffic is an estimate of the
maximum traffic which occurs in an hour several times within the
year and is shown in Table 14.

General conclusions which may be made from interpreting the data in
Tables 12, 13, and 14 include:

1. Traffic on the highways within the TPA has steadily
   increased at a rate of approximately 3.22% per year.
2. Traffic on Highway 49 South is projected to increase at a
   faster rate than traffic in the northern section of the TPA.
   This will be partially caused by increased residential
   growth in the Bootjack and Ben Hur Road areas.
3. Traffic is concentrated in the central section of the TPA
   where traffic from Highway 49 merges into Highway 140.
   Traffic at the two highway intersections is approximately
   equal, and the increase in traffic on Highway 140 between
   Highway 49 South and Highway 49 North is partially
   attributable to internal circulation.

For each State Highway, CalTrans determines the Level of Service
(LOS) for the highway which is a measure of highway performance
considering speed, traffic volumes, interruptions, freedom to
maneuver, safety, cost, driving comfort and convenience. CalTrans
has calculated the current LOS for Highway 140 through the TPA at a
C level (stable traffic flow with acceptable delays) approaching a
D LOS (approaching unstable traffic flow with tolerable delays).

D. Highway Problem Areas

There are several areas along the State Highways which have been
identified as traffic problem areas by CalTrans and/or the County.
# TABLE 12

Average Annual Daily Traffic (AADT)

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**Total**

Source: California Department of Transportation. Traffic Volumes on the California State Highway System.

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### EXHIBIT 12

**STATE HIGHWAYS 49/140**

Traffic Counts

![Traffic Counts Chart](Image)
### TABLE 13

**STATE HIGHWAY 18/24 TRAFFIC COUNTS**

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Source: California Department of Transportation. Traffic Volumes on the California State Highway System.

### TABLE 14

**STATE HIGHWAY 74 TRAFFIC COUNTS**

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<td>1,825</td>
</tr>
<tr>
<td>9. E/W of 74 Hwy</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>900</td>
<td>1,825</td>
</tr>
<tr>
<td>Total</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
<td>5,410</td>
</tr>
</tbody>
</table>

Source: California Department of Transportation. Traffic Volumes on the California State Highway System.
These problem areas are:

1. Highway 140/49 in Downtown Area--This area is between Fourth Street and Sixth Street through the historic downtown area where highway improvements are constricted between historic buildings. Parallel parking along the expanded shoulders of the highway is permitted, and through traffic is frequently delayed by vehicles utilizing these parking spaces. In addition, there is no left-turn lane, and traffic is delayed by vehicles turning left onto Fifth or Sixth Streets. As a result, traffic along this portion of the highway is congested with frequent delays in traffic flow. Buildings and sidewalk improvements are constructed at the corner of the intersections of the highway and County streets and parking is allowed along the highway, and as such, sight distance for traffic entering the highway from County streets is severely restricted.

2. Highway 140 between Seventh Street and Highway 49 North--This portion of the highway is characterized by multiple unstructured encroachments and random parking arrangements. There are also a number of County street intersections along this portion of the highway. With no left-turn lane, the traffic flow on the highway is delayed whenever vehicles making a left turn have to wait due to oncoming traffic.

3. Smith Road Intersections with Highway 49 North and Highway 140--CalTrans has recently commented these intersections do not meet current CalTrans guidelines for public road connections and are experiencing accident rates higher than other similar intersections. This is primarily a result of increased development and traffic in the Smith Road and Hospital Road areas.

E. Future Highway Improvement Programs and Traffic Impacts

CalTrans has projected that by the year 2010 traffic on Highway 49 South will double and traffic on Highway 140 and Highway 49 North will increase by nearly 50% (Table 12). Based upon these traffic projections and existing highway improvements, CalTrans projects that Highway 140 between the Highway 49 intersections will deteriorate to a E LOS (Unstable traffic flow with congestion and intolerable delay) by 1994 and to a F LOS (forced traffic flow with jammed traffic) by 2005. To address these deteriorating levels of service on this segment of Highway 140, CalTrans has constructed a continuous two-way left-turn lane along Highway 140 between Seventh Street and Highway 49 North. These improvements were completed in October 1991 and will significantly improve the traffic flow problems along Highway 140 between Seventh Street and Highway 49 North. CalTrans believes the left-turn lane will maintain a D LOS until at least 2005.

In addition, CalTrans has approved and partially funded construction of a continuous two-way left-turn lane along Highway
49 North between Highway 140 and Mariposa Creek. Approximately $1 million of the $2.2 million (1991 dollars) project cost has been obtained, and additional funding of $1.2 million is necessary in order to complete the entire project. A request for additional funding will be considered by the California Transportation Commission in 1993, but if full funding is not granted, CalTrans may only be able to construct a portion of the project.

However, no improvements are approved or planned to address the problems in the downtown area or Smith Road intersections. The narrow right-of-way and adjacent development in the downtown area precludes future widening of the highway. Studies and analysis conducted for the highway between Fourth Street and Seventh Street for the Mariposa Community Planning Advisory Council Recommendations for the Mariposa TPA Specific Plan, Spring 1987 indicate the level of service for the highway in this area is significantly worse than other portions of the highway and is projected to reach unacceptable levels of service sooner than the highway as a whole. Potential improvements to the highway in this area are limited to prohibiting parallel parking between Fourth Street and Sixth Street and utilizing the shoulder area for extended travel lanes and left-turn pockets. In order to address the problems at the Smith Road intersections, CalTrans has recommended left-turn pockets to accommodate increased traffic on Smith Road.

F. County Streets and Roads

The town of Mariposa was platted in 1851 at a time when the grid pattern street layout was standard for townsites. The main streets of the new town (Bullion, Jones, Charles, Jessie) were oriented along Mariposa Creek in a northwest-southeast direction. Cross-streets were laid out perpendicular to the main streets from Second Street in the southern part of the town to Thirteenth Street in the north. Right-of-ways of 60' in width for the main streets and 50' for the cross-streets were established by the platted map. Unfortunately, the terrain of Mariposa is not conducive to a grid pattern, and this has resulted in very steep cross-streets. Streets and roads outside the original townsite were constructed as needed, and their location was influenced by terrain and other constraints.

Within the central section of the TPA, the main streets of Jones, Bullion, and Jessie parallel the State Highway with Bullion Street extending parallel along the entire length of the merged highway. Jones and Jessie Streets are limited in length by terrain and Mariposa Creek. Charles Street is occupied through most of its alignment by Highway 140 except in the following sections: 1) between Seventh Street and Eighth Street, the street is used as a frontage street for access to parcels; 2) between Eleventh Street and Twelfth Street, Charles Street is a one-way street with angled parking; and 3) between Twelfth Street and Thirteenth Street, Charles is primarily a residential street.
TABLE 15
MARIPOSA COUNTY ROADS TRAFFIC COUNTS

Average Daily Traffic (ADT)

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Ben Hur/14th</td>
<td>617</td>
<td>569</td>
<td>872</td>
<td>6.15%</td>
</tr>
<tr>
<td>Bullion/5th-6th</td>
<td>605</td>
<td>727</td>
<td>813</td>
<td>5.77%</td>
</tr>
<tr>
<td>Bullion/No. of 8th</td>
<td>859</td>
<td>719</td>
<td>586</td>
<td>-1.36%</td>
</tr>
<tr>
<td>Bullion/Sw. Jones</td>
<td>711</td>
<td>553</td>
<td>426</td>
<td>-6.52%</td>
</tr>
<tr>
<td>Chly Crcl/Hwy</td>
<td></td>
<td></td>
<td>1,261</td>
<td></td>
</tr>
<tr>
<td>Chly Crcl/Pst Off</td>
<td>2,733</td>
<td>2,390</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8th/Wpaa Creek</td>
<td></td>
<td>170</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8th/W. of R140</td>
<td>1,555</td>
<td>1,392</td>
<td>2,008</td>
<td>4.96%</td>
</tr>
<tr>
<td>8th/E. of Jones</td>
<td>979</td>
<td>1,550</td>
<td>1,371</td>
<td>6.67%</td>
</tr>
<tr>
<td>11th/W140</td>
<td></td>
<td>614</td>
<td></td>
<td></td>
</tr>
<tr>
<td>11th/Bullion</td>
<td></td>
<td></td>
<td>440</td>
<td></td>
</tr>
<tr>
<td>Fourrier/Howard</td>
<td>530</td>
<td>150</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hospital/Smith</td>
<td>486</td>
<td>316</td>
<td>695</td>
<td></td>
</tr>
<tr>
<td>Howard/H49N</td>
<td></td>
<td>202</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Howard/Cly Crcl</td>
<td></td>
<td>277</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Idle Wheels Hwy</td>
<td>452</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jessie/9th</td>
<td>534</td>
<td>741</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jessie/No. of 12th</td>
<td>183</td>
<td>2,467</td>
<td>1,599</td>
<td>247.07%</td>
</tr>
<tr>
<td>Jones/H40</td>
<td>1,120</td>
<td>1,255</td>
<td>2,773</td>
<td>17.16%</td>
</tr>
<tr>
<td>Jones/Bullion</td>
<td>425</td>
<td></td>
<td>300</td>
<td></td>
</tr>
<tr>
<td>Jones/No. of 8th</td>
<td>458</td>
<td>499</td>
<td>507</td>
<td>1.78%</td>
</tr>
<tr>
<td>Miller/H140</td>
<td>60</td>
<td>169</td>
<td>206</td>
<td>40.56%</td>
</tr>
<tr>
<td>Miller/0ld Hwy</td>
<td>40</td>
<td>57</td>
<td>68</td>
<td>11.67%</td>
</tr>
<tr>
<td>Old Hwy/10th</td>
<td>105</td>
<td>112</td>
<td>120</td>
<td>6.65%</td>
</tr>
<tr>
<td>Old Hwy/H49S</td>
<td>746</td>
<td>725</td>
<td>725</td>
<td>-0.47%</td>
</tr>
<tr>
<td>8th/Straining</td>
<td>494</td>
<td>569</td>
<td>1,076</td>
<td>19.64%</td>
</tr>
<tr>
<td>Smith/No. of R140</td>
<td>650</td>
<td>913</td>
<td>1,045</td>
<td>10.13%</td>
</tr>
<tr>
<td>Smith/No. of H49N</td>
<td>277</td>
<td>376</td>
<td>474</td>
<td>11.85%</td>
</tr>
<tr>
<td>Stockton Ck/H49S</td>
<td>91</td>
<td>124</td>
<td>74</td>
<td>-1.3%</td>
</tr>
<tr>
<td>10th/Jessie</td>
<td>1,720</td>
<td>1,701</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3rd/H44S</td>
<td>424</td>
<td>580</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12th/No. of R140</td>
<td>767</td>
<td>762</td>
<td></td>
<td></td>
</tr>
<tr>
<td>12th/No. of R140</td>
<td>1,204</td>
<td>1,163</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Mariposa County Department of Public Works.
In order to connect the main streets, cross-streets were platted perpendicular to the main streets to provide access between the main streets and interior property. These cross-streets have gained importance with the placement of Highway 140 along the Charles Street right-of-way as these cross-streets provide access to the outer portions of central Mariposa from the heavily travelled highway. The cross-streets are designated Second Street near St. Joseph's Catholic Church to Thirteenth Street to the north. Access to the County Park and development west of Mariposa Creek is provided by Sixth Street, while Eighth Street is the primary access from Highway 140 to the County Courthouse area. Tenth and Eleventh Streets are utilized to access Coakley Circle from Highway 140. Jones Street and Bullion Street eventually join Highway 140 at the Highway 49 North intersection. Coakley Circle is a recently constructed loop road with access points at Highway 140 and Jessie Street and provides access to a partially developed commercial subdivision located between Jessie Street and Mariposa Creek.

Outside the central section of the TPA, streets and roads were not platted, and the existing streets and roads are remnants of historic roads (e.g. Old Highway, Miller Road) or were constructed to serve development (e.g. Campbell Street, Smith Road). Consequently, these streets and roads are generally not straight and were constructed to best conform to the terrain where possible. Some of the more important County streets and roads in the northern and southern sections of the TPA include:

1. Smith Road--The only access to the area north of Highway 49 North and west of Highway 140 including the Mueller Tract residential area and John C. Fremont Hospital is provided by this road.
2. Joe Howard Street--Coakley Circle and Highway 49 North are connected by this street which provides an alternate route for Coakley Circle traffic.
3. Fairgrounds Road--The County Fairgrounds and the adjacent commercial area are served by this road.
4. Ben Hur Road--Only a small portion of Ben Hur Road is located within the TPA, but this road serves a large residential area outside the TPA.

G. Private Roads

There are only a few roads within the TPA which are not maintained by the County or CalTrans. These private roads are generally dead-end roads which serve a specific development area. Of these roads, St. Andrews Road and the unnamed road serving the Italian Acres commercial development on Highway 49 North have been accepted by the County for public access and are available for public use. The other roads are private easements intended for use by only those served by the easement. These include Hospital Road, the road which serves the Idle Wheels Mobile Home Park and Mariposa Oaks Apartments, Antone Road, Standen Park Road, and Spriggs Lane. Hospital Road is a private road extension of the County-maintained
portion of Hospital Road and begins immediately north of the hospital. Hospital Road serves all development north of the hospital. Antone and Standen Park Roads provide access to residential development on the west side of Mariposa Creek. Spriggs Lane is a recently created road which travels along the western boundary of the John C. Fremont Hospital property and provides access to private property along its western edge.

Exhibits 13 through 17 show the location and characteristics of County and private roads within the TPA.

1.52 Public Parking

Most of the public parking in Mariposa is provided by a downtown parking district which was formed in 1975 to provide public parking for downtown businesses (Exhibit 10). Downtown properties are assessed additional taxes to fund the district, and in return, downtown businesses are not required to provide on-site parking spaces or pay parking fees. Parking for these businesses and the downtown area is provided by two public parking lots located on Fifth Street west of Highway 140 and on Sixth Street between Bullion Street and Highway 140 (Exhibit 27). These lots contain approximately 82 spaces. There is also a County parking lot (20 spaces) located at the intersection of Bullion Street and Seventh Street which provides additional public parking for the area. These parking lots may be redesigned to provide additional parking spaces in the future. A vacant private parcel located on Sixth Street west of Highway 140 is leased to the County for parking but has not been improved or striped for parking. Public parking is also allowed in the downtown area along Highway 140 and along Fifth and Sixth Streets between Highway 140 and Bullion Street.

A public parking lot is presently not available in the Coakley Circle area, but the County has acquired two parcels across from the Post Office for public parking and tourist-related purposes. However, at this time, the parcel has not been improved for public parking. Public parking in this area is limited to two parking lanes along Coakley Circle and parking along Jessie Street adjacent to the Mariposa History Center.

1.53 Pedestrian Paths

Internal circulation within the TPA is oriented for the automobile, and Mariposa lacks a comprehensive pedestrian circulation system. Pedestrian paths in town are limited with street and highway lanes and shoulders acting as walkways in many parts of town. Only two areas of town are developed with sidewalks—the downtown area and Coakley Circle—and there are no interconnecting pathways between these areas. Sidewalks and paths are also found in other parts of the TPA, but they were generally constructed for a specific parcel and do not connect with adjacent parcels and other pedestrian
paths. Specifically, pedestrian paths are developed in the following locations:

1. Sidewalks along the east side of Highway 140 from 100 feet south of Fourth Street to Seventh Street and along the west side from Fifth Street to 30 feet north of Seventh Street. These sidewalks are within the State Highway right-of-way and are elevated above the travel lanes between Fifth Street and Sixth Street. Pedestrian cross-walks across Highway 140 are found at Fifth and Sixth Streets.
2. Sidewalks along the north and south sides of Fourth Street from Highway 140 eastwards approximately 100 feet.
3. Sidewalks along the south side of Fifth Street from Highway 140 to Bullion Street.
4. Asphalt path along the south side of Eighth Street from Jones Street to the high school.
5. Sidewalk along both sides of Coakley Circle from Jessie Street to Highway 140.
6. Sidewalk along west side of Jessie Street from Coakley Circle to Bank of America.
7. Sidewalk along north side of Joe Howard Street from Coakley Circle to 500 feet west.
8. Sidewalk along south side of St. Andrews Street.
9. Sidewalk along northern, western, and southern edge of Courthouse.

1.54 Other Transportation Modes

The movement of goods and people to, from, and within the town of Mariposa is done predominantly by private automobiles and trucks. There are no railways or navigable waters in Mariposa County, and there is only one public airport in the County. The Mariposa-Yosemite Airport is located on Highway 49 North approximately two miles west of the TPA. However, the airport’s flight path is restricted by terrain and the length of the runway is only 3,350 feet. Consequently, the airport cannot readily be used for commercial freight and passenger flights and is used primarily by small, private aircraft.

The Mariposa County Transit Program is a small-scale operation which provides limited internal and external public transit for TPA residents. The transit program offers once-weekly trips to Merced, eastern Mariposa County, southern Mariposa County, and Midpines/El Portal. Public transportation within and around the TPA is provided on a non-scheduled basis. Private bus companies provide daily transportation to Yosemite National Park and Merced from the TPA.
1.55 Mariposa Public Utility District

The Mariposa Public Utility District (MPUD) is an independent special district established in 1947. The District presently provides water, sewer, and fire protection services to 792 acres in the TPA as shown in Exhibit 10. The noteworthy areas of the TPA which are excluded from the District are the Fairgrounds area and the area north of the Hospital. The MPUD Sphere of Influence as adopted by the Mariposa Local Agency Formation Commission includes the area north of the Hospital but excludes the Fairground area.

A. Water Service

MPUD provides water through a water system originally constructed in 1952. The water system's primary source of water is a dam and reservoir on Stockton Creek which drains a watershed of approximately 2,400 acres. The dam and reservoir are located directly east of the TPA and have a maximum capacity of 420 acre feet (Barrett 1, p. 3-1). In addition, MPUD utilizes ground wells to supplement the Stockton Creek Reservoir, and these wells had a capacity of 80 acre feet per year in 1989 (Barrett 1, p. 3-1). There are seven wells adjacent to the reservoir and nine wells in other parts of the TPA. Of these nine wells, seven were added to the MPUD system through the purchase of the Idle Wheels water system in 1989. Because of the drought conditions, several wells have become dry and no longer produce water, and the yields of the remaining wells have been reduced. During previous years, the 16 wells have produced enough water by themselves to adequately meet the demand of MPUD customers during the winter months, but at this time, water must be drawn from the reservoir to augment the winter water supply in addition to the summer water supply.

The existing water demand of the MPUD system is approximately 350 acre-feet (110 million gallons) per year (Barrett 1, p. 3-4). An acre-foot is the amount of water required to cover an acre of land with one foot of water. The annual water production of the District in 1988 which did not include the Idle Wheels water system at that time was 87,844,411 gallons, while the Idle Wheels system produced 19,229,828 gallons in 1987 (Barrett 2, p. 5-3). It is now estimated the District (including the Idle Wheels system) produces an annual yield of 109,000,000 gallons (Barrett 2, p. 5-3). However, because of seasonal fluctuations in the use of water, the monthly production of water of the District in 1988 (not including Idle Wheels) ranged from 4,416,251 gallons in December to 11,132,133 gallons in August (Barrett #2 5-3). Approximately 36% of the 1988 District water production occurred in the months of July, August, and September.

To treat the water from the Stockton Creek Reservoir and the surrounding wells, MPUD has a water treatment plant which performs the treatment processes of flocculation, sedimentation, filtration, and disinfection. The original water treatment facilities were constructed in 1952, but those facilities were replaced by a new treatment plant in 1984. The treatment plant is located along the

Page 65
eastern ridge of town east of Trubuco Street and has a capacity of 500 gpm/700,000 gpd (Barrett 2, p. 4-1).

In November 1989 MPUD had 647 residential, 35 commercial, and 5 institutional (e.g. hospital, Mariposa High School) water connections (Barrett 2, p. 5-1). However, the District does not provide water service to all development within the District, and there are a number of private wells and water systems within the District especially in the northern and northwestern sections. These private wells and systems were originally developed to provide water to new development at a time when MPUD did not provide water service to the area outside the central section of the TPA. The District has recently changed its policy regarding water service to this area of the District, and MPUD now provides water service to all areas within the District subject to extension of water lines to the proposed development and available water.

Because of the finite amount of water available in the Stockton reservoir and the existing wells, MPUD determined in August 1990 there were only approximately 130 residential-equivalent connections available for new development (Conversation with Mark Rowney, MPUD General Manager, 8/8/90). However, the yields for the MPUD wells have decreased since that time, and in December 1990, MPUD imposed a moratorium on new water connections. MPUD lifted the moratorium in December 1991 and stated water connections equivalent to 100 single family residential connections were available from the existing water supply. The moratorium was lifted based on an analysis of water production and demand for the past four (4) years and testing of a new well that MPUD is acquiring (MPUD Press Release, 12/4/91). This well had been developed as part of a motel development project so that the project could obtain MPUD water service.

Outside the district, private wells are utilized to supply water to development, including the Fairgrounds complex and adjacent commercial development. To address the long-term water needs of the TPA, MPUD in conjunction with the County of Mariposa is pursuing the development of a water system to extract water from the Merced River. This project, known as the Saxon Creek Water Supply Project, will draw water from the Merced River and transport it by pipeline to the Stockton Creek Reservoir. The project, if constructed, will provide a dependable, year-round water supply that will adequately meet the future demands of the TPA, even if fully built-out as permitted by the Specific Plan.

B. Water Storage

MPUD presently has three water storage tanks to provide water storage for equalizing storage, emergency reserve, and fire protection purposes. The tanks are primarily utilized for fire protection with water service secondary. The water storage system consists of a 1,000,000 million gallon steel tank near the treatment plant, a 150,000 gallon elevated steel tank adjacent to the Hospital, and a 70,000 gallon reinforced concrete tank south of
the Idle Wheels Mobile Home Park (Barrett 2, p. 4-3). The water storage system is deficient by 128,800 gallons to meet the water storage requirements of existing development in the District (Barrett 2, p. 5-7).

The treatment plant tank serves the central section of the TPA designated as Pressure Zone 1 and is presently meeting the water storage demands of development in this zone. The Hospital tank which serves Pressure Zone 2 (Smith Road/Hospital Road area) is also presently meeting the demands of development within its zone. However, the Idle Wheels tank is severely undersized to meet the demands and support existing development in Pressure Zone 3. The Idle Wheels tank serves the Idle Wheels Mobile Home Park, Mariposa Oaks apartments, the California Department of Forestry headquarters, and development adjacent to Highway 49 North, and it is estimated 208,000 gallons of water storage is needed to support existing development in this zone (Barrett 2, p. 5-7). The tank presently has a capacity of 70,000 gallons so there is a deficit of 138,000 gallons in Zone 3. Outside the District, there are no water storage facilities except for residential storage tanks.

C. Water Distribution System

Water is distributed to the water users of the District by a series of water lines, 10-inch diameter and less, connected to the water treatment plant and the wells in the District. Two 10-inch iron pipes transport water from the treatment plant to connecting lines at Sixth and Eighth Streets to supply users in Pressure Zone 1. The water lines in Zone 1 are quite extensive, however the condition of these lines is generally poor due to the age of the lines.

Pressure Zone 2 is supplied water from a 6-inch line connected to a line in Zone 1 and from wells along Smith road. The 6-inch line runs from Bullion Street to the Hospital, and a booster pump station connects the extension line with the Bullion Street line because the Hospital is at a higher elevation than Bullion Street. The lines from Bullion Street to the Hospital are in good condition, but the lines constructed to the Mueller Tract residential area are in extremely poor condition and will need to be replaced. Recent line additions such as the one along Spriggs Lane meet current standards and are in good condition.

The distribution system for Pressure Zone 3 is the least extensive of the three pressure zones. The distribution lines serve only the Idle Wheels Mobile Home Park, Mariposa Oaks apartments, and development northwest of the mobile home park. The area north of Highway 49 North and southeast of the mobile home park are not presently served by distribution lines. The distribution lines are oriented towards the wells in this zone since it was previously a private water system, but there is a 6-inch line which connects Zone 3 with Zone 1. The 6-inch line has a pressure reducing valve (PRV) to allow water to flow from Zone 3 to Zone 1. The
distribution lines in Zone 3 do not meet existing standards but are in good condition.

D. Wastewater Treatment Service

The existing wastewater treatment plant was constructed in 1984 to replace a treatment plant built in 1958. The treatment plant provides secondary treatment through an oxidation ditch and pond system and is located adjacent to Mariposa Creek approximately 2,000 feet southeast of the Highway 140/Highway 49 South intersection. The design capacity of the plant is 610,000 gallons per day (Barrett 3, 4-4) which is adequate to serve at least 6,000 residents, 2,775 students, 853 commercial users, 45 hospital patients, 525 motel occupants, and 6,790 tourists (Barrett 2, 9-3). As such, the plant will be able to meet the wastewater treatment demands of the entire TPA to at least the year 2010. The average daily flow of the plant in 1989 was 132,560 gallons which is only 18% of the plant's capacity (Barrett 2, p. 9-3). However, the sludge dewatering process unit of the treatment plant is operating above capacity and will need to be repaired and expanded in order for the treatment plant to accommodate substantial quantities of additional effluent (MPUD letter, 6/27/91).

Nearly half of the wastewater flow for the treatment plant is estimated to be generated by non-residential uses (Barrett 2, p. 9-3). Table 16 shows the average daily flow for each type of use in 1989. The seasonal variation of wastewater flows is not as great as water production, but there is an increase in domestic and commercial flows during the summer months with the increase in tourist traffic. However, actual wastewater flows from the plant are greatest during the winter months due to infiltration and inflow of stormwater into the sewer system. Wastewater flows are greatest during and immediately after rainstorms because of the stormwater runoff.

A number of private on-site septic systems still serve residential and commercial development in the District, especially in the northern and northwestern sections of the District. It is estimated 300 residences and businesses, including the CDF headquarters, rely on septic systems, but MPUD has adopted policy and regulations to phase out septic systems in the District (Barrett 2, p. 8-2). All new and expanded development in the District is required to connect to the treatment system, and development with failing systems are also require to connect. All development outside the District is served by on-site septic systems.
TABLE 16

MPUD WASTEWATER FLOWS FOR 1989

<table>
<thead>
<tr>
<th>Source of Waste</th>
<th>Average Daily Flow (gallons)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential</td>
<td>67,360</td>
</tr>
<tr>
<td>Students</td>
<td>17,240</td>
</tr>
<tr>
<td>Commercial and Commuters</td>
<td>10,760</td>
</tr>
<tr>
<td>Hospital Patients</td>
<td>4,250</td>
</tr>
<tr>
<td>Motel Occupants</td>
<td>14,950</td>
</tr>
<tr>
<td>Tourists</td>
<td>18,000</td>
</tr>
<tr>
<td>Total</td>
<td>132,560</td>
</tr>
</tbody>
</table>


E. Wastewater Collection System

The wastewater treatment plant is at an elevation of approximately 1,875 feet and is downstream and below all sewer connections. Sewer is collected by gravity flow through a collection system consisting of one 8" diameter trunk line and several main lines of 6" diameter. The trunk line parallels Mariposa Creek and extends from the intersection of Highway 49N with Mariposa Creek to the treatment plant adjacent to Miller Road. All the main lines except one enter the trunk line from the northeast with main lines entering the trunk line at Idle Wheels Mobile Home Park, Joe Howard Street, Coakley Circle, and Highway 140/Highway 49S intersection. The Highway 140/Highway 49S main line collects all wastewater from connections east of Jessie Street including the eastern half of the Smith Road area and Hospital Road. Several notable areas not presently reached by the sewer collection system are the western half of the Smith Road and Mueller Road area and the area on the north side of Highway 49 North.

The condition of the sewer collection lines in the District is generally poor with lines in extremely poor condition in the Mueller Tract area. In addition, there are a number of residences and businesses in the Mueller Tract area and surrounding area which are still served by on-site septic systems. MPUD is pursuing the establishment of an assessment district in the Mueller Tract/Smith Road area to repair deficient sewer lines and extend sewer lines to existing development.

There is adequate capacity in the treatment plant to provide wastewater treatment to uses in the Fairgrounds area. However, the Fairgrounds area is at a lower elevation than the treatment plant, and if sewer collection lines are to be extended to the Fairgrounds area, sewage will have to be pumped from the Fairgrounds area to the treatment plant. This will require special design.
considerations and increase the costs of providing wastewater
treatment to the Fairgrounds area.

F. Fire Protection Services

The Mariposa Public Utility District is authorized to provide fire
protection services and has been designated as the fire protection
agency for property within the District. The District's fire
protection services consist of a volunteer fire company with two
fire engines. The District fire station is located near the
intersection of Seventh Street and Bullion Street in the MPUD
office building. The most effective fire protection measure
available in the District is the fire hydrant system. Fire
hydrants are located throughout the District and are connected to
the MPUD water system, and the hydrant system is able to provide
fire protection water to most of the development in the District.
However, the water storage system is presently deficient in meeting
the water storage requirements of the District, especially in
Pressure Zone 3 which only has 36% capacity of the current storage
requirement. The California Department of Forestry (CDF), Mariposa
County, and MPUD have entered Mutual Aid and Automatic Aid
Agreements to share fire protection capabilities. Under these
agreements, CDF responds to structural fire within MPUD and MPUD
responds to structural and wildland fires outside MPUD. CDF is the
responsible agency for wildland fires within MPUD.

1.56 Drainage

The terrain of the TPA allows for the natural drainage of
stormwater into Mariposa Creek. As discussed in Section 1.22,
there are several intermittent streams and numerous drainage
courses that drain the eastern ridge and flow into Mariposa Creek.
These natural drainages are utilized where possible to receive
stormwater discharges from developed areas. In those areas where
development has not incorporated natural drainages into their
drainage system or the natural drainages have been displaced, man-
made drainage facilities have been constructed to channel
stormwaters to natural drainages and Mariposa Creek. The drainage
facilities generally follow the previous course of natural
drainages, and in many cases, drainage along a particular course is
channeled by a combination of natural drainage courses and man-made
drainage facilities. Exhibit 7 shows the locations of natural
drainage courses and drainage facilities in the TPA.

A stormwater drainage plan has not been implemented in the TPA, and
as such, drainage and drainage facilities have been addressed and
constructed on an individual project/parcel basis. In addition,
most of the frontage along the streets and highways has not been
constructed with curb and gutter to facilitate drainage. In some
areas of the TPA, necessary drainage facilities have not been
constructed or have been undersized, and drainage to Mariposa Creek
has been blocked and hindered in these areas although it is not a
major problem at this time.
1.57 Other Public Services

A. Fire Protection Services Outside MPUD

The County of Mariposa is the responsible agency for structural fires in the TPA outside the MPUD boundaries and provides fire protection services primarily though its volunteer fire company program. The Mormon Bar fire station is located in the southern portion of the TPA and can provide a quick response to fires in the Fairgrounds and Mormon Bar areas. The California Department of Forestry (CDF) is the responsible agency for wildland fires in the TPA, and the Mariposa-Madera Ranger Unit headquarters is located in the TPA along Highway 49 North. Extensive fire protection equipment and manpower is available from CDF at this station. In practice, both CDF and the County generally respond to both structural and wildland fires. In addition, MPUD fire protection services are available to respond to fires in the TPA outside the District during emergencies.

B. Street Lighting

A lighting district was formed in 1922 to provide street lighting in town. The Mariposa Lighting District encompasses the central portion of the TPA but excludes the Fairgrounds area, the area north of the Hospital, and the extreme northwestern part of the TPA (Exhibit 10). Street lights have generally been placed along Highways 140 and 49 North, Jones St, Bullion St, Smith Road, Mueller Road, and Coakley Circle to provide street lighting for established commercial and residential areas.

C. Parks and Open Space

Open space and park facilities in the TPA are limited to Mariposa County Park, Mariposa High School, and the County Fairgrounds. Facilities available at the County park include a swimming pool, two tennis courts, a lawn area, picnic tables, and an amphitheater. Elevated above the downtown area, the park is situated on the western ridge of the TPA at the end of Park Road. The park has been developed on moderate to steep slopes which limit the available area for expansion. Pedestrian access to the park is strongly discouraged by the park's distance to the downtown area, the steepness of Park Road, and the lack of pedestrian paths along Stroming Road and Park Road. Athletic playing fields are found at the high school and are available for organized recreational activities. The County Fairgrounds provide picnicking facilities for use by the public.

D. Schools

The Mariposa County Unified School District (MCUSD) is the responsible district for elementary and secondary education in the TPA and for the entire County. The administrative offices of the MCUSD are located on Highway 140 between Eighth and Ninth Streets. Educational facilities of the MCUSD located in the TPA include
Mariposa High School and Mariposa Elementary School. These schools are located east of Jones Street between Seventh and Ninth Streets. The district owns property adjacent to these schools which will allow for expansion of these schools. Exhibit 11 shows the location of the schools and all MCUSD property. The elementary school serves students in the TPA and the central part of the County, while the high school serves high school students in the entire County. Junior high school students in the TPA are transported to Mariposa Junior High School on Silva Road in the Bootjack area. The continuation high school for the district (Spring Hill High School) is located immediately southwest of the TPA on Highway 140.
2. Community Development

Goals, Objectives, and Policies
SECTION 2.1 BACKGROUND

The Mariposa County General Plan, originally adopted in February of 1978, and updated and amended since that time, designates eleven established communities as Town Planning Areas (TPAs). The designated town planning areas include the community of Mariposa which is unincorporated. The stated purpose of town planning areas is to provide basic services, and to function as centers of commercial and industrial activity, and population concentrations. The General Plan mandates that specific land use policies be developed and implemented for each town planning area to insure orderly growth. Maximum citizen participation is encouraged in the execution of this task.

Shortly after the adoption of the General Plan in 1978, the County initiated work on the Mariposa Town Planning Area Specific Plan. In the interest of maximizing public participation, a citizens committee was impaneled. Twenty-two members of the community served on this panel and their efforts resulted in the adoption of the initial specific plan for the community in 1981. The plan, although adopted, was not fully implemented through zoning standards until 1988.

Substantial development began occurring in the community in 1984 when a new sewage treatment plant was finished and the moratorium on sewer connections was lifted. In response to this growth and a general desire to update land use plans every five years, the Board of Supervisors impaneled the Mariposa Community Planning Advisory Council in 1985 to review and update the plan. The council consisted of nine citizens from within the community and several ex-officio members representing interest groups and County officials. The council met numerous times over a two year period and generated a final report of their recommendations for modification of the specific plan in 1987.

The Planning Advisory Council's report was presented to the County Planning Commission in June of 1987. The Planning Commission completed their review of the plan in April of 1989 and forwarded their recommendations to the Board of Supervisors. In October, 1989, the Board directed the Planning Department to prepare a revised specific plan and environmental impact report based upon the Council's report and selected recommendations of the Planning Commission and Board of Supervisors. This specific plan was prepared based upon this direction.

SECTION 2.2 INTRODUCTION

A. Purpose and Scope of Plan

Authorization for the preparation of a specific plan is provided for under Government Code Section 65450 et seq. A specific plan is a detailed plan for the development of a specific area and its purpose is to facilitate the systematic implementation of the
Mariposa TPA Specific Plan, Section 2

County's General Plan. This plan applies to the area of the County designated as the Mariposa Town Planning Area, which is illustrated in Exhibit 3, and specifies the overall goals and objectives, guiding policy, and standards for planning efforts and development in the TPA. This plan contains policies and standards regulating the distribution and location for land uses, standards and criteria for development, recommendations for the provision of community services including public buildings, parking, transportation facilities, and water and sewer systems, and implementation measures including financing programs. The plan also contains data regarding existing conditions within the Town Planning Area, which affected the establishment of the land use policies and development standards contained herein. It is intended that this plan serve as both a long term policy guide for growth and development in the community as well as providing specific zoning and improvement standards immediately applicable to all development.

B. General Plan Consistency

Section 65450 et seq. of the Government Code requires that specific plans accomplish "the systematic implementation of the general plan..." The Code also requires that a specific plan "be consistent with the general plan". The specific plan must be responsive to the goals and policies established by the General Plan. It is the intent of this report to adopt, by reference, the Mariposa County General Plan Elements. These specific elements, and the method by which this plan addresses them, are discussed in this section.

1. Land Use, Open Space, and Conservation Elements

The community of Mariposa is designated as a Town Planning Area by the General Plan. The General Plan states that TPA's shall be considered centers for service, commerce, industry and population. While providing for the growth of Mariposa to accomplish this function by developing specific land use policies for residential, commercial and light industrial land uses, the Plan also addresses a number of the specific goals of these elements.

--- The Plan provides for commercial, industrial and higher density residential uses in areas which are suitable, based on access, terrain, infrastructure availability and compatibility with adjoining areas.

--- The Plan provides for the needs of a growing County with provisions for the development of a center for higher density and intensity uses, which is not on lands classified for agricultural or forest production; with known mineral resource of economic value; managed for open space values; within an identified scenic conservation area, which are known
habitats for any species of rare or threatened plants or animals, or recognized as key wildlife areas within the County.

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The Plan sets forth policies and programs for the development of infrastructure requirements including community sewer and water systems to accommodate the level of development provided for by the land use plan. Community sewer and water systems protect ground water quality and quantity. Policies and programs address financing for facility construction, and for operation and maintenance costs.

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The specific plan identifies programs for the protection of sensitive scenic resources and wildlife habitat within the community.

2. Circulation Element

The Land Use Plan and the Circulation Plan for the Mariposa Town Planning Area were developed concurrently to insure that the proposed circulation system is adequate to meet the needs of the land uses permitted by the land use plan. The circulation system also recognizes the current and future needs of the 1.25 million tourists traveling through the community. The proposed circulation system addresses several specific goals of the General Plan Circulation Element as follows:

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The Plan provides for the safe, efficient and economical movement of people and goods within and through the Town Planning Area by including a proposed circulation system, road improvement requirements, and a program for road maintenance.

---

The Plan improves the economic climate of the County by making provisions for light industrial uses which include adequate ground transportation facilities.

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The Plan encourages growth to occur in an orderly manner by provisions requiring road improvements necessary to support specific development projects and by planning for the upgrading of existing transportation facilities to accommodate existing and future levels of traffic.

3. Housing Element

The General Plan Housing Element provides policies and programs to ensure that adequate housing for all segments of the community is provided over time. The most significant housing need over the short and long
term is related to low and moderate income families. The Housing Element recommends the designation of adequate area for multi-family housing and mobile home parks to satisfy this need. Within this need group, senior citizens have been targeted as a special concern. The proposed specific plan addresses the relevant programs of the Housing Element as follows:

1.1 The Planning Department shall regularly review their permit procedures in order to reduce the cost and time of processing permits.

The specific plan establishes specific zones and development standards which have the effect of reducing discretionary review time frames. Special zones, requiring specific discretionary review, are only required where necessary based upon environmental constraints and/or land use compatibility issues.

2.3 The County will provide a 25 percent density bonus or equal incentives for those projects in which 25 percent or more of the units will be affordable to persons of low or moderate income or if ten percent of the units will be affordable to lower income households as provided in Section 65915 of the Government Code.

The specific plan provides provisions for the 25 percent density bonus or equal incentives for qualifying projects.

2.4 The County will continue to allow second units in conjunction with single family residences.

All single family residential zoning districts allow for secondary residences as a permitted use, except for SFR 9,000 which allows for such units with a conditional use permit.

2.5 The County will continue to allow mobile homes in residential zoned areas and will not adopt unreasonable restrictions regarding their size or architectural features which would prevent them from being placed in these areas.

Mobile/modular homes are allowed within all Single Family Residential districts. Architectural standards are contained within the Historic Design Review Overlay District which may be difficult for a mobile home to comply with, however, these architectural standards are justified based upon the National Register and local recognition of the importance of this district.

3.1 Whenever the County updates its' zoning ordinance, general plan or specific plans, it shall
ensure that enough land is set aside for all types of residential development.

This analysis is provided in Section 2.4 and implemented in Section 3.0.

3.2 The Planning Department will conduct land use surveys to identify vacant land that is residentially zoned or has residential potential and is served with water and/or sewer service. The Planning Department will use this information to identify lands that could support higher residential densities. The County will re-zone an adequate supply of these lands to higher density residential uses if compatibility problems would not arise.

This analysis is provided in Section 2.4 and implemented in Section 3.0.

3.3 The County will encourage and assist special districts to expand and improve their sewer and water service capabilities if such improvements are consistent with the County policies.

This specific plan incorporates expansion plans and financing mechanism for the Mariposa Public Utility District Water and Sewer System.

7.4 The County will encourage the construction of housing for senior citizens near areas where a full range of governmental, commercial and medical facilities exist.

The community of Mariposa is uniquely suited to meet this program. Specific programs include the establishment of zoning for multi-family units and mobile home parks and the provision of "second floor units" in conjunction with commercial developments.

7.6 The County will encourage non-profit and for-profit groups and individuals to provide low cost child day care facilities in appropriate areas of the County.

Residential day care centers are specifically allowed within the residential districts.

9.1 The County will identify sites where new industries could be located with a minimum of delay in complying with environmental regulations.

The plan sets aside 266 acres of primarily undeveloped land for commercial and industrial uses with the proper zoning and provisions for infrastructure
identified. Based upon these designations, job creating developments should occur with a minimum of delay.

12.3 The County will adopt appropriate policies in its' General or Specific Plans to regulate the conversion of condominiums.

The specific plan includes policies and standards relative to condominium conversions.

4. Noise Element

Preparation of the Specific Plan for Mariposa included a thorough review of the Noise Element of the General Plan, and confirmation that the standards and definitions were appropriate for the community. Preparation of the land use plan, designation of permitted uses, and preparation of development standards responded to the policies and goals of this element of the General Plan in a number of ways. Initially, the land use plan locates the higher intensity and density uses (which have the potential to produce greater levels of noise) together, and adjacent to the State Highway and major County roads. These include the commercial and light industrial land uses. Surrounding the commercial use is the multi-family residential use, which may produce greater levels of noise than the single family residential use. The single family residential use is primarily located on the boundaries of the Town Planning Area. This configuration of land uses is intended to provide an appropriate and effective buffer between the uses producing higher and lower noise levels, and to protect the rural areas surrounding the TPA. In addition, the uses permitted within the land use classifications, especially the light industrial land use, were selected with concern for creating a small town character appropriate for this rural county. Development standards for light industrial uses and multi-family residential developments include provisions for open space and landscaping requirements, which represent further efforts to reduce and minimize off-site noise impacts of these uses.

5. Safety and Seismic Safety Elements

These elements provide direction to protect the community from fire, flood, and geologic hazards, and to identify and appraise seismic hazards. The Specific Plan for Mariposa furthers the overall governing policies of these elements by providing for and accomplishing the following:

-- Higher density and intensity land uses are proposed in an area with existing fire suppression services.
While much of the TPA is designated within the extreme fire hazard severity classification, a portion is within the low fire hazard severity classification. With the level of existing fire protection facilities and service, and standards for development provided by the Specific Plan, the hazard from wildland fires will be significantly reduced. While the domestic fire hazard may be increased in the TPA, the MPUD Fire Department and the California Department of Forestry provide (a higher level of) fire protection than is available in other areas of the County.

-- The floodway and flood plains of Mariposa Creek and Stockton Creek have been mapped within the Town Planning Area. Flood base level elevations have been generated for Mariposa Creek within the TPA. The specific plan contains development regulations controlling development within these flood plains. These regulations are specifically designed to minimize damage that may occur in flood situations.

-- Lands within the Mariposa TPA are mapped as containing a high hazard from landslides associated with weak rock and development on steep slopes. The steep ridgeline areas within the TPA are protected by large minimum parcel sizes. The intermediate slopes on the lower portions of the ridge are subject to special development standards designed to minimize grading and disturbance. These special standards adequately address the landslide and rockfall hazard.

6. Recreational Element

The specific plan identifies specific park projects, including the Mariposa Creek Parkway, that specifically implement the recreational element of the General Plan.

7. Historic Preservation Element

The Mariposa TPA is rich in historical resources and contains documented archaeological resources as well. The specific plan contains a detailed program of policies and standards designed to protect and promote the restoration and enhancement of the community's historical resources. The specific plan contains standards for the identification and protection of archaeological resources.
Mariposa TPA Specific Plan, Section 2

C. Opportunities and Issues

The planning process must evaluate the circumstances which are unique to a given area in order to determine the purpose of the planning effort and to determine what specific opportunities and constraints to growth and development exist. In this regard there are two distinct issues to be addressed; (1) the uniqueness of Mariposa as a community within the County and the region, and (2) the opportunity provided by this first major update to an existing specific plan within the County.

1. The Community of Mariposa - The community consists of a number of unique and specific characteristics that are significant in planning for future growth and development:

   a. Mariposa is the center of government for the County and contains regional offices of State and Federal agencies.

   b. Mariposa is the largest community within the County from the standpoint of population and commerce.

   c. Mariposa is located at the intersection of State Highways 140 and 49 which are the two most heavily traveled roads within Mariposa County.

   d. Mariposa is located on one of the primary routes to Yosemite National Park and more than one million visitors to the park pass through Mariposa annually.

   e. Mariposa contains the largest concentration of tourist accommodations (300 rooms) within the County outside of Yosemite Valley.

   f. Mariposa is the regional center of commerce and service for the County south of the Merced River.

   g. Mariposa has significant development constraints relative to steep slopes and flood plains.

   h. Mariposa currently is affected by a short (drought related) and long term shortage of water.

   i. Mariposa retains a small town, rural character.

2. Opportunities associated with the update of the Plan.

   This specific plan represents the first major update to an existing community plan within the County. This creates a number of unique opportunities:

   a. Ability to re-evaluate the previously identified goals to determine if they remain appropriate.
b. Ability to evaluate the implementation measures to determine if the desired effects were achieved.

c. Ability to identify changed conditions that were not addressed in the original planning effort.

d. Ability to fine tune the plan because many of the basic policy decisions have already been made.

The Mariposa Community Planning Advisory Council worked within the context of these unique opportunities and concentrated on the following issues which provide the framework for this specific plan.

1. Vehicular Circulation Plan
2. Vehicular Park Plan
3. Pedestrian Circulation Plan
4. Community Enhancement Plan
5. Infrastructure Plan
6. Land Use Plan and Standards Update

3. Future Evaluation of Specific Plan

In order to ensure that the goals and objectives of the Specific Plan can be properly achieved through its implementation, the Planning Commission will review the Specific Plan every two (2) years for necessary amendments to address any ambiguities, conflicts, or unforeseen situations which may arise upon implementation of the Plan. The Planning Commission will forward a report to the Board of Supervisors which outlines the Commission's findings and recommends amendments to the Specific Plan. Based on this report, the Board will initiate appropriate amendments to the Specific Plan.

The Board has identified one issue that needs to be studied further--the retrofitting of woodstoves to comply with Phase II standards of the United States Environmental Protection Agency at the time a residence is sold. This issue should be studied in conjunction with air quality studies for the TPA and County and the formulation of Countywide air quality standards.
SECTION 2.3 COMMUNITY GOALS

The guiding goal of the Mariposa County General Plan provides the framework for goals and objectives for the Mariposa Town Planning Area. The County's fundamental goal for planning efforts is:

"TO PROVIDE FOR THE GREATEST OBTAINABLE CONVENIENCE, PROSPERITY, HEALTH, SAFETY, COMFORT, PEACE, MORALS, AND GENERAL WELFARE OF PRESENT AND FUTURE RESIDENTS AND VISITORS TO THE COUNTY."

This overriding goal is appropriate for the community of Mariposa and is furthered by the following specific goals of this plan:

1. To provide for an orderly urban expansion of the Community of Mariposa.

2. To provide for, and promote, planned commercial, industrial and residential development within the Mariposa Community Planning Area.

3. To promote the recreation and tourist industry of the community.

4. To preserve and protect the historical sites and structures of the community for the benefit of future generations.

5. To promote and provide an effective and safe circulation system within the community.

6. To preserve and protect the fragile ecology of the community specifically with respect to the hillsides of the townsite and Mariposa Creek.

7. To promote and provide adequate and cost effective public services such as fire protection, water and sewer services.

8. To develop an adequate program for the evaluation of public buildings and facility needs.

9. To insure a safe and healthful environment for residents and visitors alike.

10. To promote the provision of a diversity of housing types and costs to meet the varied needs of present and future residents of the community.

11. To preserve and protect the rural small town flavor of the community.
SECTION 2.4 LAND USE OBJECTIVES AND POLICIES

This section provides a discussion of the elements of the plan relative to the identified goals.

A. Residential

The general objective of the residential land uses in the plan is to provide safe and healthful housing for all economic segments of the community. To provide baseline information to evaluate these policies, the following background information is provided. In 1986 there were approximately 569 housing units within the Mariposa Town Planning Area accommodating an estimated population of 1164 people. The community has experienced rapid growth since that time adding a total of 196 new dwelling units in 5 years. This equates to an average annual growth rate of 6.2% which is over two (2) times the Countywide annual growth rate of 3.0%. Of the new units added the last 5 years, 82% are either multi-family units or mobile homes. The majority of these new units serve low and moderate income working families and senior citizens, as projected. It is projected that the ratio of units targeted for low to moderate incomes will remain high, although not as high as the last 5 years.

The above information was utilized to develop residential growth projections for the next 20 years within the TPA. For the purpose of estimating growth, we used the Countywide annual growth rate of 3.0% as the low estimate and the recent Mariposa TPA annual growth rate of 6.2% as the high estimate. Growth was projected using "straight line" techniques which typically over estimate growth over time but are adequate for the purposes of this analysis.

TABLE 17

RESIDENTIAL GROWTH PROJECTIONS FOR MARIPOSA TPA

<table>
<thead>
<tr>
<th>Year</th>
<th>Population Estimate</th>
<th>Total Housing Unit Estimate</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low</td>
<td>High</td>
</tr>
<tr>
<td>1986</td>
<td>1164</td>
<td></td>
</tr>
<tr>
<td>1991</td>
<td>1565</td>
<td></td>
</tr>
<tr>
<td>1996</td>
<td>1814</td>
<td>2114</td>
</tr>
<tr>
<td>2001</td>
<td>2103</td>
<td>2856</td>
</tr>
<tr>
<td>2011</td>
<td>2826</td>
<td>5212</td>
</tr>
</tbody>
</table>

Notes - Low Growth Projection 3.0% annual
High Growth Projection 6.2% annual
Household Size 2.2 people
Vacancy Rate 7%
The preceding table projects the need for between 617 and 1783 new housing units within the community within the next 20 years. The following residential land uses have been established to meet this growth demand and to meet the specific programs established by the Mariposa County General Plan Housing Element.

1. Single Family 1/2 acre Minimum Parcel Size - Approximately 613 acres of primarily undeveloped land are located within this classification. It is anticipated that this classification would accommodate larger, more expensive, single family homes, however, mobile homes would also be allowed on the parcels. It is anticipated that the majority of the homes in this district would be owner occupied. Based upon the acreage allocated, it is estimated that this classification may ultimately accommodate approximately 420 housing units.

2. Single Family Residential 9,000 sq.ft. Minimum Parcel Size - Approximately 175 acres of primarily undeveloped lands are located within this classification. It is anticipated that this district would accommodate conventional single family residential development and provide the most affordable opportunities for home ownership. Mobile homes are allowed within this district. Based upon the acreage allocated, it is estimated that this classification may ultimately accommodate approximately 440 housing units.

3. Multi-family Residential - Approximately 50 acres of primarily undeveloped lands are located within this district. It is anticipated that this district would accommodate the majority of the lower cost housing within the community and the majority of residents would be renters. This classification would also allow for single family subdivisions, condominiums, townhouses and mobile home parks. Based upon the acreage allocated, it is estimated that this classification may ultimately accommodate approximately 400 housing units.

4. Other Land Uses Allowing for Housing - Several other classifications within the Town Planning Area allow for the development of housing units. These classifications include Professional Office Commercial, General Commercial and Scenic Resource.

Professional Office Commercial is the most significant from the standpoint of potential housing units. The Professional Office Commercial classification allows multi-family housing subject to approval of a conditional use permit. Although extremely difficult to estimate, this classification could easily accommodate an additional 100 housing units.
The General Commercial classification also allows for the construction of multi-family housing units in conjunction with a commercial development with a maximum density of 4 units per parcel. The concept is to promote the construction of housing units in conjunction with a retail store front to accommodate senior citizen and employee housing demand. Again, the ultimate level of housing developed in this fashion is difficult to estimate. However, 100 housing units could easily be accommodated.

The Scenic Resource District establishes large minimum parcel sizes (20 acres) but does allow for single family residential development. Based upon the acreage allocated, this classification could accommodate approximately 20 housing units.

B. Commercial

The general objective of the commercial districts is to provide for the general service and retail needs of the residents of the community, the regional area and tourists passing through Mariposa. It is recognized that the community of Mariposa is the current and future regional service center for the entire County excluding those areas north of the Merced River. In addition, the community provides for substantial tourist services and the need for additional services is expected to continue. Currently, there is approximately 462,575 sq. ft. of commercial building area within the community which equates to approximately 34 sq. ft. for each resident within the service area. This square footage includes the approximately 300 tourist guest rooms currently available within the community.

To ensure that the objectives of encouraging local and tourist service commercial development in the community are met, commercial demand was analyzed. A low and high end estimate were developed for the purpose of this analysis. The analysis is overly optimistic for the following reasons, but provides meaningful number for comparison purposes:

1. The actual service area is probably smaller than the service area used.

2. The projections assume that tourist services will continue to grow in direct relation to population growth which is probably unrealistic.

3. The projections assume that no competing services will be provided in other areas within the service area such as Bootjack or Cathey's Valley.

Table 18 provides a summary of the findings.
### TABLE 18

**COMMERCIAL AREA DEMAND**

<table>
<thead>
<tr>
<th>Service Area Population</th>
<th>Total Commercial Building Area Square Feet</th>
<th>Net Additional Acreage Required For Expansion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Low Demand Estimate</td>
<td>High Demand Estimate</td>
</tr>
<tr>
<td>1986</td>
<td>11778</td>
<td>370,000 (actual)</td>
</tr>
<tr>
<td>1991</td>
<td>13674</td>
<td>462,575 (actual)</td>
</tr>
<tr>
<td>1996</td>
<td>15832</td>
<td>522,456</td>
</tr>
<tr>
<td>2000</td>
<td>17,750</td>
<td>585,750</td>
</tr>
<tr>
<td>2010</td>
<td>23,828</td>
<td>786,324</td>
</tr>
</tbody>
</table>

*Net development land required for expansion in excess of facilities existing in 1991 (in acres).

**Notes:**

(1) Commercial Building Area does not include industrial uses or government offices.

(2) Low demand estimate based upon current ratio of commercial building area to resident within service area. (34 sq.ft./resident within service area)

(3) High demand estimate based upon 50 sq.ft./resident within service area.

(4) Acreage calculations based upon a floor area ratio of 5 sq. ft. of property for every 1 sq. ft. of building.
The two land use categories that would meet this need are Professional Office Commercial and General Commercial. The Professional Office Commercial land use encompasses approximately 46.5 acres of undeveloped and underdeveloped lands that are available for future construction of professional office uses. The bulk of the undeveloped lands within this classification is located on the east side of Highway 49 North with smaller areas on the north end of Jones Street and around the County Courthouse. There is currently enough undeveloped land within this category to accommodate between 204,600 and 404,550 sq. ft. of new professional office building area which is two to three times the existing building area dedicated to this use within the community. It is assumed that some of the excess land zoned for this use may be developed with multi-family uses. The professional office classification allows private and government offices including doctors, dentists, lawyers, real estate, title companies, etc. Churches, lodge halls and multi-family residential development is allowed as a conditional use within the classification. It is intended that this classification will provide adequate and appropriate locations for meeting the future service and general office needs of the community and the service area.

The General Commercial land use encompasses 120 acres of undeveloped and underdeveloped lands that are available for future construction of commercial uses. The bulk of the undeveloped lands within this classification is in the Coakley Circle area between Joe Howard Street and 8th Street on the west side of Highway 140/49; the west side of Highway 49N from Joe Howard to just north of Smith Road; and the area north of Williams Road between Highway 140 and Old Highway. There is currently enough undeveloped land within this category to accommodate approximately 1,044,000 sq. ft. of new commercial building area which is approximately three times the existing building area dedicated to this use within the community. The apparent excess of commercial land should provide sufficient growth area even if outside influences, such as implementation of the General Management Plan for Yosemite National Park, significantly alter anticipated commercial growth rates.

C. Industrial

The general objectives of the Light Industrial land use is to provide for the expansion of light industrial uses within the community of Mariposa. Industrial uses, within the context of this plan, refer generally to light manufacturing, outside sales, mini-storage, construction yards, auto repair, and similar types of uses. The plan provides 100 acres of vacant and underutilized land for this purpose that would be available for development. There is currently enough undeveloped land to accommodate 300,000 to 500,000 sq. ft. of new industrial building space which is over 20 times the existing building space allocated to these uses. The apparent excess of industrial land
is set aside for the purpose of promoting job generating industrial growth near available housing.

D. Public Facilities

The general objective for public facilities established by this plan is to develop an adequate program for the evaluation of public buildings and facility needs. Mariposa is the seat for County Government. As there are no incorporated cities within the county, this level of government is the main administrative body for the entire county. Current government facilities and offices are primarily located in the Courthouse and buildings surrounding this historic structure. A majority of these existing facilities are not adequate to serve current needs and with the high growth rates in the county, the needs for additional facilities is expected to grow in the future. The County Government Center Program contained in Section 4.1 provides a plan for expansion of public facilities. The proposal includes renovation and expansion of existing facilities, construction of new facilities, and purchase of additional property. As with any plan for an area experiencing rather rapid growth, this plan should be re-evaluated and updated from time to time.

The Parks and Recreation needs for the community are addressed in Section 4.1 and 4.2. The objective of these programs is to develop appropriate recreational facilities as additional development and population dictates.

Long term plans for other governmental services and facilities such as the School District, Hospital District, California Division of Forestry, etc. are not known and could not be specifically addressed by this plan. Lands owned by these entities have been zoned public-quasi-public to provide maximum flexibility for future expansion. Future expansion of such facilities must meet all standards contained within the plan as well as address site-specific design and environmental issues.
SECTION 2.5 COMMUNITY DESIGN OBJECTIVES AND POLICIES

Several of the identified goals for the community relate directly to the appearance and design of the community. These goals include:

- Promotion of the tourist economy
- Protection of historical structures
- Retention of the small town flavor and village characteristics

In support of these goals, several programs were developed including historical and design review standards, hillside development standards and other related standards. These programs were designed to retain and enhance the identified desirable features of the community while allowing growth and development to occur. A summary of these policies and their purposes is provided.

A. Design Review

The design review district and standards have been developed as an integral element of the land use policies and standards for the community. The standards affect all multi-family, commercial and industrial development within the community and are intended to serve as a guide to preserving, protecting, and enhancing the overall character of the community of Mariposa while permitting development that will enhance the community as a residential center, service provider for residents of the community and the County and a tourist service provider.

The general purpose and intent of these standards is to promote the public health, safety, and welfare of residents and visitors to the community and Mariposa County by accomplishing the following:

1. Enhance the community as a residential center and local service provider;
   a. Ensure safe and convenient access (all modes) and adequate parking for all commercial development to facilitate utilization by the resident population.
   b. Encourage amenities directed to the local consumer such as shaded parking areas, weather protection, diversity of services, pedestrian circulation and informative signs.
   c. Maintaining a high level of aesthetic quality in the community by promoting harmony, balance, order, contrast and interest.
Mariposa TPA Specific Plan, Section 2

2. Stabilizing and enhancing property values;
   a. Ensure compatible architectural design with existing and future development.
   b. Maintaining appropriate transitions between different uses.

3. Promoting tourism;
   a. Enhance the historical character and tradition of the community.
   b. Create a harmonious, comfortable and interesting environment that appeals to the needs of tourists.
   c. Provide areas and services attractive to the touring public such as shade, open space, parking areas, restrooms, interpretive and information displays and picnic areas.

B. Historic Design and Preservation

Retention and enhancement of the historical character of the community has been identified as a key element of this plan for the purposes of:

1. Maintaining and improving the tourist based economy of the community and County, and

2. Retaining the historic and rural character of the community to assist in maintaining the rural mountain lifestyle of the County.

The 1981 specific plan contains a comprehensive historical survey of historic structures within the Mariposa Town Planning Area. This survey provides an adequate description of the historical resources of the community and should be retained. The following additional policies and programs are recommended to augment the policies contained in the 1981 plan.

1. Historical Structure Tax Incentives

California State Law provides local governments the authority to enact property tax incentives for historical buildings (CGC Section 50280 et seq and R & T Section 37600). These incentives may be applied to locally identified historical sites, places and buildings. These tax incentives are applicable when a property owner desires to contract with the County for the long term preservation and/or restoration of historical structures. The Historical Inventory contained in the 1981 Specific Plan, the Mariposa County Historical Sites Survey, and the National register
District supporting documentation provide appropriate baseline information to determine which buildings may be appropriate for such tax incentives.

It is an objective of this plan that the County pursue the enactment of such historical tax incentives for the Mariposa Town Planning Area.

2. Development Regulations

To provide additional protection of the identified historical resources, regulations designed to protect the integrity of the historical district have been proposed. These regulations are contained in Section 3.0. These standards are proposed to allow for appropriate and economically viable utilization of historical structures, to protect existing public views of historically significant structures and sites and to maintain the architectural integrity of the identified historical district.

Due to the significance of the historical resource and the potential for irreparable damage to the historical integrity of the community, implementation of these standards is considered critical.

The standards are intended to function in conjunction with the general design reviews standards for the purposes of achieving the following goals and objectives:

3. Historic Design Standard Goals and Objectives

It is recognized that there is an inherent tendency to interpret historical design control as a rigid standardization of architectural styles. Historically, "Gold Rush" styles were diverse, functional and utilized natural or readily available materials. These factors are intended to serve as an overall standard for applying architectural standards that are included in this section. It is intended that modern materials and technology can be used effectively to accomplish:

a. A diversity of architectural styles conforming with the 1850-1920 theme of the community.

b. A functional structural design that serves the purpose for which it was designed.

c. Maximum utilization of natural materials (native wood and stone) while taking advantage of current technologies and materials.
d. Integration of modern "necessities" such as automobiles and electrification in site layout and structural design in keeping with the historical theme.

4. Historical Structures Use Incentives

For the purpose of providing additional incentives for the preservation and enhancement of identified historical structures, flexible use standards are provided in Section 3.0.

C. Subdivision Standards

It is recognized that the subdivision of property for development purposes is a key element of the implementation of this plan. The application of proper design standards is critical to the achievement of the plan's purposes.

The following deviations from the Countywide road standards are encouraged to enhance the community character and reduce cut and fill required for road improvements:

1. Utilization of parking pockets in lieu of a continuous on-street parking lane where a minimum of one on-street parking place per residential unit is provided and the maximum distance from each parcel to the on-street space is 300 feet.

2. Generally on-street parking would not be appropriate and should not be required for residential projects which have a finished lot size of one (1) acre net or greater.

3. Pedestrian pathways with a finished surface of pavement, concrete, or similar surface should be provided for all residential developments with a finished parcel size of less than 2.5 acres net. The pathways may be constructed adjacent to the roadways or in other locations that provide for adequate pedestrian access.

4. All roads constructed within the community shall have permanent drainage control.

The subdivision standards are contained in Section 3.3 and are provided as an adjunct to the existing requirements contained in the Mariposa County Subdivision Code. These standards were developed to address the specific issues, opportunities and constraints associated with the more intensive development provided for within the Mariposa Town Planning area.

These standards are intended to regulate the subdivision of land within the Mariposa Town Planning Area. They will ensure that necessary improvements are installed at the time of the
subdivision and facilitate the implementation of the Mariposa Town Planning Area Specific Plan and the Mariposa County General Plan. The specific purposes of these standards are stated as follows:

1. To implement the Mariposa County General Plan and its elements adopted by the Board of Supervisors as the long term guiding policy for growth and development.

2. To implement the goals, policies and standards of the Mariposa Town Planning Area Specific Plan adopted pursuant to the Mariposa County General Plan.

3. To provide a criteria for orderly development of the hillside areas within the Mariposa Town Planning Area. These criteria relate the intensity and distribution of development to the topographic, hydrological and geological conditions of the particular site. These standards are intended to accomplish the following:

   a. Reduce the environmental effects associated with extensive earth movement which is often necessitated by conventional development on steep slopes.
   
   b. Reduce the cost of installing and maintaining improvements necessary to serve development in hillside areas.
   
   c. Maintain the rural nature of this community by preventing intensive development on the hillside slopes, which are visible from throughout the town planning area.
   
   d. Protect existing and future residents from the hazards of fire, flooding, and slope failure associated with development on steep slopes.

4. Provide sufficient supporting infrastructure for development including sewer and water systems, pedestrian access, lighting, solid waste collection, fire protection, and other utilities.

5. To ensure that the cost of providing the adequate supporting infrastructure is paid by the developer or benefitees rather than the County at large.

6. To ensure that land is subdivided and developed in a manner which will promote public health, safety, convenience and general welfare of the community.

D. Planned Development Standards

The Mariposa Town Planning Area is characterized by varied terrain, environmental constraints and scenic opportunities. In
many cases all of these characteristics cannot be properly addressed by conventional development. To provide a tool for implementing the desired land uses within the plan, while protecting and enhancing the sensitive and desirable characteristics of the community, Planned Development Standards have been established. These standards have been applied to identified critical areas as an overlay district. It is also intended that they also be available for use on other properties.

These provisions are intended to provide the administrative procedures for planned development applications, and are not intended to alter the original content or purpose of the specific plan. A planned development is intended to provide a process which can permit and encourage logical or desirable development and carry out the objectives of the specific plan by:

1. Permitting the flexible development of commercial districts in close proximity to residential areas while protecting the character and quality of adjacent residential uses;

2. Permitting clustering of multiple-family developments or single-family dwellings on lots smaller than county minimum in appropriate locations within single-family land use classifications with suitable controls imposed;

3. Providing for the location, under suitable safeguards, of desirable types of commercial uses adjacent to and within residential areas.

4. Providing for the location, under suitable safeguards of desirable types of research and manufacturing adjacent to and within commercial or residential areas;

5. Permitting planned developments on a large scale in accordance with the provisions of the specific plan which would include a combination of any two or all of the developments mentioned in subsections 1, 2, and 3;

6. Permitting the redevelopment of parcels for residential, commercial, or industrial purposes or any combination thereof, in areas already built upon, but which now have marginal development;

7. Permitting commercial development on lots smaller than county minimums in appropriate locations within commercial land use classifications with suitable controls imposed.

E. Hillside Protection Standards

The community of Mariposa is located within a steep canyon created by Mariposa Creek and is literally surrounded by steep hillsides and ridges. The preservation of these hillside, ridge
and ridgetop areas has been identified as a key element of this plan. The preservation of the ridges and particularly the ridgetops in a natural appearing state is critical to achieving the identified goals of the plan. For these reasons, an extensive program has been developed within the plan to protect the hillsides surrounding the community. A summary of this program is provided.

1. Scenic Resource Land Use

This designation has been applied on the hillside areas surrounding the core of the community on areas characterized by slopes in excess of 30%. The majority of this designation is located outside of areas served by public water and sewer services and extension of such services into this area is not appropriate. The large (20 acre) minimum parcel size and development standards applicable in this district will preserve the natural appearance of these areas. Where the town planning area boundaries do not extend to the tope of the ridges surrounding the community, the application of these standards outside of the actual town planning area should be pursued.

2. Hillside Development Standards

Section 3.24 contains standards applicable to all development and construction on slopes in excess of 20%. This section contains special standards which regulate building design, grading, landscaping, and lot coverage within areas of steep terrain. These standards will assist in maintaining to the maximum extent possible, the natural appearance of these areas and in insuring that development is not subject to slope failure and extensive soil erosion.

3. Subdivision Standards

Section 3.3 contains subdivision standards that regulate subdivision activities in hillside areas. These standards regulate minimum parcel sizes and lot frontage relative to terrain. These standards will assist in maintaining, to the maximum extent possible, the natural appearance of these areas and in insuring that subdivision and development activities are not subject to slope failure and extensive soil erosion.

F. Drainageways

The protection of natural drainages has been identified as a key element of the plan both from the standpoint of providing for adequate surface water drainage as well as preserving and enhancing the appearance of the community. Programs have been developed to achieve the goals of the plan. These programs
directly relate to six (6) of the eleven (11) goals of the plan. A summary of the programs and their relation to the identified goals is provided.

1. Drainage Setbacks

Section 3.21(D) of the Specific Plan contains setback standards that regulate the location of structures and fill relative to identified surface water drainages within the community. Enforcement of these standards will avoid damage to structures located in areas subject to flooding, maintain the capacity of surface water drainage facilities to accommodate the drainage need of the community and create integrated areas of open space throughout the community.

2. Drainage Channels

The design review standards in Section 3.27 contain development design and siting criteria relating to properties fronting on Mariposa Creek. These standards require that development recognize the creek as a community asset. Enforcement of these standards will benefit the community as well as the individual business as the creek parkway is developed.
SECTION 2.6 PUBLIC SERVICES AND INFRASTRUCTURE OBJECTIVES AND POLICIES

2.61 Access and Circulation

As discussed in Section 1.5, the circulation system within the community is comprised of several modes and must address competing demands. Most significant is the need to accommodate through tourist traffic on Highway 140 while serving local access needs. The economic viability of the community is based upon both groups, therefore addressing their needs is critical. The underlying circulation goal is to provide an effective, safe circulation system within the community. The objectives are more specifically identified in this section.

A. State Highways

State Highways 140 and 49 are located within the town planning area. These highways are currently adequate to handle existing traffic with acceptable levels of service. However, projected increases in highway traffic and turning movements will reduce the level of service on certain segments of the highways to unacceptable levels in the foreseeable future. The most congested roadway in the community (Highway 140/49 between 3rd and 7th) cannot be widened based upon the location of significant existing improvements. The following plan objectives are identified for the State Highways within the Town Planning Area.

- Because of the link between adequate circulation and the economic vitality of the community and the County, the level of service on the highways shall be maintained at L.O.S. C or higher.

- New development accessing the highway directly or via county or private roads shall provide adequate turning lanes and acceleration/deceleration lanes so that highway traffic flows are not significantly affected. Impact fee funding programs shall be established to equitably apply the costs to new traffic generating development.

- Highway improvements which increase levels of service in already developed areas should be financed with state general funds or countywide impact fee funds because of the general benefit accrued by such improvements. An example of such a project is the continuous left turn lane being constructed on Highway 140 from 7th Street to Highway 49N.

- In recognition of the constraints relative to widening Highway 140 in the downtown area, both short and long term solutions must be pursued. Short term solutions include removing parking and providing turning lanes to alleviate congestion. Long term solutions include
planning and constructing alternative roads that would reduce traffic on this critical segment.

Section 4.4 of the plan establishes a specific program implementing these general objectives.

Substantial improvements consisting of a continuous left-turn lane, widened shoulders, and a pathway are proposed for Highway 49 North from Highway 140 to Mariposa Creek. The Board of Supervisors has adopted this project as the County's No. 1 priority for State Highway projects. The project has been placed in the State Transportation Improvement Program, and funding for the project has been secured. Completion of the project is estimated for the summer of 1997. The right-of-way necessary for the project has been determined by the California Department of Transportation and a map of the proposed right-of-way is on file in the Mariposa County Planning Department.

In addition to many other factors, costs for the project are based on the property and development improvements which presently exist along the highway. These costs include acquiring the necessary right-of-way from private property owners who will be compensated for their property and improvements within the right-of-way, and the removal or replacement of any improvements within the right-of-way. Further encroachments of improvements into the proposed right-of-way will increase the costs of the project in excess of the funds budgeted by the State for completion of the project. These increased costs may have to be borne by the County or the project will have to be reduced in size or scope. For these reasons, the proposed right-of-way should be protected from further encroachments of buildings, structures, and other improvements. In addition, to prevent the creation of non-conforming buildings and structures in respect to setback standards upon completion of the project, new buildings and structures should be setback from the proposed right-of-way boundary.

To protect the proposed right-of-way, development standards should be established prohibiting the placement of buildings, structures, and other improvements within the proposed right-of-way. Buildings, structures, and other improvements should be allowed within the proposed right-of-way if improvements such as retaining walls are constructed or drainage and maintenance agreements are executed which reduce the width of the right-of-way necessary to construct the left-turn lane project. Such improvements or agreements should be at the request and expense of the property owner and acceptable to the California Department of Transportation. Development standards should also be established to require a minimum setback of buildings and structures from the proposed right-of-way boundary.
B. County Roads

Existing County Roads - The community contains a significant network of existing county roads. The location and extent of these roads are addressed in detail in the community profile and in the inventory maps contained in Section 1.5. The majority of these roads provide two paved travel lanes and variable should improvements. Most of these roads do not comply with county standards relative to their functional classification. It shall be an objective of this plan to upgrade all county roads within the Town Planning Area to meet county standards. This shall be accomplished by a combination of development related frontage improvements, impact fees, general fund revenues and special funding such as redevelopment. The applicable standards are contained in Section 3 and in the environmental impact analysis section.

New County Roads - The specific plan identifies a series of future county roads designed to improve circulation flow within the community and provide access into presently unserved areas. Proposed new roads would be appropriate for inclusion into the county road system if they:

1. Serve concentrated development such as commercial, industrial or residential development with a density of greater than 1 unit per acre, and

2. Provide through access to another county road or state highway, and

3. Are constructed to full county standards based upon the Planned Development of the area served by the road.

Generally, new county roads which are provided to improve access to developing areas should be financed by the development benefiting from the new roadway while new roads which are provided to alleviate congestion on exiting major transportation routes should be financed through general found or general impacted fee revenues.

C. Private Roads

It is envisioned that the majority of the new roads providing direct access to residential parcels and commercial/industrial development will be private roads. These roads will be built as development takes place and should be designed and construction to provide for future extensions and connections where appropriate. In accordance with the County Road Improvement and Circulation Policy, roads within the Town Planning Area should be constructed to serve the ultimate planned development of the area served by the road.
Mariposa TPA Specific Plan, Section 2

To ensure adequate maintenance of the roads and that the maintenance is financed by the property owners served by the road, the county has established a Countywide County Service Area. Use of this special district is mandatory and should ensure adequate maintenance of new private roads.

D. Public Parking Areas

Existing public parking facilities within the community are described in the community profile section of this report. Generally, public parking is provided by parking lots within the parking district and on-street parking along county roads. The specific plan has three basic objectives relative to provisions for parking within the community:

1. Enhance parking facilities within the parking district by improving existing facilities and acquiring additional land to expand the facilities. Any land annexed to the parking district shall be responsible for financing the parking spaces required to serve the annexed area in addition to funding the on-going maintenance costs.

2. Insure that all new development outside of the parking district provides adequate on-site parking. The parking standards within Section 3.0 are provided to achieve this objective. On-street parking will provide sufficient overflow within the community.

3. Development of public parking lots outside of the parking district shall be financed entirely by the property benefiting from the additional parking. Development of parking facilities oriented towards tourists would be appropriate to pursue using general county funds based upon the potential for a general economic benefit to the county as a whole.

E. Pedestrian Paths

As discussed in the community profile section there currently is not an inter-connected system of pedestrian paths within the community. This situation creates difficulties for residents and tourists alike and creates increased congestion on roadways. Improvement of the pedestrian circulation system is critical relative to the achievement of a number of the plan's goals, including:

- Promotion of the recreation and tourist industry
- Promote and provide effective, safe circulation system,
- Protect and preserve rural small town flavor of the community.
To this end, a number of programs have been pursued to improve the pedestrian circulation system within the community.

1. Application of the design review standards contained in Section 3 will provide for adequate pedestrian circulation within developments.

2. Application of the road improvement requirements contained in Section 3 will ensure the installation of sidewalks and pedestrian paths along existing and new roads as development occurs.

3. Section 4 contains a program for the development and improvement of pedestrian paths throughout the community. Financing of this program may be provided by the general fund, communitywide impact district or special funding such as redevelopment.

2.62 Public Utilities

The Mariposa County General Plan advised that town planning areas shall be considered centers of service, commerce, industry and population. Substantial public utility infrastructure already exists within the community as described in the Community Profile Section 1.5. To accomplish this objective, provisions for public utilities such as water, sewer, electrical service, etc. become critical. It is an identified goal of this plan to provide adequate and cost effective public services throughout the Mariposa Town Planning Area (with exceptions) to promote this identified General Plan goal. Implementation measures relative to this objective are included in Sections 3.25 and 3.3 (Improvement Standards and Subdivision Standards) and Section 4, Public Improvements. The following specific objectives and related policies and standards are established:

A. MPUD should provide water and sewer services throughout the town planning area. They currently provide these services in the majority of the developed areas within the community and extension of their services to currently unserved areas is logical relative to providing adequate and cost effective water and sewer infrastructure.

B. Annexation of additional territory into the MPUD should not occur until adequate water source capacity exists or is programmed. The public facilities portion of the specific plan identifies projects to provide this additional source.

C. Urban level development should not occur until adequate MPUD sewer and water service is available. Sections 3.25 and 3.3 (Improvement Standards and Subdivision Standards) implement this policy.
D. Water and sewer services should not be extended into areas planned for rural level development such as the Scenic Resource designation.

E. Water and sewer services should only be provided together and prohibiting the provision of sewer service without water and vice versa should be pursued by MPUD.

F. All projects located within or outside of the Town Planning Area which could potentially impact or degrade the MPUD water source should be carefully analyzed to avoid any adverse impacts.

G. Prior to the completion of the Saxon Creek Water Source Project, a minimum of 50% of the remaining available water connections should be dedicated to residential development.

2.63 Fire Protection

As discussed in Section 1.5 of the Community Profile, the provision of fire protection services within the town planning area is currently provided by MPUD and the County Fire Department. This mixed jurisdiction does not provide the most cost effective and efficient fire protection services. As the town planning areas is developing with a mix of uses significantly more intense than the other rural areas of the County, a higher level of fire protection services is necessary to achieve the goals of the plan. The applicable goals include:

- To promote and provide adequate and cost effective public services such as fire protection.
- To insure a safe and healthful environment for residents and visitors.

To achieve these goals, the following objectives are identified:

A. MPUD's fire jurisdiction should ultimately be expanded to serve all developed portions of the TPA.

B. A cooperative agreement should be developed between the MPUD and County Fire Department relative to the application of standards for development in areas not currently served but proposed to be annexed into the MPUD.

C. A fire service plan addressing existing and new development within the TPA should be developed by MPUD and the County. This plan should identify equipment and facility needs to adequately serve planned growth. Financing of the new equipment and facilities should be provided by new development through impact fees or other appropriate mechanisms.
Mariposa TPA Specific Plan, Section 2

D. Extension of domestic water service into unserved areas should require adequate infrastructure to provide fire flows in accordance with the Uniform Building Code.
3. Land Use Development Standards and Regulations
SECTION 3.1 ZONING DISTRICTS

3.11 Residential Districts

A. Single Family Residential (9,000 sq. ft.) District

Purpose

The purpose of this classification is to provide single family housing on smaller parcels based upon the availability of community water and sewer systems. Development within this classification shall be limited to single family residential structures and appurtenant structures and uses and other uses and activities that will not be detrimental or obnoxious to the surrounding neighborhood.

1. Permitted Uses:

a. One single family residence per parcel.
b. Residential accessory structures.
c. Residential care and day care facilities within a residence and serving six or less residents in accordance with the standards contained in Section 3.15(C).
d. Home occupations in accordance with the standards contained in Section 3.15(A).

2. Conditional Uses:

a. One secondary residence with a maximum size of 800 sq. ft. on parcels which comply with the minimum parcel size standard.
b. Churches.
c. Community parks and playgrounds.
d. Day care facilities within a residence and serving seven (7) to 12 children.

3. Prohibited Uses:

All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

Minimum lot size shall be 9,000 sq. ft. exclusive of road easements. The maximum density shall be one single family residence per parcel including a secondary residence as provided for in this section.
B. Single Family Residential (1/2 acre) District

Purpose

The purpose of this classification is to provide single family housing on larger parcels based upon the availability of community water and sewer systems. Development within this classification shall be limited to single family residential structures and appurtenant structures and uses and other uses and activities that will not be detrimental or obnoxious to the surrounding neighborhood.

1. Permitted Uses:
   a. One single family residence per parcel.
   b. Residential accessory structures.
   c. One secondary residence with a maximum size of 800 sq. ft. on parcels which comply with the minimum parcel size standard.
   d. Residential care and day care facilities within a residence and serving six or less residents in accordance with the standards contained in Section 3.15(C).
   e. Home occupations in accordance with the standards contained in Section 3.15(A).

2. Conditional Uses:
   a. Churches
   b. Community parks and playgrounds.
   c. Day care facilities within a residence and serving seven (7) to 12 children.

3. Prohibited Uses:

   All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

   Minimum lot size shall be 1/2 acre (21,780 sq.ft.) exclusive of road easements. The maximum density shall be one single family residence per parcel including a secondary residence as provided for in this section.
C. Multi-Family Residential District

Purpose

This land use classification is designed to provide higher density housing in and around the commercial core of the community. Housing within this classification may include apartments, condominiums, townhouses, zero lot line homes, mobile home parks or detached single family homes.

1. Permitted Uses:

   b. Attached residential units including duplexes, apartments, condominiums, townhouses and similar development subject to the density standards established herein.
   c. Residential accessory structures.

2. Conditional Uses:

   a. Mobile home parks.
   b. Churches, non-profit lodge halls, clubs, fraternal organizations.
   c. Light commercial uses when an integral part of a multi-family development.

3. Prohibited Uses:

   All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

   The density standard shall be 4,000 sq. ft. of land area for the first multi-family unit and 1,500 sq. ft. for each additional residential unit added thereto, or 9,000 sq. ft. for single-family residential uses. Calculation of square footage shall be exclusive of road easements. Minimum lot size shall be 9,000 sq. ft. except as provided by planned unit development zoning.
3.12 Commercial Land Use Districts

A. Professional Office District

Purpose

The PO classification is designed to provide areas for the development of business and professional office uses with related business and institutional uses to the exclusion of retail business in general. It is intended that PO areas, and the uses therein, will be compatible and convenient to residential areas and the general business area.

1. Permitted Uses:

   a. Law offices, title company offices, accountants offices, insurance offices, and doctors and dentists offices.
   b. Government offices.
   c. Retail uses appurtenant to permitted uses.
   d. One single family residential unit per parcel.
   e. Other uses determined to be similar to and compatible with the above.

2. Conditional Uses:

   a. Churches, non-profit lodges, clubs, fraternal organizations.
   b. Commercial parking lots.
   c. Multi-family residential in accordance with the density standards contained in the Multi-family Residential Land use.
   d. Commercial Art Studios, including sales of artwork fabricated or produced on-site and including visually screened and enclosed exterior storage of materials for artwork.

3. Prohibited Uses:

   All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density

   Minimum lot size shall be 9000 sq. ft. exclusive of road easements. Density shall be one single family residence per 9000 sq. ft. except that higher densities shall be allowed subject to an approved use permit.
B. General Commercial District

Purpose

This classification is designed to provide the commercial services necessary and desirable to residents within the Mariposa Town Planning Area, the surrounding region and tourists.

1. Permitted Uses:

   a. General retail sales located within a building generally including the sale of food, clothing, hardware, drugs, liquor, general merchandise, artwork, antiques, auto parts and other uses of a similar character.

   b. Professional offices of a service character located within a building including doctors, dentist, real estate sales, title company, attorney and other similar offices; photographic studios, printing and duplication services and other uses of a similar character.

   c. Restaurants, drive-in restaurants, cocktail lounges, bowling alleys, movie theaters, lodge halls and other similar uses.

   d. Hotels, motels, conference facilities and other similar tourist service facilities.

   e. Dry cleaning establishments, laundromats, video rental and other similar miscellaneous uses.

   f. A maximum of four residential units per parcel when an integral part of a commercial development.

   g. Emergency shelters subject to the standards established in Section 3.29.

2. Conditional Uses:

   a. Any uses involving outside sales or storage areas.

   b. Service stations.

   c. Any use involving the bulk storage of flammable or hazardous materials.

   d. Emergency medical care facilities, fire stations and other similar uses.

   e. Single or multi-family residential uses in accordance with the density standards contained in the Multi-Family Residential classification.

3. Prohibited Uses:

   All uses not listed as permitted or conditional
shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

Minimum lot size shall be 9000 sq. ft. exclusive of road easements.

C. Light Industrial District

Purpose

This land use classification is designed to provide locations for those essential uses not allowed within the residential or commercial classification. This classification allows for the types of uses that generate employment opportunities for residents of Mariposa and the surrounding area. Typically the uses allowed within this classification are not appropriate in the commercial areas due to space and access demands and potential land use conflicts.

1. Permitted uses:

   a. Exterior and interior sales of equipment, building materials, hardware, machinery, automobiles and other similar uses.
   b. Equipment and automobile rental yards and other similar uses.
   c. Automotive and equipment repair, tire shops, muffler shops, auto glass shops, body shops and other similar uses.
   d. Construction equipment yards, public utility yards, cabinet shops, electrical shops, plumbing shops, welding shops and other similar uses.
   e. Kennels, veterinarian services, animal hospitals.
   f. Service stations, car washes and other similar uses.
   g. Manufacturing of equipment, clothing, handicrafts, electrical components and other similar uses.
   h. Warehousing and storage uses including mini-storage, boat and R.V. storage and other similar uses.
   i. Food processing including wineries, bottling plants and other similar uses.
   j. Regional office facilities including insurance, advertising, design and similar offices.
   k. Electronic research laboratories.
   l. High tech component manufacturing plants.
   m. Forest Service and Regional Government Headquarters.
Mariposa TPA Specific Plan, Section 3

n. Uses determined to be similar to and compatible with the above.
   c. One residential unit per parcel in conjunction with a light industrial use.

2. Conditional Uses:
   a. Bulk plants for the storage of petroleum products or other similar flammable or hazardous materials.
   b. Commercial-recreational uses.

3. Prohibited Uses:
   All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:
   Minimum lot size shall be 9,000 sq. ft. exclusive of road easements. Residential densities are not applicable to this classification.

3.13 Special Districts

A. Public-Quasi Public District

Purpose

The P-Q land use designation is applied to those areas in public ownership and whose improvements are used by the public and also those areas in private ownership but planned for public use. All private land within the P-Q land uses shall be developed with consideration of adjacent land use policies, to be determined by the Planning Director, on a case-by-case basis.

1. Permitted Uses:
   a. Those existing land uses such as the County Courthouse, the Hall of Records, the High School, Grammar School and the cemetery shall form the nucleus for future centers for P-Q land use. Typical uses include:
      i. Public schools, public hospitals and health care facilities.
      ii. Courthouse, civic center, administrative offices.
      iii. Public fairgrounds, fire houses.
      iv. Public utility service area, motor vehicle pool.
Mariposa TPA Specific Plan, Section 3

v. Public parks, playgrounds, recreation areas, parkways, greenbelts, waterways, reservoirs, forests, and cemeteries.
vi. Uses determined to be similar to and compatible with the above.
b. Emergency Shelters subject to the standards established in Section 3.29.

2. Conditional Uses:
   a. Campgrounds
   b. Uses involving bulk storage of flammable or hazardous materials.

3. Prohibited Uses:
   All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

B. Scenic Resource-20 Acre District

Purpose

This land use classification identifies an area of land whose potential use for building sites is limited due to very steep slopes which offer adverse conditions for road building, surface drainage, septic systems, and especially road and site grading. This classification is applied to the steep hillside areas surrounding the community and generally outside of the service area for community water and sewer.

1. Permitted Uses:
   a. One single family residence per parcel.
   b. Open space recreational uses including parks, recreational uses, hiking trails and similar non-intensive uses;
   c. Limited agricultural including grazing and the raising of crops;
   d. Timber harvesting conducted in accordance with the scenic highway overlay standards contained in Chapter 17.65 of this Title;
   e. One (1) secondary residence per parcel.

2. Conditional Uses:
   None.

3. Prohibited Uses:
Mariposa TPA Specific Plan, Section 3

All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

Minimum lot area shall be twenty (20) acres. The maximum density shall be one (1) single family residence per parcel and a secondary residence as provided for in this section. The maximum density may be increased to one (1) residence per five (5) acres through the planned development process.

5. Special Development Standards for SR-20:

The special development standards for the SR-20 District shall be as specified for the SR-5 District listed in Section 3.13(C)(5).

C. Scenic Resource-5 Acre District

Purpose

This land use classification identifies an area of land whose potential use for building sites is limited to very steep slopes which offer adverse conditions for road building, surface drainage, septic systems, and especially road and site grading. This classification is applied to the steep hillside areas surrounding the community and generally outside of the service area for community water and sewer, and to parcels in existence at the time the zoning district is applied which are less than 20 acres in size.

1. Permitted Uses:

   a. One single family residence per parcel;
   b. Open space recreational uses including parks, recreational uses, hiking trails and similar non-intensive uses;
   c. Limited agricultural including grazing and the raising of crops;
   d. Timber harvesting conducted in accordance with the scenic highway overlay standards contained in Chapter 17.65 of this Title;
   e. One (1) secondary residence per parcel.

2. Conditional uses:

   None.

3. Prohibited uses:
All uses not listed as permitted or conditional shall be prohibited, except similar uses in compliance with Section 3.16.

4. Minimum Lot Size/Density:

Minimum lot area shall be five (5) acres. The maximum density shall be one (1) single family residence per parcel and a secondary residence as provided for in this section.

5. Special Development Standards for SR-5:

a. Grading:
1. No grading plans shall be approved and no grading shall occur except in conjunction with approved development plans (including subdivisions) associated with construction for a permitted use.
2. Grading shall be minimized by utilization of multiple parking areas and multiple or stepped buildings which conform to the natural topography; and by design of access and interior roads or routes which conform to the natural topography and contours.
3. Natural features which contribute to the scenic quality of the hillsides, including vegetation, natural drainages, and existing topography or topographic features, shall be addressed in grading and development plans. These natural features shall be incorporated into the proposed grading and development where possible.
4. All earthmoving activities which expose soil surfaces shall be followed by application of soil stabilization and revegetation measures to prevent erosion and to revegetate exposed surfaces. Revegetation and soil stabilization methods in accordance with the recommendations or standards of the Soil Conservation Service or the Mariposa County Resource Conservation District shall be required.

b. Site Development:
1. Buildings and structures shall be designed so as to minimize their visual impact from State Highways 49 and 140 within the Mariposa TPA. The exterior of all buildings and structures shall be constructed of non-reflective, earth tone color materials.
2. A visual buffer area shall be required between State Highways 49 and 140 within the Mariposa TPA and all new buildings and structures to minimize the views of the buildings or structures from the highways. Use of natural topography, existing vegetation, and landscaping which is equally effective at all times of the year are appropriate to achieve this standard.

c. Exceptions: These special development standards shall not apply if the Planning Director determines the grading and/or structure is not visible from State Highways 49 and 140 within the Mariposa TPA.

3.14 Overlay Districts

A. Planned Unit Development Overlay District

Purpose

This overlay is applied to lands that have diverse development potential but also may be subject to environmental constraints. This district is typically applied to larger tracts of land to insure that complete master planning of the site is accomplished prior to the initiation of development. The intent of the overlay is to provide for innovative design concepts including mixed use, cluster development and open space preservation.

1. Standards for Development

a. Standards for development shall be established through specific planned development standards prepared for property within this classification. The underlying principal land use shall be used as a guide for development with variation relative to use and density allowed through the Planned Development process. The Planned Development review standards are contained in Section 3.14(A)(2) of this document. One single family residence per parcel shall be allowed prior to approval of the Planned Development overlay.

b. Minimum Parcel Size/Density

Minimum parcel size and densities shall be developed through the Planned Development process. No subdivision shall be allowed
until the Planned Development standards for the site are approved.

2. Planned Development Standards and Procedures

a. Approval of the Plan.

Applications shall be initiated by the owner or owners of the land. Applications for the establishment of a PUD must include a development plan as described herein. Applications for a subdivision or use permit may be submitted with a PUD application and may be processed, considered, and approved in conjunction with a PUD application. Subdivision and use permit applications considered in conjunction with a PUD application shall be approved by the Planning Commission. The PUD approval shall be processed in the manner as provided for approval as described herein. Applications and development plans will be reviewed by the Planning Department prior to submission for review by the Planning Commission. The Planning Department’s preliminary review shall consist of plan review with the applicant to gain a full understanding of the planned development proposal and environmental review consistent with adopted county policy. The Planning Commission may approve, disapprove, modify, or attach conditions to a development plan.

b. Findings required for approval of a Planned Development

The Planning Commission, after a public hearing, may approve a planned development, provided they find that the facts submitted with the application and presented at the public hearings establish that:

1. Each individual unit of the development, if built in stages, as well as the total development, can exist as an independent unit capable of creating a good environment in the locality and being in any stage as desirable and stable as the total development;

2. The uses proposed will not be a detriment to the present and proposed surrounding land uses, but will enhance the
desirability of the area and have a beneficial effect;

3. Any deviation from Title 16 (Subdivision Ordinance) requirements is warranted by the design and additional amenities incorporated in the development plan which offer certain unusual redeeming features to compensate for any deviations that may be permitted; and

4. The principles incorporated in the proposed development plan indicate certain unique or unusual features which could not otherwise be achieved under standard subdivision provisions.

c. Principal Permitted Uses:

In a planned development, any use may be permitted provided such uses are generally consistent with the underlying land use classification of the specific plan, or the uses are shown on the development plan for the particular PUD and is approved by the Planning Commission. An approved development plan shall be considered an addition to or augmentation of the specific plan.

d. Use Permits:

1. A use permit shall be required for all uses in a PUD with the exception of a single-family residence on an approved building site and buildings accessory thereto which serve the domestic needs of single-family dwellings.

2. A use permit may be issued by the Planning Commission at the option of the Planning Commission without a public hearing if the structure or structures comply with the adopted development plan and conditions thereof.

e. Development Plan--Design and Location.

A planned development shall be designed and located so as to minimize traffic congestion on public highways and streets in its vicinity and to best fit the land use pattern and topography of the area in which it is located.
f. **Filing Fees.**

There shall be a fee prescribed by resolution of the Board of Supervisors to provide for the costs for processing the application and the development plans.

g. **Application--Items Required.** Planned development application shall be accompanied by:

1. A completed application on a form provided by the planning department.

2. The required fee.

3. A plan proposal prepared according to the specifications as described for the development plan in Section 3.14.A.2.h.

4. A legal description by metes and bounds of the area to be affected by the planned development; and

5. A list of names and addresses of property owners with property located within three hundred feet of the proposed planned development.

h. **Development Plan--Components.**

1. The development plan shall include all of the following:

   a. A site plan map which shows:

      i. Existing and proposed private and public streets and sidewalk improvements,

      ii. Lot design,

      iii. Areas proposed to be dedicated or reserved for any public use including but not limited to public utility easements, public buildings, and public land uses,

      iv. Parking and interior traffic flow, including parking ratios,
v. Land uses adjacent to the external boundary of the PUD site.

b. Site development details, including:

i. Preliminary building plans, including generalized elevations,

ii. Maximum building heights,

iii. Maximum lot or area coverages,

iv. Minimum distance between structures,

v. Minimum setbacks from interior lot lines,

vi. Minimum setbacks from street rights-of-way,

vii. Landscaping, screening, and lighting,

viii. Population densities within the planned development;

c. Signing standards, including generalized locations, maximum sizes, maximum height, and lighting arrangements. For purposes of this section, "neighborhood shopping center" shall be defined as a shopping center in which the major tenant is a supermarket. "Major tenant" shall be defined as the tenant occupying the greatest amount of floor space;

d. Land uses proposed to be located within the development;

e. Development schedule, including date of commencement of construction, annual accomplishment, and completion of planned development;

f. Any other reasonably related information necessary for the planning commission to act.
2. The Planning Department shall accept only such plans that contain the information specified or reasonably determined necessary.

i. Standards.

Setbacks, building heights, distances between buildings, lot coverage, parking requirements, and landscaping requirements shall be established by the Planning Commission for each planned development in a manner which assures the suitable integration of the planned development into the neighborhood or area in which it is located.

j. Density Control.

The number of dwelling units shall be determined by dividing the net development area by the minimum lot area of the land use classification for the site proposed for the PUD. Net development area shall be determined by subtracting the area set aside for churches, schools, or commercial use from the gross development area and deducting fifteen percent of the remainder for streets. Open spaces for recreational uses shall be included in determining the number of dwelling units permitted. The 15% street set-aside may be waived based on a finding that the project represents exemplary design characteristics relative to the overall intent of the planned development standards.

k. Revision of plan--Use Permit

The Planning Director may approve one or more revisions to an approved PUD provided such revision:

i. does not result in a cumulative expansion of more than 10% of the original allowed development or development area;

ii. does not involve changes in land use;

iii. does not allow a revision in the standards of development;

iv. is found to be necessary and desirable for the best utilization of a site;

v. will not result in or create a potential public nuisance or health and safety problem;

vi. will not create impacts which were not addressed by the original environmental determination for the project, and
Mariposa TPA Specific Plan, Section 3

vii. does not change the original intent of the PUD.

1. Area Requirements

Minimum parcel size for the consideration of a planned development shall be two and one-half acres exclusive of access easements.

m. Public Improvements

Improvement to full county standards of all public rights-of-way abutting and within the development shall be required. In addition, if determined necessary for proper traffic circulation, the applicant may be required to provide proper methods of ingress and egress to the development including acceleration and deceleration lanes, and traffic devices including channelization.

n. Development Schedule and Time Extension of a PUD and/or Conditional Use Permit within a PUD:

1. An application for a PUD shall be accompanied by a development schedule indicating the approximate date when construction of the project can be expected to begin, which date shall be no later than three (3) years from the effective date of the approval of the PUD. Construction beginning shall mean building and/or grading permit issuance, which shall be within three (3) years from the effective date of the approval of the PUD. The development schedule shall also include the anticipated rate of development and completion date. The development schedule, if approved by the Planning Commission, shall become a part of the development plan and shall be adhered to by the owner of the property covered by the PUD and his successors in interest. These requirements shall apply to any PUD conditional use permit approved concurrently with the PUD. The county shall require the applicant to enter into an indemnification agreement pursuant to County Code Chapter 18.06.

2. The applicant shall be required to submit annual progress reports to the planning department by December 15th of each
calendar year, including the year during which the approval date is established, until the project is completed. Completed shall mean the issuance of a building permit final, certificate of completion or certificate of occupancy. The planning department shall compare the annual progress reports and actual development in the planned unit development with the approved development schedule.

If the planning department finds the owner or owners are failing or have failed to meet the approved schedule and make progress toward obtaining a grading and/or building permit to begin construction and/or have failed to submit the required progress reports, the department may recommend the commission initiate proceedings to revoke the approval of the PUD development plan or PUD use permit.

3. One 18-month time extension of the initial time frame between the effective date of the approval of the PUD and/or the PUD conditional use permits and the start of the construction may be requested through application to the Planning Commission. The application must be made at least 90 calendar days prior to the initial approval expiration date.

Demonstration of good cause shall be shown by the applicant for the time extension request based on the following findings:

a) That the proposed use and development plan remain consistent with the policies and standards of the general plan and any applicable specific plan at the time of the time extension;

b) That the time extension and the project development will not result in any new or modified environmental impacts not reviewed by the original environmental determination;
c) That with the time extension: the establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort, and general welfare of the persons residing or working in the neighborhood of such proposed use, and will not be injurious or detrimental to the property and improvements in the neighborhood or the general welfare of the county;

d) That reasonable progress on the project has been made; reasonable progress shall be substantiated by supporting documentation; and

e) That reasons for the additional time request are provided and documentation justifying the reasons are included in the request.

The Planning Commission may impose any conditions and/or requirements it finds necessary to guarantee compliance with findings in this section.

Any tolling provisions provided for by the conditions of approval for a PUD or PUD conditional use permit shall remain in full effect. Time extension request provisions of this section do not change any approved tolling provisions.

o. Identification of Planned Developments

Each PUD shall be numbered, the first adopted being shown on the specific plan map as PUD 1 and each planned development subsequently approved being numbered consecutively.

p. Compliance with provisions--Interpretation

1. Compliance with any requirement shall not be construed to relieve applicant from compliance with subdivision regulations, building code requirements, or any other applicable regulations of the county.

2. A planned development may be accepted with applications for minor or major subdivisions and may be processed
simultaneously, including staff review, environmental review, and public hearings at the Planning Commission.

q. Public hearings

The Planning Commission shall hold at least one public hearing on the proposed planned development. Notice of the time and place of such hearing and the area affected by the proposed amendment shall be provided in accordance with the public hearing procedures of the Mariposa County Zoning Ordinance.


Following the hearing required by Section B.14.A.2.q., the Planning Commission shall make a report of its findings and actions with respect to the proposed planned development. Such report shall include a statement as to whether the proposed planned development is in conformance with the latest adopted specific plan. If the Planning Commission deems it appropriate, it may require that the area under consideration for a planned development be enlarged or diminished.

s. Abandonment after proceedings have begun

Upon consent of the Planning Commission, any application for a planned unit development may be withdrawn by written request of a majority of all persons who signed such application. The Planning Commission or Board of Supervisors may by resolution abandon any proceedings for a planned development initiated by its own resolution of intention; provided, that such abandonment may be made only when such proceedings are before such body for consideration; and provided, that any hearing of which public notice has been given shall be held.

t. Site Restoration.

Security to the satisfaction of County Counsel is required to restore the property to nearly its natural and original state in the event of abandonment after construction has begun. The amount is to be based on 10% percent of the total construction cost of the
Mariposa TPA Specific Plan, Section 3

project, or an engineer's estimate of the cost of site preparation and grading. This amount is to be confirmed by the Department of Public Works, covered by a 50% contingency, and guaranteed by an appropriate agreement with the County. Upon completion of the project and final approval by the County, the required security shall be returned to the developer.

B. Design Review Overlay District

The Design Review Overlay Zone (DRO) is an overlay district which is intended to be combined with any other district in which it is determined desirable to protect the overall appearance of the district by regulating the design of new structures and changes in the appearance of existing structures. The purpose of this district is to ensure that proposed buildings, structures, signs, and landscaping and modifications to buildings, structures, signs, and landscaping within these areas are in harmony with the surrounding areas. The intent of the zone is to promote the overall economic vitality of a district, enhance tourism and to stabilize and increase property values. This district may be applied to areas containing public or private buildings and lands exhibiting unique architectural themes and/or scenic beauty.

1. Development Standards for the DRO.

   a. Uses: Permitted, conditional and prohibited uses shall be as set forth in the Principal Zone.

   b. Minimum Parcel or lot size: As established by the Principal Zone.

   c. Density: As established by the Principal Zone.

   d. Setbacks, building height, parking and other applicable development standards: As established by the Principal Zone.

2. Special Development Standards for the DRO.

Development in the DRO District shall conform to architectural theme and development guidelines established by the Board of Supervisors pursuant to Subsection 7 of Section 3.14 B of this chapter. In reviewing and approving the application for design review, the Planning Director shall find that the application complies with the architectural theme and development guidelines established by the Board of Supervisors.
In the instance that a Special Development Standard established by this section conflicts with a Development Standard of the Principal Zone, the Special Development Standard established by this section shall apply.

3. DRO Plan Review--Required.
Except as provided in this section, no Commercial, Industrial or Multi-family Residential use shall be established, no development shall occur, no exterior advertising display installed and no building or grading permit shall be issued for any Commercial, Industrial or Multi-Family Residential use or development in the DRO District until an application for Design Review Plan has been submitted to and approved by the Planning Director in accordance with the procedures established in this section.

4. DRO Plan--Application Requirements.
An application for design review shall include the following:

a. A completed Commercial, Industrial and Multi-Family Dwelling Building Permit Application Form. Complete construction drawings are not necessary for the design review process.

b. A plot plan drawn to the scale specified by the Planning Director which contains the information specified in Section 17.08.150 of the Zoning Ordinance.

c. Elevations of all sides of the proposed building or structures showing:
   i. Dimensions of the buildings or structures;
   ii. Proposed architectural treatment, building materials and colors;
   iii. Roof design and materials;
   iv. Size and spacing of windows, doors, and other openings;
   v. Signs;
   vi. Exterior lighting;
   vii. Mechanical equipment and above ground utilities.

An exemption from the requirement for providing elevations of all sides of the proposed building or structure may be allowed where it can be shown to the satisfaction of the Planning
Mariposa TPA Specific Plan, Section 3

Director that certain sides of the building/structure are not visible from public property or public rights of way. In this instance the elevations of the sides not visible are not required.

d. Preliminary grading plan indicating grading necessary for the proposed structures, access roads and parking areas. The plan shall indicate the location, height and grade of all cut and fill banks necessary for the proposed project.

e. A narrative description of the proposed development and how it was designed in accordance with the applicable architectural theme and design guidelines may be submitted to assist in the design review process.

5. DRO Plan-Application Processing Procedures.
A pre-application meeting with the Planning Department to discuss a proposed project and the applicable design review standards is strongly encouraged. Upon receipt and acceptance of a Design Review Plan application as complete, the Planning Department shall, within 5 days, refer such application to the Design Review Committee appointed by the Board of Supervisors having jurisdiction over the area in which the development is proposed. The design review committee shall formulate a recommendation to approve, conditionally approve or deny the design review plan within fourteen (14) days of the receipt of a completed application from the Planning Department. In the instance that no design review committee has been appointed or the appointed design review committee fails to formulate a recommendation by majority vote, the Planning Director shall consider the design review plan. The Planning Director shall consider the design review plan application along with the recommendation and act to approve, conditionally approve or deny the application. Action on the design review plan shall occur within 5 days of receipt of the recommendation from the design review committee. The Planning Director's action shall be based upon the findings listed subsection 3.14 B 2 of this section. The Planning Director shall provide specific written findings if a design review plan is denied.

6. DRO Plan Application-Review Exemption.
The Planning Director may approve an exemption from review by the design review committee where it can be determined that the proposed development is of a small scale (generally less than 5000 sq.ft.) or is
a minor alteration or expansion of an existing development that clearly complies with all of the Special Development Standards established pursuant to this section by the Board of Supervisors for the affected area. For the purpose of this subsection a minor alteration or expansion is defined as an alteration that will not significantly modify the exterior appearance of the structures and/or site. The applicant shall be required to submit the information required by subsection 3.14(B)(4) of this section in order to justify the exemption.

7. Establishment Of Architectural Theme and Development Guidelines For DRO Districts.
The Board of Supervisors shall establish an Architectural Theme and Development Guidelines for each DRO District established pursuant to this section. The standards shall provide guidelines for development in accordance with the Special Development Standards established by subsection 3.14(B)(2) of this section. The standards may be adopted separately or as part of a Specific Plan for an area and shall be adopted by resolution or ordinance.

C. Historic Design Review Overlay District

The Historic Design Review Overlay Zone (HDRO) is an overlay district which is intended to be combined with any other district located in an area containing a substantial number of historic buildings where it is determined desirable to protect the overall appearance and integrity of the district by preserving existing structures and regulating the design of new structures and changes in the appearance of existing structures. The purpose of this district is to ensure that proposed buildings, structures, signs, and landscaping and modifications to buildings, structures, signs, and landscaping within these areas are in harmony with the historic nature of the district. The intent of the zone is to promote the overall economic vitality of a district, enhance tourism and to stabilize and increase property values. This district may be applied to areas outside the HDRO within the Mariposa Town Planning Area containing public or private buildings determined to be historically significant.

1. Development Standards for the HDRO
   a. Uses: Permitted, conditional and prohibited uses shall be as set forth in the Principal Zone.
b. Minimum Parcel or lot size: As established by the Principal Zone.

c. Density: As established by the Principal Zone.

d. Setbacks, building height, parking requirements and other applicable development standards: As established by the Principal Zone.

2. Special Development Standards for the HDRO.

Development in the HDRO District shall conform to architectural theme and development guidelines established by the Board of Supervisors pursuant to Subsection 3.26 of this chapter. In reviewing and approving the application for design review, the Planning Director shall find that the application complies with the architectural theme and development guidelines established by the Board of Supervisors.

In the instance that a Special Development Standard established by this section conflicts with a Development Standard of the Principal Zone, the Special Development Standard established by this section shall apply.

3. HDRO Plan Review-Required.

Except as provided in this section, no Commercial, Industrial or Residential use shall be established, no development shall occur, no exterior advertising display shall be installed, and no building and grading permit shall be issued for any Commercial, Industrial or Residential development in the HDRO District until an application for Design Review Plan has been submitted to and approved by the Planning Director in accordance with the procedures established in this section.

4. HDRO Plan-Application Contents

An application for design review shall include the following:

a. A completed Commercial, Industrial and Multi-Family Dwelling Building Permit Application Form. Complete construction drawings are not necessary for the design review process.

b. A plot plan drawn to the scale specified by the Planning Director which contains the information specified in Section 17.08.150 of the Zoning Ordinance.
c. Elevations of all sides of the proposed building or structures showing:
   i. Dimensions of the buildings or structures;
   ii. Proposed architectural treatment, building materials and exterior colors;
   iii. Roof design and materials
   iv. Size and spacing of windows, doors, and other openings;
   v. Signs;
   vi. Exterior lighting;
   vii. Exterior mechanical equipment and above ground utilities;

   An exemption from the requirement for providing elevations of all sides of the proposed building or structure may be allowed where it can be shown to the satisfaction of the Planning Director that certain sides of the building/structure are not visible from public property or public rights of way. In this instance the elevations of the sides not visible are not required.

d. Preliminary grading plan indicating grading necessary for the proposed structures, access roads and parking areas. The plan shall indicate the location, height and grade of all cut and fill banks necessary for the proposed project.

e. Narrative description of the proposed development and how it was designed in accordance with the architectural theme and design guidelines established by the Board of Supervisors.

5. HDRO Plan-Application Processing Procedures

A pre-application meeting with the Planning Department to discuss a proposed project and the applicable design review standards is strongly encouraged. Upon receipt and acceptance of a Design Review Plan application as complete, the Planning Department shall, within 5 days, refer such application to the Design Review Committee appointed by the Board of Supervisors having jurisdiction over the area in which the development is proposed. The design review committee shall formulate a recommendation to approve, conditionally approve or deny the design review plan within fourteen (14) days of the receipt of a completed application from
the Planning Department. In the instance that no design review committee has been appointed or the appointed design review committee fails to formulate a recommendation by majority vote, the Planning Director shall consider the design review plan. The Planning Director shall consider the design review plan application along with the recommendation and act to approve, conditionally approve or deny the application. Action on the design review plan shall occur within 5 days of receipt of the recommendation from the design review committee. The Planning Director's action shall be based upon the findings listed in subsection 3.14(C)(2) of this section. The Planning Director shall provide specific findings if the design review plan is denied.

6. HDRO Plan Application-Review Exemption

The Planning Director may approve an exemption from review by the design review committee where it can be determined that the proposed development is a minor alteration or expansion of an existing development that will not affect the achievement of the Architectural and Design Review goals established by the Board of Supervisors for the affected area. For the purpose of this subsection a minor alteration or expansion is defined as less than 10% of the existing building size that will not significantly modify the exterior appearance of the structures and/or site. The applicant shall be required to submit the information required by subsection 3.14(C)(4) of this section in order to justify the exemption.

7. Establishment Of Architectural Theme and Development Guidelines For HDRO Districts

The Board of Supervisors shall establish an Architectural Theme and Development Guidelines for each HDRO District established pursuant to this section. The standards shall provide guidelines for development in accordance with the Special Development Standards established by subsection 3.14(C)(2) of this section. The standards may adopted separately or as part of a Specific Plan for an area and shall be adopted by resolution or ordinance.

8. Demolition within a Historical Design Review Overlay District, Demolition of a designated Historic Site or Structure.

a. Demolition Permit Required
Mariposa TPA Specific Plan, Section 3

Except as provided in this section, no building or structure identified by the County as historically significant within a designated Historical Design Review Overlay Zone or designated as an historic site and structure as shown in Appendix C of the Mariposa Town Planning Area Specific Plan shall be demolished without first obtaining approval from the Planning Director.

b. Demolition Permit-Review Findings

No permit shall be issued to demolish or cause to be demolished any building, structure or portion thereof that has been identified by the County as historically significant within any Historic Design Review Overlay District unless:

i. The Planning Director determines that the building or structure has no historical value or significance and does not contribute to the historical character of the District; or

ii. The Planning Director determines that the owner would have no economic use of the property unless the structure is removed. It is the applicants responsibility to submit to the County financial data to substantiate such claim, including the cost, assessed value, taxes, appraisals, listings and income from the property; or

iii. The Planning Director determines that the structure or building is in such a deteriorated condition that it is determined to be unrepairable and that demolition will not have a significant effect on the achievement of the purpose of this title; or

iv. The Planning Director determines, upon consultation with the Chief Building Inspector, County Engineer, County Fire Warden or other appropriate individuals that an imminent safety hazard exists, and that demolition is the only feasible means to secure the public safety. The Director's determination in this matter shall be guided by the standards and criteria set forth in the current editions of the Uniform Building Code, Uniform Fire Code and State Historic Building Code.
Mariposa TPA Specific Plan, Section 3

c. Demolition Permit-Application Processing Procedures.

Consideration of a demolition permit shall follow the procedures outlined in subsection 3.14(C)(5) of this section.

d. Demolition Permit-Action

After review of all pertinent information the Planning Director shall exercise one of the options listed below:

i. Approve the demolition permit if the application conforms with one of the findings listed in subsection 3.14(C)(8)(b).

ii. Direct a stay of demolition for a maximum period of four weeks in order to allow time for the applicant and the Planning Director to seek alternative solutions to demolition. If no alternatives are found, after the period established for the stay of demolition, the Director may approve the application.

iii. Deny the application if the findings listed in subsection 3.14(C)(8)(b) cannot be made.

SECTION 3.15 SUPPLEMENTARY USE STANDARDS

A. Home Based Occupations

Home based occupations will be permitted in all single family structures subject to the following:

1. Home occupation shall mean a use which, as determined by the Planning Director, is customarily carried on within a dwelling or mobile home by the inhabitants thereof, which use is clearly incidental and secondary to the residential use of the dwelling or mobile home, and which use:

   a. Is confined completely within the dwelling or mobile home and occupies not more than thirty-three (33%) percent of the gross area of one floor thereof;

   b. Is operated only by the members of the family occupying the dwelling or mobile home;
c. Produces no evidence of its existence in the external appearance of the dwelling, mobile home, or premises or in the creation of noise, odors, smoke or other nuisances to a degree greater than that normal for the neighborhood in which such use is located;

d. Does not generate pedestrian or vehicular traffic beyond that normal in the neighborhood in which use is located;

e. Meets the requirements of the applicable building codes and fire district of jurisdiction; and

f. Requires no additions or extensions to the dwelling or mobile home, unless approved under use-permit provisions.

g. Does not have signs advertising the business.

2. Prior to the establishment of a home occupation, the following procedures shall be followed:

a. A notice of intent to establish a home occupation shall be filed with the Mariposa County Planning Department.

b. The Mariposa County Planning Department shall post a notice on the subject property or residence in a conspicuous manner for a period of fifteen consecutive days and notice to be sent to all property owners within 300 feet of the proposed home occupation.

c. The notice shall briefly describe the intended home occupation proposed.

d. The filing of a petition signed by 50% of the property owners residing within 300 feet of the proposed home occupation site, which protest the intended activity and is filed with the Mariposa County Planning Department within 20 days of posting subject property, shall require such proposed home occupation to be permitted by conditional use permit only.

e. Failure of such a protest petition being filed as described above, the Planning Department shall issue a notice of approval to the applicant within 10 working days of the closing of a protest petition filing date.
B. Bed and Breakfast and Vacation Rentals

For the purpose of this chapter, residential transient rental and vacation rental have the same meaning. Bed and Breakfast and Vacation Rental Establishments (residential transient occupancy facilities) shall be a permitted use within all single family residential structures. Standards and requirements for bed and breakfast and vacation rentals are established by County Code, Zoning Section 17.108.180. Bed and Breakfast and Vacation Rental Establishments are defined in County Code, Zoning Section 17.148.010.

C. Day Care and Small Residential Care Facilities

1. Day Care Facilities

Preschool, child day care, and adult day care facilities for six (6) or fewer persons shall be a permitted use in residential structures in any zone in which residential uses are permitted. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

a. All outdoor play areas shall be enclosed with fencing a minimum of four (4) feet high, provided that such fencing is to be solid and a minimum of six (6) feet in height on any property line abutting a residential use on an adjoining lot.

b. In addition to the parking normally required for the residence, an off-street drop-off area shall be provided with the capability to accommodate at least one car.

2. Small Residential Care Facilities

Small Residential care facilities shall be a permitted use in all zones in which residential uses are permitted when six (6) or fewer persons are provided twenty-four (24) hour care in a residence. In addition to the provisions of the Health and Safety Code, the following special standards shall apply:

a. Play areas for children must be fenced to prevent uncontrolled access to and from the site.

b. The facility shall conform to all other residential site design standards.
D. Agricultural Uses

Agricultural uses, including the raising and/or keeping of livestock, the production of crops, and other horticultural, viticultural or silvicultural uses shall be considered permitted uses in single family residential 1/2 acre zone when appurtenant to a residential use and when conducted in such a manner as not to constitute either a private or public nuisance. The raising and/or keeping of livestock shall comply with the following limits:

1. The parcel shall be a minimum of one (1) acre exclusive of access easements in size;

2. 1 horse, mule, cow/steer or similar sized animal per acre;

3. 3 sheep, goats, turkeys, swine or similar sized animal per acre;

4. 10 chickens, ducks, geese, rabbits or similar sized animals per parcel;

5. No animals or fowl, except dogs and cats kept as domestic pets, shall be housed or confined in a building or structure which is within 36 feet of any street or any structure on an adjacent parcel designed for human habitation.

E. Special Use Provisions for Historic Structures

All uses may be considered for structures or buildings included on the List of Historical Resources in Mariposa, with the exception of permitted uses, regardless of the primary land use within which the structure is located subject to the following provisions:

1. The Planning Commission may approve a conditional use permit on designated historic structures where it is demonstrated that the special use will be of benefit to the community by requiring the restoration and preservation of a historic structure to reflect its original state.

2. All exterior modifications, alterations or reconstruction to take place on the structure are to be described as part of the special use permit application and if approved by the Planning Commission are to be made part of the conditions granting the permit.
3. The Planning Commission shall follow standard use permit procedures in reviewing special historic structure uses and shall not approve uses which have the potential for creating a public nuisance or have substantial detrimental effect on adjacent property. In reviewing such matters, the Commission must consider the advantages of preserving a historic structure to the benefit of the community versus the possible negative effects of permitting a normally incompatible use in an area. Such review and deliberation may encompass alternative uses which may be of a lesser negative impact yet achieve the primary purpose of feasible historic preservation and restoration of historic structures.

4. The special use provisions of this section shall only apply to existing historic structures. A building or structure which has been demolished, destroyed or otherwise rendered unusable shall not be subject to these provisions nor shall these provisions apply to proposals which will result in such alterations or remodeling of the historic structure as to cause the structure to lose its original historic character and/or significance.

F. Transitional and supportive housing

Transitional and supportive housing shall be a permitted use in any zone district in which residential uses are permitted. Transitional and supportive housing shall only be subject to those restrictions that apply other residential uses of the same type in the same zone district. There shall be no additional discretionary approval process required for transitional and supportive housing.

SECTION 3.16 SIMILAR USE STANDARDS

A. Where a proposed land use is not specifically listed as permitted or conditional, the Planning Director shall review the proposed use when requested to do so in writing and based upon the characteristics of the use, determine if the use proposed is similar to those permitted or conditionally permitted.

B. Prior to making a similar use determination, the Planning Director shall find that such use is similar to the listed use in areas including, but not limited to, intensity, density, traffic, noise and other environmental factors as specified in the County Initial Study checklist items.
C. Upon a written determination by the Planning Director that a proposed unlisted use is similar in its nature and intensity to a permitted or conditionally permitted use, the proposed use shall be treated in the same manner as the listed use in determining where it is allowed, what permits are required and what standards affect its establishment.

D. All Planning Director determinations shall be noticed in a newspaper of general circulation within the county at least once prior to the end of the appeal period and posted in not less than 3 public places within 24 hours after determination is made and shall remain posted during the length of the appeal period. The Planning Department shall maintain a list of sites where notice in neighborhoods or communities will be posted.

SECTION 3.2 DEVELOPMENT STANDARDS

3.21 Setbacks from Property Lines and Streets

A. Unless otherwise prescribed, the following setback standards shall apply to all buildings, structures except as permitted by Subsection 3, and uses set forth in Subsection 4. These setback standards shall also apply to additions to existing buildings, structures, or uses set forth in Subsection 4.

1. Residential Uses

a. Street and Front Yard: The front yard setback shall be a minimum of 50 feet from the centerline of a local street or State Highway and a minimum of 20 feet from the nearest point on a front property line or edge of any right-of-way boundary of a local street or State Highway. The front yard setback is established parallel or concentric to the front property line. Fences, three (3) feet or less in height, shall be allowed within the front yard setback.

b. Side Yard: The side yard setback shall be a minimum of five (5) feet from a side property line. Fences, six (6) feet or less in height, shall be allowed within the side yard setback.

c. Rear Yard: The rear yard setback shall be a minimum of 20 feet from a rear property line. For parcels with two or more front yards, the rear yard setback shall be a minimum of five (5) feet from a rear property line. Fences,
six (6) feet or less in height, shall be allowed within the rear yard setback.

d. Subdivisions: Setbacks which vary from the setback standards contained herein may be established for parcels created through the subdivision process. The setbacks shall be established by the Planning Commission through the subdivision review process and shall be shown on the final/parcel map.

2. Commercial, Institutional, and Industrial Uses

a. Street and Front Yard: The front yard setback shall be a minimum of 30 feet from the centerline of a local street or ten (10) feet from the nearest point on the edge of a right-of-way boundary of a State Highway. The front yard setback is established parallel or concentric to the front property line. Off-street parking spaces and parking aisles shall not be allowed within the front yard setback.

b. Side and Rear Yard: There shall be no mandatory side and rear yard setbacks. Appropriate setbacks shall be determined based upon design review considerations, circulation, and loading/unloading needs.

3. Uses Permitted in Setback Areas - The following uses shall be permitted in setback areas:

a. Septic systems.
b. Wells.
c. Residential propane storage tanks except in the front yard setback.
d. Mail boxes.
e. Retaining walls not part of a building or structure.
f. Underground utilities and appurtenant above-ground structures.
g. Uncovered walkways.
h. Driveways.
i. Free-standing and monument signs, as long as the sign or signs do not interfere with sight distance for any driveway or roadway.

4. Uses Prohibited in Setback Areas - The following uses shall be prohibited in setback areas:

a. Above ground fuel storage tanks or non-residential propane storage tanks.
b. Refuse storage areas, outdoor storage areas, and outdoor work areas for commercial, institutional, or industrial uses.
c. Decks and porches.
d. Pools.

5. **Projections in Setback Areas** - Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building shall not project more than three (3) feet into a required setback area.

6. **Projections in the Public Right-of-way** - Architectural projections including eaves, canopies, and balconies; deck and porch overhangs; and signs attached to a building are allowed over and/or in the public right-of-way if a design review permit is obtained first, and then an encroachment permit is obtained from the Mariposa County Public Works Department and/or the California Department of Transportation, whichever has jurisdiction. Any existing sign projecting into a public right-of-way that is expanded, remodeled or enlarged shall be subject to these provisions. This section of county code is applicable to businesses which are at a zero (0) lot line or within three (3) feet of the edge of the right-of-way boundary.

**B. Setbacks from Drainage Ways** - Unless otherwise prescribed, the following setback standards shall apply to all buildings, fill placements, and uses set forth in Subsections 3 and 4. These setback standards shall also apply to additions to existing buildings, fill placements, and uses.

1. **Major Drainages** - The setback from major drainages shall be a minimum of 50 feet from the apparent centerline of Mariposa and Stockton Creeks and in no case shall buildings, fill placements, and uses set forth in Subsections D be placed within the 100-year floodway as established by the Flood Insurance Rate Maps (Exhibit 7). The uses set forth in Subsection C may be approved by the Planning Director in the setback area when it is determined that the use will not result in any increase to flood levels and will not alter the flow of floodwaters on upstream and downstream properties during the occurrence of the 100-year base flood discharge. The Planning Director may require any information, including an engineered
study, necessary to determine the impact on the flow of floodwaters.

2. **Minor Drainages** - The setback from minor drainages shall be a minimum of 25 feet from the apparent centerline of minor drainages as identified in Exhibit 7 of the Mariposa Town Planning Area Specific Plan. Lesser setbacks from minor drainages, the uses set forth in Subsection C, and replacement of natural drainages with stormwater drainage facilities may be approved by the Planning Director when it is determined that the drainage will not be adversely affected. The Planning Director may require any information, including an engineered study, necessary to determine the impact on the flow of floodwaters. Engineered studies shall analyze the entire watershed of the minor drainage based upon planned buildout.

3. **Uses Permitted in Setback Areas Subject to Special Standards**

   a. Bridges and other types of creek crossings, pedestrian and vehicular, and appurtenant fill materials. Fill materials shall be protected from scouring and erosion. An engineered study shall be required.

   b. Pedestrian and vehicular access improvements and appurtenant fill materials. Fill materials shall be protected from scouring and erosion.

   c. Underground utilities, appurtenant above-ground structures, and appurtenant fill materials. Fill materials shall be protected from scouring and erosion.

4. **Uses Prohibited in Setback Areas** - The following uses shall be prohibited in the setback area except as permitted by Subsection 3:


   b. Fill placements.

   c. Above ground fuel storage tanks.

   d. Residential or commercial propane storage tanks.

C. **Highway 49 North Right-of-Way**: Unless otherwise prescribed, the following standards shall apply to all buildings, structures except as permitted by Subsection C, and uses set forth in Section 3.21(A)(4). These standards shall also apply to additions to existing buildings, structures, or uses set forth in Section 3.21(A)(4).
1. **Setbacks** - The setback from the proposed right-of-way boundary for Highway 49 North as determined by CalTrans shall be a minimum of ten (10) feet. Commercial and multi-family residential parking areas required to meet the requirements of this Title shall not be permitted in the setback area.

2. **Uses Allowed Within Proposed Right-of-Way**
   
a. Buildings, structures except as permitted by Subsection C, and uses set forth in Section 3.21(A)(4) shall not be permitted in the proposed right-of-way for Highway 49 North unless the following standards are met:

   1. The right-of-way necessary to construct the Highway 49 North improvement project is reduced by utilization of retaining walls or other similar improvements and/or execution of drainage and maintenance agreements and such improvements and/or agreements are approved by the Planning Director upon consultation with the California Department of Transportation.

   2. The building, structure, use, or parking area is setback a minimum of ten (10) feet from the reduced right-of-way boundary.

   3. A cooperative agreement between the property owners, the County, and the California Department of Transportation if necessary is executed whereby any improvements will be constructed prior to or concurrently with the Highway 49 North improvement project.

   b. The property owner shall be responsible for initiating this process; preparing all necessary studies, plans (including engineering), and agreements; and all associated costs including the costs of the improvements.

3. **Uses Permitted in Proposed Right-of-Way and Setback Areas** - The following uses shall be permitted in the proposed right-of-way and setback areas:

   a. Mail boxes.
   b. Retaining Walls not part of a building or structure.
   c. Underground utilities and appurtenant above-ground structures.
   d. Uncovered walkways.
   e. Driveways.
4. Proposed Right-of-Way Boundaries - The boundaries of the proposed right-of-way boundary for Highway 49 North shall be as determined by the California Department of Transportation and as shown on the right-of-way map on file in the Mariposa County Planning Department.

3.22 Building Height

No building or structure shall be erected, constructed, or altered in any manner so that the building or structure exceeds its present height, two stories or 35 feet as measured from natural grade as defined in Section 17.108.140(C) of the Zoning Ordinance, whichever constituting the greatest height. These standards establish maximum heights and lesser heights may be required on buildings and structures subject to design review standards.

3.23 Parking Standards

The following parking standards shall apply to all new development and changes of occupancy which increase the required number of parking spaces. The purpose of these standards is to insure adequate on- or off-site parking so that development does not increase congestion or unsafe maneuvering within public rights-of-way or impact public parking lots financed by existing development. This section shall not apply to those properties within the boundaries of the Mariposa Parking District.

A. On-site Parking Space Requirements

1. Residential Uses
   a. Studio or one bedroom apts - 1.5 parking spaces per unit.
   b. Two or more bedroom apartments or single family residential - 2 parking spaces per unit.

2. Commercial Uses
   a. Professional Office - 1 space for each 350 sq. ft. of gross floor area, except floor area used exclusively for storage.
   b. Medical Offices - 1 space for each 200 sq. ft. of gross floor area, except floor area used exclusively for storage.
c. Grocery stores, drug stores and similar intensive retail establishments - 1 space for each 300 sq. ft. of gross floor area, except for floor area used exclusively for storage and not accessible to the public.

d. Restaurants - 1 space for each 150 sq. ft. of gross floor area or 1 for each 3 persons occupancy, whichever is greater.

e. Fast food restaurants, drinking establishments - 1 space for each 100 sq. ft. of gross floor area.

f. Furniture, appliance, carpet and similar low intensity retail sales - 1 space for each 1000 sq. ft. of gross floor area.

g. General Retail except as otherwise specified herein- 1 space for each 500 sq. ft. of gross floor area.

h. Exterior Retail Sales such as auto dealer shops - 1 space for each 1000 sq. ft. of sales and display area.

i. Fuel Service Stations - 3 spaces plus 2 additional spaces for each service bay.

j. Auto Repair - 1 space for each 800 sq. ft. of gross floor area plus 2 additional spaces for each service bay.

k. Hotels/Motels - one space for each unit, plus 2 additional spaces.

l. Bowling Alleys - 2 spaces for each lane plus 1 space per each employee on the maximum shift.

m. Health Clubs - 1 space for each 300 sq. ft. of gross floor area.

n. Theaters - 1 space for each 4 fixed seats or 1 space for each 50 sq. ft. of gross floor area if seats are not fixed.

o. Barber/Beauty Shops - one space per employee on maximum shift plus 1.5 spaces for each barber chair and/or beautician station.

p. Dry Cleaning Facilities - 1 space for each 200 sq. ft. of gross floor area used by the public.
Mariposa TPA Specific Plan, Section 3

q. Laundromats - 1 space for each 250 sq. ft. of gross floor area.

r. Banks and Savings and loans - 1 space for each 300 sq. ft. of gross floor area plus 2 additional spaces per automated teller unit if there are outside automated teller machines.

3. Industrial Uses

a. Mini-Storage/Outside Storage - 3 customer spaces plus one space per employee on maximum shift.

b. Manufacturing, Processing, Fabrication and Warehousing Uses -

   1 space for each 1000 sq. ft. of gross floor area within a building plus 1 space for each 2000 sq. ft. of exterior active use area plus 1 space for each 5000 sq. ft. of exterior storage area.

c. Research and Development Facilities -

   1 space for every employee on the maximum shift plus 1 space for each company vehicle.

4. Institutional Uses

a. Churches, Lodge Halls and Other Public Assembly Areas - 1 space per 4 fixed seats (18 linear inches along a bench is considered 1 fixed seat) or 1 space per 50 sq. ft. if fixed seats are not provided.

b. Libraries, galleries and museums - 1 space for each 350 sq. ft. of gross floor area.

c. Day care and pre-school - 1 parking space plus one loading/unloading space for each 5 children.

d. Elementary and Jr. High School - 1 space for each classroom and 1 space for each 4 fixed seats or 50 sq. ft. of area in the auditorium or gymnasium.

e. High Schools - 6 spaces for each classroom and 1 space for each 4 fixed seats or 50 sq. ft. of area in the auditorium or gymnasium.

f. Hospitals - 2 spaces for each bed.
Mariposa TPA Specific Plan, Section 3

g. Convalescent Hospitals, Nursing Homes - 1 space for each 5 beds plus the number of spaces required for the office and the residence, if applicable.

B. General Provisions

Accessible on- or off-street parking areas shall be provided and maintained as set forth in this section. Parking areas shall provide parking and maneuvering room for motor vehicles and for pedestrian safety based on the anticipated occupancy of the related building, structure or exterior use. Where there is a combination of principal uses in any one facility, the sum of the parking requirements of these uses shall be provided unless otherwise addressed by these standards. If the calculation of parking requirements results in the requirement for a fraction of a parking space, such parking space need not be provided unless the fraction exceeds fifty percent. This section shall not be construed to prohibit the installation and maintenance of more parking spaces than the minimum required.

1. Parking Review. Plans submitted for a building permit shall include the design of the required parking area drawn to scale. Such plans shall include all parking spaces and maneuvering areas, curb cuts, landscaping and other improvements. The building permit shall not be issued until such parking plans have been approved by the Planning Department and no final inspection shall be approved until the parking spaces and required landscaping are installed.

If the parking demand is increased due to a change of occupancy which does not require a building permit, the Planning Department shall review and approve the parking plan prior to the establishment of the new occupancy. The parking plan shall be approved in this case if it complies with all standards contained in this section.

2. Seats or Seating Capacity - Where the standards for parking set forth in this section are based upon seating capacity, the capacity shall be determined by reference to the actual seating capacity of the subject area based upon the number of seats or one (1) seat per 18 inches of bench or pew length and one (1) seat per 24 inches of booth length for dining, but in no case shall seating be less than as required by the Uniform Building Code.

3. Parking Reductions -
Mariposa TPA Specific Plan, Section 3

a. Parking reductions or modifications to parking standards may be granted by the Planning Commission when considered through the variance process or in conjunction with a use permit or other discretionary application. Such reductions or modifications shall only be granted when findings are made that there are unique circumstances, that such reduction does not compromise the intent of providing adequate parking, and that there will be no adverse impact on access or circulation. The project proponent shall submit evidence documenting the existence of these circumstances.

b. In addition to this process, the following variation to the parking standards may also be granted:

i. Shared Parking - At the discretion of the Planning Director or the Planning Commission, whichever has jurisdiction, where two (2) or more commercial uses share parking facilities, the minimum space requirement may be reduced by up to fifty (50%) percent of the parking requirement for the use requiring the least parking, subject to a minimum of 10 parking spaces being provided. In order to allow such reduction, the approval authority shall find that such reduction does not compromise the intent of providing adequate parking considering hours of operation or other factors and that there will be no adverse impact on access or circulation. Such a reduction shall be subject to the recordation of enforceable agreements prior to issuance of a building permit, which ensures that appropriate programs are implemented for the life of the use and shall be required as a condition of approval of the parking reduction.

ii. Bus Spaces - For parking lots containing 15 or more parking spaces and serving tourist oriented uses as determined by the Planning Director, one bus space shall be allowed to take the place of six (6) conventional parking spaces. One bus space shall be allowed in this manner for each 15 conventional parking spaces within a parking lot. A bus parking space shall have a minimum dimension of 12 feet by 50 feet and shall include adequate maneuvering room for safe ingress and egress.
iii. On-Street Spaces - When required parking cannot be located on site, on-street parking spaces may be developed by the applicant in lieu of the on-site parking as approved by the Planning Director and Public Works Director in accordance with the following:

(a) A minimum of two on-street spaces shall be provided.
(b) Two on-street spaces shall be required for each required on-site space.
(c) Spaces shall be constructed in accordance with applicable provisions in the Road Improvement and Circulation Policy.
(d) An encroachment permit shall be required for development of spaces within a county maintained road right-of-way.
(e) Existing on-street spaces may be counted if approved by the Planning Commission following a noticed hearing. In order to allow such reduction, the approval authority shall find that such reduction does not compromise the intent of providing adequate street parking to the general public considering hours of operation or other factors.
(f) The spaces shall be developed within the project site frontage or immediately adjacent to the project site.
(g) There shall be safe, convenient pedestrian access from the parking spaces to the subject use.
(h) Signs which reserve the on-street parking spaces for the applicant's clientele or others shall be prohibited.

4. Existing Facilities - Any building or use for which parking facilities become substandard by the adoption of this code shall be considered a nonconforming use. Such nonconforming use may continue, but no enlargement or expansion shall be made in such use or building, unless the required number of parking spaces or parking areas required by this section for the enlargement or expansion are provided in addition to the existing parking spaces and areas. Any change of occupancy or use in an existing building or lot which requires more parking space shall provide the additional parking spaces and areas required by this section.
5. Tandem Parking - Except where specifically permitted by this section, parking spaces shall not be in tandem. All parking spaces shall be free of obstructions, and parking should be accomplished in a continuous forward movement. Tandem parking shall mean one parking space located behind another parking space which has no direct access to the driveway or street.

6. Provisions for Residential Uses

a. Parking Locations - Off-street parking spaces for single-family detached dwellings shall be located on the same lot or parcel on which the dwelling is located. Off-street parking spaces for all other dwellings shall be located on the same development site and on the same lot or parcel or not more than 200 feet from the lot or parcel on which the dwelling is located. There shall be safe, convenient pedestrian access from the parking spaces to the subject use.

b. Senior Citizen Parking - The total number of parking spaces required for senior citizen housing may be reduced by up to twenty-five (25%) percent, based upon a finding that the proposed development is located within 500 feet of a shopping center or is served adequately by a transportation system.

c. Assigned Spaces - One (1) of the required parking spaces for each multi-family dwelling unit shall be an assigned parking space, not more than 200 feet away from the unit to be served.

d. Where more than 1 parking space is provided for a residential unit, tandem parking shall be permitted provided at least 1 space per dwelling is individually accessible.

7. Provisions for Commercial and Industrial Uses

a. Parking Locations

1) In commercial zones, off-street parking shall be located on the same lot as, or on a lot contiguous to, the building, structure, or use to be served except for uses within the Mariposa Parking District.

2) Parcels off-site from the project site may also be approved by the Planning Director as satisfying a portion of required parking if the Director finds that the parking spaces
are within a safe, convenient walking distance of 200 feet from the project site, that the uses on the project site are conducive to remote parking, that there will be no adverse impact on access and circulation, and that said parking is not being used as required parking for another use. A recordable, enforceable agreement shall be executed prior to issuance of a building permit or use of the project site ensuring the continued availability of this parking or its equivalent. Distances in excess of 200 feet may be approved by the Director if there are special circumstances that shall meet the above criteria.

b. Spaces not for Repair or Storage - Required Parking spaces shall not be used, or be permitted to be used, for the repair, servicing, or storage of vehicles or for the storage of materials.

c. Uses Not Specified - Commercial parking requirements for uses not specified in this part shall be based upon a standard of one space per 300 square feet of gross floor area, unless the Planning Director or Planning Commission approves a different parking requirement, based on the most comparable uses specified in this part.

C. Design Standards

1. Parking Stall Sizes - Except for designated employees parking spaces, each standard off-street parking space shall be at least the following minimum sizes:

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<thead>
<tr>
<th>Angle in Degree</th>
<th>Curb Length per Car</th>
<th>Stall Depth</th>
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<td>10' - 0&quot;</td>
<td>20' - 0&quot;</td>
</tr>
<tr>
<td>90</td>
<td>9 ' - 0&quot;</td>
<td>19' - 0&quot;</td>
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</tbody>
</table>

All compact off-street parking spaces shall be at least the following minimum sizes:
Mariposa TPA Specific Plan, Section 3

<table>
<thead>
<tr>
<th>Angle in Degree</th>
<th>Curb Length per Car</th>
<th>Stall Depth</th>
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<td>21' - 0&quot;</td>
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<td>90</td>
<td>8'</td>
<td>14'</td>
</tr>
</tbody>
</table>

For Designated Employee parking space, the space width may be reduced to 8'-6" for 90° parking.

No more than 40 percent (40%) of the required number of parking spaces may be sized for compact cars. Such spaces shall be clearly marked "Compact Cars Only".

All standard and compact parking stalls shall be clearly striped.

2. Handicapped Requirements - Off-street parking spaces shall be provided for handicapped persons. The number of handicapped spaces and the design shall be as specified by Title 24 of the California Code of Regulations. Generally, all handicapped parking spaces shall be located in proximity to curb ramps or other pedestrian walks providing the most direct access to the primary entrance of the building served by the parking lot and where the handicapped person is not required to maneuver behind any parked vehicles.

3. Parking Lot Access and Circulation - All exits from parking lots shall be clearly posted with "Stop" signs, and stop bars, and appropriate directional signs shall be maintained when necessary and as required by the Planning Director.

Driveway access to parking spaces for a single family dwelling unit shall not be less than nine (9') feet in width. Driveway access used to serve more than two (2) dwelling units shall not be less than twelve (12') feet in width. The maximum driveway grade for a single-family residence and for commercial development shall be (sixteen)16%. Driveway access to all uses other than residential shall have a width of not less than fourteen (14') feet if one-way, or not less than twenty-two (22') feet for a two-way, combined entrance and exit. Minimum aisle widths shall be as follows:

<table>
<thead>
<tr>
<th>Angle - In Degrees</th>
<th>Aisle Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>30°</td>
<td>14' - 0&quot;</td>
</tr>
</tbody>
</table>
Mariposa TPA Specific Plan, Section 3

45 * 14' - 0"
60 * 20' - 0"
90 26' - 0"

* - Denotes one-way aisles only.

Where two-way traffic is permitted, the minimum aisle width shall be twenty-six (26) feet.

4. Parking Lot and Access Surface

a. Except as provided for by Subsection b, all areas used for parking and access to such parking areas shall be completely paved with asphalt or concrete surfacing. When findings are made that the use is low intensity and that alternative surfacing materials are adequate for the use such alternative materials may be approved by the Planning Director. Further, all parking areas and accesses shall be provided with adequate drainage as approved by the Planning Director. Any portion of the parking area not paved shall be landscaped.

b. All areas used for parking and access to such parking areas for single family residences constructed on parcels greater than one (1) acre (net) may be surfaced with a minimum of two (2) inches of aggregate road base or equivalent with adequate drainage as approved by Planning Director.

5. Parking Lot Slope - Commercial parking lots shall not have a slope exceeding 4.5%, except for access ramps or driveways which shall not exceed a slope of sixteen (16%) percent.

6. Wheel Stop Standards - Wheel stops shall be installed two (2') feet from the edges of the required sidewalks, planters, and landscaped areas for all parking spaces in order to protect the required sidewalks, planters and landscaped areas from vehicular overhang and to protect any structure from vehicular damage. A planter curb may function as the wheel stop but the planter shall be a minimum of six (6') feet in width. All wheel stops shall be maintained in good condition.

7. Off-Street Loading and Unloading Spaces -

Off-street loading and unloading spaces shall be provided as determined necessary by the Planning Director during project Design Review.
3.24 Hillside Development Standards

These standards shall regulate all new construction, including residential construction, on parcels or construction areas with an average slope in excess of 20% as determined by the Planning Director.

A. Building Design

All structures shall be designed and constructed using stepped foundations to reduce required cut and fill. Conventional monolithic slabs shall be prohibited on such slopes. This requirement may be waived where it can be shown to the satisfaction of the Planning Director that the proposed building site has a natural grade of less than 10%.

B. Grading and Foundation Standards

1. All grading shall be based upon engineered plans prepared in accordance with the standards in the Grading Ordinance and based upon a specific building design. The grading plans shall include soil stabilization and revegetation measures based upon Soil Conservation Service or comparable standards. The grading plan shall include gutter and down spout locations.

2. All building footings shall have a minimum depth of 18 inches below undisturbed native ground and a minimum width of 12 inches unless a reduction to the depth and/or width of the footings is allowed by specific geotechnical analysis. All footings shall be inspected by a soils engineer prior to concrete placement unless inspection is waived by the Building Official.

3. Cut slopes less than 5 feet high shall not be steeper than 1 to 1. Cut slopes higher than 5 feet shall not be steeper than 1 1/2 to 1. Cut slopes greater than 10 vertical feet (aggregate total) shall be prohibited. If retaining walls are utilized, the height of cut banks shall be measured from the top of the retaining wall. Cut slopes within building areas shall not exceed 2 to 1 unless specifically engineered. Fill placements greater than 10 vertical feet (aggregate total) shall be prohibited. Fill slopes shall not be steeper than 2 to 1. All cut and fill slopes shall be restabilized and revegetated.

4. No grading plans shall be approved and no grading shall occur except in conjunction with approved
building plans for residential construction or
approved road plans based on an approved tentative
map.

C. General Development Standards

1. A landscaping plan shall be submitted in
conjunction with the grading plan for individual
lot grading. The landscaping plan shall be
designed to provide for the permanent revegetation
of all disturbed areas that will not be covered
with buildings, driveways or parking areas. The
landscaping plan shall be prepared and reviewed in
accordance with the plan preparation and plant
criteria established in the Design Review District
of the Mariposa Specific Plan. The landscaping
shall be installed and approved prior to the
issuance of a certificate of occupancy to the
residence.

2. The maximum lot coverage for buildings and
structures shall be 30%.

3.25 Improvement Standards

The following improvements shall be completed in conjunction
with all construction within the Mariposa Town Planning
Area. Issuance of building permits shall be subject to an
approved design of the required improvements and a
certificate of occupancy for a structure shall not be issued
until the required improvements are completed or deferred
based upon an approved improvement agreement or payment of
an equal in-lieu fee as determined by the Public Works
Director.

A. Streets and Roads - Road improvements shall include
roadways, parking lanes, curb, gutter and sidewalks,
pedestrian paths, street lights and street landscaping
as appropriate.

1. Single Family Residences - No improvements required
except as specified by the final subdivision map
creating the parcel upon which construction is
occurring.

2. Commercial, Industrial, Institutional, and Multi-
family - Frontage improvement, as defined by the
Mariposa County Road Improvement and Circulation
Policy, shall be required for all projects
generating more than 100 average daily trips as
determined by the Public Works Director.
B. Water and Sewer - All new construction located within the Mariposa Public Utility District which requires increased water and/or sewer demand, shall connect to the MPUD water and sewer system. The developer shall provide the necessary infrastructure including adequate fire flows and fire hydrants as determined by the District. All new development within the TPA shall be subject to the following water conservation standards:

1. Specific low-flow fixtures and devices required.

The plumbing fixtures and devices specified in this section shall be installed, unless otherwise indicated herein, in every new building or addition to an existing building for which a building permit is required, and when a replacement fixture or device is required in any building.

(a) Faucets (general): All lavatory, kitchen and bar sink faucets shall be designed, manufactured, installed or equipped with a flow control device or aerator which will not allow a water flow rate in excess of 2.75 gallons per minute.

(b) Faucets (public restrooms): In addition to the general requirements set forth in Subsection (a) above, lavatory faucets located in restrooms intended for use by the general public shall be of the metering or self-closing type.

(c) Showerheads: Showerheads, except where provided for safety reasons, shall be designed, manufactured and installed with a flow limitation device which will not allow a water flow rate in excess of 2.75 gallons per minute. The flow limitation device must be a permanent and integral part of the showerhead and must not be removable to allow flow rates in excess of 2.75 gallons per minute.

(d) Urinals: Urinals shall be designed, manufactured and installed so the maximum flush will not exceed 1.5 gallons of water. Adjustable type flushometer valves may be used provided they are adjusted so the maximum flush will not exceed 1.5 gallons of water.

(e) Water closets: Water closets shall be designed, manufactured and installed so the maximum flush will not exceed 1.5 gallons of water.
C. Utilities - All construction on parcels of 3 acres or smaller in size shall be required to underground all power, phone, cable t.v. and other similar utility lines. Undergrounding of utilities shall occur from the nearest overhead line, if applicable.

3.26 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Design Review District

These standards shall apply to multi-family residential, commercial and industrial development within the Mariposa Town Planning Area and shall be applied to all new construction and building modifications/renovations requiring a building permit.

A. Site Development Standards

1. Minimize grading by utilization of multiple or stepped buildings conforming with the natural topography. On-site grading shall not be allowed until a development plan for the site is approved.

2. Maximum building area for development shall be determined by appropriate building scale and landscaping.

3. Require desirable and appropriate transition from street to building including landscaping, pedestrian access and parking.

4. Preserve prominent or unique natural features including topographic features, rock formations, water courses and vegetation.

5. Encourage clusters of buildings which are in scale with the area in which they are located.

6. Allow designs incorporating passive and active solar design for both heating and cooling.

7. Establish Mariposa Creek as an open space area for flood control, recreation, pedestrian circulation and community enhancement purposes and require individual development to observe and enhance the open space area.

8. All utilities, with the exception of propane storage tanks, shall be underground within the project site.

B. Building Design Standards

1. Diversity of architectural style is encouraged within the broad bounds of what is appropriate for Mariposa.
2. Buildings shall incorporate functional elements of the historic buildings of the region such as porches and roof overhangs for shade and weather protection, durable and fire resistant building materials and limited site excavation. The historic design review overlay architectural theme and development guidelines shall provide specific information regarding historical buildings.

3. Buildings shall have an appropriate scale which is harmonious with the neighborhood.

4. Building design and character should not conflict with adjoining development.

5. Monotony of design within the community should be avoided. Projects involving multiple buildings should include variation in building location and detail.

6. Base color for buildings (largest building surface) should generally be light colors in warm tones. Trim may be brighter or darker colors to compliment architectural features. Natural finishes such as stone, wood, brick, and tile are encouraged. Painted surfaces shall be harmonious with the natural finish. Quality and longevity of exterior finishes will be an important consideration in the design review.

7. All exterior mechanical equipment on roof, building and ground should be enclosed or screened from public view either by utilizing materials compatible with the building or locating them away from public view. Refuse storage areas, service yards and exterior work areas shall be screened from public areas such as streets, sidewalks and parks.

8. Drive-thru facilities shall be prohibited unless all of the following conditions are met:

   a. The drive-thru facility is not a part of a commercial use that takes direct access from either State Highway 140 or 49;

   b. The drive-thru facility shall be solely limited to providing prescription pharmaceutical products.

C. Landscaping Standards
1. Landscaping shall include existing and planned vegetation, fences, walls, pedestrian ways, exterior furniture and patios, berms, and irrigation systems.

2. Landscaping is necessary to enhance architectural features, screen unsightly areas and provide an attractive transition from street to building and between adjacent developments.

3. Utilization of indigenous and/or water conserving plants shall required. Utilization of plants which are susceptible to insects and disease shall be strongly discouraged.

4. Natural topographic and vegetative elements should be incorporated into the project design when such elements contribute to the attractiveness of the development.

5. Trees and landscaping shall be included in all parking lot designs. A differentiation between perimeter landscaping and interior landscaping is made in these requirements. The purpose of perimeter landscaping is to screen parking areas from the street and/or adjacent residential uses. The purpose of interior landscaping is to provide shade within the parking area, reduce heat generated by paved parking areas, assist in on-site circulation and improve the general appearance of the site.

6. Planting areas for interior landscaping shall be designed so as to maximize provision of shade throughout the parking area during the summer months. For new construction or expansion of existing parking lots by 50% or more, the minimum area for interior landscaping shall be calculated as follows:

Option 1- Ten% of the total parking area, including drive aisles shall be landscaped. Generally a minimum of one tree shall be provided in the interior landscaping areas for every 5 parking spaces. Developments requiring less than 5 parking spaces are exempt from the interior landscaping standard. Perimeter landscaping may count for up to 50% of the required interior landscaping if site conditions dictate.

Option 2- Interior landscaping shall be provided so as to meet minimum shading requirements. Shading requirements shall be achieved by use of on-site shade trees placed so that the required percentage of the total parking area, including drive aisles,
is shaded by tree canopies within 15 years of securing a building permit for the proposed development. Minimum shading requirements are established as follows:

<table>
<thead>
<tr>
<th>Parking Spaces Required</th>
<th>% of total parking shaded</th>
</tr>
</thead>
<tbody>
<tr>
<td>5 - 24 spaces</td>
<td>30% minimum</td>
</tr>
<tr>
<td>25 - 49 spaces</td>
<td>40% minimum</td>
</tr>
<tr>
<td>50 + spaces</td>
<td>50% minimum</td>
</tr>
</tbody>
</table>

Tree coverage shall be determined by the approximate crown diameter of each tree at 15 years as estimated on the approved tree list. The percentage of area required to be shaded shall be based upon the number of above ground and uncovered parking spaces provided. Developments providing less than 5 parking spaces shall be exempt from the minimum shading requirements.

7. Planting areas for perimeter landscaping shall be designed so as to maximize effectiveness of the landscaping as a visual screen. Planting areas for perimeter landscaping shall be a minimum of 3 feet wide. Shrub materials used in perimeter landscaping areas shall be a minimum of 5 gallons in size at the time of planting. Perimeter planting areas shall only be required when screening of parking areas from the street or adjacent residential uses is necessary.

8. If landscaping is utilized for screening of mechanical or electrical equipment, or service areas including those which contain such items as trash dumpsters and propane tanks, vegetation used shall be equally effective at all times of the year.

9. Landscaping shall be designed so that it will not obstruct sightlines necessary for safe vehicular and pedestrian circulation, and will not interfere with public utilities.

10. Landscaping plans shall consider the full growth of the vegetation.

11. Parking lots shall contain plantings and walkways that help direct pedestrians safely and comfortably to their destinations.

12. Planting areas subject to damage from foot or vehicle traffic shall be protected by curbing, fencing or walls.

13. Parking areas and pedestrian ways shall be surfaced with A.C. paving, concrete or similar materials
unless a determination is made that the traffic intensity of the use is low enough that such surfacing is not required.

14. All trees utilized in landscapes shall be from the approved tree list and a minimum of 15 gallons in size at the time of planting. Dwarf trees or unique specimens or species are exempted from this requirement when used as accents and not to meet shade requirements.

15. Provisions for irrigation shall be provided within all landscaped areas where necessary. Drip irrigation systems shall be encouraged as a water conservation measure.

16. The property owner shall be responsible for the maintenance of all landscaping in good condition so as to present a healthy, neat and orderly appearance for the life of the development. Dead or diseased plants shall be immediately replaced with plants which meet the size requirements established herein.

17. Grades for berms used in perimeter landscaping areas shall not exceed 33%.

18. All landscaped areas must incorporate use of ground cover. Use of vegetative ground cover is encouraged and use of gravel, rock or bark, may be allowed if determined appropriate based upon the proposed landscape theme.

D. Sign Standards

1. For the purpose of this policy, signs shall be defined as advertising displays visible from the exterior of a building.

2. Signs shall be integrated into the building design and harmonize with the overall site development. Signs on the face of the building or low lying monument signs are encouraged. Roof signs and perpendicular signs attached to the building, and extending more than 6 ft. from the face of the building, shall be strongly discouraged.

3. Signs constructed of natural materials (wood, stone, brick, etc.) shall be encouraged. Modern materials which closely resemble natural materials are allowable.

4. Overall sign size shall be related to the scale and type of development. Maximum area for sign(s)
complying with paragraph No. 3 shall be sixty-four (64) sq. ft. for each sign and the total aggregate area of all signs for each business. Internally lit signs or signs not made of natural materials or modern materials which closely resemble natural materials, shall have maximum area of thirty-two (32) sq. ft. for each sign and the aggregate of all signs for each business. Businesses utilizing any internally lit signs or signs not made of natural materials or modern materials which closely resemble natural materials, shall be subject to the thirty-two (32) sq. ft. maximum sign area. If external lighting is used for signs, the lighting shall be shielded and directional, and shall not shine light off-site. Sign size shall be defined as the area of the smallest rectangle that wholly contains the sign. Larger signs for "large scale development" may be considered if they comply with all of the standards within this paragraph. The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by either the Building Permit Plans for the building or as established by the Assessor/Recorder files) shall be "large scale development". In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 32 square foot of advertising signage when all advertising signage complies with paragraph No. three (3) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building.

5. Graphic elements on signs shall be limited to the minimum necessary to convey services offered and shall be proportional to the overall sign area.

6. On-site directional signs which are less than 10 sq. ft. in size and do not advertise the business or contain the business logo or trademark shall not be included in calculating the overall sign area, however, such signs shall be reviewed as a part of the overall design plan.

7. In no instance shall it be appropriate for a sign to extend above the roofline of the building.
8. Temporary signs and banners for short term sales and events shall not be regulated by these policies, other than as contained herein. Banners and signs displayed for longer than 21 days shall be subject to these regulations. Advertising flag signs are considered temporary signs. Sandwich board signs are not considered temporary signs and allowed pursuant to the regulations established by the following paragraph and this code. A display, information sign, banner or other advertising device erected for an initial business opening may be displayed for a total of sixty (60) days or less. Temporary signs or banners for special community events shall be removed within five (5) calendar days after the event. Temporary sign size limitations are as follows: a) an individual temporary sign and the aggregate of all temporary signs displayed at any one time on-site shall not exceed thirty-two (32) square feet. Temporary signs may consist of a maximum of one banner sign and/or a maximum of 2 flag signs and/or signs displayed in windows. No more than five (5) temporary signs may be displayed at any one time.

9. Sandwich board signs shall only be displayed during regular business hours and shall be maintained in good repair. A maximum of two (2) sandwich board signs are allowed per business. Sandwich board signs are not counted toward the allowed sign area established by other sections of this code.

10. Community information boards, not exceeding 96 sq. ft. in area and constructed of natural materials or modern materials which closely resemble natural materials, may be located within the Mariposa Town Planning Area. Such signs may include a map of the community, the location of groups, civic organizations, churches and matched business advertisements each of which may not exceed 2 sq. ft. in area. The maximum size standards shall not apply to the existing sign located at the northwest corner of the intersection of Highway 140 and 6th Street (2012 APN 013-182-003), which may be maintained, including replacement of facial copy, but which may not be increased in size.

11. Off-site signs are specifically prohibited within the district.

12. Window signs which comply with specific provisions as described herein shall be permitted on all
parcels within the Mariposa Town Planning Area notwithstanding anything to the contrary contained in any regulatory language contained in this Specific Plan and shall not be included in calculating the overall sign area permitted by the appropriate Design Review District. For the purposes of this Section, a window sign shall be defined as a sign that is applied or attached to the exterior or interior of a window or located within a building, and is readable and conspicuously visible from the exterior of the structure. Signs hung in, or visible through, open doorways shall be considered window signs. Sign copy for window signs shall not exceed twenty-five percent (25%) of the total building face window area including windows in doors, or shall not obscure vision through the window for more than twenty-five percent (25%) of the total building face window area, as determined by the Planning Director, unless such signs are not conspicuously visible from the public right-of-way. In addition, all window signs shall be confined within a generally rectangular area not to exceed fifty percent (50%) of the total window area. Graphic elements should comply with the standards of the appropriate Design Review District. Sign copy shall be measured by the smallest rectangle within which the copy can be enclosed. Internally illuminated signs including neon signs and signs with predominately florescent colors shall not exceed one-half (1/2) of the window sign copy allowed by this section.

13. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels.

3.27 Architectural Theme and Development Guidelines for the Mariposa Town Planning Area Historic Design Review District

These standards shall apply to residential, commercial and industrial development within the Central Historic District of the Mariposa Town Planning Area as defined by Appendix C contained herein.

A. Development Standards

All standards of the Mariposa Town Planning Area Design Review District shall apply within the Central Historic...
District except as modified by the following specific standards:

1. All construction within the historical district shall comply with historical Mariposa Architecture defined as architecture generally utilized in the region from 1850 to 1920 and which is exemplified by the buildings outlined in the list of historical resources in Mariposa contained in the specific plan. Spanish style construction is included as historically significant.

2. Buildings within the district shall be constructed of wood, brick, adobe, stone or other historical materials. Modern materials which closely resemble the historic materials are allowable. Examples of the desired surface and texture of the historic material are provided as an appendix to this document.

3. All buildings constructed within the district shall comply with the style of architecture typical to the region in the period identified above. Such architecture typically included design features such as gabled or shed roofs, tall narrow windows and doors, dormer windows, functional iron or wood shutters, balconies, porches, awnings, detailed scroll work, ornate functional elements such as vents, railings, support posts, etc. Examples of the desirable architectural elements are contained in the Mariposa County Gold Rush Design Review Guidelines, Mariposa County Planning Department.

4. Signs shall be constructed of natural materials consistent with No. 2 above. Modern materials which closely resemble the natural or historical materials are allowable. The maximum sign area for any business shall be thirty-two 32 sq. ft. Graphic elements on the signs shall be designed utilizing the lettering types and techniques of the historic period. Lighting equipment for signs shall not be visible from public view. If external lighting is used for signs, the lighting shall be shielded and directional and shall not shine light off-site. Sign standards shall be constructed of materials consistent with the historic architecture. Internally lit signs shall be prohibited within the district except for those provided for in Section 3.26.D.11. Larger signs for "large scale development" may be considered if they comply with
all of the standards within this paragraph. The allowance of larger signs for "large scale development" shall be based on the building square footage. Businesses which are over 10,000 square feet in size (gross floor area as established by the Assessor/Recorder files) shall be "large scale development." In the case of a multi-story building, the square footage of each story or floor shall be included in the calculation of the total gross floor area. Large scale development businesses shall be allowed an additional 32 square feet of advertising signage when all advertising signage complies with Paragraph No. two (2) above. The additional advertising signage for large scale development businesses allowed by this paragraph shall be located on the face of the building. Wayfinding signs as defined in Section 17.148.010 of Mariposa County Code are a permitted use on all parcels;

5. New structures within the district shall not be significantly larger in size and scale than existing buildings within the district.

6. New development within the historical district shall be designed to promote foot traffic throughout the historical district. Signs within the district shall be designed to provide information to the pedestrian as well as the automobile.

7. Screening of parking areas from public view within the historical district shall be strongly encouraged. This can be accomplished by locating the parking behind buildings or by utilizing landscaping.

8. Exposure and renovation of original building surfaces on historical structures shall be encouraged.

9. Notwithstanding the setback standards as contained in Section 3.21(A), awnings, canopies, covered walkways, and other similar structures may be permitted in the front yard setback if reviewed and approved as part of the overall design plan of the building.

10. Drive-thru facilities shall be prohibited.

A. Application

These standards shall apply to all exterior modifications and demolitions of buildings and structures designated as historic as shown in Appendix C of the Mariposa Town Planning Area Specific Plan.

B. Development Standards and Plan Review Requirements

The development standards, plan review requirements, plan processing procedures, and demolition permit and review standards for this section shall be as set forth in Chapter 17.332 (Historic Design Review Overlay Zone) of the County Zoning Ordinance and Section 3.27 (Architectural Theme and Development Guidelines for HDRO).

3.29 Emergency shelter standards.

A. Emergency shelters shall be subject to the development standards in the zone district(s) that permit this use. In accordance with the authority to the County of Mariposa in section 65583(a)(4) of the California Government Code, emergency shelters shall also meet the following standards:

1. Building Code Standards
   In addition to the standards set forth in here and below emergency shelters shall also be required to comply with the California Building Standards Code in effect at the time of permit application or issuance.

2. Management Plan
   Prior to commencing operation, the emergency shelter provider must have a written management plan, which shall be approved by the Planning Director. The management plan must include the following:
   a. Provisions for staff training
   b. Resident identification process
   c. Policies regarding pets
   d. The timing and placement of outdoor activities
   e. Temporary storage of residents' personal belongings
   f. Safety and security
   g. Screening of residents to insure compatibility with services provided at the facility
h. A description of training, counseling and social service programs for residents, as applicable.

3. Location
An emergency shelter shall not be located within 300 feet of another emergency shelter.

4. Occupancy Load and Bathroom Facilities
Each resident shall be provided a minimum of 50 gross square feet of personal living space per person, not including space for common areas. In no case shall occupancy exceed 15 residents at any one time. Bathing facilities shall be provided in quantity and location as required in the California Plumbing Code (Title 24 Part 5), and shall comply with the accessibility requirements of the California Building Code (Title 24 Part 2).

5. Parking
Off-street parking shall be provided at the ratio of 1 space per 6 beds, plus 1 space per manager or staff person on duty.

6. Lighting
Adequate external lighting shall be provided for security purposes. The lighting shall be stationary, directed away from adjacent properties and the public right-of-way, utilize full cut-off lighting meeting International Dark Sky Standards, and be of an intensity compatible with the neighborhood.

7. Laundry Facilities
The shelter shall provide laundry facilities or services adequate for the number of residents.

8. Refuse
A refuse storage area shall be provided that is screened from view by the public right-of-way.

9. Storage
Storage outside of the shelter facilities shall be in a structure or shall be screened from surrounding properties.

10. Common Facilities and Services
The emergency shelter facility may provide one or more of the following specific facilities and services, including but not limited to:
Mariposa TPA Specific Plan, Section 3

a. Adequate kitchen facilities designed and operated in compliance with the California Retail Food Code;
b. Dining area;
c. Laundry;
d. Recreation facilities;
e. Support services, (e.g., training, counseling)
f. Child Care Facilities

11. On-site Waiting and Intake Areas
If the emergency shelter provides on-site waiting and intake areas, such areas shall be located either inside the facility or fully screened from the view of the public right-of-way and neighboring properties.

12. Length of Stay
Occupancy in an emergency shelter is limited to 6 months.

SECTION 3.3 SUBDIVISION STANDARDS

3.31 Slope Density Requirements

A. Information Requirements for Subdivision Proposals

In addition to the tentative subdivision map preparation requirements of the County, the following information must be submitted for any subdivision in the Mariposa Town Planning Area at the discretion of the Planning staff.

1. Topographic map of the subdivision prepared by a registered surveyor, engineer or other competent individual, prepared from a topographic survey or aerial photogrammetry which provides topographic contour intervals as follows:

   10 foot contour intervals for proposed parcels of greater than 20,000 sq. ft.

   5 foot contour interval for proposed parcels of 20,000 sq. ft. or less.

2. Slope profile of each parcel in the general direction of the dominant slope on each parcel. The slope profile shall traverse the property along this exposure and bisect the proposed building area.

3. The proposed building area and driveway shall be shown on each parcel. Estimated grades shall be provided along the driveway and on the building area.
B. Slope Density Criteria

The following standards have been developed to operate in conjunction with the minimum parcel size standards contained in the land use section of the Mariposa Town Planning Area Specific Plan. In all cases, the larger parcel size will apply to a subdivision. The Planning Commission or the Board of Supervisors may approve deviations to the slope density requirements on selected lots. The average slope of the entire subdivision property shall be less than 20%, and any deviations from the standards shall be based on approved engineering plans for a building site on the lot."

<table>
<thead>
<tr>
<th>Average Slope</th>
<th>Parcel Size</th>
</tr>
</thead>
<tbody>
<tr>
<td>20% or less</td>
<td>9,000 sq.ft.</td>
</tr>
<tr>
<td>25%</td>
<td>1/3 acre (14,570 sq.ft.)</td>
</tr>
<tr>
<td>30%</td>
<td>1/2 acre (21,780 sq.ft.)</td>
</tr>
<tr>
<td>35%</td>
<td>32,670 sq.ft.</td>
</tr>
<tr>
<td>40%</td>
<td>1 acre (43,560 sq.ft.)</td>
</tr>
<tr>
<td>45%</td>
<td>1.25 acres - 54,450 sq.ft. etc.</td>
</tr>
</tbody>
</table>

Exhibit 19 provides the entire scale of average slope and minimum in parcel size which should be used to determine the appropriate parcel size for specific development projects.

C. Slope Density Calculations

Calculating average slope from the information provided shall be the responsibility of the planning staff. Average slope shall be calculated as follows:

Simple Slopes - (proposed lot has uniform slope and exposure)

\[
\text{Average Slope}=\frac{\text{rise}}{\text{run}} \times 100
\]

where
\[
\text{rise}=\text{Elevation change from the lowest point to the highest point on the proposed parcel.}
\]
\[
\text{run}=\text{Distance between the highest and lowest elevations.}
\]

Complex Slopes - (proposed lot has varying slopes and more than one exposure).

\[
\text{Average Slope}=\frac{(2.29 \times 10^{-3} \times \text{IL})}{\text{A}}
\]

where
\[
\text{I}=\text{Vertical distance of contour interval in feet.}
\]
\[
\text{L}=\text{Length of contour lines in scaled feet.}
\]
\[
\text{A}=\text{Total number of acres in the parcel (or section of parcel).}
\]
Note: Parcel sizes below 2.5 acres shall be exclusive of road easements.

3.32 Road Frontage

The minimum road frontage standards shall be considered in conjunction with the slope/density criteria and are intended to limit the number of driveways constructed on steep terrain.

<table>
<thead>
<tr>
<th>Average Slope</th>
<th>Road Type</th>
<th>Minimum Frontage</th>
</tr>
</thead>
<tbody>
<tr>
<td>10% or less</td>
<td>Local</td>
<td>40'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>125'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>400'</td>
</tr>
<tr>
<td>15%</td>
<td>Local</td>
<td>50'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>125'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>400'</td>
</tr>
<tr>
<td>20%</td>
<td>Local</td>
<td>60'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>125'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>400'</td>
</tr>
<tr>
<td>25%</td>
<td>Local</td>
<td>70'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>125'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>550'</td>
</tr>
<tr>
<td>30%</td>
<td>Local</td>
<td>80'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>150'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>600'</td>
</tr>
<tr>
<td>35%</td>
<td>Local</td>
<td>100'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>175'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>600'</td>
</tr>
<tr>
<td>40%</td>
<td>Local</td>
<td>150'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>250'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>600'</td>
</tr>
<tr>
<td>45%</td>
<td>Local</td>
<td>180'</td>
</tr>
<tr>
<td></td>
<td>Collector</td>
<td>300'</td>
</tr>
<tr>
<td></td>
<td>Arterial</td>
<td>600'</td>
</tr>
</tbody>
</table>

Flag lots or other uncommon configurations may be considered if joint driveways are incorporated into the design. The Planning Commission must find that such lots are beneficial to the project design based upon the specific physical site conditions. Such a finding shall be based upon beneficial design considerations such as better lot orientation towards public or private open space and/or recreational uses and solar access.

3.33 Access Standards
Access to all development shall be provided in accordance with the Mariposa County Improvement Standards. In all cases, the design of streets within a development shall be conducted and reviewed in relation to:

A. Maintaining acceptable road grades and minimizing undesirable, expensive and difficult to maintain earth movement.

B. Connection with and continuation of existing streets or future streets identified by the circulation element of this plan, including compatibility with planned land use and functional classification of such streets.

C. General convenience and safety of the public.

D. Insuring adequate improvements relative to the anticipated traffic volumes and vehicle types.

3.34 Drainage

Drainage easements and facilities shall be required on all subdivisions as necessary to ensure safe and un-obstructed flows of stormwater runoff. Historically, stormwater flows have been directed to natural drainage courses. It is desirable to maintain this practice from an economic and aesthetic standpoint. The following easement standards are provided to maintain the long term capabilities of natural drainage courses to handle storm water drainage.

Drainage easements shall be provided as follows:

A. Fifty (50) feet from the apparent centerline of Mariposa and Stockton Creeks within the Town Planning Areas or the boundary of the flood plain as shown on the Flood Insurance Rate Map, which ever provides the greatest setback.

B. Twenty-five (25) feet from the apparent centerline of all other minor stream channels and drainage courses as defined on the map contained in Exhibit 7.

Lesser easements and improved drainage facilities may be allowed on minor drainages where it is found that the proposed improvements and easements are adequate to handle the future runoff of the entire watershed affecting the drainage facilities. An analysis must be provided by a qualified engineer and shall be based on the planned use of the watershed area.

3.35 Fire Safe Protection Standards
The following fire safe standards have been developed to provide an acceptable level of protection for existing and future residents and businesses of the Mariposa Community from the loss of life and property from wildland fires. Fire safe standards are necessary to reduce the additional risks created by more intensive development within an area of high fire hazard. These standards shall apply to all subdivisions within the Mariposa Town Planning Area.

A. Project Planning

Project planning to reduce fire risks should be incorporated into the initial stages of a project design. Location of parks, greenbelts, utility corridors, roads, trees and landscaping should be planned with the idea of reducing the risks associated with fires.

B. Access Standards

The Mariposa County Improvement Standards are designed to provide sufficient road improvements for ingress and egress in emergency situations. Application of these standards to development will insure sufficient access in normal situations.

C. Road Names and Signage

Road identification and signage are critical for emergency response. For this reason, all roads serving 4 or more parcels in a development shall be named and signed in accordance with Mariposa County standards. All structures shall be identified with a street address clearly visible from the access road.

D. Water Supply

All development within the Mariposa Town Planning Area shall be provided with an adequate and reliable water supply for fire fighting purposes. Compliance with this requirement can be accomplished by the following:

1. If the development is located within the Mariposa Public Utility District (MPUD), the development shall connect to the MPUD water system and comply with all MPUD standards.

2. If the development is located outside the Mariposa Public Utility District, a water system shall be available which provides minimum flows as follows:

   Parcel Size
Mariposa TPA Specific Plan, Section 3

Larger than 1/2 acre parcel size 500 gallons per minute for 2 hours at 20 p.s.i.

1/2 acre or smaller avg. 750 gallons per minute for 2 hours at 20 p.s.i.

Emergency water storage shall be required in addition to the storage necessary for domestic purposes. Storage facilities shall be connected to a reliable water source for tank filling. Water supply serving the storage facility shall be capable of refilling the storage tanks in 24 hours. The design of such a system must include provisions for continued operation and long term maintenance.

3. Fire hydrants shall be connected to the water storage systems identified in No. 1 and 2. For subdivisions located within MPUD, fire hydrants shall be installed in accordance with MPUD standards. For subdivisions located outside MPUD, fire hydrants shall be spaced a maximum of 650 feet apart for parcel sizes of more than 1/2 acre and 330 feet apart for parcels of 1/2 acre or less and shall be connected to the water storage system by a minimum of 6" main.

4. Adequate provisions for maintenance of water storage facilities including storage tanks, water lines, hydrants and water supply shall be provided.

5. Sufficient easements to encompass all emergency water facilities shall be provided.

3.36 Water Supply

The following standards are necessary to ensure that adequate water facilities are developed for the more intensive development planned within the Mariposa Town Planning Area. Adequate water standards become critical as ownership of land and water systems is divided. These standards shall be based upon parcel sizes and/or proposed density. These standards apply to residential development only. Water standards for commercial development should be evaluated by the Planning Commission as development occurs. Water service shall be available on each parcel prior to recordation of the parcel or final map.

A. 5.0 acres and larger

Individual on-lot wells shall be allowed in accordance with Mariposa County Subdivision Regulations.

B. 4.99 acres and less
All subdivisions within the MPUD shall connect to the MPUD water system. Subdivisions outside of MPUD, but within the LAFCo Sphere of Influence shall connect to the MPUD water system. Subdivisions outside MPUD and the sphere of influence shall connect to a public water system. Demonstration of water availability for public water systems shall be established by a minimum of a 10 day 24 hour pump test in accordance with Section 16.20.230 of Mariposa County Code. Water testing and verification of adequate water facilities shall be provided prior to recordation of a final (or parcel) map for any proposed development of this density.

Public water systems, whether existing or proposed, shall comply with all applicable standards of the County Health Department and/or the State Department of Health Services. Easements and provisions for maintenance of community systems shall be incorporated into the development proposal.

3.37 Sewage Disposal

The following standards are provided to ensure that adequate provisions for sewage disposal are incorporated into the more intensive development planned for the Mariposa Town Planning Area.

A. Inside the Mariposa Public Utility District

All future development within the Mariposa Public Utility District shall be required to connect with the MPUD sewage system. All proposed subdivisions within MPUD shall be served by on- and off-site sewer infrastructure with adequate capacity as determined by MPUD to serve the proposed parcels.

B. Outside the Mariposa Public Utility District

All areas outside the Mariposa Public Utility District and not served by any other community sewage collection and treatment system and are served by on-lot leachfield systems shall have a minimum parcel size of 2 1/2 acres. All lots served by individual leachfield systems shall be subject to the percolation testing standards contained in the Subdivision Code.

3.38 Utilities

All subdivisions with parcels below 3.0 acres (gross) shall install underground utilities (phone, electric, cable t.v., etc.) prior to the recordation of the final/parcel map.

Street lighting, in accordance with the Mariposa County Improvement standards, shall be required within subdivisions
where it is found necessary for the public health, safety, and welfare.

3.39 Tree Preservation

All residential subdivisions shall be designed and constructed to preserve, to the greatest extent possible, mature native trees within the town planning area. If mature native trees must be removed, they shall be replaced at a ratio of 4 trees for every one removed. Tree replacement shall include a specific program for protection and maintenance of the replacement trees until they are established. The Planning Commission shall make specific findings relative to compliance with this section for all subdivision approvals.

3.395 Modifications to these Standards

Significant modifications to these standards shall only be considered through Planned Development Zoning. Such modifications may be approved where it is found that a Planned Development Zone will achieve the following objectives:

A. Further the goals, policies and standards of the Mariposa County General Plan and the Mariposa TPA Specific Plan.

B. The specific proposal promotes the intent of these development standards by preserving valuable and/or usable open space and provides for the protection of areas with development constraints.

C. The specific proposal results in improving the environment, both inside and outside the development area, through provisions for better roads, fire protection, water and sewage facilities and other amenities desirable to the community.

SECTION 3.4 MISCELLANEOUS DEVELOPMENT STANDARDS

3.41 Environmental Protection Standards

A. Grading Standards

1. A sediment control plan prepared and approved in accordance with Section 15.28.120 C of County Code shall be required for all grading activities conducted between November 1 and April 1 requiring a grading permit.

2. A stormwater drainage plan, prepared and approved in accordance with 15.28.110 of County Code, shall be
required for all multi-family residential, commercial, and industrial development which have building and parking areas exceeding 5000 sq. ft.

3. The flood plains of Mariposa and Stockton Creeks as identified in Exhibit 7 are identified as Flood Hazard Areas in accordance with Section 15.28.150 of County Code.

4. All exposed and/or disturbed soils created by grading which requires a grading permit shall be watered down or suppressed during grading operations to reduce the generation of fugitive dust. During non-grading periods, all stockpiles of debris, soil, sand, or other materials shall be protected from wind erosion.

B. Water Resource Standards

1. The drilling, construction, and/or utilization of new private water wells within the Mariposa Public Utility District shall be prohibited.

C. Air Resource Standards

1. All new woodstoves and fireplaces, including replacement woodstoves, installed within the Town Planning Area shall comply with the Phase II standards of the United States Environmental Protection Agency. Repair of existing fireplaces shall be exempt from this standard.

2. A maximum of one (1) chimney associated with a wood burning heat source shall be allowed in new residential units constructed within the town planning area.

D. Wildlife Protection Standards

Prior to any construction that displaces soil requiring a building and/or grading permit within the habitat boundaries of the Mariposa Clarkia as identified in Exhibit 34, a botanical survey shall be conducted by a qualified botanist. The purpose of this survey is to locate any existing populations of Mariposa Clarkia that may be impacted by the proposed construction or grading. Measures shall be incorporated into the construction plans to avoid any adverse impacts on the Mariposa Clarkia. Individual botanical surveys shall not be required if the County performs an areawide survey identifying and mapping all existing populations.
E. Archaeological Protection Standards

1. Prior to any construction that displaces soil requiring a building and/or grading permit on Assessor's Parcel Numbers 12-200-18 and 19, an archaeological reconnaissance shall be performed by a qualified archaeologist. The construction/grading plans shall incorporate all mitigation measures identified in the archaeologist's report. The mitigation measures identified in the archaeologist's report shall comply with the criteria established by Appendix K of the California Environmental Quality Act Guidelines.

2. Prior to consideration of any land division application proposing parcels less than five (5) acres in size or Specific Plan amendments on property in the northern part of the TPA outside the MPUD boundaries, an archaeological reconnaissance shall be performed on the subject property. The approving body shall develop mitigation measures to preserve, protect, or excavate any important archaeological resources based on the recommendations contained in the reconnaissance report and the recommended mitigation set forth in Appendix K of the California Environmental Quality Act Guidelines.

3. If human remains not previously identified are discovered or recognized during grading or development activities in the identified areas listed in paragraphs E 1 and E 2 of this section, there shall be no further excavation or disturbance of the site or nearby area reasonably expected to overlie adjacent human remains. The County Coroner shall investigate the cause of death of the remains, and an archaeological reconnaissance shall be performed on the subject property to evaluate the remains. The Planning Director shall develop mitigation measures to protect, preserve, or properly excavate the remains in accordance with the mitigation for human remains set forth in Appendix K of the CEQA Guidelines.

F. Applicability of Standards

The standards contained in Section 3 herein relating to the subdivision of property shall apply to all divisions of property including gift deed divisions.

G. Conditional Use Permit Findings and Standards Applicable to Development of Multi-family Housing in Commercial Zones
The purpose of the use permit for multi-family residential developments in the commercial land uses is to allow the proper integration of multi-family residential uses in commercial areas through proper site design and development standards taking into consideration the characteristics of the individual site and the immediate area. An additional purpose of the use permit is to ensure that commercial centers or cores are not significantly impacted by the improper siting of multi-family residential uses. The Planning Commission shall process and consider the use permit application in accordance with Chapter 17.112 of the County Zoning Ordinance.

1. Consideration of Use Permit Application

In evaluating a proposed multi-family residential development, the Planning Commission shall approve a use permit provided the mandatory findings listed in Section 17.112.40 of the County Zoning Ordinance can be made for the project in addition to the following findings:

a. The project is adjacent to properties planned for residential uses or developed primarily with residential uses and will not result in the degradation of an existing or potential commercial center.

b. Adequate on-site parking is provided for the residents of the project and their guests, and the project will not significantly affect the availability of on-street parking in the immediate area.

2. Denial of Use Permit

Denial of a use permit for multi-family residential development shall be based upon a determination that one or more of the mandatory findings listed in this section cannot be made for the project and the Commission cannot impose any reasonable conditions or requirements on the project to guarantee compliance with the mandatory findings. The Planning Commission's action of denial shall be rendered in the form of a resolution which shall state the reasons for denial and the mandatory findings for denial.

H. Incentives for Low and Moderate Income Housing
1. When a developer of housing agrees or proposes to construct at least (a) 20 percent of the total units of a housing development for lower income households, as defined in Section 50079.5 of the Health and Safety Code, or (b) 10 percent of the total units of a housing development for very low income households, as defined in Section 50105 of the Health and Safety Code, or (c) 50 percent of the total dwelling units of a housing development for qualifying residents, as defined in Section 51.2 of the Civil Code, the County shall either:

a. Grant a density bonus and at least one of the concessions or incentives unless the county makes a written finding that the additional concession or incentive is not required in order to provide for affordable housing costs as defined in Section 50052.5 of the Health and Safety Code or for rents for the targeted units to be set as specified in subdivision (2), or

b. Provide other incentives of equivalent financial value based upon the land cost per dwelling unit.

2. A developer shall agree to and the county shall ensure continued affordability of all lower income density bonus units for 30 years or longer period of time if required by the construction or mortgage financing assistance program, mortgage insurance program or rental subsidy program. Those units targeted for lower income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed 30 percent of 60 percent of area median income. Those units targeted for very low income households, as defined in Section 50105 of the Health and Safety Code shall be affordable at a rent that does not exceed 30 percent of 50 percent of area median income. If the county does not grant at least one additional concession or incentive pursuant to paragraph (a) of subdivision (1), the developer shall agree to and the county shall ensure continued affordability for 10 years of all lower income housing units receiving a density bonus.

3. A developer may submit to the county a preliminary proposal for the development of housing pursuant to this section prior to the submittal of any formal requests for general plan amendments, zoning amendments, or subdivision map approvals. The county shall, within 90 days of receipt of a written proposal, notify the housing developer in writing of the procedures which it will comply with this
section. The Board of Supervisors shall approve the means of compliance with this section. The county will consider waiving or modifying development and zoning standards which would otherwise inhibit the utilization of the density bonus on specific sites. These procedures shall include, but not be limited to, such items as minimum lot size, side yard setbacks, and placement of public works improvements.

4. The housing developer shall show that the waiver or modification is necessary to make the housing units economically feasible.

5. For the purposes of this chapter, "density bonuses" means a density increase of at least 25 percent over the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the general plan as of the date of application by the developer to the county. The density bonus shall not be included when determining the number of housing units which is equal to 10 or 20 percent of the total. The density bonus shall apply to housing developments consisting of five or more dwelling units.

6. The definition of terms and the consideration of incentives shall occur in accordance with California Government Code Section 65915 et seq.

SECTION 3.42 PROHIBITED USE

The following land uses are prohibited in all Districts:

A. Medical marijuana dispensaries;
B. The collective or corporate cultivation of marijuana;
C. The cultivation of marijuana for medical propose by persons(s) not residing on the property on a permanent basis, and
D. Any activities or use for which a license is required pursuant to California Business and Professions Code, Division 10, Marijuana.

SECTION 3.5 ADMINISTRATION AND ENFORCEMENT

Section 3 in its entirety is intended to be adopted by ordinance and become a portion of the Mariposa County Zoning Code. All administrative portions of the Zoning Code are to be used in implementing these standards except as specifically provided for within this section.

A. Non-Conforming Uses and Structures
All legally established uses and structures which are in existence at the time of the adoption of this plan but which are not in conformance with the standards of this plan shall be deemed non-conforming uses and/or structures and shall comply or be consistent with the following provisions:

1. Non-conforming uses shall be allowed to continue and to be maintained, but shall not be allowed to expand. The expansion of non-conforming structures shall be allowed if such expansion, including its use, complies with all standards of the Specific Plan.

2. Continuation of a non-conforming use may include a change of ownership, tenancy or management where the previous line of business or other function is substantially unchanged. A non-conforming use may be changed to a non-conforming use of equal or less intensity. In no case shall a different use be allowed that would increase the level of non-conformance with any standard contained herein. Whenever a non-conforming use has been changed to a less intensive use, or to a conforming use, such use shall not thereafter be changed to a more intensive use or non-conforming use.

3. Abandonment of Non-Conforming Use

   a. Residential Uses

      If a non-conforming residential use is abandoned or discontinued for a period of three (3) consecutive years or more, any subsequent use of the building or premises shall conform to the use and density regulations of the zone in which it is located. For reasonable cause, the Planning Director may grant one (1) year extensions to the time period up to a maximum time extension period of two (2) years.

   b. Commercial-Industrial uses

      If a non-conforming commercial or industrial uses is abandoned or discontinued for a period of twelve (12) consecutive months or more, any subsequent use of the building or premises shall conform to the regulations of the zone in which it is located. For reasonable cause, the Planning Director may grant a one (1) year extension to the time period.
Mariposa TPA Specific Plan, Section 3

4. When a building or other structure which does not conform to the provisions of this Specific Plan is damaged or destroyed, it may be restored or rebuilt to accommodate its original use. Such restoration or rebuilding shall conform to existing building code requirements and standards. If the rebuilt structure is located in such a manner that it would not comply with the standards of this Specific Plan or contains a use that is non-conforming, it shall not exceed the size of the original building.

B. Variances

All development within the Mariposa Town Plan area shall comply with the development standards contained within the plan, unless the proposed project substantiates that it is eligible for a variance approved with findings required by California law and Title 17, Mariposa County Code, Zoning.
4. Public Improvement Programs
SECTION 4.1 COUNTY GOVERNMENT CENTER

A. Background

The town of Mariposa has been the seat for County Government since the County was established in 1851. During the past 25 years, the County has formally recognized the need to address the space and facility requirements of this growing County Government function. Many of the County's current facilities are antiquated, inefficient or simply too small to properly function. The County's high growth rate magnifies the inefficiency of County facilities, due to the relationship between many County functions and growth.

Since completion of construction in 1855, the County Courthouse has been the center for County Government activities in Mariposa County. While a majority of County functions do not occur in the Courthouse, many of the buildings housing County offices and facilities are located in the blocks surrounding the Courthouse. The concept of maintaining the historic Courthouse as the center or hub for all County functions and facilities serving the public has been promoted by the County for a number of reasons.

1. By providing for County facilities in one general location, a more efficient operation may be realized. The public may be better served, especially with regards to information dissemination and the permitting process for development or construction projects which may involve multiple offices. Planning for one government center location also addresses the issue of recognition. By providing one location where the majority of public functions occur, there is less confusion on the part of the public.

2. One location for County facilities also encourages intra-office efficiency, due to the relationship between many office functions.

3. The Courthouse is one of the longest operating Courthouses in the nation and is a resource of regional, Statewide, and even National significance. The Courthouse has an inestimable value as a historic and tourist attraction. The building has been preserved in a working state, and maintaining its historic function in the future will insure its value as an historic attraction and a resource contributing to community pride. Planning for a Government Center in this area will also facilitate the maintenance of the historical significance of the Courthouse by ensuring that future development or rehabilitation of existing structures surrounding the Courthouse are compatible with this facility.

4. Within the Mariposa Town Planning Area, the location of the County Courthouse is well suited for a Government Center. The area is convenient to the public, yet it is
removed from the noises and activity of high speed traffic and the commercial areas of town. Situated within a neighborhood containing a mixture of single family residential uses and professional office uses, and approximate to Mariposa County Unified School District facilities, the character of the area is well-suited to and compatible with the uses and facilities of a Government Center to house County functions.

5. Because the County currently owns many properties and facilities on and within the blocks surrounding the Courthouse, planning for a Government Center in this location makes sense economically. To expand facilities around the Courthouse to meet the County's growing needs will require the purchase of less property than would be required with moving all facilities.

The County's plans for Government facilities recognizes that some County functions that are not directly related to Administration or that have greater space needs are not appropriately located in the area surrounding the Courthouse. These uses include facilities such as for Human Services, the Department of Public Works road construction and maintenance functions, building maintenance, and the County Transit Program and Senior Assistance and Meals Program.

B. Existing Facilities

A majority of the County's existing government facilities are centered around the County's historic Courthouse which is located within Block 118 as illustrated in Exhibit . The 8,700 square foot Courthouse currently provides office space utilized by County Counsel, the County Administrative Officer, and the County Clerk; and houses the Law Library facilities, the Board of Supervisors offices and meeting room, the Justice Court and Superior Court Judges's Office and Court Room. Ultimately, it is intended that the Courthouse would provide space for court functions only.

The County currently owns 4 of the 5 parcels in Block 116, which is north of the Courthouse. There are four structures within this block which house County offices. The relatively new two story, 6468 square foot Mariposa County Hall of Records building is located on lot 5, and contains the Assessor's Office, the Treasurer/Tax Collector's Office, the Auditor/Recorder's Office, and the Personnel Office. There are no changes proposed for these offices by the Government Center Program. A converted ranch style house on lot 6 provides 1,963 square feet of space and is occupied by offices of the County's District Attorney. These offices are an integral part of the County's Criminal Justice and Court function, and may ultimately be located at the Courthouse. Lot 1 contains an 1,800 square foot pre-engineered metal building housing the Building Maintenance Division. The metal building is a movable structure. The remainder of lot 1 is used for material and vehicle storage. On lot 2, a converted stone/masonry house contains 1,800 square feet of office space for the Planning and Building
Department. Lots 3 and 4 within this block are not County-owned and contain a residence, and a residence converted to office space utilized by a local attorney.

Lot 3 within Block 114 is also County-owned property. This moderately sloped .21 acre lot contains no structures, and the County's Program calls for the construction of a parking facility within this space.

A privately owned office and facility on lot 3 of Block 123 is currently occupied by the County Health Department.

To the west of the Courthouse is Block 127. There are 5 lots on this block, 3 of which are County-owned. The structure on lot 11 is being used by the County Mental Health Department. Lot 13 was recently acquired by the County, and contains a number of residential structures, including the historic Lind House and a back house. Lot 10 contains the single story historic Milburn House, which was recently remodeled to provide 1,275 square feet of County Office space. The Probation Department, which is a part of the County's Criminal Justice function, currently occupies this office space.

The block located to the east of the Courthouse is a long block. On the northeast corner of the block, facing 10th Street and the Old Highway is a County-owned, .39 acre parcel. The Sheriff's Office (3,668 square feet) and the County Jail (3,505 square feet) are located on this property.

C. Program

The County Government Center Program has identified specific projects to help alleviate current space and facility deficits, and further the goals of providing one primary facility location. The purpose of this program is to respond to increasing space need demand associated with population growth within the County. These projects are described below.

1. Administration/Board/Services Building

Within Block 116, the County plans to construct a new Administration/Board of Supervisors and Development Services Building. The plan entails the removal of the metal building on lot 1, and the relocation of the Building Maintenance Division to Department of Public Works facilities. Construction is planned in two phases with Phase 1 providing a 6,900 square foot Administration/Board of Supervisors facility. This phase will provide office space for the County Administrator, personnel and purchasing functions, the Supervisors and the Clerk of the Board. The building will also provide a new Board Room, conference rooms, and storage space. Parking required for this phase totals 34 spaces. Phase 2 construction will provide an 8,700 square foot Development
Services facility to accommodate the Planning and Building Department, and the Administrative offices of the Department of Public Works. This structure will require 41 parking spaces.

No site planning or architectural design has yet occurred for this facility. Planning efforts will need to consider the standards established for the Design Review and Historic Design Review Districts. These standards establish minimum criteria for site design, landscaping and building design to ensure that structures are historically compatible, and that adequate landscaping and facilities for pedestrians are provided. Environmental review procedures as prescribed by the California Environmental Quality Act (CEQA) must be followed for the project. In addition, Mariposa was recently designated as a National Historic District and the structure which is currently occupied by the Planning and Building Department is listed in the National Register as a participating structure. This designation is significant relative to planning for this future construction.

Funding for this two phase development project may be proposed from general fund monies, general obligation bonds (which require approval by 2/3 public vote), or impact fees exacted on new development. Funding may be proposed from one source or a combination of these sources.

2. Lind House/Library Facilities

As described, the County recently purchased the Lind House property (lot 13, Block 127). The County has acted to solicit costs and proposals from an architect for the rehabilitation of the historic Lind House to County office space, and the schedule calls for rehabilitation work to be completed by mid-summer 1991. This conversion will require that adequate parking facilities be provided (up to 10 spaces may be necessary). This structure is listed as a contributing structure in the National Register.

The County has also directed the Department of Public Works to bid out the sale and relocation of the historic home behind the Lind House. The building area created by the relocation of this structure has been selected by the County as the location for a new 10,000 square foot library facility for library master planning. This facility will require up to 40 parking spaces and may ultimately be expanded to include a cultural arts center of up to 14,000 square feet. The relocation and construction projects include necessary environmental review as per the provisions of CEQA. Project design must incorporate the Design review and Historic Design Review standards to ensure that structures are historically
compatible, and that adequate landscaping and facilities for pedestrians are provided.

General Fund monies have been allocated for the funding of the rehabilitation of the Lind House and the relocation of the historic home behind it. Funding for the library and possible cultural arts center has not been determined and may be from general fund monies, general obligation bonds, impact fees or a combination of these sources. The library may also be eligible for redevelopment funding, as a redevelopment planning effort is currently underway.

3. Juvenile Detention Facility

A 1,300 square foot juvenile detention facility is proposed behind the Probation Department on lot 10 of Block 127. Building plans have already been prepared for this handicapped accessible facility, which will provide four individual cell units, a day room, and kitchen and restroom facilities. Environmental review has not yet occurred for this proposal, nor have Design Review or Historic Design Review standards been incorporated, which is required. State funding has been acquired for construction.

4. County Jail

Current County Jail facilities are located east of the Courthouse and are inadequate for a number of reasons. The current jail can accommodate 26 inmates, while it has been determined that the County needs accommodations for 65 inmates. In addition, the current facility has a number of health and safety deficiencies. A Jail Needs Assessment Report was recently adopted by the County. This report identified three primary options for solving County needs.

1. Remodel the existing Jail facilities and retain the existing 26 beds. Build a 39 bed addition below the existing Jail.

2. Remodel the existing Jail facilities and retain only 10 beds. Build a 55 bed addition below the existing jail.

3. Build a new 65 bed Jail and support facilities at a new unidentified site.

Although no formal action has been taken regarding the specific options, the Board of Supervisors have given direction to pursue Option 1. The County has authorized remodeling work to be done on the existing facility. This remodeling involves work on the fire alarm system, the heating, ventilation and air conditioning system, and
other items related to security and life safety issues. Funding for the remodeling is from State Proposition 52 and 86 allocations, and from the County's Future Plant Acquisition Budget (General Fund).

The County also directed the Department of Public Works to proceed with preliminary design and feasibility reviews for phasing of construction required for Option 1. Funding for these reviews is to be from the Future Plant Acquisition Budget.

Environmental review is required for a proposed new facility. No site planning or architectural design has been accomplished. Compliance with the standards established for Design Review and Historic Design Review will be necessary to ensure that structures are historically appropriate, and that adequate landscaping and facilities for pedestrians are provided.

Future funding for construction of a new facility may be from the State Bond acts for jail construction, general fund monies, general obligation bonds, impacts fees, or a combination of these funding sources.
SECTION 4.2  STREETS AND ROADS

A. Background

Existing street and highway improvements are described in detail in the Public Facilities and Services section of the Community Profile of this document. The Community Profile section also presents the results of traffic counts conducted since 1981 by the California Department of Transportation (Caltrans) and the Mariposa County Department of Public Works for the roads and highways in town. The results of these traffic counts and a traffic study conducted in 1987 indicate that Highway 140 through town will experience major congestion as soon as the end of the decade, and that many County Streets do not currently meet the County's Road Improvement and Circulation Policy standards for existing traffic. The 1987 study resulted in a number of recommended improvement programs, which are described in this section. Because access provisions are an inseparable part of the land use planning process, and for the purpose of ensuring safe and adequate circulation within and through the Mariposa Town Planning Area, these projects should be pursued, and should be incorporated into the County's Capital Improvements Program.

B. Streets and Roads Program

The recommendations of the 1987 traffic study were incorporated in the Mariposa Community Planning Advisory Council Recommendations for Modification of the Mariposa TPA Specific Plan, and form the basis for the programs described in this section. In addition, mitigation measures identified in the Environmental Impact Report are incorporated into the program.

1. Many of the County roads within the Town Planning Area do not meet the standards for road improvements as established by the Road Improvement and Circulation Policy. Many roads exceed the maximum grades permitted, and width and surfacing is not adequate for additional traffic. In addition, provisions for drainage are sometimes insufficient or totally lacking. For the purposes of providing safe circulation within the Town Planning Area, an important recommendation resulting from the traffic study is to bring all County roads within town up to the County's established standards. Those existing roads which cannot be improved to meet the standards will require special consideration, as allowing additional development that would increase traffic would be inappropriate and continued public use may be questioned.

While a thorough analysis of the existing conditions of all County roads within the TPA should be pursued for the purpose of this project, specific improvements recommended in the 1987 study include the following:
a. The existing grade of 12th Street between Highway 140 and Jessie exceeds permitted standards. The study recommends that the grade of this street at its encroachment into Highway 140 be flattened for the length of two vehicles. If this cannot be achieved, it is recommended that this portion of 12th Street be closed or otherwise modified.

b. The existing grade of 7th Street between Highway 140 and Mariposa Creek is excessive. The study recommends that the grade of this street at its encroachment into Highway 140 be flattened for the length of one vehicle. If this cannot be accomplished, alternative access to the properties served by this road should be considered if extensive development occurs.

c. Jessie Street from 9th to 11th Streets is classified as a local commercial street and the study recommends that the existing pavement be widened to 40 feet to accommodate traffic and on-site parking. Construction of curbs and gutters is also recommended.

Preliminary cost estimates for this project have been prepared by the Department of Public Works. The work items in the estimate include construction of curb, gutter and sidewalk, construction of two bridges, installation of storm drains, construction of retaining walls, and road paving and reconstruction. A contingency fund, and engineering and administration costs were also added. The estimate for these improvements totals $11,525,000.

Funding for these projects may be from development impact fees, the County's General Fund, from general obligation bonds, or from the formation of a special district or improvement area. A development impact fee program may also be established. The project may also be appropriate for redevelopment funding. Any one or a combination of these financing mechanisms may be utilized for these improvement projects.

2. Highways 140 and 49 within the TPA will experience varying degrees of deterioration in levels of service with continued growth and increased traffic. A number of ways to accommodate future traffic increases for both the short and long term have been identified. These projects include improvements to existing highways, which will be discussed in this section, and construction of new routes, which will be discussed as a separate project.

In addition to these specific projects, traffic studies analyzing traffic patterns and volumes shall be conducted every two years to monitor level of service and safety of intersections. These studies shall be conducted on Highway 140 between Highway 49 South and 7th Street, and
at the intersections of Highway 49 South/Ben Hur Road and Highway 49 South/Pairgrounds Road. A traffic study analyzing traffic patterns and volumes at the Joe Howard Street/Highway 49 North intersection shall be conducted to determine the level of service for the intersection and if left-turn lane channelization is necessary for existing traffic levels. The Board of Supervisors will fund the traffic studies through the County budget, and the recommended time frame and sequencing for the studies and possible improvements is outlined in the Environmental Impact Report.

Specific projects include the following:

a. Highway 140/49 in the historic downtown area between 4th and 6th Street is currently two traffic lanes wide, with parallel parking provided on both sides of the road. Expansion of the width of highway improvements in this area is constricted by the historic buildings. To improve the level of service in this area, which is deteriorating at a more rapid rate than in other areas, the on-street parking could be eliminated and a left turn lane provided. These measures would result in only a short term solution of limited benefit to the increased traffic rates anticipated on Highway 140. Consideration of alternative routes may provide the only viable long term solution to maintaining an acceptable level of service in this area.

b. Highway 140 between 7th Street and Highway 49 North is also a two lane travel way which is characterized by random on-street parking and a number of commercial encroachments as well as the encroachments of local streets. Traffic flow within this section of the highway is delayed by left turning vehicles, and Caltrans has approved construction of a continuous left-turn lane to alleviate these delays. The left-turn lane improvements will be made the full length of Highway 140 between 7th Street and Highway 49 North, and construction is scheduled for completion in the summer of 1991. These improvements are anticipated to maintain an acceptable level of service for this section of Highway 140 for the next 15 years. Full funding for this project was acquired through the State Transportation Improvement Program (STIP).

c. The Smith Road intersections at Highway 140 and Highway 49 North are adequate for current traffic levels, but Caltrans has indicated that left-turn lanes will be necessary to accommodate significant increases in traffic on Smith Road resulting from new development. It is not Caltrans' policy to fund projects which are required to support new
development, and consequently these improvements must be funded by the development projects which will impact these intersections. Similarly, any other projects proposed along Highways 140 and 49 which will impact traffic flow will be required to fund highway improvements necessary to accommodate the development, including left turn lanes.

d. The traffic study recommended that construction of a continuous left turn lane be pursued for Highway 49 North, from Highway 140 to Mariposa Creek. This project is recommended to accommodate anticipated future traffic increases and ensure that future commercial development will not affect the level of service along this portion of the highway. This project is in the State Transportation Improvement Program, and scheduled for construction in 1995/96. The possibility of sharing costs between a locally formed assessment or impact district and Caltrans also exists, and this type of proposal could have a beneficial impact on the State's prioritizing of this project. General fund monies could be utilized, such as for the administrative costs for setting up an assessment district. The assessment district would include those specific properties which would benefit from these improvements with respect to development potential.

e. Traffic flow on Highway 140 from Highway 49 North to the northern edge of the TPA and beyond is affected by the fairly steep grade of this highway. The traffic study included a recommendation to construct a three mile passing lane along this stretch. While this project was once considered by Caltrans, the County has recently requested that it be dropped from the State's program, as both the County and State concurred that the benefit to traffic flow resulting from the project was not worth the costs, and there are other project needs of higher priority within the County. This project is still included in the County's Regional Transportation Improvement Program and may still be pursued in the future.

f. Depending upon the results of the traffic study, the County shall improve the intersections of Highway 49 South/Ben Hur Road and Highway 49 South/Fairgrounds road to maintain safe and adequate conditions.

g. The Joe Howard Street encroachment at Highway 49 North shall be improved to Caltrans standards for a public road connection if the traffic study determines improvements are necessary for existing traffic levels.
h. A sidewalk for pedestrian traffic shall be constructed along Highway 140 from 7th Street to Smith Road.

i. A pedestrian pathway shall be constructed along Highway 140 from Miller Road to Spring Hill High School.

3. The 1987 Traffic Study presented a circulation concept to accommodate future growth and increased traffic anticipated in the Town Planing Area. This concept is illustrated in Exhibit and shows recommended functions for existing and proposed roads. Arterial roads are roads which provide for travel between populated areas and are also designed to carry large volumes of traffic within town areas. Arterial roads have the primary purpose of serving through traffic, and traffic volumes and design speeds are high. Collector roads are roads which collect traffic from residential or commercial areas and conduct it to arterial roads. Local roads serve to provide access to residential and commercial land uses and are not intended for through traffic. Traffic volumes and design speeds for local roads are low. The specific projects which are required to pursue this circulation concept are described in the following:

a. Antone Road is a proposed arterial which will provide an alternate route for traffic between the south end of the historic downtown district to Highway 40 North and bypass the central commercial areas of town. This road is designated as 2 on Exhibit 21, and a preliminary alignment is illustrated on Exhibits 22, 23, and 24. This road will be an approximately 1.7 mile long, two lane road. The proposed alignment will cross Mariposa Creek in two locations near both ends of the road, and will follow the toe of the slope above Mariposa Creek. Because of the Mariposa Creek Project, design efforts for this facility will need to give special consideration to the park plans, and to the standards and intent of the Design Review (and Historic Design Review) districts. Revegetation of exposed slopes and buffer planting between the road and the park will be important. Design of the bridge at the south end of the project should ensure that pedestrian traffic along the Creek is maintained, and that the bridge design addresses both functional considerations and the aesthetics of the park. This road will serve dual functions, providing an alternative route to Highway 140/49 and providing access to development on the west side of Mariposa Creek. As an arterial, access control along the route is required and individual residential or commercial driveways accessing the road would not be allowed.
b. The Crosstown Bypass is a proposed arterial which will extend across Highway 49 North from the terminus of Antone Road to a termination point on Highway 140 opposite the Old Highway intersection. This proposed road is designated as 3 on Exhibit 21, and a preliminary alignment is illustrated on Exhibit 25. This approximately 1.2 mile long, two lane road will partially follow the routing of an abandoned dirt road from Highway 49 North to a future intersection with Hospital Road. The road will continue toward Highway 140 following existing contours. Maximum natural gradient along this proposed route doesn't exceed 5%. This road is an important portion of an alternate routing for traffic from south of town to destinations on either Highways 49 North or on Highway 140 north of town, but the primary purpose will be to provide access to residential development areas which are presently inaccessible. The road will function as an arterial, so access control along the route is required and individual residential or commercial driveways accessing the road would not be allowed.

c. The Mariposa Mine Loop is designated as 12 on Exhibit 21, and a proposed alignment is shown on Exhibit 26. This approximately 1.2 mile long, two lane road will connect Highway 49 south to the Old Highway, and to and Highway 140 at the end of the TPA, and will provide an alternate route for through traffic to bypass the commercial districts of town. Southern portions of this road may be up to a 13% grade, but those portions between the MPUD water treatment facility and Old Highway and Highway 140 will following existing contours and alignment. The road will provide quality views of the town and the historic Mariposa Mine, and will also provide access to the Stockton Creek Canyon and undeveloped areas east of the TPA. Because of the visibility of this route, existing grades, the fragile ecology of the hillsides surrounding Mariposa, and the Design Review and Open Space standards for Mariposa, design efforts for this project should to minimize grading required for construction. In addition, it is critical that revegetation and screening of exposed slopes be incorporated into this project design. In conjunction with the construction of the Mariposa Mine Loop, item 16 on Exhibit 21 shows a portion of the Old Highway as arterial, and standard improvements or realignments to this existing road will be required. This route will function as an arterial, so access control is required, and individual residential or commercial driveways accessing the road would not be allowed.

Antone Road, the Crosstown Bypass, and the Mariposa Mine Loop projects are all new road projects which will
initially require preliminary right-of-way engineering and acquisition of easements. Construction of these roads should occur as development warrants, and also to eliminate future traffic congestion in town. Funding for all of these projects could be born partially by the new development the roads will serve. Funding may also be from General Fund monies, general obligation bonds, or from the formation of an impact assessment or improvement district. In addition, Caltrans is currently reviewing variations of the Antone Road project. This may be eligible for State Transportation Improvement Program funding. The circulation concept shown in Exhibit identifies collector roads within the TPA, and the function of these roads will work integrally with the arterial network proposed.

d. The full length of Smith Road is proposed as a collector road. While portions of the existing 40 foot wide easement have been dedicated to the County, most of the existing easement is not County owned and will need to be purchased. Additional easement width (beyond the 40 foot easement) will also need to be acquired as a 60 foot wide easement is necessary. Road improvements and widening of the travel lanes to 24 feet are recommended.

e. Hospital Road from Smith Road to the Crosstown Bypass is a recommended collector and is identified as 17 on Exhibit 21. Portions of this proposed collector do not currently exist, and additional right-of-way will need to be acquired. The road itself will also require improvements to meet County standards.

f. A portion of Old Highway is designated as a collector road, as are portions of Jones Street and 11th Street. Additional easement width may need to be acquired to improve these roads to the standards for this designation.

g. Number 15 on Exhibit 21 shows Joe Howard Street extended from Highway 49 North to the proposed Antone Road. This entire length of Joe Howard Street is designated as a collector. An easement needs to be obtained for a portion of this alignment, and road improvements to meet the standards will be required.

h. A final designated collector is 9 on Exhibit 21. This extension of Bullion Street will provide a one-way "off-ramp" for Highway 49 South. Additional easement width is required, as are road improvements.

Funding for the improvements of these collector roads should come from new development projects which the roads will serve or from new projects which will impact existing
roads. Funding may also be partially by General Fund monies, general obligation bonds, or from the formation of an assessment or improvement district.
EXHIBIT 22
ANTONE ROAD
SOUTH TERMINUS

SCALE
1" = 100'

MARINETA
SECTION 4.3 PUBLIC PARKING

A. Background

The Mariposa Community Planning Advisory Council conducted a study of the parking needs within the Mariposa Town Planning Area in 1986. While this study is five years old, its conclusions and recommendations are still considered valid, as there has been no substantial commercial development or changes which affected existing parking since the study. This study refers to four distinct areas in town, and these are illustrated on Exhibit 27. These areas were separated for the purpose of the study as they each have different functions and needs, and include the Historic Area/Downtown, the Central Town, the History Center/Post Office Area, and the Courthouse/Professional Office Area. References to these areas will be made in this section.

Although parking was identified as the number one problem by Mariposa business owners in a survey conducted in conjunction with the parking study, the study determined that Mariposa did not have an immediate parking crisis. According to the report, the Historic Area/Downtown had "just enough spaces to handle existing businesses." The other areas in town also did not have an apparent parking shortage. However, the report noted that many of the spaces were not convenient to downtown businesses, and concluded that the widening of Highway 140, possible elimination of on-street parking on County roads for safety reasons with increases in traffic, an increase in business activity, and an elimination of private spaces within the Parking District will all contribute to creating a parking shortage in town in the near future. The study presented many options available to the County to provide additional parking and improve existing facilities in Mariposa for the benefit of residents of the town and County, tourists, and public and private employees.

Currently, there are three types of parking available within the TPA. These include on-site parking, parking facilities provided within the Mariposa Parking District, and on-street parking.

Since the adoption of a Specific Plan for Mariposa, minimum requirements for provision of on-site parking for new commercial development projects were established. These requirements are applicable to projects outside of the Parking District, and are intended to ensure that all new development provides adequate parking on the project site. These standards will continue to be enforced for both private and public development, and new development should not contribute to creating a parking shortage. Prior to the adoption of these standards, many existing parcels were developed without providing adequate on-site parking. Many of these businesses use county roads and Highway 140 for on-street parking, or their parking lots have been developed within the Highway 140 right-of-way. With the
widening of Highway 140, much of this parking will be eliminated.

The second type of parking available in Mariposa is that provided by the Mariposa Parking District. The Mariposa Parking District is a 9.8 acre area within the Historic Area/Downtown and its boundaries are illustrated in Exhibit 28. The District was established in April of 1975 for the purpose of developing, constructing and maintaining parking facilities for the businesses within its boundaries. The District was organized under the provisions of the Parking District Law of 1943 (California Streets and Highways Code, Sections 31500 through 31866), and its Board of Directors is the Mariposa County Board of Supervisors. Initially, the bulk of funds for constructing the two parking lots in the district were made available through a grant from the Economic Development Administration. Formation of the District enabled raising tax funds to pay for the "local share" of the construction costs for the projects, and the maintenance costs. Properties within the District are assessed an average of 0.15% over the existing 1% County-wide tax rate for services provided. In addition, the District receives 0.0789% of the County's 1% property tax rate. Exhibit 27 illustrates the District's two existing parking lot facilities which provide a total of 82 parking spaces. Current standards of this District permit new construction or use changes within existing structures with no additional assessment. The District has no established program for acquiring additional parking facilities. While most of the properties within the District are already developed, a number of residential properties could be converted to commercial uses and this could significantly impact the parking services provided. Additional parking demand could also be created by the conversion of private on-site parking lots within the District to commercial structures.

The third type of existing parking in Mariposa is on-street parking and is available along portions of Highway 140 and many County Streets. Some of the spaces are striped, although much of the on-street parking, especially in the residential and Courthouse/Professional Office area is not striped. Because some County streets do not have curbs and are only paved the width of two traffic lanes, some on-street parking occurs on unpaved and unimproved shoulders and partially within the travel lanes.

8. Parking Program

The parking study conducted in 1986 identified a number of ways to improve existing parking and expand available parking facilities. The recommendations were based on the premise that better parking will improve the business environment and encourage tourism by reducing congestion. Many of the recommendations are illustrated on Exhibits 27 and 29. These projects should be incorporated into the County and Parking Districts Capital Improvement Programs.
1. The report recommended providing pedestrian paths from the somewhat remote public parking lots to the businesses they serve. These paths will make it more convenient, comfortable and safe to use the parking lots. No specific site design work has yet been done for these pedestrian paths, although designs should ensure that the paths are handicapped accessible if possible. Provision of lighting at night, trees for shade, and benches for rest areas should also be incorporated into the designs of these routes. Design Review and Historic Design Review standards should be addressed, especially with the selection of construction materials in the Historic District.

2. The report recommended annexing some existing parking lots into the Mariposa Parking District. These include the parking lot at 7th Street and Bullion which provides 20 spaces, and the lot at 6th Street and Jessie. The lot at 6th and Jessie is currently leased to the County and could be improved to provide a maximum of 81 spaces. A third smaller lot on Highway 140 between 4th and 5th Streets should also be considered for annexation into the District. By annexing these lots, provision of adequate parking for existing businesses and future growth can be guaranteed. In addition, the possibility that these lots would be converted to commercial structures which could further tax existing parking would be eliminated.

3. The study recommended that existing County property be utilized for parking. This recommendation could be realized in a few locations. There is County property on 3rd and 4th Streets (between Bullion and Jones Street extended) and on Jessie Street (south of 8th Street) which are not improved. These easements could be developed into lineal parking lots. While the terrain of the 3rd and 4th Street easements may be limiting, the Jessie Street easement offers viable potential, especially as a lot providing direct access to the Mariposa Creek Project. The County also owns 60 foot wide easements along the entire length of some streets, including Jones, Bullion and Jessie Streets. These streets could be widened to provide two full traffic lanes and improved on-street parallel parking on both sides of the road. With the length of the typical block being 250, a maximum of 20 spaces could be provided per block counting both sides of the road. Because this change could significantly impact the small town character of Mariposa by creating wide open streets more typical of a suburb type of development, and due to the standards of the Design Review District, incorporation of shade trees will be important. The trees could be located at specified intervals within or
along the parking lane to provide greatest benefit for shade and for breaking up the expanse of pavement. Provisions for sidewalks along these roads will be important to provide for safe pedestrian travel between parking areas and destinations.

4. The study recommended another relatively inexpensive method to improve parking availability by restricting existing curbside parking. The restriction would include establishing a time limit for parking, and would eliminate the long term (such as all day or longer) use of street parking in some of the busy sections of town. While use of metering would be one way of enforcing an established time limit, a less expensive way could include posting of a time limit on signs. This recommendation is made specifically for parking along Highway 140 in the downtown district.

5. The study recognized that an improvement of the Level of Service along Highway 140 may be proposed in the future and would require the elimination of curbside parking in the downtown area. Eliminating this parking would require provision of additional alternative parking to maintain the same service level for parking in town. Eliminating this parking could also impact the speed of traffic through town, as these spaces definitely help slow traffic. Maintaining slower traffic through town is safer for automobiles and pedestrians, and makes the use of crosswalks and side streets easier. An alternative way to maintain slower traffic would be the installation of chokers at intersections. Widening of sidewalks and planting of street trees would also effect to slow traffic as well as enhance the historic downtown and provide a more comfortable pedestrian atmosphere.

6. The report identified one way to improve existing parking by improving circulation to and between lots. The study specifically recommended constructing a driveway to provide access from 6th Street to the lower District lot currently accessed only from 5th Street. This driveway would require the purchase of land and the removal or relocation of existing structures. A driveway in this location would enable through traffic between the existing lot north of 5th Street and the lot north of 6th Street, thus providing greater and more convenient availability.

7. Recommendations for one way traffic, and 90 or 60 degree angled parking are made for Bullion Street between 5th and 8th Streets, for 6th and 7th Streets between Jones and Bullion Streets, and for 9th Street between Jessie Street and Highway 140. This recommendation is illustrated in Exhibits 27 and 29,
and could provide a substantial increase in available and convenient parking. Inclusion of trees for shade and sidewalks for safe pedestrian travel will be important during the further design of these facilities. The Design Review standards establish minimum numbers of trees required based upon the number of spaces proposed.

8. The portion of 11th Street between Highway 140 and Jessie Street is currently owned by the County. It is closed to through traffic and currently provides for pedestrian access between the two streets. A small parking lot accessible from Jessie Street could be developed in this location. Due to the terrain of this site, a retaining wall would be necessary for this facility. Maintaining the pedestrian route within this site and consideration of the standards of the Design Review District will be important if this recommendation is pursued.

9. One of the recommendations resulting from the parking study included the striping of existing and proposed on-street parking, and the redesign and striping of existing and proposed lots. Redesign efforts of parking lots should include provisions for interior and perimeter landscaping as required by the standards of the Design Review District. These standards will ensure that parking lots have shade, that views of the lots are screened from adjacent residential development or public streets, that radiated heat from paved surfaces is minimized, and that the expanse of paved surfaces is broken up. Redevelopment efforts for parking lots should result in fully paved lots which provide pedestrian ways within the lots, as well as between them and the businesses they serve. Restriping efforts may enable better circulation within a lot, and possibly an increase in the number of spaces provided as up to 40% of the spaces may be striped for compact vehicles.

10. The parking study recommended that portions of the easement acquired for the Mariposa Creek project may be appropriate for parking. Because the easement along the Creek is primarily to function as park space, these lots should be fairly small and dispersed. Design of these lots should incorporate landscaping to ensure that they do not detract from the atmosphere the park is being designed to create. Construction of these lots should not occur if fill in the floodway would be necessary.

11. While the first ten recommendations are projects that can primarily be accomplished with existing County property, the parking study also recommended purchasing
or leasing additional property suitable for off-street parking.

a. The area at the bottom of 6th Street, on the southwest side of Mariposa Creek could substantially expand the downtown parking supply, and parking available to the Mariposa Creek project. This area is currently occupied by a small mobile home park which would need to be relocated. In addition, the bridge crossing Mariposa Creek on 6th Street would need to be improved. It is estimated that a maximum of 184 spaces could be provided in this area. Because of the potentially large size of this lot and its proximity to Mariposa Creek Park, adherence to the landscaping standards established for Design Review Overlay District will be critical.

b. A major portion of the block between 10th Street, 11th Street, Buillon, and Highway 140 is undeveloped and could provide a large parking area for the County Government Center. Due to the topography of this block (it is lower than Highway 140 and the Courthouse), a two story parking structure could be constructed without significantly impacting the historic structures or character of this area. It is estimated that up to 179 spaces could be provided within this block. If planning for this project is pursued, incorporation of the established Historic and Design Review Standards will be very important.

12. The study also recommended the purchase of the lot(s) on the north and east sides of Coakley Circle, adjacent to the History Center. The County has acquired this property and has prepared plans for the construction of a Roadside Rest and Recreation Area as illustrated in Exhibit 30. This facility is proposed primarily for tourists or visitors to the museum, and is not intended to provide public parking for adjacent commercial uses. This facility proposes 70 automobile and 6 bus/RV spaces, perimeter (buffer) and interior landscaping with abundant trees for shade, a restroom, picnic tables, drinking fountain and museum entrance.

C. Funding

There are a number of financing mechanisms available to fund the purchase, construction or renovation of parking facilities in Mariposa. These include several "special district acts" as well as other non-district mechanisms. Any one of these mechanisms, or a combination of these sources may be utilized.
As was described, Mariposa's existing Parking District was formed under the Parking District Law of 1943. While new districts can not be formed under this law, the boundaries of the existing district may be expanded. A disadvantage of a boundary expansion is that any land annexed must be charged for a share of past assessments. Additional parking facilities may, of course, be purchased and annexed into the District.

There are other acts and laws which permit the formation of benefit districts or improvement areas for parking. Formation of this type of district or improvement area would permit the establishment of a funding mechanism for the provision and maintenance of parking facilities, whereby those properties which receive benefits are assessed according to degree of benefit. To form this type of district, agreement of 50% of the property owners within proposed boundaries is typically required. Formation of a benefit district also uses assessment bonds for financing larger scale projects. This funding source would be used where the benefits of the project would affect a definable area and those property owners would pay the costs of constructing and maintaining the facilities.

Some of the projects described in the parking study may also be eligible for redevelopment funding, as a redevelopment planning effort is currently underway. The specific types of parking projects which may be eligible for redevelopment funding efforts would necessarily be those related to reducing blight as is required by the California Community Development Law. This would include parking facilities in built up areas where a benefit assessment district is not possible.

A third type of funding for these parking projects may be from the County's General Fund monies. These funds would be used when the improvements create a substantial County-wide benefit.

A final type of funding available is a general obligation bond. These bonds require approval by 2/3 majority vote, and result in an increase in the rate of property tax assessments. Bond monies are basically borrowed funds which pay for improvements while the increased property taxes fund the repayment of the bond. This type of funding would be used when the improvements would have a broad and general benefit on County residents and sufficient General Fund monies are not available.
MASTER PLAN

RECREATION AREA

MARIPOSA ROADSIDE

RECREATION AREA

REST AND

HIGHWAY 140
MARION TOWNSHIP PARKING AREA

EXISTING PARKING LOT
PUBLIC PARKING

SCALE: 1" = 300'

EXHIBIT 27

COURTHOUSE & PROFESSIONAL OFFICE AREA

STATE HWY 49 S
STATE HWY 140

TOWN CIRCLE

TOWN STREET

JONES STREET

ELEMENTARY SCHOOL

COURTHOUSE STREET

STATION STREET

HARPOON CREEK

HARPOON CREEK

HARPOON CREEK
SECTION 4.4 PARKS AND RECREATION

A. Background

While a specific definition for recreation is not easily derived, it is clear that recreation is very important to the lifestyle of residents of an area, and that the availability of recreational opportunities is one element which defines the character of a community. While preferences for recreational activities vary from individual to individual, the availability of a diversity of quality recreational facilities and opportunities which appeal to the varied residents of a community is an important goal, and one to which the Parks and Recreation Division of the County subscribes.

On a County-wide basis, a variety of organizations provide recreational opportunities for citizens and tourists, and the quality of the recreational resources and opportunities available is unquestionably high. Within the Mariposa Town Planning Area though, only one agency furnishes recreational facilities and programs. This is the Parks and Recreation Division of the Mariposa County Department of Public Works. This division manages all recreational facilities and programs offered by the County, as well as those within the town of Mariposa.

In general, the budget for the Parks and Recreation Division is comprised from County Funds. This budget includes funding for operational expenses and maintenance of existing facilities. In the past, funds for acquisition of park land and for special construction projects in Mariposa have come from the Future Plant Acquisition Budget (General Fund), from State Bond Acts (including both direct allocations and competitive grants), and from donations by local civic organizations and businesses.

The goals for the County Parks and Recreation Program, which are applicable to the program for parks and recreation within the Mariposa Town Planning Area are as follows:

1. To provide adequate and equitably distributed recreation and leisure opportunities for residents which respect and enhance their quality of life.

   a. To offer opportunities for social interaction and development of social networks.
   b. To create and develop a community identity and to help residents develop loyalty to their hometown and to the county.
   c. To encourage health and fitness. To teach sportsmanship.
2. To enhance the economic well-being of Mariposa.
   a. To attract and capture the tourist dollar, providing quality experiences that are sought after and repeated.
   b. To lend additional value and function to supporting private investment.

3. To preserve, protect and enhance significant open space and environmentally distinctive areas.
   a. To educate residents and tourists about environmental values and to have the opportunity to develop those values.

These goals and the County's Recreational Program for the future recognize the importance of recreational opportunities which are located within one's community and which are easily accessible, as well as those opportunities which require the commitment of a number of hours, a day, or longer.

B. Existing Facilities

The following is a description of existing recreational facilities within the Mariposa Town Planning Area, and was obtained from the Draft of Mariposa 2005 - The Mariposa County Parks and Recreation Master Plan.

1. Mariposa Park

Mariposa Park is the main facility within the town of Mariposa. The park is approximately 14 acres in size, and is located at the end of Park Road. There is only one vehicular bridge which crosses Mariposa Creek and accesses Stoming and Park Roads from downtown Mariposa, and that is the bridge on 6th Street.

Physically, the park's facilities are located on the foot of the ridge southwest of town. In response to the topography, the facilities have been constructed on three distinct levels. The first and highest level contains three tennis courts, two of which are lit for night play. The tennis court area also contains a practice wall. The second level is the level at which Park Road enters the Park. This level has a parking lot accommodating approximately 250 cars, a grassy area with play equipment, a rest room structure and a picnic shelter that seats approximately 48 people. The lowest level contains a pool and bathhouse, picnic tables and barbecue grills, a group picnic shelter that will seat up to 100 persons, and the offices and maintenance shops for the Parks and Recreation Division. A small outdoor theater was also located on this level, although it was destroyed in 1987. Seating to
accommodate 500 people was built into the slope and still remains. Underground utilities also still remain at this site.

Pedestrian access to these facilities is somewhat limited, as there are no sidewalks following the rather circuitous vehicular access route. A set of stairs was built in 1987 which starts behind the Shell Station at the intersection of Highway 140 and Miller Road and ends just below the former theater area and pool on the lowest level of the park.

Organized summer recreational activities which take place at Mariposa Park include the weekly Farmer's Market, and recreational swimming and swim lessons. The pool is also used by Mariposa County Schools for physical education programs and swim competitions.

2. Athletic Fields

The Mariposa High School and the Mariposa County Parks and Recreation Division jointly developed about 12 acres of athletic fields in 1960. The development is at the Mariposa High School. Improvements have been made in phases and currently this facility includes one high school baseball diamond and three softball/Little League diamonds. All of the four diamonds are lit, although the lighting provided varies in quality due to differences in age and types of fixtures. The four diamonds are located in the four corners of the rectangular site, and the large area created by the outfields of these diamonds is used as a soccer field.

3. Mariposa Creek Park

The Mariposa Creek Park is the third and last park facility located within the TPA. This park is discussed in its own section of the Public Improvement Programs chapter.

C. Program

The Parks and Recreation Division has identified specific projects and programs for the Mariposa TPA to meet established goals and policies, and to provide a diversity of recreational opportunities for the residents of or tourists visiting this growing town. A description of these projects was obtained from conversations with the Director of the Parks and Recreation Division, and from the Draft of Mariposa 2005 - The Mariposa County Parks and Recreation Master Plan. These projects are described below.
1. New Facilities
   
a. Civic Plaza

The County Government Center program identifies the historic County Courthouse as the center of a multi-block government facility complex. In conjunction with these development plans, the Parks and Recreation Plan calls for the development of an approximately 2 acre civic plaza or series of plazas for this complex. These plazas would be public open spaces areas to complement the existing and proposed facilities, and to reflect the civic nature of the site. The open space areas would provide passive recreational opportunities for the many tourists visiting the historic Courthouse, as well as for residents and County employees, and should present a setting to reflect Mariposa County's rural and historical roots. The open space areas could provide shaded seating areas, picnic areas, interpretive and informational displays, shaded and lighted sidewalks or pedestrian areas connecting the buildings and connecting the buildings and parking areas, grassy play areas, attractive landscaping, and public restrooms. These facilities would contribute significantly to the attractiveness of the Government Center as a work environment, as a center for County Government functions, as a compliment to the historic Courthouse, and as a representation of the history and residents of Mariposa County.

No site planning has yet occurred for the civic plaza, and plans for the County Government Center are still young enough to have not yet formally incorporated the types of facilities and open space areas proposed by this program. Planning efforts will need to consider the standards established for the Design Review and Historic Design Review Districts. These standards establish minimum criteria for site design to ensure that all development and structures (such as the benches, lighting fixtures, picnic tables, and signs for this project) are historically compatible, and to ensure that proposed landscaping uses native, drought resistant, or water-conserving species.

Funding for this project may be proposed from general fund monies, general obligation bonds, or impact fees. Funding may be proposed from one source, or from a combination of these sources. The project may also be eligible for redevelopment funding, as a redevelopment planning effort is currently underway.
b. Mariposa Creek Project

Plans for expansion of the Mariposa Creek Park's existing facilities are discussed in the Park's own section of the Public Improvement Program's chapter.

c. Landscape Corridors

The landscape corridors program is also an urban forestry type of program. This program will highlight the town entrances, historical and natural features, and other important locations within town. Important tourist and resident destinations in the community have been identified, and include the Courthouse area, Mariposa High School, Mariposa Elementary School, Mariposa Creek Park, the History Center, downtown shops and various public parking areas. Other destinations could include Mariposa Park, the residential areas on the north end of town, and the Fairgrounds and Mining and Mineral Exhibit. These destinations will be connected by landscape corridors which will include pedestrian pathways and street trees. The routes may also provide interpretive displays as appropriate to highlight the historical and natural highlights of Mariposa. The program will provide "entrance elements" at the north and south ends of town as well, to recognize one's entry into Mariposa.

This program will be important to the character of Mariposa as a small town and as a tourist "stopover." The fair climate of Mariposa and its size make year-round pedestrian travel a viable alternative to travel by automobile. However, the lack of sidewalks and the summer heat make walking uncomfortable during the long and hot summers, and often dangerous throughout the year. Providing pedestrian routes and street trees for shade will not only promote pedestrian travel, but contribute to Mariposa's healthy living environment and attractiveness as a community. These facilities have an obvious benefit for residents living, working, and attending schools within the community. The facilities will also benefit tourists who will find the corridors a welcome and attractive alternative way to experience Mariposa.

No site planning or design details have yet been prepared for this program which is still in a conceptual stage. The policies of the Design Review District (which encompasses the entire TPA) strongly encourage and support this program. The landscape standards established for this District which need
to be incorporated into the further definition of this program include requirements that plant species utilized be native, drought resistant, or water-conserving.

Funding for this project may be from General Fund monies, general obligation bonds, impact fees, or a combination of these sources. The project may also be eligible for redevelopment funding.

d. Mariposa Park - Water Slide

The County's Parks and Recreation Plan proposes the construction of a water slide at Mariposa Park as a revenue-producing element of the park system. Currently, there are few fees generated for the use of the recreational facilities provided within Mariposa. In fact, expenditures exceeded revenues in the Parks and Recreation Division's 1990-91 budget by almost 100 to 1. It is hoped that this type of facility, which would provide entertainment to residents and visitors during the summer season, could be a significant contributor to revenues for the Parks and Recreation Division in the future.

No specific site planning or design has yet occurred for this facility. Consideration of the intent and purposes of the Historic Design Review standards during future planning will be critical, due to the scale and traditionally non-historic character of this type of facility, and the prominence and visibility of the Mariposa Park location from the historic district of Mariposa. Appropriate and creative site planning for this project will ensure that the facility is an attractive addition to the town's recreational facilities.

Funding for this project has not been acquired and may come from the Future Plant Acquisition Budget (General Fund).

e. Mariposa Park - Theater

There has been interest expressed in the re-establishment of the theater at Mariposa Park. There has already been considerable investment in this facility, as there exists seating and underground utilities. Reestablishing and expanding this facility could provide a location for movies, as well as for community productions such as melodramas and concerts. The interest in this type of project needs to be investigated and pursued if appropriate.
Funding for this type of project has not been determined, but would most likely be from the General Fund.

2. Renovations

a. Mariposa Park - General Facilities

A few renovation projects at Mariposa Park have been identified as necessary for the upkeep and maintenance of existing facilities.

i. The first project is the redesign and renovation of the main parking lot. The purpose of these efforts would be to control traffic and speed, provide a safe area for the Farmer's Market and other civic activities, to add curbs to control drainage and traffic flow, and to add trees for shade, for reducing reflected heat from the asphalt lot surface, to break up the expanse of the paved lot, for aesthetic purposes, and to add to the park atmosphere. Examination of the standards established for parking lot landscaping by the Design Review Overlay District will be important during the design efforts, but should be considered minimum standards for a park setting.

ii. The second project is the addition of a low fence or other barrier between the playground equipment on the middle level and the slope down to the pool. This project is necessary to create both a physical and visual barrier between the 2 distinct uses. The Design Review standards require that natural materials (or materials which appear to be natural) be used for fence construction. A fence structure, in conjunction with landscaping would meet the functional intent of the standards, provide shading, and contribute to creating the sense of a distinct and separate play area for children.

iii. The third project is the replacement of the chlorination system at the pool with a safer system and one which is more cost effective than the current system. This project was initiated by concerns for health and safety issues, and for budgeting issues for operation and maintenance of the system.
iv. The fourth project is the replacement of the roof on the large picnic shelter.

Funding for these projects will most likely be from the General Fund.

b. Athletic Fields

The Parks and Recreation Division's lease on the athletic fields at the High School will expire in a few years. Although alternative sites for these community athletic fields outside of the TPA have been discussed, relocation of these facilities will probably not occur. If the lease is renewed and the Parks and Recreation Division continues to use the ballfields at Mariposa High School, upgrading of the existing facilities will be required. The existing lighting of the ballfields is inadequate and makes night use of the fields hazardous. The lighting fixtures need to be replaced or renovated for safe night play. The existing bleachers are also inadequate for current use and need to be repaired or replaced. A third required improvement project is the repair or replacement of the existing sprinkler system for the fields. This system is inefficient, inadequate, and wastes water. For the sake of water conservation and operation costs, this project is very important. Funding for these projects hasn't been determined, but will most likely be from the General Fund.
SECTION 4.5 MARIPOSA CREEK PROJECT

A. Background

The Mariposa Creek Project is the newest of the three existing parks in the Town Planning Area. While most of the park is still in the planning stages, the concept for its ultimate development is clearly established in the drafts of both the Mariposa 2005: Mariposa County Parks and Recreation Master Plan, and the Mariposa Creek Park Master Plan. Mariposa Creek Park will be a linear park roughly following the course of Mariposa Creek, running approximately 4 miles from the Fairgrounds on the south to the offices of the California Department of Forestry on the north. A conceptual plan for the park is illustrated on Exhibit 31. The project may also include a "return loop" into town along Stockton Creek and the Powder House Road alignment. The park will serve both a recreational role for residents and tourists, and a functional role in the protection of Mariposa Creek.

The park will provide a pedestrian and bicyclists corridor and will tie together a number of tourist facilities and destinations which are currently isolated from one another. These include the History Center, the Mineral Exhibit at the Fairgrounds, the historic downtown, and Mariposa Park. In addition, it is hoped that business developments along the park will recognize the positive relationship with their park frontage. In this respect, tourist developments such as hotels and motels, or restaurants could tie directly in with the park. It is anticipated that residents near the park will also use the creek trail. The park will be particularly accessible to the densely developed residential areas north of the cemetery. The park will also provide various facilities for more passive recreational uses, such as picnic areas.

In addition to recreational values, the park will serve to protect and enhance the ecological values of the Mariposa Creek channel. Mariposa Creek, which is a naturally flowing perennial stream, is currently in a relatively natural state and disturbance from development has been fairly minimal. In this respect, as a community and environmental resource, the value of Mariposa Creek is very high and major renovation efforts are not necessary. The project will revegetate the stream channel with native species and will provide a shade canopy adjacent to the creek. The project will restore, enhance, and protect bird and wildlife habitat along the creek. The project will also ensure that banks throughout the proposed park area will be maintained in a stable condition, which is important to minimize soil erosion and flood damage. In general, the project will also reduce future flood damage by ensuring that the floodway and floodplain of Mariposa Creek are maintained in an undisturbed condition. Mariposa Creek is the primary drainage channel for a watershed of approximately 3,000 acres, which includes fairly large areas of impermeable surfaces (within the TPA). Development which encroaches into the floodplain of a major drainage channel is not only susceptible to direct
damage from flooding, but it also increases the flood damage potential to downstream properties. The facilities envisioned by the Mariposa Creek project are compatible with the dynamics of a floodplain and will consequently protect against future flood damage to existing and proposed facilities.

The Mariposa Creek Park will provide recreational opportunities, and will protect and enhance the ecological values of the Creek. The aesthetic values of the creek will also be preserved. The facilities will spur community pride and enhance the historic and commercial districts of town which may increase property values. Secondary impacts such as from increased tourist dollars may also be anticipated.

B. Existing Facilities

As described earlier, most of the development and improvements for the Mariposa Creek Park are still on the drawing boards, although the first phase of the project is currently under construction. Phase I of the project, which is primarily located between 4th and 5th Streets in town, is illustrated on Exhibit 32, and is approximately 0.75 acres in size. Improvements include a handicapped accessible trail between 5th Street and the 4th Street alignment, a trail connecting Highway 140 to the Creek along the 4th Street alignment, a main entrance at the bottom of 5th Street, a creek overlook or plaza area, and a foot bridge crossing the creek and connecting to the continuation of the trail along the Best Western property. Landscaping is shown, and will function to enhance the corridor as a park setting, and provide a buffer between the park and adjacent development. The trails will be wide enough to enable "two-way" pedestrian or bicycle traffic, and are proposed to be surfaced with compacted crushed rock or decomposed granite. Phase I development may also include benches, trash receptacles, interpretive displays, trail marker signs and lighting for night use. While some of this phase of the park is located on County property (such as within the easements for 4th and 5th Streets), most of these facilities are on recreation easements which were donated to the County by adjacent residential and commercial property owners. These easements provide a 50 foot wide park area on each side of the centerline of Mariposa Creek.

Funding for this phase of the project was acquired in part by State monies from the 1988 Park Bond Act and in part from donations from citizens and citizen groups in Mariposa. County assistance was also provided.

County property for future park development includes 5 acres of land between the Old Highway bridge and Miller Road south of the treatment plant which was purchased by the County in 1990. Portions of the stream bed in this stretch have been cleared of debris, brush, and non-native vegetation. In addition, approximately 100 square feet of rip rap for bank stabilization has been installed, and approximately 1,000 lineal feet of revegetation work has been completed.
C. Mariposa Creek Park Program

A Master Plan for Mariposa Creek Park is currently being prepared for the County. While detailed plans for the park facilities and phasing of construction is consequently not yet available, general concepts for development have been established by landscape architect Kay Hutmacher and the County.

The width of the park and facilities provided will vary depending upon adjacent development and roadway improvements, and the width and slopes of the creek channel. While the total width of the easement for Phase I of this project is 100 feet (50 feet from the center line of the creek), in general it is recommended that future land acquisitions for the park be 50 feet from the edge of the creek's floodway in order to ensure that adequate buffering between the park and adjacent development may be provided. A majority of the future development of the Mariposa Creek Park will require acquisition of land along the park's proposed alignment.

As described earlier, the completed Mariposa Creek Park will provide a trail for walkers, joggers or bicyclists and will serve to connect many facilities and destinations. As with the first phase, the continuation of the trail will be wide enough to enable two-way traffic, although in the more rural parts of the park the trail might not be as wide as within town. Surfacing for the trail will be compacted crushed rock or decomposed granite which will withstand bicycle, wheelchair and stroller tires. Along the trail, typical facilities may include benches or seating areas, trash receptacles, interpretive exhibits and trail markers. Lighting may be proposed along the trail in the central commercial areas for evening use. In addition, landscaping will be provided along the entire route as needed. Landscaping will be used to revegetate areas with native species, to provide shade, to stabilize exposed slopes, to create a park atmosphere, and to provide a buffer between adjacent residential and commercial uses and roads. It is anticipated that irrigation facilities will be required in the initial establishment of the landscaping, and native and drought resistant species will be utilized to conserve water. There are a number of bridges which cross Mariposa Creek along the park route, and the park will be designed to go under these bridges if possible. Where it is not possible that park traffic be directed under these bridges, provisions to ensure safe road crossings will be necessary. The entire park will be handicapped accessible where feasible.

The park will also provide areas for more passive recreational activities. Picnic tables will be provided, as will barbecue grills, grassy play areas, and possibly a restroom facility. Main entrances into the park will be recognized, such as at 5th Street and the cemetery. In addition, widened plaza areas or overlooks are planned.

Where possible, the trail route will enable park users to travel in the creek corridor. Specific areas requiring special design
considerations have been identified. The first such area is between the Old Highway bridge and the Fairgrounds, where the creek is very close to Highway 49 South and adequate space for safe travel may not be available. The trail route in this location may not travel immediately adjacent to the creek. A second special design area exists between Highway 140 and the Old Highway bridge. In this location, the creek bed is very steep and does not offer easy access. In addition, the MPUD sewage treatment facility is located immediately adjacent to the creek and interrupts the standard route for the trail. For the purposes of minimizing environmental damage during construction, and minimizing safety and liability issues with respect to the treatment plant, an alternate location for the trail has been considered. It is likely that foot and bicycle traffic will be directed to travel along Miller Road, which parallels the creek. In this location, park improvements may include signage, stripping and other modifications to the road to ensure safety of park users. Methods to slow traffic and separate automobiles and park users will be important.

Future design of the park facilities will need to consider the standards established by the Design Review and Historic Design Review Districts. The landscaping standards require that native or drought tolerant plant species be used for water conservation, that all exposed soils be revegetated, that appropriate transitions between adjacent uses be maintained, and that adequate provisions for irrigation be made. These standards are all consistent with the concept for the park. The standards of the Historic Design Review District require that all development within the district be consistent with Historic Gold Rush architecture. These standards will affect the selection of facilities such as benches, interpretive displays, signs, and lighting fixtures. In general, park features should all have a consistent design and consequently the standards of the Historic District may have a park-wide impact. The standards of the Design Review District will affect the design of the restroom facility as well. The standards of the Design Review District will also ensure that future development of properties adjacent to the Mariposa Creek Park maintains an appropriate transition between the two uses.

D. Organization and Financing

To date, a number of organizations have been involved in the development of the planning and financing of the Mariposa Creek Park Project. The concept for the park had a grass roots origin, although the County has incorporated the plans into their draft County-wide Parks and Recreation Master Plan. Consequently, planning and financing to pursue these plans, and maintenance of existing and future facilities will be handled by the County.

Costs for future development of the park will include those for design and engineering services, acquisition of property, construction of facilities, and on-going maintenance. Funding is possible from a number of sources. State funding may be obtained from grants from Park Bond Acts. Partial funding for construction
of the first phase of the project was obtained from this source. Some of the project's costs may be eligible for redevelopment funding, as a redevelopment planning effort is currently underway. Another method of financing would be from the assessment of general park impact fees. These impact fees would appropriately be assessed for new development projects on a County-wide basis because the park would serve a regional population. A final source of monies would be the County General Fund.
mariposa creek
concept plan
SECTION 4.6 MARIPOSA PUBLIC UTILITIES DISTRICT

A. Background

The Mariposa Public Utility District (MPUD) is an independent special district which provides water, sewer and fire protection services to 792 acres within the Town Planning Area. MPUD's existing facilities and service capacities are described in detail in the Public Facilities and Services section of the Community Profile of this document. Programs for improvement of existing facilities and development of new facilities are contained in the Mariposa Public Utility District's Water and Sewer System Master Plan (prepared by the Barrett Consulting Group in November, 1989), and the Saxon Creek Water Supply Project Preliminary Design Report (prepared by the Barrett Consulting Group in March, 1990). These improvement programs are briefly described in this section. All estimated costs shown are based on 1990 dollars.

B. Water Supply Program

As described in the Community Profile, MPUD's current water supply is provided by surface water collected from the watershed of Stockton Creek and ground water produced by a number of wells located both within and outside of the TPA. Because the existing system is not sufficient to supply the demands of future development permitted by the TPA's land use plan both within and outside of the current district boundaries, MPUD is pursuing a program for the development of an alternate water supply source to supplement the existing system and meet the projected water demand of the District. The Saxon Creek Water Project proposes to collect water from the Merced River. The project involves construction of a pump station adjacent to the Merced River, and construction of an approximately 7.4 mile long, 12-inch diameter, buried pipeline to connect the pump station with the existing pipe which conveys water from the Stockton Creek Reservoir to the MPUD Water Treatment Plant. A thorough description of this project is contained in the Saxon Creek Water Supply Project Preliminary Design Report. This Report estimated costs for the project at $6,380,000.

Full funding for this project has been obtained. The Mariposa County Water Agency has provided funds totaling $1,000,000 for the project. A grant totaling $2,000,000 has been obtained from the U.S. Department of Agriculture's Farmers Home Administration (FmHA). In addition, FmHA has approved a loan for this project totaling $3,380,000. Financing the repayment of the loan is proposed through the formation of an assessment district. The assessment district will include those areas which will benefit from the project. Redevelopment monies for partial repayment of the loan may also be available, as a redevelopment planning effort is currently underway.
C. Water Storage Program

MPUD currently has three water storage tanks which function primarily to maintain pressure and provide adequate supply for fire protection purposes. The tanks also provide an emergency water reserve supply. Existing total water storage capacity is 1,220,000 gallons.

As described, the three tanks serve three zones within the TPA, one of which is not sufficient for existing development. This is the 70,000 gallon tank which serves Zone 3 (Idle Wheels), and the Master Plan identifies two alternatives to supply additional storage needed to meet existing and future Zone 3 requirements for both flow and pressure for fire fighting. The alternatives are described in detail in the Master Plan and include the following:

1. Construct an additional 208,000 gallons in storage adjacent to the existing Idle Wheels tank. Total estimated cost: $203,000.

2. Expand the existing Idle Wheels tank to 140,000 gallons total capacity as soon as practical and construct the necessary system piping modifications to allow water flow from Zone 1 to Zone 3 under fire flow conditions. Total estimated cost: $112,000.

The Master Plan identifies the need for expanded water storage throughout the TPA to serve future growth and development. The program for expansion provides for even distribution of storage for the purpose of improved system reliability and increased efficiency of piping network. The requirements are based on providing acceptable flow and pressure for fire fighting. Projected storage required by the year 2010 totals 2,712,000 gallons. In addition to providing increased storage, the Master Plan identifies various mechanical changes required for the existing and future system.

The existing 160,000 gallon tank in Zone 2 will need to be supplemented by 183,300 gallons of additional storage by 2010. The Master Plan proposes to construct one 200,000 gallon ground level tank north of Smith Road. Design and construction costs are estimated at $281,000.

The existing 1,000,000 gallon tank serving Zone 1 will need to be supplemented by 1,037,600 gallons of additional storage by the year 2010. While three alternatives to supply additional future storage need in Zone 1 were evaluated by the Master Plan, only two were determined to be feasible and include the following:

1. Construct a new 1,200,000 gallon ground level storage tank on the hillside adjacent to the eastward extension of 12th Street. Total estimated cost: $665,600.

2. Construct a new 600,000 gallon ground level storage tank on the hillside adjacent to the eastward extension of 12th
Street and a new 600,000 gallon ground level tank adjacent to the existing water treatment plant tank. Total estimated cost: $924,800.

D. Water Distribution Program

The condition and capacity of MPUD's existing water distribution system varies throughout the District, however, much of the distribution system is inadequate to serve existing development and the Master Plan details specific improvements required. Some existing pipes need to be replaced with new pipe due to the poor condition of the existing lines. Others need to be replaced with new and larger pipes to provide additional distribution capacity. The Master Plan provides specific details on the required improvements, and total estimated construction costs are $739,900.

The District’s Master Plan evaluated the feasibility of extending the community water system to the Mormon Bar/Fairgrounds area. Two alternatives are presented and discussed in detail in the Plan and include the following:

1. Provide 264,000 gallon storage capacity for this area, and construct an approximately 5,000 foot long, 6-inch diameter transmission main from the existing system to this tank. Total estimated cost: $410,000.

2. Construct an approximately 7,000 foot long, 8-inch diameter transmission main and 114,000 gallons additional storage in Zone 1. Total estimated cost: $324,000.

The plan establishes criteria for providing future service to existing undeveloped areas which are beyond the present District service area.

E. Wastewater Treatment and Collection System Program

The existing wastewater treatment plant was constructed in 1984, and has a capacity which will serve the entire TPA to the year 2010. The Master Plan does not contain any recommendations for improvements to this facility. However, the General Manager of MPUD anticipates that improvements to the sludge dewatering and septage receiving systems will require modification within the next 5 years. The existing dewatering system is marginally adequate at this time due to changes in disposal requirements. In addition, residential septage from County-wide sources is presently being introduced to the treatment facility under a pilot study. Depending upon the outcome of the study, modifications may be necessary to the facility for a permanent septage receiving station.

The existing wastewater collection system contains a significant number of existing lines with structural and hydraulic deficiencies. Poor design or installation, failure or pipe or joints and lack of sufficient capacity to carry flow are all
identified deficiencies. The Master Plan proposes a long range maintenance and rehabilitation program which requires a television inspection program to evaluate the condition of all lines in the District. In addition, there are five recommended major improvement projects to be completed by 1994 which include:

1. Replace the main line in the Jessie Street area between 9th Street and 3rd Street. Total estimated cost: $192,800.

2. Replace the Stroming Avenue trunk line from Miller Road to 7th Street. Total estimated cost: $147,200.

3. Replace the main trunk line along Miller Road from the intersection of Highway 49 South and Highway 140 to the treatment plant. Total estimated cost: $138,500.


5. Reconstruct and replace Mueller Tract sewer system lines, and sewer all facilities which are currently served by individual septic systems. Total estimated cost: $1,099,380.

The Master Plan also examined the feasibility of sewering the Mormon Bar/Fairgrounds area which is currently unsewered. While a specific layout plan has not been developed, due to elevational differences, a pump station would be required to pump the wastewater from this area to the plant. Storage would also be required. Total estimated cost: $389,000.

The Master Plan establishes criteria for providing future service to existing undeveloped areas which are beyond the present district service boundary.

**P. Fire Protection Program**

MPUD provides fire protection services within the District boundaries. The primary features of the Department are two fire engines, one of which was acquired in 1967 and is in need of immediate replacement, and one fire house located at the MPUD administrative office. The manpower for the technical operations is provided by a volunteer group. The existing fire house provides facilities for only one fire engine. The second engine is housed in a garage located at the CDF Mariposa Headquarters. According to the General Manager of MPUD, an a second fire house with the capacity for at least two fire engines is needed. In addition, the recommended pumping capacity for fire fighting apparatus of MPUD exceeds its present capabilities. The addition of a third fire engine and replacement of the older engine would provide adequate fire pumping capacity to the present service area.
G. Funding

Funding for any of MPUD's improvement programs may be from the formation of an assessment district, where assessment district boundaries would include areas benefiting from the improvements. Funding may also be obtained from District-wide connection or impact fees and from redevelopment planning efforts. Monies from redevelopment planning efforts may only be utilized within the redevelopment planning area, which does not encompass the entire Town Planning Area. In conjunction with these security methods, low interest loans and grants are sometimes available through Department of Water Resources, State Water Resources Commission, and USDA Farmers Home Administration.
APPENDIX B

EXHIBIT

The habitat boundaries of the MariposaClarkia are those properties encompassed by the following assessor's parcel numbers:

12-180-03    12-200-18
12-180-05    12-200-19
12-200-12    12-200-41
12-200-13
APPENDIX C

Historic Sites and Structures

The information used in this section was taken from the Mariposa County Historical Sites Survey. Many of these sites are now privately owned and are not accessible to the general public. The Historic Sites and Structures as described in this appendix are subject to the development standards and plan review requirements for the Historic Design Review Overlay Zone as specified in Section 17.336.075 of the County Zoning Ordinance.

1. **Nevio Fiquero's Site**—A large juniper tree dominates a large clearing near a spring. Fiquero had a 160 acre ranch which became an Indian gathering place for social events and dances. Fiquero was a Miwok Indian who lived off the land and had a garden and orchard on this site. (GI-2)

2. **Logtown**—Although few remnants remain, this area was originally settled in November 1849 after flooding destroyed lower Mariposa. The area was heavily wooded and supplied lumber for many of the buildings in Mariposa beginning in the 1850's, including possibly the County Courthouse. From the 1850's to the 1920's, garden vegetables, grapes, and other fruits were grown here as the 125 year old fig tree on the property testifies. The only remaining building of this area is an adobe building constructed in the 1880's which served as a residence for the Catlin and Fournier families. (GI-62)

3. **Howard Rancheria Site**—Bill Howard, who was the son of Chief Bautista, the hereditary leader of the local Mariposa and Yosemite Indians, lived at this site. Captain Bill Howard became the Indian leader after Chief Bautista's death. Captain Howard, who was probably given his name by the Army, lived on this site until his death in 1963. (GI-3)

4. **Sudreau**—Sudreau was a shoemaker who had his shop located at this site. The house was constructed in 1901 and was at the northernmost edge of town. This house was a part of a construction boom experienced by Mariposa in 1901. (GI-6)

5. **Maguire's**—This house is one of the first prefabricated houses built in Mariposa some time in the early 1920's. It was built by or for Frank Maguire who was the last manager of the Mariposa Grant. (GI-7)

6. **Pratt House**—This house was built for Charles Pratt and his brother Walter Pratt in about 1902. Charles was Assessor from 1902-1910, while Walter was Auditor/Recorder from 1910-1934. (GI-8)

7. **Helm Place**—This house was built for James Helm when he became County Treasurer. The house is located directly across from the County Courthouse. (GI-10)

8. **Henry Garber Jr. House/Pendola House**—The house was built by Henry Garber Jr. in 1896 as a wedding house for his bride who was one of the daughters of the Pendola Family. At one time there was an elevated walkway between the two Garber houses. The house is constructed of Sugar Pine from the Jerseydale area. The lot between the two Garber houses has never been built upon. (GI-13)
Henry Garber House—The house has been substantially altered from its original form. The house was originally twice the present size of the house with the rear portion being torn down in 1906 or 1907 and the front porch remodeled in 1929. Built in 1861, the house was constructed of lumber from the Mariposa area. Henry Garber was an immigrant from Humburg, Germany and became a naturalized citizen in Mariposa in 1859. His son, Henry Garber Jr., was born in the house in 1868. (GI-12)

Milburn House—The house was built in 1898 (est.) by Tom Lind after his marriage to a daughter of the Farnsworth Family. (GI-14)

Lind House—Built in 1897 (est.) by George Lind after his marriage to a daughter of the Farnsworth Family, this house is constructed similarly to the adjacent Milburn House. (GI-15)

Mariposa County Courthouse—On January 23, 1859 a contract was awarded by Mariposa County to P.V. Fox and A.F. Shriver in the amount of $9,000 to construct a courthouse building. The building is constructed out of white pine and is held together with wooden pegs rather than nails. In 1861 a fireproof vault was added to protect county records. In 1866 the Board of Supervisors voted to erect a cupola with a clock and bell therein. The clock came from the east around the Horn and cost the County $1,130.35. An addition to the vault was completed in 1895 and electric lights were installed in the clerk’s office, vault, and County jail in 1907. The first major addition was constructed in 1935, and consisted of closing the space between the original building and annex in the rear, building the upper story above the annex, and adding the fire escape at the rear of the building. This addition also included the installation of restrooms on the first and second floors, plus the painting and addition of trim to the outside.

The Mariposa County Courthouse has been in continuous use since 1854, longer than any County Courthouse in California. The Mariposa County Courthouse has been placed both on the National Historic Register and is California State Historical Monument. (GI-11)

Thorn Residence—This house, moved from the Whitlock Mining District in 1902 or 1903, has an extensively remodeled interior. When the house was moved from the Whitlock District, it was completely dismantled with each board numbered and was rebuilt exactly as it previously stood before. The house originally belonged to Samuel Johns, Superintendent of the Whitlock Mine, and was acquired by Thorn who operated a men’s clothing store in Mariposa. (GI-11)

J.J. Trabucco House—J.J. Trabucco resided in this house while he was the Superior Court Judge in Mariposa County from 1903 to 1938. During that time, he presided over many of the important cases of that era including the W. Edward Hickman murder case and the boundary line case between Oakland and Alameda County which involved over $40,000,000 in property values. He also presided over many local cases in the historic County Courthouse. An interesting feature of the house is the partially open round tower encircled by a veranda. (GI-19)

Gazette Office—This was the original Gazette Office from the 1860’s on. The original building was scorched in the 1866 fire, but did not burn completely. The first
Mariposa Gazette was published in 1854 and has been published continuously since.
The present office is on the same site. (GI-20)

16. **Adair House** - The house is believed to have been constructed for Joseph Adair when he
was elected District Attorney in 1892. There is some confusion as to whether the house
was constructed on the lot or if it was moved to the lot from another location. The
house is the only preserved example in the town of this type of architectural style
common around 1900. (GI-21)

17. **Dexter House** - Built by John Lind sometime between 1890-1900. The three Lind
Brothers (John, George and Tom) were responsible for the building of the Lind and Milburn Houses in Mariposa, along with the Dexter House. (GI-63)

18. **Tressider House/Mariposa Brewery** - This residence is constructed on the site of the
original Wyler and Lessman Brewery. The site still contains an excellent spring and
1/2 inch water line used by the brewery. (GI-17)

19. **Farnsworth Home** - This house was built by Calvin E. Farnsworth in the 1890’s. The
Farnsworth family was a leading local family at the turn of the century. (GI-26)

20. **Stolder House** - This house was possibly built in the 1850’s. It was acquired by R. B.
Stolder who was the District Attorney for Mariposa County from 1888-1892 and from
1910-1918. The brother W. B. Stolder was a supervisor from 1908-1912. The house
was sold in 1866 to Melissa Guard, who lived in the house from 1872 to 1909. (GI-22)

21. **Counts House** - George Counts was elected County Treasurer in 1869 and moved into
the house some time during that year. The house was constructed prior to 1866. (GI-25)

22. **Prouty House/Lawrence House** - Prouty was elected County Sheriff in November,
1892, and remained Sheriff until 1910. The property was originally sold to George
Miller by John F. Johnson in 1860. It is believed that George Miller built the house
some time soon after purchasing the property. (GI-25)

23. **Hedges Residence/C.G. Lind House** - It is believed that Carl Gustav Lind acquired this
house in 1860 from Thomas Temple. This house became the Lind family home within
Mariposa. (GI-27)

24. **Pain Residence** - This residence was moved from the Whitlock Mining District at the
turn of the century and was extensively remodeled.

25. **Camins Store** - This building was originally a hotel and saloon in the early 1870’s, and
later became the Louvre Hotel which burned down in the fire of 1896. The building
was rebuilt following the fire and became the family “liquor store” through the early
1900’s. The building was extensively restored and remodeled in both 1927 and 1930
respectively. (GI-18)

26. **Jones House/ Jim McElligton House** - This house was built in 1858 for District Judge F.
Burke, who sold it to his successor Lewis Fuller Jones in 1863. The Jones family lived
in this house until 1915 when the McElligotts became the owners. (GI-28)

27. **Schlageter House** - This house was built prior to 1857 and is primarily of interest due to
its unique mix of architectural styles. Much of the ornamentation on the roof and
porches was probably copied from the Wawona Hotel by Fred Schlageter. The
Schlageter house survived the 1916 fire and is still in excellent shape. (GI-31)
Opera House/New Town Hall Site- The Opera House was built next to the Schlageter House and was also to be the new town hall. The building burned down in 1916 along with the Larew building and the Trabucco barn. (GI-30)

28. Offield- This house at one time served as a doctor's office for the Mariposan Mining Company. The house also served as a residence for the Ballantyne, Offield and Cook families. Mr. Offield was the Superintendent of Schools from 1914-15, and was a teaching principal at the first County High School. (GI-37)

29. Masonic Lodge- Originally Lodge Number 24 was established in a building constructed around 1853. This original building was destroyed in the 1866 fire. The present building was constructed in 1917. (GI-38)

30. Kearneys- In 1885 Dr. W. J. Kearney moved into the "old Patton House opposite Higman's Store". Kearney worked as a County physician at the old hospital along Mariposa Creek. The building has been in use as restaurant on and off since 1950. (GI-39)

31. W.S. Zeller's Residence- Zeller acquired the lot 1890 and had the house built soon after. Zeller operated a general merchandise store and was John Trabucco's competitor in the 1890's. (GI-45)

32. Stolder Building- This structure was built for W. B. Stolder in 1901. Later in the 1920's and 1930's the building was the Yosemite Hotel. Today the building houses a variety of shops. (GI-46)

33. Highway Patrol Office/Bogan & Company- This building was built by Emile Trabucco to house the CHP office. It was designed by the same man who designed the high school auditorium. The Charles Bogan Store is very similar to McDermonts or Trabucco's warehouse. Charles Bogan and his partner Chris Kerins ran a store on this site from about 1865 up into the 1880's. (GI48/GI-47)

34. Oleanders- Oleanders was a men's clothing store located in this building at the turn of the century. This was J. R. Hites property from 1872 until 1894, when he sold the property to C. A. Schlageter who opened a saloon here. (GI-51)

35. Capitol Saloon/Reed's Saloon- The original building was constructed about 1895. The walls in the saloon were painted by Cornerlius Vejer, or Billy Conn. The large mural paintings usually showed some mining activity. The only surviving examples are in the Gold Coin, the other paintings are now covered over by plaster. (GI49)

36. Fremont Adobe/Stahl's Bakery- This building may have been John C. Fremont's assay office in the early 1850's. The Fremont Adobe was partially destroyed in the 1866 fire and was partially rebuilt with brick. This building may also have been used as the first Wells Fargo office. The rebuilt portion of the building was used as the Stahl Bakery. The adobe walls in the northern portion of the building are most likely part of the original structure. (GI-50)

37. Schlageter Hotel/Pine Tree Hotel- Originally built in 1859 by John F. McNamara as the Pine Tree Hotel after a large Ponderosa pine that reportedly stood nearby. The original building burned in the 1866 fire and was rebuilt by Herman Schlageter with a loan from John R. Hite. The new building was two stories, built of brick and had an iron balcony. The iron balcony was removed in 1902, and a porch was added. (GI-42)

38. Trabucco Store- This store was built in 1896 from materials salvaged from other buildings which were destroyed in the 1896 fire. The iron doors and some of the stone
used in its construction supposedly came from the original Fremont Grant Store. The
upstairs window was salvaged from a Chinese store in the Mormon Bar area. (GI-44)

39. 49er Bar / El Capitan Saloon- This building housed Frank Clay's "El Capitan" Saloon
in the late 1890's. The original building had a large glass front, with a surrounding
adobe facade. The current building has been remodeled with a new adobe facade.
(GI-43)

40. Jack's Market- Originally used as a store dating back to 1900. The walls are made of
soapstone quarried locally east of town. The walls have been plastered over. (GI-41)

41. Odd Fellows Lodge- The current lodge was constructed after the fire of 1866 and was
designed to be very fireproof. The first story walls are 18 inches thick and the second
story walls are 14 inches thick. All the exterior walls are brick, the roof is tin, and all
windows have iron shutters. (GI-40)

42. Obarr's- The house was originally built by Obarr in the 1890's and was located in the
Whitlock area. The house was moved into Mariposa around 1900. (GI-33)

43. Emile Tabucco House- This house is representative of several of the more prosperous
homes built in Mariposa during the 1920's and 1930's. Emile Tabucco, son of John
Tabucco was the leading merchant in Mariposa during the 1930's, 40's and 50's.
(GI-34)

44. Bertken House- This house was built by George Bertken in 1901. George Bertken was
constable for 8 years. This building is on or near the site of the former Methodist
Church North. (GI-52)

45. Old Jail- In 1858 the Mariposa County Board of Supervisors awarded a $14,744
contract to J. O. Lovejoy to build a granite jail to be 35' long and 26' wide and 2
stories tall. The total height of the building was to be 18 feet. The lower story was to
have walls 2' thick. All stone was to have split natural faces, bedded and painted with
doors of iron. The interior and roof of the jail burned September 1, 1892. Bigelow and
Little of Bay City Iron Works in San Francisco were awarded the contract to repair the
damage. In 1893 a metal roof was placed on the building. The jail was later
remodeled in 1949 and was in continuous use until 1963. (GI-36)

46. Old Post Office / Richter's Drug Store- This building was the post office in the 1920's
and 1930's. It was originally used as an office building, which included a drug store
run by Dr. Richter. The structure belonged to C. A. Schlageter for many years before
passing to John Tabucco who moved it in 1950 in order to build the addition to his
general store on Charles Street. (GI-53)

47. Methodist Church South- The original Methodist Church was built in 1853 and was
located on Charles Street, it burned down in the fire of 1866. The interim north and
south Methodist Churches operated until the 1890's when the current Methodist Church
South was built on the present location. (GI-52)

48. Cohen & Samuels- In 1870 J. J. Cook had the Express Drug Store here in a fireproof
brick building. The McElhought built a garage in the rear of the site. (GI-54)

49. McDermott and Company / Tabucco Warehouse- This building was built in 1859 by
McDermott and Company and was the site of a general store until 1880 when it became
a livery stable. (GI-55)

50. Giant Sequoia Tree- This Sequoia tree was planted by George Bertken in about 1880.
(GI-36)
51. **Gann House**- This house was built behind the Downy-Gann House while the original Gann House was being demolished due to the change in Highway 140 right of way. The present house was built around 1932. (GI-57)

52. **Old Duff Place/Jim Duff Residence**- Jim Duff came to California with Fremont in 1848 and worked as an engineer on the first steam driven mill at the Mariposa Mine. Duff had this house built in the late 1860's and owned the entire block containing the house. (GI-59)

53. **St. Joseph's Catholic Church**- Constructed at the present site in 1862 and has been in continuous use since 1863. The church stands on 2 blocks of land donated by the owners of the Mariposa Mine, part of the original Fremont Grant. The church bell was cast in Boston in 1861 and has been in the church since its construction. The crown on the steeple was added to the church in 1863 or 64. The church is constructed of Sugar Pine lumber. (GI-60)

54. **Little Hollywood**- Little is known of this house but it is estimated that the house was moved up Mariposa Creek from Mormon Bar to its present location prior to 1900.

55. **Mormon Bar Crossing/China Town**- Mormon Bar, two miles southwest of Mariposa on Mariposa Creek was first settled by Mormons in the fall of 1849. The Mormons stayed only a short while before moving on. Their place was soon taken by a large population of Chinese miners who were not allowed to live within Mariposa. By 1859 the lower Mormon Bar area had the largest concentration of Chinese within Mariposa County. This area also has a long history of habitation by Indians. There are several good examples of Indian mortar grinding holes on this site. (GI-64)

56. **Mariposa High School**- Before 1914 the nearest available high school was in Le Grand. The original school (1914) was in the basement of the Presbyterian Church (Bagby Building) on Bullion Street. Under L. A. Offield, Principal and Science teacher, the County built a school in 1917 on land donated by Mariposa Commercial and Mining Company. The students put in the floor with the aid of school faculty when the contractor became bankrupt. This structure was located at the present gym site and was torn down in 1949. The present Spanish Revival style structure was built by a contractor and the Works Project Administration and was first used in 1937. The building was dedicated by Coleman Jennings, owner of the Mariposa Grant. At the commencement in 1919 the auditorium building was not yet completed because of lack of funds and Offield appealed to the citizens. Since 1937 the High School has also served as a community center for meetings and performances. In recent years a Merced College extension program has used these facilities in the evenings. Since 1916 there has been a steady increase in the number of graduates. (GI-5)

57. **Mariposa Mine**- Tradition credits Kit Carson with discovery this mine, but there is no evidence from Carson or others to support the statement. It was probably found by the Sonorans sent to the area by Fremont in 1849. As early as July, 1849, Palmer, Cook, and Company were crushing ore from this mine in a stamp mill, one of the very first in California. Fremont gained undisputed title in 1859 and leased to Barnett until 1864. A forty-stamp mill was moved here from Green's Gulch in 1864. From 1864 to 1892 the mine was essentially dormant. The Mariposa Commercial Mining Company reopened the mine and despite numerous accidents there produced about $700,000 between 1900 and 1910 at $20/oz. The mine's best years were 1901, 1902, 1903 and 1904. Soon afterward, the mill was destroyed by fire. Subsequent mining was done by lessees. (GI-61)
# APPENDIX D

## GENERAL PLAN/ZONING AMENDMENTS NECESSARY IN CONJUNCTION WITH ADOPTION OF THE SPECIFIC PLAN

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APPENDIX E

BIBLIOGRAPHY


California Department of Transportation, District 10. Route 140 Route Concept Report.


APPENDIX F
DEFINITIONS

Appurtenant Use or Structure:
A use of land or structure subordinate to the primary use or structure of the land and customarily incidental to the primary use or structure occurring on that land.

Bed and Breakfast or Transient Rental:
A single family structure, a residential unit of a duplex, a residential condominium unit, or an apartment unit within a commercial structure with only one such unit, or a portion of such residential units, rented or leased for periods of 30 or less days and complying with the standards contained herein.

Building:
Any structure having a roof supported by columns and/or by walls and intended for the shelter, housing, and/or enclosure of any person, animal or personal property or equipment; example: residence, mobile home, garage, barn. Any structure which is appurtenant to and attached to the building shall be considered part of the building; example: deck, staircase, balcony, awning, porch.

Building Envelope: The area of a lot covered by a building or structure, including allowed projecting eaves, balconies, and similar features.

Easement:
The right of a person, the public at-large, a government agency, or a public utility company to use public or private land owned by another for a specific purpose.

Easement, Access or Road:
An easement which grants access to the public, an entity, or a person(s) over property owned by another and allows for the improvement of that property for access or road purposes. For the purposes of Subtitle 17.300, an access or road easement need only encompass those improvements for travel lanes, parking lanes, curbs, gutters, and adjacent pedestrian pathways.

Easement, Drainage:
An easement, the purpose of which is to limit development in order to retain natural drainage channels predominantly in their natural condition, to maintain the water-carrying capacity of natural drainage channels, and to ensure safe and unobstructed flows of stormwater runoff.

Easement, Slope:
An easement, the purpose of which is to encompass cuts and fills associated with grading for road construction and to allow for maintenance of such cuts and fills.
Appendix F, Definitions

Local Street:
A local street shall mean a public street as defined by this Title, an unimproved County street right-of-way, a dedicated public right of way as defined by this Title, or a private road or access easement which serves five (5) or more parcels.

Lot Coverage:
The area of a lot or parcel covered by buildings or structures, excluding allowed projecting eaves, balconies, and similar features.

Parcel, Flag-shaped:
A parcel with access provided to the bulk of the parcel by means of a narrow corridor from a local street or State Highway and which is shaped and designed so that the main building site area is setback from the local street or State Highway on which it fronts.

Parcel, Interior:
A parcel which does not have parallel frontage along a local street or State Highway.

Service Station:
Any premises where gasoline and/or other petroleum products are sold and/or light maintenance activities such as engine tuneups, lubrication, minor repairs, and carburetor cleaning are conducted. Service stations shall include convenience stores or mini-marts where gasoline is sold. Service stations shall not include premises where heavy automobile maintenance activities such as engine overhauls, automobile painting, and body fender work are conducted.

Setback:
The required minimum horizontal distance between a property line, edge of access easement, and street centerline and the nearest vertical structural support or wall of a building or structure or the nearest edge of a use.

Structure:
That which is built or constructed, a building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Yard, Front:
A yard or open area extending across the full width of the parcel between a front property line or edge of access right-of-way or easement and the vertical structural support or wall of a building or structure. The front yard is established parallel or concentric to the front property line. A front property line is a property line abutting a local street or State Highway. For flag-shaped parcels, a front property line is the interior property line most parallel to and nearest the street or easement from which access is obtained. For interior parcels, a front
Appendix F, Definitions

property line is the property line which abuts the easement or driveway from which access is obtained.

Yard, Rear:
A yard or open space opposite to and most distant from a front yard. A parcel which has only three (3) property lines (e.g. a triangular shaped parcel) will not have a rear yard.

Yard, Side:
Any yard or open space other than a front yard or rear yard.
SETBACK EXAMPLE:  
SETBACKS (TYPICAL)  
(NOT TO SCALE)

SETBACK EXAMPLE:  
CORNER PARCEL  
(NOT TO SCALE)
SETBACK EXAMPLE:
FLAG-SHAPED PARCEL
(NOT TO SCALE)

SETBACK EXAMPLE:
INTERIOR PARCEL
(NOT TO SCALE)
SETBACK EXAMPLE:
NO REAR YARD SETBACK
(NOT TO SCALE)
Mariposa Town Planning Area Specific Plan Draft Environmental Impact Report
CREDITS AND ACKNOWLEDGEMENTS

MARIPOSA COUNTY BOARD OF SUPERVISORS

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Sally S. Punte ...........................................District 2
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MARIPOSA COUNTY PLANNING COMMISSION

Charles R. Fall ........................................Chairman, Member at Large
Edna Hotchkin ...........................................District 1
James Eskra .............................................District 4
Evelyn Cronell .........................................District 5

MARIPOSA COUNTY PLANNING DEPARTMENT / PROJECT TEAM

Tony Lashbrook ..............Planning Director / Project Manager
Duane Hall ......................Associate Planner / Briefs Manager
Sarah Williams ............Assistant Planner / Planning & Graphics
Roger Evans ....................Assistant Planner / Planning
Todd Lewis .....................Drafting Technician / Mapping
Betty Crisp .....................Administrative Assistant / Production
Lorelei Beck ....................Planning Commission Secretary / Production
Gwendolyn Foster ..........Transportation Planner / Public Works Dept.

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Mike Hubert
Bill Lincoln
MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

DRAFT ENVIRONMENTAL IMPACT REPORT

TABLE OF CONTENTS / INDEX

1. Introduction/Project Description/Intended Uses of EIR .............................................. 1

2. Environmental Setting ......................................................................................................... 5

3. Summary ................................................................................................................................. Summary
   A. Description of Environmental Setting 
   B. Project Description 
   C. Significant Environmental Impacts and Mitigation 
   D. Areas of Controversy 
   E. Issues to be Resolved
      1. Selection of Alternative 
      2. Feasibility and Implementation of Mitigation 

4. Environmental Impacts ......................................................................................................... 6
   A. Earth--Geology and Soil
      1. Soil Disruption, Displacement, and Compaction 
      2. Soil Erosion 
      3. Drainage Channels 
      4. Unstable Earth Conditions and Geologic Hazards 
      5. Unique Geologic and Physical Features 
      6. Topography and Surface Relief Features 

   B. Water--Hydrology and Drainage
      1. Surface Runoff, Floodwaters, and Drainage 
      2. Surface Water Discharges and Water Quality 
      3. Mariposa Creek and Stockton Creek Floodplains 
      4. Domestic Water Supply 
      5. Subsurface Water System 

   C. Air Quality
      1. Air Emissions 
      2. Airborne Particulate Matter 
      3. Odors 

   D. Wildlife Resources (Plants and Animals)
      1. Wildlife and Riparian Habitat 
      2. Unique, Rare, and Endangered Plant and Animal Species 

   E. Land Use
      1. Urban Services 
      2. Agricultural Lands
F. Land Use Compatibility
   1. Noise, Light, and Glare
   2. Aesthetics

G. Transportation and Circulation
   1. State Highways
   2. County Roads
   3. Pedestrian Access
   4. Parking

H. Public Services and Utilities
   1. Mariposa Public Utility District
      a) Domestic Water Supply within MPUD
      b) Sewage Disposal Within MPUD
      c) Fire Protection Within MPUD
   2. Septic Disposal Outside MPUD
   3. Fire Protection Outside MPUD
   4. Police Protection
   5. Schools
   6. Maintenance of Public Roads and Public Parking
   7. General Government Services
   8. Utilities
   9. Parks, Recreation, and Open Space
  10. Solid Waste Disposal

I. Cultural Resources
   1. Historic Structures
   2. Archaeological Sites

J. Housing and Population

K. Hazardous Materials

5. Cumulative Impacts

6. Alternatives

7. Growth Inducing Impacts

8. Relationship between Short-Term Uses and Long-Term Productivity

9. Significant Irreversible Environmental Changes

10. Unavoidable Significant Environmental Impacts

11. Appendices
    A. Organizations and Persons Consulted
    B. General Plan / Zoning Amendment Parcels
    C. Notice of Preparation
    D. Initial Study
    E. NOP Responses
1. Introduction

Project Description

Intended Uses of ELK
The project consists of an update to the specific plan for the Mariposa Town Planning Area. A specific plan is defined by C.C.G. Section 65450 and must contain maps and texts which specify all of the following:

1. The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
2. The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
3. Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
4. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out paragraphs (1), (2), and (3).

The initial specific plan for the community was adopted in 1981 and this project represents the first comprehensive update of the plan.

The Mariposa Town Planning Area encompasses the historic community of Mariposa. This unincorporated community is the historic and present center of commerce and government within Mariposa County. The town planning area, as defined by the Mariposa County General Plan, comprises approximately 1900 acres and encompasses a narrow valley created by Mariposa Creek. The Town Planning Area is located within the Rancho Las Mariposas Grant boundary in projected Section 9, 10, 11, 14, 15, 16, 22, 23, 24, 25, 26, and 36, Township 5S, Range 18E, M.D.B. & M. State Highways 49 and 140 intersect within the community and become the main street within the historic business district. The current population of the community is approximately 1565.

Proposed Plan

The Specific Plan Update focuses on the following issues:

1. Fine tuning of the land use and zoning map to address projected residential, commercial, industrial and institutional growth over the next 20 years.

2. Development of a detailed circulation plan to address growth and associated increases in traffic. This plan addresses road...
improvements, new roads, pedestrian walkways and parking improvements.

3. Development of a detailed public facilities program in response to projected growth addressing water source and distribution, sewage collection, parks and open space, County facilities, etc.

4. Expansion of the community development and design standards for new development within the town planning area to address historical preservation, tourist promotion and overall community enhancement.

5. Expansion of the community development and design standards for new development within the town planning area to address identified environmental constraints.

6. Modification to the town planning area boundaries to follow legally definable lines and associated general plan amendment and rezoning of those areas removed from the TPA. A detailed listed of the affected properties is contained in Appendix I.

Plan Implementation, Associated Projects and Use of the Environmental Impact Report

The environmental impact report for the update to the Mariposa Specific Plan has been prepared as a program EIR. A program EIR is used for large projects which require multiple actions to complete. The advantages of a program EIR are:

(1) Provides for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action,

(2) Ensures consideration of cumulative impacts that might be slighted in a case-by-case analysis,

(3) Avoids duplicative reconsideration of basic policy considerations,

(4) Allows the County to consider broad policy alternatives and programwide mitigation measures at an early time when the County has greater flexibility to deal with basic problems or cumulative impacts, and

(5) Allows reduction in paperwork.

The program EIR will be used to evaluate the immediate environmental effects associated with the adoption of this plan and
to set the stage for evaluation of subsequent projects necessary to carry out the plan. The following section lists all projects necessary to implement the plan and the application of the program EIR.

Actions that are evaluated specifically by this EIR and not requiring further environmental review:

(1) Adoption of the Mariposa Town Planning Area Specific Plan.

(2) Adoption of Section 3 of the plan by ordinance establishing enforceable building, zoning and subdivision regulations.

(3) Associated general plan map amendment to reflect revised TPA boundary.

(4) Establishment of a traffic impact fee district for Smith Road and establishment of impact fee applicable to all new construction within the district.

(5) Adjustment of the LAFCo Sphere of Influence for the Mariposa Public Utility District to include all areas of the TPA planned for development.

(6) Construction of the Saxon Creek Water Source capacity project which was reviewed by a previously certified environmental impact report.

(7) Residential projects complying with all standards as set forth in this plan as determined by the Planning Director.

Actions that are generally reviewed by this EIR but require environmental review based upon the development of specific project descriptions not currently available.

(1) County government facilities capital improvement plan and construction.

(2) County road and pedestrian path upgrade capital improvement plan and construction.

(3) New County road and pedestrian plan line preparation, capital improvement plan and construction.

(4) County parks, recreation and open space capital improvement plan and construction.
(5) Mariposa Parking District capital improvement plan and construction.

(6) State Highway improvement plans and construction.

(7) Mariposa Public Utility District annexations.

(8) Mariposa Public Utility District water and sewer line extension/upgrade capital improvement plan and construction.

(9) Comprehensive community development impact fee program.

(10) Redevelopment Plan adoption and implementation.

These projects shall be reviewed based upon the following criteria:

(1) Where the subsequent activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were covered in the program EIR.

(2) If the agency finds that pursuant to section 15162, no new effects could occur or no new mitigation measures would be required, the agency can approve the project as being within the scope of the program EIR, and no new environmental document would be required.

(3) If the project would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.

(4) If found, based upon the initial study, that additional environmental review is required, a negative declaration or subsequent EIR shall be prepared as appropriate.

(5) All applicable standards and mitigation measures developed in the specific plan program EIR shall be incorporated into subsequent actions in the program.
2. Environmental Setting
ENVIRONMENTAL SETTING

The description of the existing environmental setting of the Mariposa TPA is contained in the Section 2 (Community Profile) of the proposed Mariposa TPA Specific Plan which is hereby referenced and incorporated into this Environmental Impact Report.

A discussion of the consistency of the proposed Specific Plan with the Mariposa County General Plan is contained in Section 2.2B (General Plan Consistency) of the proposed Specific Plan which is hereby referenced and incorporated as part of this Environmental Setting.
Summary
SUMMARY

1. Introduction

This section is a summary of the discussion of potential environmental impacts, mitigation measures, and alternatives of the Mariposa TPA Specific Plan and addresses areas of possible controversy and issues which need to be resolved in the Environmental Impact Report (EIR). The summary was prepared in accordance to the requirements of Section 15123 of the California Environmental Quality Act Guidelines. This section is intended only as a summary, and readers should refer to the text of the EIR for further discussion on the items outlined in the summary. The individual sections of the EIR for each item are referenced in the summary and summary table.

2. Project Description

The project is an update to the 1981 Mariposa TPA Specific Plan. The update consists of a modification to the Town Planning Area boundary; revisions to the land use classifications and densities for new development; revisions and additions to development standards including standards incorporating mitigation measures of this EIR; and a public facilities program. A detailed description of the project and the intended uses of the EIR is contained in Section 1 of this report.

3. Environmental Impacts and Mitigation Measures

A summary of the potential environmental impacts, mitigation measures, and determination of significance is contained in the summary table at the end of this section.

4. Alternatives

The EIR reviewed five alternatives to the update of the Specific Plan. These alternatives and a discussion of each follows:

a) Alternative 1/Preferred Project—This alternative meets the reasonable needs for residential, commercial, and industrial development while addressing impacts on the environment. The alternative balances the need for growth with the need to protect the environment and is the recommended Specific Plan.
b) Alternative 2/No Additional Development--This alternative would maintain the status quo within the community by not allowing new development. This alternative is not acceptable because it will result in growth and development occurring in other parts of the County and potentially create more significant environmental effects Countywide. Also, this alternative is not consistent with the goals, objectives, and policies of the County General Plan.

c) Alternative 3/Reduced Development or Slow Growth--This alternative would reduce the intensity and density of development within the Mariposa Public Utility District (MPUD) and/or impose an annual growth limit. This alternative is not acceptable for the same reasons listed for Alternative 2 even though some environmental impacts may be lessened in the TPA.

d) Alternative 4/Existing Plan--This alternative would retain the existing Specific Plan standards. This alternative is not acceptable in that infrastructure needs are not related to development and environmental impacts for new development would not be adequately addressed.

e) Alternative 5/Increased Development--This alternative would increase the intensity and density of development allowed in the TPA and/or expand the TPA boundary. This alternative is not acceptable because the increased development would result in environmental impacts which could not be mitigated to an acceptable level and would conflict with the preservation of sensitive areas and the small town character of the community.

The discussion on alternatives is contained in Section 6.

5. Areas of Controversy

This project will result in general controversy as to the location and intensity in which growth should occur in the TPA. This type of controversy is a normal product of the planning process and the EIR and the Specific Plan have been conducted to address all points of view. As for specific areas of potential controversy, the following mitigation measures proposed by the EIR may result in controversy:

a) The reduction or prohibition of parking along Highway 140 in the downtown area. This mitigation measure, designed to improve traffic flow in the downtown area, will reduce or remove parking in an area with limited parking spaces and
reduce or remove the most accessible parking for downtown businesses.

b) The imposition of development impact fees to finance improvements at State Highway intersections with County roads and along Smith Road. The fees will increase costs for development which increase traffic in these areas.

c) A five acre minimum parcel size in the northern part of the TPA until MPUD services are provided. This mitigation measure will reduce the subdivision potential of these parcels until they are annexed into MPUD.

d) The prohibition of private wells in the MPUD. This will prohibit new development from supplementing their water supply with private wells and require new development to obtain all water from MPUD.

e) The reservation of 50% of the available water supply (until the Saxon Creek Water project is completed) for residential units. This will limit the available water for commercial and industrial development.

6. Issues to be Resolved

As part of the EIR certification process, the Lead Agency needs to identify the preferred alternative, adopt mitigation measures, and make the required findings. The major issues which need to be resolved relate to the mitigation measures to be adopted for the EIR. The mitigation measures listed as controversial and their associated impacts need to be addressed, and it must be determined how the impacts are to be mitigated and if the proposed mitigation measures will be adopted. Also, two alternative mitigation measures are proposed to address the impacts on Smith Road and the highway intersections; the mitigation measures differ as to the timing of the improvements. The Lead Agency must determine when the improvements to Smith Road are feasible, adopt the corresponding mitigation measure, and make the appropriate finding.
<table>
<thead>
<tr>
<th>Impact Category</th>
<th>Impacts</th>
<th>Mitigation Measures</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Earth—Geology and Soils (Section 4A)</td>
<td>Soil disturbance and erosion</td>
<td>Engineered grading on moderate-steep slopes (Measure A.1.a)</td>
<td>Significant—Mitigated to non-significant level</td>
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<tr>
<td></td>
<td></td>
<td>Sedimentation control during rainy season (Measure A.1.b)</td>
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<td>Minimum parcel size based on slope (Measure A.1.c)</td>
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<td>30% building coverage standard for moderate-steep slopes (Measure A.1.d)</td>
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<td></td>
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<td>Suppression of fugitive dust and protection of dirt stockpiles (Measure A.1.b)</td>
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<tr>
<td>Alteration of drainage patterns and courses</td>
<td>Stormwater drainage control for large development (Measure A.2.a)</td>
<td>Significant—Mitigated to non-significant level</td>
<td></td>
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<tr>
<td></td>
<td>50' setback for structures and fill placements from Mariposa and Stockton Creeks (Measure A.2.b)</td>
<td></td>
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<tr>
<td></td>
<td>No structures or fill placements in 100 year floodplain of Mariposa and Stockton Creeks (Measure A.2.b)</td>
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<tr>
<td></td>
<td>25' setback for structures and fill placements from intermittent streams and other drainages (Measure A.3.c)</td>
<td></td>
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<tr>
<td>Creation of unstable earth conditions and exposure to geologic hazards</td>
<td>Measures A.1.a to A.1.d</td>
<td>Significant—Mitigated to non-significant level</td>
<td></td>
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<tr>
<td></td>
<td>30' limit to cut and fill banks (Measure A.4.b)</td>
<td></td>
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<tr>
<td>Modification of partial destruction of natural state of hillsides and Mariposa Creek</td>
<td>Measures A.1.a/c/d and A.3.b</td>
<td>Significant—Mitigated to non-significant level</td>
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<td></td>
<td>Grading in conjunction with development (Measure A.5.b)</td>
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<td>Revegetation of exposed surfaces (Measure A.5.c)</td>
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<td>Screening of structures on hillsides (Measure A.5.d)</td>
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<tr>
<td>Alteration of topography and surface features</td>
<td>Measures A.4.c and A.5.c/d</td>
<td>Significant—Mitigated to non-significant level</td>
<td></td>
</tr>
<tr>
<td>Water—Hydrology and Drainage (Section 4B)</td>
<td>Increase of surface runoff and stormwater alteration of drainage patterns and courses, decrease in water quality of Mariposa Creek</td>
<td>Measures A.3.a/b/c</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td>IMPACT CATEGORY</td>
<td>IMPACTS</td>
<td>MITIGATION MEASURES</td>
<td>FINDING</td>
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<tr>
<td>Water—Hydrology and</td>
<td>Alteration of floodwaters and exposure of people to flood hazards in</td>
<td>Measure 8.3.b</td>
<td>Significant—Mitigated to non-significant</td>
</tr>
<tr>
<td>Drainage (Section 4.8)</td>
<td>Mariposa and Stockton Creek floodplains</td>
<td>(Measure 8.3.a)</td>
<td>level</td>
</tr>
<tr>
<td></td>
<td>Inadequate water supply for development outside MPUD</td>
<td>Minimum well yield standards</td>
<td>Significant—Mitigated to non-significant</td>
</tr>
<tr>
<td></td>
<td>(Measure 8.4.a)</td>
<td>(Measure 8.4.a)</td>
<td>level</td>
</tr>
<tr>
<td></td>
<td>Impact on MPUD wells by new private wells</td>
<td>5-acre minimum parcel size for parcels in northern TPL without MPUD service</td>
<td>Significant—Mitigated to non-significant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New private wells prohibited within MPUD (Measure 8.4.b)</td>
<td>level</td>
</tr>
<tr>
<td>Air Quality (Section 4.C)</td>
<td>Decrease in air quality from smoke and particulate matter</td>
<td>New woodstoves must meet EPA standards (Measure 8.1.a)</td>
<td>Significant—Mitigated to non-significant</td>
</tr>
<tr>
<td></td>
<td></td>
<td>New houses limited to one chimney (Measure 8.1.b)</td>
<td>level</td>
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<tr>
<td></td>
<td>Decrease in air quality and visibility from airborne soil matter</td>
<td>Measure 8.2.b</td>
<td>Significant—Mitigated to non-significant</td>
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<tr>
<td></td>
<td></td>
<td>Generation of obnoxious odors</td>
<td>level</td>
</tr>
<tr>
<td>Wildlife Resources—</td>
<td>Modification and reduction of wildlife and riparian habitat</td>
<td>Measure 8.3.b</td>
<td>Significant—Mitigated to non-significant</td>
</tr>
<tr>
<td>Plants and Animals (Section 4.9)</td>
<td></td>
<td>75% drainage easement for new subdivisions (Measure 8.1.b)</td>
<td>level</td>
</tr>
<tr>
<td></td>
<td>Reduction of habitat and population of Consolida Lomatia</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Reduction of habitat and population of Mariposa Clarkia</td>
<td>Botanical survey and protection of species on potential habitat areas</td>
<td>Significant—Mitigated to non-significant</td>
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<tr>
<td></td>
<td></td>
<td>(Measure 8.2.a)</td>
<td>level</td>
</tr>
<tr>
<td><strong>IMPACT CATEGORY</strong></td>
<td><strong>IMPACTS</strong></td>
<td><strong>MUTIGATION MEASURES</strong></td>
<td><strong>FINDING</strong></td>
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</tr>
<tr>
<td>Land Use--Urban Services and Agricultural Lands [Section 1.8]</td>
<td>Provision of adequate urban services to TPA outside PUD</td>
<td>5-acre minimum parcel size for parcels in northern TPA without PUD service (Measure G.1.a) Standards and criteria for annexations (Measure G.1.b) Sphere of influence study for fairgrounds area (Measure G.1.c)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
<tr>
<td>Land Use Compatibility [Section 1.9]</td>
<td>Land-use impacts on agricultural lands</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Impacts of noise, light, and glare on adjacent uses</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Impacts on aesthetics and views of TPA</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td>State Highways [Section 1.5.1]</td>
<td>Increase in traffic on H140 south of 4th and north of 7th and on H49</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and decrease in LTP on H140 between 4th and 7th</td>
<td>Traffic study, reduction and prohibition of on-street parking, left-turn lane and intersection improvements (Measure G.1.a)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and safety hazards at H495/Beau Riv Rd and H495/Fairgrounds Rd</td>
<td>Traffic study, correction of safety hazards (Measure G.1.b)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and safety hazards at H140/Smith Road and H495/Smith Road</td>
<td>Left-turn channelization and encroachment improvements (Measure G.1.c)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and safety hazards at H495/Rowe Street</td>
<td>Traffic study, encroachment improvements (Measure G.1.c)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and safety hazards at H495/Rowe Street</td>
<td>Traffic study, encroachment improvements (Measure G.1.c)</td>
<td>Significant--Mitigated to non-significant level</td>
</tr>
</tbody>
</table>

Amendments #C.3 and #D

Summary 6
<table>
<thead>
<tr>
<th>Impact Category</th>
<th>Impacts</th>
<th>Mitigation Measures</th>
<th>Finding</th>
</tr>
</thead>
<tbody>
<tr>
<td>County Streets and Roads (Section 4.6.7)</td>
<td>Increase in traffic on County streets exceeding capacity</td>
<td>Proactive improvements on County streets required for commercial and industrial development and residential subdivisions (Measures C.7.a/b)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic and safety hazards on Smith Road</td>
<td>Street improvements including curb, gutter, shoulder, and sidewalk (Measure C.2.c)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td>Pedestrian Circulation (Section 4.6.3)</td>
<td>Increase in traffic and pedestrian activity along County streets with inadequate pedestrian paths</td>
<td>Measures C.7.a/b/c and C.4.b</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic, pedestrian activity, and safety hazards along H140 between 7th and Smith Rd</td>
<td>Pedestrian path improvements along H140 between 7th and Smith Rd (Measure G.3.b)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Increase in traffic, pedestrian activity, and safety hazards along Smith Road</td>
<td>Proactive and sidewalk improvements along Smith Road (Measure G.3.c)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td>Parking (Section 4.5.4)</td>
<td>Increase in demand of public parking in downtown area</td>
<td>Redesign and striping of existing parking lots (Measure G.4.a) Improvements and amenities to parking lots to increase accessibility and usability (Measure G.4.b)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
</tbody>
</table>

Statement of Overriding Considerations. The short-term impacts on Smith Road cannot be mitigated to a non-significant level.
<table>
<thead>
<tr>
<th>IMPACT CATEGORY</th>
<th>IMPACTS</th>
<th>MITIGATION MEASURES</th>
<th>FINDING</th>
</tr>
</thead>
</table>
| WPUUD (Section 4.11)                                | Increase in demand of water from inadequate water supply, distribution, and storage system | Adequate water mains for new development (Measure H.1.a.a)  
New subdivisions to provide infrastructure for water (Measure H.1.a.c)  
Drought-tolerant landscaping for commercial, industrial, multi-family residential development (Measure H.1.a.d)  
Low-water flow fixtures for new development (Measure H.1.a.e) | Significant--Mitigated to non-significant level                                                             |
| Increase in sewage effluent to be collected by inadequate sewage collection system | New or failing septic systems prohibited in WPUUD (Measures H.1.b.a/b)  
New subdivisions to provide infrastructure for sewage (Measure H.1.b.c)  
Adequate sewer mains for new development (Measure H.1.b.e) | Significant--Mitigated to non-significant level                                                             |
| Potential increase in fire hazards and exposure of people to fire hazards | Adequate water mains and fire hydrants for new development (Measures H.1.c.a/b/c/d)                     | Significant--Mitigated to non-significant level                                                             |
| WPUUD New Public Services and Utilities (Section 4.11) | Septic disposal outside WPUUD                                           | None                                                                                                            | Not significant                                  |
| Increase in fire hazards and exposure of people to fire hazards outside WPUUD | Pool clearance around structures (Measure H.3.e)  
5-acre minimum parcel size for parcels in northern TPA without WPUUD service (Measure H.3.b)  
Water storage for commercial and industrial development outside WPUUD (Measure H.3.c)  
California State Fire Safe Standards (Measure H.3.d) | Significant--Mitigated to non-significant level                                                             |
<p>| Increase in demand for police protection service     | None                                                                   | Not significant                                                                                                 |
| Increase in student population and impacts on high school and elementary school | None                                                                   | Not significant                                                                                                 |
| Increase in maintenance demand of public streets and parking | None                                                                   | Not significant                                                                                                 |</p>
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<tr>
<th>IMPACT CATEGORY</th>
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<th>MITIGATION MEASURES</th>
<th>FINDING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non-WWUD Public Services and Utilities (Section 4.8)</td>
<td>Increase in demand of general governmental services and impacts on County facilities</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Increase in demand for public utilities</td>
<td>None</td>
<td>Not significant</td>
</tr>
<tr>
<td></td>
<td>Increase in demand for parts and open space and impacts on existing open space and parks</td>
<td>50' setback of structures from Mariposa Creek (Measure H.9.a)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Parks and recreation study and acquisitions (Measures H.9.c/d)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Increase of solid waste and impacts on County landfill</td>
<td>Recycling facilities for commercial operations (Measure H.10.a)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Waste reduction for commercial and industrial operations (Measure H.10.b)</td>
<td></td>
</tr>
<tr>
<td>Cultural Resources (Section 4.1)</td>
<td>Alteration and destruction of historic structures</td>
<td>Design and demolition standards for historic structures outside Historic District (Measure I.1.a)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td>Disturbance and destruction of archaeological sites</td>
<td>Reconnaissance report and protection of sites in Nisqually Bar area prior to grading or development (Measure I.2.a)</td>
<td>Significant—Mitigated to non-significant level</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reconnaissance report and protection of sites in northern YPA prior to subdivisions less than 5 acres (Measure I.2.b)</td>
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<td></td>
<td>Protection of discovered human remains (Measure I.2.c)</td>
<td></td>
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<tr>
<td>Housing and Population (Section 4.9)</td>
<td>Inadequate water supply for residential development</td>
<td>Measures H.1.a.a and R.4.b</td>
<td>Statement of Overriding Considerations—The short-term impacts to housing cannot be mitigated to a non-significant level</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Funding, staffing, and support for Saman Creek Project (Measure R.4.b)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>50% of available water supply reserved for residential units (Measure H.3.c)</td>
<td></td>
</tr>
<tr>
<td>Hazardous Materials (Section 4.7)</td>
<td>Generation, storage, or use of hazardous materials</td>
<td>None</td>
<td>Not significant</td>
</tr>
</tbody>
</table>
4. Environmental Impacts
A. EARTH--GEOLOGY AND SOIL

1. Soil Disruption, Displacement, and Compaction

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: Development allowed by the Specific Plan will result in grading, construction, and placement of structures, roads, and supporting facilities. This development will disrupt, displace, compact, and cover soil which is presently undisturbed or not covered with structures and will directly alter water absorption rates and drainage patterns thereby increasing and redirecting surface runoff. The Design Review Overlay standards will minimize the amount of grading necessary for multi-family residential, commercial, and industrial development. Nonetheless, because of the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes, the lack of specific grading and development standards for steep slopes, and the urban nature of the TPA, these impacts on soil may be significant.

MITIGATION MEASURES:

a) An engineered grading plan, erosion control plan, and stormwater drainage plan prepared and approved in accordance with Chapter 15.20 of County Code shall be required for all grading, including road work, on slopes 15% or greater.

b) A sedimentation control plan prepared and approved in accordance with Section 15.28.120.C of County Code shall be required for all grading requiring a grading permit and conducted between November 1 and April 1.

c) Minimum parcel size standards based on the average slope of land shall be applied to subdivision parcels. These standards shall increase the minimum parcel size as the average slope increases. This will limit the size and number of new parcels created on moderate to steep slopes.

d) On parcels which have an average slope of 15% or greater, structures shall not cover more than 30% of the parcel.

MITIGATION MONITORING:

a, b' These measures have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance. These standards are
contained in Sections 3.24 of the Specific Plan. The standards will be implemented by the Zoning Ordinance through the Planning Approval process and will be made a part of the approved grading and building permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

c) A slope density formula standard has been incorporated into the Specific Plan as a subdivision standard and will be applied to all parcels created through the subdivision and gift deed process. The standard is contained in Section 3.3 of the Specific Plan.

d) The building coverage standard has been incorporated into the Specific Plan as a development/building standard applicable to all development on parcels with an average slope of 15% or greater. The standard is contained in Section 3.24 of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Development permits will not be issued for any structures which will result in coverage of 30% or more of the parcel.

FINDINGS: These impacts may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The slope density and building coverage standards will minimize the amount of grading and impervious surfaces for development on moderate to steep slopes by increasing parcel sizes and limiting building coverage thereby reducing surface runoff, and the specific grading standards will ensure all grading on moderate to steep slopes is done in a manner which protects drainages from sedimentation and alteration.

2. Soil Erosion

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The displacement, disruption, compaction, and covering of soil by development activities will expose soils to wind and surface water and increase surface runoff, and these factors will increase wind and water erosion of soils. Most of the soils in the TPA are located on moderate to steep slopes (>15%) which have medium to very rapid runoff and moderate to very high erosion hazard. Due to the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes, the lack of specific grading and development standards on moderate to steep slopes, and the urban nature of the TPA, wind and water erosion impacts on Earth
soils may be significant.

MITIGATION MEASURES:

a) Mitigation Measures A.1.a through A.1.d

b) All exposed and/or disturbed soils for grading which requires a grading permit shall be watered down or suppressed in other manners during grading operations to reduce the generation of fugitive dust. During non-grading periods, all stockpiles of debris, soil, sand, or other materials shall be protected from wind erosion.

MITIGATION MONITORING:

a) Discussed previously.

b) The measure has been incorporated into the Specific Plan as a special grading standard which is supplementary to the Grading Ordinance. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of the approved grading permit. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact may be significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The slope density and building coverage standards will reduce the amount of grading on moderate to steep slopes by increasing parcel sizes and limiting building coverage, and the specific grading standards will ensure all grading done on moderate to steep slopes is done in a manner which protects soil from water and wind erosion.

3. Drainage Patterns and Courses

ENVIRONMENTAL SETTING: Refer to Section 1.22 of the Specific Plan Community Profile.

DISCUSSION: Grading activities and development near or adjacent to drainage courses may modify and alter the course of drainages and the drainage pattern of the TPA. Modified or altered drainages may reduce the capacity of drainage courses and their ability to handle surface runoff and accelerate further modification and erosion of drainages. This would result in impacts on soil erosion and
floodwaters as discussed in Section 4.1. Based on the importance of natural drainage courses in the controlling of stormwater drainage in the TPA and the impacts of inadequate drainage on soil erosion and property by stormwater damage, the alteration and modification of drainage courses may be significant.

MITIGATION MEASURES:

a) A stormwater drainage plan shall be required for all multi-family residential, commercial, and industrial development which have building and parking areas exceeding 5,000 square feet. Drainage facilities shall be required for all development to carry stormwaters to the nearest stable channel or natural drainage way with adequate capacity to carry the flow and to ensure that stormwater runoff will not cause flooding, ponding, soil erosion, sediment production, and sediment pollution. The release rate of stormwater for all parts of the development site after development shall not exceed the stormwater runoff rate for the site in its previous undeveloped state for all intensities and durations of rainfall unless it is demonstrated the downstream channels can accommodate the stormwater release rate.

b) All buildings and fill placements shall be located a minimum of 50 feet from the centerline of Mariposa Creek and Stockton Creek and shall not be located within the 100-year floodplain and hazard area as established by the Flood Insurance Rate Map adopted by the Federal Emergency Management Agency. Mariposa and Stockton Creeks shall be designated as flood hazard areas in accordance with the provisions of the grading ordinance, and an engineered grading plan, erosion control plan, and storm water drainage plan prepared and approved in accordance with Chapter 15.28 of County Code shall be required for all grading, including road work done within 50 feet from the centerline of Mariposa and Stockton Creeks and/or the 100-year floodplain and hazard area, whichever distance is greater.

c) All buildings and fill placements shall be located a minimum of 25 feet from the centerline of intermittent streams and designated drainage ways unless it is demonstrated by an engineered study the building and fill placement will not adversely affect the drainage. At a minimum, a minor grading plan and erosion control plan prepared and approved in accordance with Chapter 15.28 of County Code shall be required for all grading, including road work, within 25 feet from the centerline of the drainages. Such grading and associated development shall not further increase soil

Earth
erosion or siltation of surface water nor further erode drainage ways.

MITIGATION MONITORING:

a) The stormwater drainage plan and standards have been incorporated into the Specific Plan as a development standard. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Development permits for multi-family, commercial, and industrial development will not be issued unless it complies with the drainage standards. Non-compliance will be a violation of the Zoning Ordinance.

b and c) The setback standards have been incorporated into the Specific Plan as a development standard and are contained in Section 3.21 of the Specific Plan. The grading standards have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance and are contained in Section 3. of the Specific Plan. The standards will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of approved grading and building permits. Development permits will not be issued for structures or grading with fill banks encroaching into the setback. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: The impacts on drainages may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measures will ensure stormwater runoff generated by development is properly directed to drainage ways with adequate capacity, prohibit structures and fill banks along drainage ways which may interfere with the flow of floodwater, and regulate grading adjacent to drainages thereby reducing erosion and drainage alteration.

4. Unstable Earth Conditions and Geologic Hazards

ENVIRONMENTAL SETTING: Refer to Sections 1.2 of the Specific Plan Community Profile.

DISCUSSION: Although the Specific Plan establishes large minimum parcel sizes for future subdivision parcels on steep slopes, the Plan does not prohibit or establish specific grading and construction standards for development on steep slopes (>30%).
There are general standards for grading associated with commercial, industrial, and multi-family development in the Design Review standards. Nonetheless, development of structures and roads on steep slopes may create unstable earth conditions with large and unstable cut and fill banks which may lead to landslides and other geologic hazards. These unstable earth conditions may expose people and property to hazards. The Mariposa County General Plan has designated the Mariposa TPA as an area with a "High Risk of Seismic Hazard" with areas of weak rock subject to failure. The potential unstable earth conditions and geologic hazards are significant due to the extremely steep slopes of the surrounding ridges and the exposure of people and property below the ridge to geologic hazards.

The Specific Plan and subsequent development will not result in any subsurface development (except for grading cuts and private wells) and will not impact the Melones Fault or other geologic substructures. The Melones Fault runs along the steep slopes of the western ridge, and potential impacts of development locating adjacent to the fault will not be greater than the impacts discussed for development on steep slopes.

MITIGATION MEASURES:

a) Mitigation Measures A.1.a and A.1.d

b) For all grading done on steep slopes (>30%), the maximum aggregate height for cut banks shall be ten (10) feet and the maximum aggregate depth for fill banks shall be ten (10) feet.

MITIGATION MONITORING:

a) Discussed previously.

b) The measure has been incorporated into the Specific Plan as a special grading standard which is supplementary to the Grading Ordinance. The standard is contained in Section 3 of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process and made a part of the approved grading and building permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The unstable earth conditions and geologic hazards will be minimized by
limiting cut and fill banks and requiring engineered grading on steep slopes.

5. Unique Geologic and Physical Features

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The hillsides surrounding the town and Mariposa Creek are considered unique physical features of the TPA because of their high visibility, lack of disturbance, and influence upon the historical development of Mariposa. Development on the hillsides or along Mariposa Creek may modify and partially destroy these physical features from their relatively natural state which exists now. Because of the importance of the features and the immense impact development may have on them, the potential impact on these unique physical features is significant.

MITIGATION MEASURES:

a) Mitigation Measures A.1.a, A.1.c, A.1.d, and A.1.b

b) Grading in the Scenic Resource land use shall not be permitted until a development plan (e.g., building permit) associated with the grading has been approved by the County and the appropriate grading permits have been issued.

c) All exposed surfaces created by grading in the Scenic Resource land use shall be revegetated in accordance with Section 15.28.110.C of County Code unless it is determined the surface is of such composition it cannot support vegetation.

d) New structures constructed in the Scenic Resource land use shall be screened from view from the TPA and the State Highways entering the TPA. Screening may be accomplished by, but not be limited to, landscaping, natural topography, and exterior colors compatible with the natural landscape.

MITIGATION MONITORING:

a) Discussed previously.

b and c) These measures have been incorporated into the Specific Plan as special grading standards which are supplementary to the Grading Ordinance. The standards are contained in Sections 3.24 of the Specific Plan and will be implemented by Earth
the Zoning Ordinance through the Planning Approval process and made a part of the approved grading permits. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

d) This measure has been incorporated into the Specific Plan as a development standard for the Scenic Resource land use. A development and landscaping plan will be required to demonstrate if the development will be visible to the TPA or highways and how it will be screened. The landscaping requirement and development standard are contained in Section 3.24 of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. Grading and development permits will not be issued unless the grading and development complies with the standard. Non-compliance will be a violation of the Zoning Ordinance and Grading Ordinance.

FINDING: This impact is significant, but the impact will be mitigated to non-significant level through implementation of the above-described mitigation measures. The slope density and building coverage standards will reduce the number and size of structures on the hillside, the grading standards will minimize grading cuts and fills and revegetate exposed surfaces, and the screening standards will minimize the visual impact of structures on the hillside and ridge to the TPA and highways.

6. Topography and Surface Relief Features

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The development of structures and roads on steep slopes as discussed in Section A.4 will create cut and fill banks which will alter topography and ground surface relief features. These cut and fill banks may be of substantial height (10 feet and greater) and will be highly visible from other parts of the TPA. In addition, the development of structures along the ridgelines of the surrounding ridge will alter the topography of the ridgeline and detract from the view of the ridges. Because of these factors, alteration of the topography of the TPA may be significant.

MITIGATION MEASURES:

a) Mitigation Measures A.4.c, A.5.c, and A.5.d.

Earth
MITIGATION MONITORING:

a) Discussed previously.

FINDING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above-described mitigation measures. The mitigation measures will limit the number and size of structures and screen and minimize the view of structures and grading which alter the topography of the surrounding hills.
E. WATER--HYDROLOGY AND DRAINAGE

1. Surface Runoff, Floodwaters, Drainage and Water Quality

ENVIRONMENTAL SETTING: Refer to Sections 1.22 of the Specific Plan Community Profile.

DISCUSSION: As discussed in Section A.1, development will alter water absorption rates and drainage patterns and increase and redirect surface runoff by covering soils with impervious surfaces and developing structures in existing drainage ways. Increased surface runoff and altered drainage patterns will increase soil erosion and further erode drainage courses. Eroded soils suspended or carried by surface waters will deposit along drainages and into Mariposa Creek thereby increasing siltation in the creek. In addition, increased surface runoff will increase the flow of stormwater in Mariposa Creek and other intermittent streams thereby resulting in further erosion of those channels. Increased deposition, siltation, and erosion may modify the stream channels. An increase in deposition and siltation in Mariposa Creek will consequently result in increased turbidity of the water and decreased water quality. Because of the large amounts of undisturbed soils and vacant land in the TPA on moderate to steep slopes along Mariposa Creek, intermittent streams, and other drainages, the importance of natural drainages in the controlling of stormwater, and the importance of Mariposa Creek for its riparian habitat and aesthetic value, the impacts of increased surface runoff, deposition, siltation, erosion, and modification of drainage channels and patterns may be significant.

Water quality impacted by sewage effluent is discussed in Section H.

MITIGATION MEASURES:

a) Mitigation Measures A.3.a through A.3.c

MITIGATION MONITORING:

a) Discussed previously.

FINDING: These impacts may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures and existing County ordinances and standards. These measures will ensure stormwater runoff generated by development is properly directed to drainage ways with adequate capacity; prohibit
structures and fill banks within the identified flood hazard areas and along drainage ways which may interfere with the flow of floodwater and expose people and property to flood damage; regulate grading adjacent to drainages thereby reducing erosion, deposition, siltation, and drainage alteration; and decrease deposition and siltation of Mariposa Creek thereby maintaining its water quality.

2. Mariposa Creek and Stockton Creek Floodplains

ENVIRONMENTAL SETTING: Refer to Sections 1.22 of the Specific Plan Community Profile.

DISCUSSION: Alterations to the course and flow of floodwaters in minor drainage courses and intermittent streams is addressed in Section 4. In regards to Stockton Creek and Mariposa Creek, 100-year floodplains and flood hazard areas (those areas which have a 1% chance of being inundated with floodwaters from a 100-year intensity flood in any given year) have been established and mapped by the Federal Emergency Management Agency. Any development within these floodplains, especially permanent structures or fill placements, may alter the course and rate of floodwaters both upstream and downstream. In addition, any structures within these floodplains will be exposed to flood damage or destruction by floodwaters. The alteration of floodwaters or placement of structures within the flood hazard area may expose people to potential flood hazards. Based on the potential impact and hazard of floodwaters within a 100-year floodplain, any grading or structural development within the 100-year floodplains of Stockton Creek and Mariposa Creek will significantly alter the course and flow of floodwaters within those floodplains and may expose downstream and upstream properties and people to significant flood hazards.

MITIGATION MEASURES:

a) Mitigation Measure A.3.b

MITIGATION MONITORING:

a) Discussed previously.

FINDING: These impacts are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measure will prohibit all structures and fill banks which may alter the course of floodwaters thereby protecting people and properties, including upstream and downstream, from flood damage. The
engineered grading plan will ensure any grading for permitted development (e.g. open space, parking lot) will not alter floodwaters.

3. Water Supply -- Outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.5 of the Specific Plan Community Profile.

DISCUSSION: Private wells provide water to development located outside MPUD. The Specific Plan and other County standards and practices do not require verification of water availability for development projects prior to the creation of subdivision parcels or the issuance of building permits. Consequently, the Specific Plan may permit development without verification of adequate water availability for the development or fire protection purposes. Because of the importance of water for domestic uses and fire protection, the Specific Plan may significantly impact development outside MPUD by not ensuring or requiring an adequate water supply for development. Minimum standards to ensure domestic water for residential uses and water storage for commercial and industrial uses are necessary to address the impacts.

The impacts of additional private wells on the MPUD water system is discussed in Section B.4. The impacts of inadequate water storage for fire protection services is discussed in Section H.3.

MITIGATION MEASURES:

a) New residential units located outside MPUD shall be supplied domestic water from a well or water system with a yield of ten (10) gallons per minute (gpm) or greater for each residence. If the well or water system yields less than ten (10) gpm per residence, appropriate domestic water storage facilities with a minimum capacity of 1,000 gallons per residence and approved by the County Sanitarian shall be required. In no case shall a residence be supplied domestic water from a well or system that has a yield of less than one and one-half (1 1/2) gpm per residence.

MITIGATION MONITORING:

a) The County is pursuing the development of minimum yield standards for private wells in the county. These standards are as restrictive as the mitigation measure and will apply to private wells in the TPA upon their adoption.
FINDING: The potential impacts of inadequate domestic water on residential development outside MPUD may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will ensure there is adequate domestic water for new residential units located outside MPUD.

4. Subsurface Water System

ENVIRONMENTAL SETTING: Refer to Section 1.22 of the Specific Plan Community Profile.

DISCUSSION: Subsurface water in and around the TPA is stored in numerous fractures and fissures of the underlying bedrock. These fractures and fissures make it difficult to assess the impact of wells on surrounding wells in regards to drawdown of water levels and failures of wells. However, wells drawing water from a fracture or fissure will impact wells which utilize the same fracture or fissure source. Several MPUD wells in the northern part of the TPA and near the reservoir have failed, have reduced yield, or are contaminated. Additional private wells in the central and northern parts of the TPA may effect the public water supplies of MPUD by impacting nearby MPUD wells resulting in failure or reduced yield of the wells. The cumulative impact of these wells may be significant because of the importance of MPUD as a water provider and the limited supply of MPUD water.

MITIGATION MEASURES:

a) The minimum parcel size standard for subdivision parcels, including gift deed parcels, in the northern part of the TPA outside MPUD shall be five (5) acres unless the parcels are connected to the MPUD water system.

b) New private wells within MPUD shall be prohibited unless such wells are approved by MPUD and will be connected to the MPUD water system. Existing private wells which have failed or have reduced capacity may be drilled to a greater depth or a new well may be drilled upon closure of the existing well.

MITIGATION MONITORING:

a) The minimum parcel size standard has been incorporated into the Specific Plan as a subdivision standard and will be
applied to all parcels created through the subdivision and gift deed process. Parcels which do not comply with the standard cannot be approved. The standard is contained in Section 3.3 of the Specific Plan.

b) The prohibition of private wells in MPUD has been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Specific Plan. The standard will be implemented by the Zoning Ordinance through the Planning Approval process, and permits for wells in the TPA will not be approved unless the well complies with the standard.

FINDING: The cumulative impact of additional wells on the subsurface water supply necessary to support existing development in MPUD may be significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The minimum parcel size standard will ensure there is adequate recharge of the subsurface water supply by the five (5) acre parcels and there is not a cumulative impact on the subsurface water supply. This is based on the Environmental Impact Report certified for the Mariposa County General Plan relating to cumulative impacts on subsurface water by residential parcels (Section 3.306). The prohibition of private wells in MPUD will ensure that private wells will not individually or cumulatively impact the MPUD water system and all new private wells are developed as part of the community water system.
C. AIR QUALITY

1. Air Emissions

ENVIRONMENTAL SETTING: Refer to Section 1.2 of the Specific Plan Community Profile.

DISCUSSION: The Mariposa TPA has not been designated as a non-attainment area for air pollutants, but there have not been any studies or research to quantitatively determine air quality in the TPA. General effects of air pollution such as increased health problems, decreased visibility, and general health irritants (burning eyes, shortness of breath) have not been identified. The only identifiable air emission is smoke generated by wood-burning stoves during the winter months. Smoke from the stoves is trapped in town by air temperature inversion layers and the surrounding ridges. At this time, the smoke emissions form a relatively thin layer and rests at elevations above development.

The Specific Plan will result in increased population and traffic which will increase air emissions through vehicles and wood-burning stoves. In addition, air emissions may be increased through uses such as service stations and commercial propane storage tanks. Based on the fact Mariposa County is an attainment area for hydrocarbon, carbon monoxide, and sulfur dioxide emissions, the lack of evidence demonstrating that TPA air quality is near those non-attainment levels, the relatively small increase in vehicle and other use emissions, and County air pollution control standards in effect, the Mariposa County Air Pollution Control District Officer stated the increase of emissions from vehicles, service stations, commercial propane storage tanks, and other similar uses will not significantly impact air quality in the Mariposa TPA.

However, smoke and other particulate matter has an existing identifiable impact on air quality in the TPA although its impact on air quality is unknown at this time. An increase in smoke and particulate matter in the TPA may result in significant air quality problems. Therefore, any increase of woodstove emissions may significantly impact air quality.

MITIGATION MEASURES:

a) All new woodstoves, including replacements, placed in the TPA shall be of a type and standard approved by the United States Environmental Protection Agency.
b) A maximum of one (1) chimney shall be allowed for each new house constructed within the TPA.

MITIGATION MONITORING:

a and b) The mitigation measure will be incorporated into the Specific Plan as supplementary building standards to the County Building Code. They will be implemented by the Zoning Ordinance through the Planning approval process and be made a standard and condition for all building plans. Non-compliance will be a violation of the Zoning Ordinance and Building Code. These standards are contained in Section 3. of the Specific Plan.

FINDING: The impact on air quality caused by emissions from woodstoves is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will substantially reduce the amount of woodstove emissions generated by new residential development. Air quality will not be significantly impacted by other types of emissions.

2. Airborne Particulate Matter

ENVIRONMENTAL SETTING: Refer to Sections 1.2 of the Specific Plan Community Profile.

DISCUSSION: The disruption and displacement of soils caused by grading and other development activities will expose soils to wind patterns. Once the soil is lifted by the wind, the soil will become airborne particulate matter which may decrease air quality and visibility. The movement of air within the TPA is partially restricted by the surrounding ridges, and airborne soil matter may concentrate within the TPA. Because of restricted air movement in the TPA, the large amount of undisturbed soils and vacant land on moderate to steep slopes, and the existing traffic and residential and commercial development in the TPA, air quality and traffic safety may be significantly impacted by increased airborne particulate matter.

MITIGATION MEASURES:

a) Mitigation Measure A.2.b

MITIGATION MONITORING:

a) Discussed previously.
FINING: This impact is significant, but the impact will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will substantially reduce the amount of airborne particulate matter generated by grading and development activities.

3. Odors

DISCUSSION: The Specific Plan will not allow uses which generate potentially obnoxious odors except as conditional uses (e.g., storage of flammable or hazardous materials) in the commercial and industrial land uses. The conditional use permit process and mandatory environmental review will ensure that these uses which may generate obnoxious odors will not significantly impact adjacent land uses and human comfort. As such, the Specific Plan will not result in significant odors.

FINING: This impact is not significant.
D. WILDLIFE RESOURCES (PLANTS AND ANIMALS)

1. Wildlife and Riparian Habitat

ENVIRONMENTAL SETTING: Refer to Section 1.24 of the Specific Plan Community Profile.

DISCUSSION: In the developed portions of the TPA, native vegetation has been reduced by urbanization and a number of non-native plant species have been introduced. This part of the TPA is considered valuable wildlife habitat due to the reduced amount of native vegetation, introduced plant species, and human activity occurring in this area; this has resulted in the alteration of the native landscape and elimination of wildlife except for occasional forages. The landscaping standards of the Design Review district require the retention of native vegetation when possible, and consequently the removal of native vegetation will be minimal. As such, additional development within the urbanized portion of the TPA will not have a significant impact on wildlife resources.

However, there is extensive wildlife habitat in the northern section of the TPA consisting of plant species typical of the Foothill-Woodland habitat and utilized by mule deer and other animals typical of this habitat. The habitat in this area is still moderately dense and disturbance by human activities is limited to a few single family residences. Other important wildlife habitat in the TPA include the riparian habitats found along Mariposa Creek and Stockton Creek. These habitats are still relatively undisturbed and utilized by animals. The Specific Plan will allow development within these habitats, and this development will convert the habitat to urban uses and densities which are not conducive to preservation of the habitat or utilization by animals. Although there is extensive wildlife habitat surrounding the TPA, wildlife habitat in the TPA is limited, and any reduction of this habitat may be significant.

MITIGATION MEASURES:

a) Mitigation Measure A.3.b

b) A drainage easement 25 feet from the centerline of intermittent streams and designated drainage ways shall be established for subdivisions located in the northern part of the TPA outside MPUD. The easement shall prohibit structures and grading except for perpendicular access roads.
implementation of the above described mitigation measures. The required survey will determine if the Mariposa Clarkia exists on the property, and if so, mitigation measures recommended by the survey will be implemented to protect the identified populations.
E. LAND USE

1. Urban Services

ENVIRONMENTAL SETTING: Refer to Sections 1.55 of the Specific Plan Community Profile.

DISCUSSION: The Mariposa Public Utility District (MPUD) is the responsible agency for providing urban-level services for much of the TPA. The impacts the Specific Plan may have on MPUD in providing urban services to existing and future development in the District is discussed in Section H.1.

As for those areas of the TPA outside MPUD, the northern section of the TPA is planned for low-density residential uses which will require sewer and water service from MPUD in order for land in this area to develop to its maximum density. The area is within the MPUD Sphere of Influence and is designated for provision of future services by MPUD, and MPUD services will be provided upon annexation of the properties to MPUD. Annexations to MPUD must be approved by the Local Agency Formation Commission (LAFCo) and the District. The Specific Plan does not have policy standards for phasing urban development in this area nor does it have development standards for reviewing projects which require annexation of the property to MPUD. Without these standards, this area of the TPA may be prematurely developed for urban uses, and MPUD may be substantially impacted by annexations to the District. This may result in impacts on land use patterns in the TPA and the provision of services by MPUD. These impacts may be significant for the following reasons: (1) residential and/or commercial growth in this area may result in sprawl of development beyond the planned service area boundaries of MPUD without ensuring urban services are properly provided to the annexed property; and (2) urban services presently provided to property in the District may be lessened or negatively impacted by extension of services outside the planned service area boundaries of the District. Since urbanized development in this area will require discretionary approval from the County, minimum standards and criteria for annexations and provision of services from MPUD should be established in the Specific Plan to ensure that proper and timely urban services are provided to the area without impacting services necessary to support development of property within the existing District.

The Fairgrounds area is planned for light industrial uses which will eventually require intensive urban services for sewer, water, and fire protection. Although this area is not within the MPUD Sphere of Influence, MPUD is the logical agency to provide these services to this area. Until that time, strict development
standards will be applied to commercial and industrial development in the Fairgrounds area to ensure proper services are provided, and these services and development standards are discussed in detail in the Specific Plan and other sections of the EIR. These development standards will ensure adequate services are provided for development in the Fairgrounds area and services from MPUD will not be required, and as such, development in the Fairgrounds area will not impact the provision of urban services by MPUD. Nonetheless, the County should request the Local Agency Formation Commission to prepare an updated Sphere of Influence Report for MPUD to analyze the feasibility of expanding the Sphere to include the Fairgrounds area and establish policy and standards for annexations if appropriate.

MITIGATION MEASURES:

a) The minimum parcel size standard for subdivision parcels, including gift deed parcels, in the northern part of the TPA outside MPUD shall be five (5) acres unless the parcels are provided sewer, water, and fire protection services from MPUD.

b) The County shall adopt minimum standards and criteria for reviewing and approving discretionary land use projects (e.g. subdivisions, specific plan amendments) which require annexation into MPUD. The standards shall establish minimum improvement requirements for water, sewer, and fire protection services from MPUD.

c) A formal request to update the MPUD Sphere of Influence shall be submitted to the Mariposa Local Agency Formation Commission (LAFCO). LAFCO shall be requested to develop policies and standards for annexation of land into MPUD and analyze placing the Fairgrounds area within the Sphere.

MITIGATION MONITORING:

a) This standard has been incorporated into the Specific Plan as a subdivision standard and will be applied to all parcels in the northern part of the TPA created through the subdivision and gift deed process. The standard is contained in Section 3. of the Specific Plan.

b) The annexation standards and criteria will be developed by the County in conjunction with the update to the MPUD Sphere of Influence. The standards and criteria will be incorporated into the Specific Plan as policy and development/subdivision standards. A policy statement has
been incorporated into the Specific Plan which states discretionary land use projects shall not be approved by the County until annexation standards and criteria are formally adopted by the Board of Supervisors. This policy statement is contained in Section 2.62 of the Specific Plan.

c) Within six (6) months after the adoption of the Specific Plan, the Board of Supervisors shall formally request LAFCo to initiate an update to the MPUD Sphere of Influence. The Board of Supervisors shall provide the necessary budget for LAFCo to undertake the Sphere update.

FINDING: The impacts on land use patterns and the provision of services from MPUD resulting from the untimely and inadequate provision of urban-level services to property outside MPUD may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. The measures will ensure that development in the northern part of the TPA occurs in a timely manner and adequate urban-level services are provided by MPUD.

2. Agricultural Lands

ENVIRONMENTAL SETTING: Refer to Sections 1.4 of the Specific Plan Community Profile.

DISCUSSION: The project will remove approximately 300 acres along the northeastern and southwestern TPA boundary lines from the Town Planning Area classification and place the acreage in the Agricultural Exclusive (AE) land use classification. The land being removed from the TPA are parts of larger adjacent parcels which are already located in the AE land use, and the project will place these parcels entirely in the AE land use. The land along the southwestern boundary is also under a Land Conservation (Williamson) Act contract as is the entire parcel, and so this action is consistent with the intent and policy of the Land Conservation Act (LCA). The property along the northeastern boundary is on moderate to steep terrain and is outside the service area boundaries of MPUD. Based on these factors, it is appropriate to place the land in the AE land use.

The Specific Plan will not result in the conversion of agricultural land or designating agricultural land for more intensive uses. In addition, the uses allowed by the Specific Plan will not impact the continued use of the agricultural grazing land under LCA contract since this land is topographically separated from the TPA. As such, the Specific Plan will not have a significant impact on
agricultural lands. Due to the terrain of the land to be placed in the AE land use and the nature of the adjacent land uses, the use of this land for agricultural purposes will not impact adjacent land uses or create land use compatibility problems.

FINDING: The impact on agricultural lands is not significant.
P. LAND USE COMPATIBILITY

1. Noise, Light, and Glare

DISCUSSION: The Mariposa County General Plan has identified vehicular traffic along State Highways 140 and 49 as the major noise generators in the TPA. Other significant noise generators in the TPA include light industrial and commercial uses, especially uses with outdoor work areas. Sensitive noise receptors are the medium and high density residential uses (single family residential—9,000 square foot minimum and multi-family residential), schools, hospitals, and parks. The Specific Plan land uses have been designed to separate high-level noise generators from sensitive noise receptors, and design review development standards have been established to require landscaping and screening between noise generators and sensitive noise receptors.

The high-level noise generators and least sensitive receptors (industrial and commercial uses) have been located along the highways with multi-family and single family residential uses setback from the highways. The multi-family residential uses have been located where possible to act as a transition buffer between commercial and industrial uses and single family residential uses, thereby reducing noise levels even further for small-lot residential areas. The areas of direct contact between commercial and industrial uses and single family residential uses have been minimized to prevent noise compatibility conflicts between these uses.

In those areas where there are existing residential uses and where commercial and industrial areas are adjacent to residential areas, new commercial, industrial, and multi-family residential development will be required through the design review process to provide landscaping and screening along streets and adjacent residential uses. The required landscaping and screening will act as a noise buffer with noise being reduced to an acceptable level. Outdoor commercial and industrial uses are a conditional use, and the conditional use permit and environmental review process will ensure these outdoor uses will not have significant noise impacts on adjacent uses.

Those uses and areas identified has high-level noise generators and sensitive noise receptors are also the high-level light and glare generators and sensitive light receptors. As such, the steps which have been taken to minimize noise impacts between uses will also minimize light and glare impacts.

The configuration of the Specific Plan land uses and the development standards of the Specific Plan will provide appropriate
buffers and transition between generators of noise, light, and glare and sensitive receptors of noise, light, and glare and will protect the rural areas surrounding the TPA. Based on the above discussion, the Specific Plan will not result in significant noise, light, and glare impacts on land uses, especially sensitive receptors of these impacts.

FINDING: The potential noise, light, and glare impacts on land uses are not significant.

2. Aesthetics

ENVIRONMENTAL SETTING: Refer to Sections 1.21 of the Specific Plan Community Profile.

DISCUSSION: This report has already discussed the potential visual and aesthetic impacts which may result from development on the ridgelines and hillsides of the TPA, and appropriate mitigation has been developed to address those impacts. In addition, standards to address the visual and aesthetic impacts of development in the TPA, especially the Historic District, have been developed through the Historic Design and Community Design Overlays. These standards will regulate the appearance and view of development from the State Highways and other public streets by requiring landscaping, retention of native vegetation, minimal grading, historically compatible building designs, and appropriate building materials. These standards will ensure development is compatible with surrounding uses and the historic character of Mariposa. Lastly, the subdivision standards require the retention or replacement of native trees for subdivisions which will ensure the retention of native vegetation which presently exists in the undeveloped parts of the TPA. All of these standards will protect the view corridors and the views of natural and historic features in the TPA except for one. The Mariposa Community Planning Advisory Committee Recommendations study identified the stand of Ponderosa pines along Highway 140 as one enters the TPA from Merced as a significant and unique feature of the TPA which should be protected. The standards discussed previously will not protect these Ponderosa pines from being removed since they are primarily on land designated for single family residential use with little or no subdivision potential. However, the land uses and densities permitted by the Specific Plan for these parcels will not result in a substantial reduction of the Ponderosa Pines since only one residence per parcel is permitted and a majority of these parcels are already developed. The Specific Plan will not have a significant impact on the Ponderosa pines and their aesthetic value.

FINDING: The impact on aesthetics and view of the TPA is not significant.

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G. TRAFFIC AND CIRCULATION

1. State Highways

ENVIRONMENTAL SETTING: Refer to Section 1.51 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan does not propose at this time any alteration to traffic and circulation patterns of the TPA. Development and traffic within the TPA will still rely on the State Highways as primary access including internal access within the TPA. The Specific Plan, by permitting additional development on vacant and underutilized lands, will increase traffic flows on the State Highways. The area along Highway 49 North has been designated for commercial and multi-family residential development, and traffic along Highway 49 North can be expected to increase. In addition, traffic along Highway 140 and Highway 49 South can be expected to increase from through traffic to new development in the TPA and to Yosemite National Park since these highways provide access to these areas from the Bootjack area, Oakhurst, and the San Joaquin Valley.

CalTrans has determined the current level of service for Highway 140 between Highway 49 South and North to be at a C level approaching D level. The completion of the left-turn lane improvement project along Highway 140 this summer should improve the level of service to a solid C level which according to the Specific Plan is the desired level of service for highways in the TPA. Based on traffic projections using past traffic increases, CalTrans estimates the left-turn lane will maintain a D level of service for Highway 140 until at least 2005. It is assumed growth in the TPA will correlate closely with traffic growth on the highways lacking any significant incentives for growth that do not presently exist. The D level of service is an acceptable level of service, and as such, general traffic impacts on Highway 140 will not be significant for the next 15 years. The level of service for Highways 49 South and North has not been determined, but these highways have substantially less traffic than Highway 140 with better traffic flow, and it is concluded the general traffic flow on these highways will not be significantly impacted by the Specific Plan.

Nonetheless, the level of service determined for Highway 140 is for the highway as a whole between Highway 49 North and South and does not identify specific traffic flow problems within the highway segment or differentiate levels of service for smaller segments. The Mariposa Community Planning Advisory Committee Recommendation study shows that portion of Highway 140 between Fourth and Seventh Streets has a significantly lower level of service than the remainder of the highway. This is caused by
interrupted traffic flow by parallel parking along the highway and vehicles turning onto oncoming traffic. It can be reasonably assumed from these factors and observed traffic flow that this portion of Highway 140 is at a D level of service approaching an E level. An E level of service is unacceptable in that it represents unstable traffic flow with congestion and intolerable delay. The left-turn lane improvement project only extends to Seventh Street and will not improve traffic flow in the downtown area. The Specific Plan will result in increased traffic along this segment of Highway 140 as this segment of the highway is the primary access route from the central and northern part of the TPA to the Bootjack area, Oakhurst, and San Joaquin Valley. An increase in traffic volume along this segment of the highway which will decrease the level of service to an unacceptable level (E) will have a significant impact on Highway 140 and the traffic flow of the TPA and may create significant traffic hazards, especially at County street intersections.

The State Highway intersections with County streets and private roads and driveways are the areas with the most substantial traffic flow interruption and traffic hazard problems. CalTrans encroachment standards and permitting authority require safe and adequate encroachments from private roads and driveways onto the State Highways thereby ensuring safe and adequate access at these points. CalTrans may require encroachment improvements, including left-turn channelization, for new development or development generating additional traffic as a condition of development. The purpose of such improvements is to ensure that through traffic is not significantly interrupted by turning movements associated with the new development. Furthermore, the County may regulate the location of encroachments through the subdivision process or the design review process for multi-family, commercial, and industrial development to ensure safe access to an adjoining highway. Based on these factors, development accessing the State Highways directly from driveways or private roads will not have a significant impact on the highways or create significant traffic hazards.

Existing County street encroachments onto the State Highways are not regulated by CalTrans, and additional development accessing these County streets may increase traffic levels at the highway intersections. This type of development is not subject to CalTrans authority although they may significantly impact traffic flow at the highway intersections and create significant traffic hazards. The left-turn lane improvement project from Seventh Street to Highway 49 North will substantially improve the Highway 140 intersections with County streets in this area so that highway flow is not impeded by vehicles making left turns and potential traffic hazards are reduced. With the left-turn lane improvement, these intersections will be able to handle increased traffic from new development without the highway being significantly impacted. The
Highway 140 intersections with County streets between Highway 49 South and Seventh Street have been previously addressed in the discussion on traffic flow in the downtown area.

The County road intersections on Highway 49 South, the Ben Hur Road/Fairgrounds Road/Highway 49 South intersections, are presently adequate to handle current traffic levels, but they have been identified as intersections which may need improvements to accommodate future traffic volumes, especially increased traffic from residential growth in the Ben Hur Road area. The Specific Plan has designated the areas along Fairgrounds Road and Ben Hur Road within the TPA for light industrial uses which may be high traffic generators, and special standards have not been developed to address improvements for the intersections. Most of the traffic from the light industrial uses will access Highway 49 South from the County roads, but it is not known at this time when highway improvements will be necessary to ensure proper traffic flow and prevent traffic hazards at the County road intersections. Any additional traffic at these intersections, including traffic from development allowed by the Specific Plan, may significantly impact Highway 49 South and create significant traffic hazards.

Based on comments from CalTrans and the Mariposa County Public Works Director, it has been determined the Highway 49 North and Highway 140 intersections with Smith Road will not be adequate to handle additional traffic volumes and will be significantly impacted by a substantial increase in traffic (i.e., 10% increase of existing traffic levels). Additional development in the northern part of the TPA, as allowed by the Specific Plan, will increase traffic levels along Smith Road and at the intersections thereby impeding traffic flow along the State Highways and creating traffic hazards. The Specific Plan has not established special standards or improvement programs to address and improve these intersections. Based on the comments of CalTrans and the Public Works Director and the potential traffic from new development, the impacts on these State Highway intersections will be significant.

CalTrans has commented that the Joe Howard Street intersection does not meet CalTrans standards for a public road connection, and it has been determined a substantial increase in traffic on Joe Howard Street will significantly impact Highway 49 North. One of the problems with the intersection is the merging of three County streets within 50 feet of Highway 49 North. CalTrans recommends the intersection be improved with a public road connection and left-turn channelization to accommodate future traffic volumes. Joe Howard Street provides access to commercial land adjacent to it and will be the future access route for development on the west side of Mariposa Creek, but Joe Howard Street also acts as a through access route for traffic from Coakley Circle to Highway 49 North. The land on the west side of Mariposa Creek is in a Planned
Unit Development Overlay district, and development and subdivision of this land into residential parcels will require approval of a PUD by the Board of Supervisors at which time specific impacts and improvements for the Highway 49 North-Joe Howard Street intersection can be determined. However, commercial uses along Joe Howard Street and in the Coakley Circle area are permitted uses, and the Specific Plan has not established special development standards or improvement programs for the intersection. The Specific Plan, by allowing increased traffic on Joe Howard Street, will significantly impact Highway 49 North at the Joe Howard Street intersection and create additional traffic hazards.

MITIGATION MEASURES:

a) A traffic study analyzing traffic patterns and volumes on Highway 140 between Highway 49 South and Seventh Street shall be conducted every two years to determine the level of service for this segment of the highway. When the level of service reaches an E level, the number of parking spaces along Highway 140 from Seventh Street and Highway 49 South shall be reduced so that backing movements will not be necessary for vehicles to park in these spaces. If the level of service returns to an E level after the implementation of the first measure, all on-street parking along Highway 140 from Fifth Street and Sixth Street shall be prohibited and left-turn lane and associated encroachment improvements shall be constructed for all County Street intersections with Highway 140.

b) A traffic study analyzing traffic patterns, volumes, and safety for the intersections of Highway 49 South/Bea Hur Road and Highway 49 South/Fairgrounds Road shall be conducted every two years to determine the level of service and safety for the intersections. If the study concludes a safety hazard exists at the intersections, the County shall improve the intersection(s) to correct the safety hazard as recommended by the study. Such studies and improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which access the County roads.

c) OPTION #1—Left turn channelization and associated encroachment improvements on Highway 140 and Highway 49 North shall be constructed for the Highway 49 North/Smith Road and Highway 140/Smith Road intersections within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

OR

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OPTION #2—Left turn channelization and associated encroachment improvements on Highway 140 and Highway 49 North shall be constructed for the Highway 49 North/Smith Road and Highway 140/Smith Road intersections when traffic volumes increase by 10% above existing traffic volumes. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

d) The Joe Howard Street encroachment at Highway 49 North shall be improved to CalTrans standards for a public road connection. A traffic study analyzing the traffic patterns, safety and volumes at the Joe Howard Street/Highway 49 North intersection shall be conducted to determine the level of safety service for the intersection and if left-turn channelization is necessary for existing traffic levels. The study and encroachment improvements shall be funded by a development impact fee program.

MITIGATION MONITORING:

a) The Board of Supervisors will fund the traffic study through the County budget. The first study will be conducted during the first peak month of traffic flow after completion of the left-turn lane improvement project on Highway 140, and subsequent studies will be conducted during months of peak traffic volumes. When an E level of service is first reached, the Public Works Department will prepare within two months a revised parking plan with necessary improvements to reduce the parking spaces. The County will implement the revised parking plan within six months after an E level is reached provided all CalTrans approvals have been obtained. When an E level is reached after parking has been reduced, the County will prohibit the on-street parking within one month and complete the left-turn channelization and encroachment improvements within one year. The studies and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.

b) The Board of Supervisors will fund the traffic study through the County budget. The first study will be completed within three months after adoption of this plan, and subsequent studies will be conducted during months of peak traffic volumes. If the study determines a safety hazard exists at the intersection, the necessary improvements to correct the hazard(s) as recommended by the study will be completed by the County within two years. The studies and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.
c) A development impact fee program will be established for the Smith Road intersections prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts at the intersections to establish a base traffic volume level and conduct traffic counts annually thereafter. When the traffic volumes increase by 10%, the County will construct and complete the improvements within one year.

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Appendix D of the Plan. The improvements to the intersections will be incorporated into the Public Improvement Programs of the Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4.2 of the Specific Plan.

d) The County will fund in the County budget the improvements necessary to improve the Joe Howard Street intersection to a public road connection. The County shall also fund the traffic study in the budget, and the first study shall be completed within three months after adoption of this plan. If left-turn channelization is necessary, the County shall implement the development impact fee and complete those improvements within two years. The study and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.2.

FINDING:

OPTION #1—The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures except for the impacts on the Smith Road intersections. Option #2 of Mitigation Measure C.1.c is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at these intersections prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on the...
highways and create significant traffic hazards before the impacts are mitigated by left-turn channelization improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersections of Highway 49 North/Smith Road and Highway 140/Smith Road based on the following:

a) The high construction costs for the improvements (approximately $350,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.

b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.

d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary findings for the improvements.

OPTION #2--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure C.1.c. The mitigation measures require traffic flow to be monitored along all key segments and intersections of the State Highways and left-turn channelization and other encroachment improvements to be constructed to maintain the highway levels of service at an acceptable and safe level (i.e. D level).

2. County Streets and Roads

ENVIRONMENTAL SETTING: Refer to Section 1.51 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan does not propose at this time any alterations to traffic and circulation patterns on County streets and roads in the TPA. Most County streets and roads in the TPA do not meet County Improvement Standards for traffic levels because of inadequate frontage improvements, but the existing travel lane improvements are accommodating current traffic volumes. However, the Specific Plan, by permitting additional development on vacant and underutilized lands, may increase traffic volumes on
County streets and roads beyond their capacity.

Additional residential development on existing parcels and through minor land divisions will not substantially increase traffic on the County streets and roads, primarily because of their low traffic volume generation and density. However, major subdivision development and commercial and industrial development may generate substantial amounts of traffic thereby increasing traffic volumes on adjacent and nearby County streets and roads. Any substantial increase in traffic on these County streets and roads may exceed the capacity of the streets therefore resulting in significant impacts on traffic flow and safety. Residential and commercial development adjacent to County street and roads, as allowed by the Specific Plan, may significantly impact County streets and roads.

Based on comments from the Public Works Director and previous analysis, it has been determined that Smith Road is not adequate to handle additional traffic and will be significantly impacted by a substantial increase in traffic (i.e. 10% increase of existing traffic levels), even from development of existing residential parcels. Additional development in the northern part of the TPA, as allowed by the Specific Plan, will increase traffic volumes along Smith Road which may impede traffic flow and create additional traffic hazards along Smith Road. Consequently, the Specific Plan may significantly impact Smith Road by substantially increasing traffic.

MITIGATION MEASURES:

a) County street frontage improvements, including paths or sidewalks, shall be constructed for all commercial and industrial developments which generate 100 or more average daily traffic trips and residential subdivision with a density equal to or greater than one unit per acre.

b) Frontage improvements along Joe Howard Street shall be constructed prior to the final approval of any development permit for the remainder created by Parcel Map 23/8.

c) OPTION #1--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter and at least one sidewalk within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

OR

OPTION #2--Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter and at least one sidewalk when traffic levels increase by 10% from existing

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traffic levels. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

MITIGATION MONITORING:

a) The frontage improvements requirement has been incorporated into the Specific Plan as an improvement standard which takes precedence over the County Road Improvement and Circulation Policy. The standard is contained in Section 3.25.B of the Specific Plan and will be implemented by the Subdivision Ordinance or the Zoning Ordinance through the Planning Approval process. The Public Works Director will determine the appropriate frontage improvements for the County street, and the frontage improvements will be made a part of the building permit or a condition of approval for the major subdivision. The frontage improvements will be required to be constructed or deferred with an improvement agreement prior to issuance of a certificate of occupancy or recordation of the final map.

b) This requirement is a condition of the Certificate of Compliance issued to the remainder. The condition will be implemented through the Planning Approval process and be made a part of the building permit. The frontage improvements will be required to be constructed or deferred with an improvement agreement prior to issuance of a certificate of occupancy.

c) A development impact fee program will be established for improvements to Smith Road prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts on Smith Road to establish a base traffic volume level. When the traffic levels increase by 10%, the County will construct and complete the improvements within one year.

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Plan. The improvements to the intersections will be incorporated into the Public Improvement Programs of the
Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4.2 of the Specific Plan.

FINDING:

OPTION #1--Option #2 of Mitigation Measure G.1.c is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements will be constructed by 1996 under Option #1 of the mitigation measure, traffic volumes may substantially increase along Smith Road prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on Smith Road and create significant traffic hazards before the impacts are mitigated by the improvements. Other feasible mitigation is not available; a moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types. A finding of Overriding Considerations is adopted for the potential impacts on Smith Road based on the following:

a) The high construction costs for the improvements (approximately $600,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.

b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.

d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements.

OPTION #2--The potential impacts on County streets and roads are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure 3.2.c. The mitigation measures require frontage improvements for major commercial developments and major subdivisions which will ensure traffic and parking generated by these projects will not significantly impact traffic flow on the County streets or create
significant traffic hazards. In addition, the measures require full improvement of Smith Road when traffic levels warrant it and this will ensure that Smith Road will be able to adequately handle traffic volumes resulting from development allowed by the Specific Plan.

3. Pedestrian Circulation

ENVIRONMENTAL SETTING: Refer to Section 1.53 of the Specific Plan Community Profile.

DISCUSSION: The existing pedestrian improvements in the downtown area and Coakley Circle area will continue to provide safe and adequate pedestrian access in these areas upon further development. Downtown pedestrian access will also be improved with the construction of improved pedestrian pathways from the public parking lots to downtown businesses as discussed in the section on Public Parking while Coakley Circle pedestrian activity will be enhanced by the public parking/roadside rest area planned for that area. Based on these factors, pedestrian access and safety in the downtown area and Coakley Circle will not be significantly impacted by increased pedestrian activity or traffic volumes.

However, pedestrian access is presently seriously impeded along Highway 140 between Highway 49 North and Seventh Street, along Smith Road and Highway 140 to Highway 49 North, and along Eighth Street between Jones Street and Highway 140. Highway 140 is an important and active pedestrian route because it provides access to the central portion of the TPA, interconnecting County streets, and adjacent commercial services and businesses. There are multiple unstructured encroachments along Highway 140 with no sidewalk improvements which create pedestrian hazards. Pedestrian activity and traffic volumes along Highway 140 can be expected to increase with further development in the TPA as allowed by the Specific Plan. The Highway 140 left-turn lane improvement project will not substantially improve pedestrian access because no sidewalk improvements will be constructed, travel lane width will be increase thereby decreasing shoulder width for pedestrian use, and existing encroachments will not be improved. Based on the existing inadequate pedestrian improvements and pedestrian hazards, pedestrian access and safety along Highway 140 may be significantly impacted by increased pedestrian activity and traffic volumes.

Smith Road and Highway 140 provide access from the Smith Road residential area to the commercial services and businesses at the Highway 140/Highway 49 North intersection and to the central portion of the TPA. There are no path or sidewalk improvements along Smith Road and pedestrians are forced to walk in the travel lanes, and areas for walking along Highway 140 are limited end
pedestrians are forced to walk adjacent to the travel lanes for portions of the highway. Since the Smith Road area is designated for significant residential growth and pedestrian activity and traffic volumes along Smith Road and Highway 140 can be expected to increase, pedestrian access and safety may be significantly impacted.

Eighth Street is used extensively by high school students during lunch hour for access to Highway 140 and the businesses and services along the highway. There are no paths or sidewalks on Eighth Street between Jones Street and Bullion Street and only a narrow path from Bullion to Highway 140. Although pedestrian activity along Eighth Street may not substantially increase, traffic volumes can be expected to increase from the relatively high existing volumes upon further development of the Courthouse area as a government and professional office center. An increase in traffic on Eighth Street may significantly impede pedestrian access along Eighth Street and create additional pedestrian hazards.

Pedestrian access along streets and roads for new commercial development and subdivisions will be facilitated by frontage improvements as discussed in the section on County streets, road improvements required for private subdivision roads through the subdivision process, and design review standards which require safe and adequate access from the street to the development. These standards will ensure that new development which will generate both pedestrian activity and traffic will provide pedestrian improvements for proper and safe pedestrian access.

**MITIGATION MEASURES:**

a) Mitigation Measures G.2.a, G.2.b, G.2.c, and G.4.b

b) A path or sidewalk shall be constructed along Highway 140 from Smith Road to Seventh Street. That portion of the path or sidewalk from Seventh Street to Highway 49 North shall be completed within two years from the completion date of the left-turn lane improvement project. That portion of the path or sidewalk from Highway 49 North to Smith Road shall be completed at the time the Smith Road pedestrian frontage improvements are completed.

c) **OPTION #1—**Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter, and at least one sidewalk within five (5) years. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.
OPTION #2—Smith Road shall be improved with two 12' travel lanes, two 6' shoulders, curb, gutter, and at least one sidewalk when traffic levels increase by 10% from existing traffic levels. Such improvements shall be funded by a development impact fee imposed on the issuance of building permits to parcels which have primary or secondary access to Smith Road.

MITIGATION MONITORING:

a) Discussed previously.

b) The County will fund through the County budget the path or sidewalk improvements so they are constructed within the time periods set by the mitigation measure. The improvements, including timing and funding mechanisms, have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.

c) A development impact fee program will be established for improvements to Smith Road prior to issuance of any building permits on parcels which access Smith Road. Once the development impact fee program is established, building permits will be issued subject to payment of the development impact fee.

If Option #1 is chosen, the County will construct and complete the improvements within five years after adoption of this plan. If Option #2 is chosen, the County will conduct traffic volume counts on Smith Road to establish a base traffic volume level. When the traffic levels increase by 10%, the County will construct and complete the improvements within one year.

The development impact fee program and restriction on development have been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Plan. The pedestrian improvements will be incorporated into the Public Improvement Programs of the Specific Plan with the appropriate timing and funding mechanisms. The improvement programs will be contained in Section 4. of the Specific Plan.

FINDING:

OPTION #1--Option #2 of Mitigation Measure G.3.c and Mitigation Measure G.3.b are not feasible mitigation because of the high costs for construction of the improvements. Although the
improvements will be constructed by 1996 under Option #1 of the mitigation measure, pedestrian activity and traffic volumes may substantially increase along Smith Road and Highway 140 prior to 1996 if development is allowed along Highway 140 and in the Smith Road area. This substantial traffic may have a significant impact on pedestrian access along Smith Road and Highway 140 and create significant pedestrian hazards before the impacts are mitigated by the improvements. Other feasible mitigation is not available.

A finding of Overriding Considerations is adopted for the potential impacts on pedestrian access based on the following:

a) The high construction costs for the improvements (approximately $600,000 for Smith Road full improvements) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible.

b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on pedestrian access along Smith Road and Highway 140.

c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.

d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements.

OPTION #2—The potential impacts on pedestrian access and safety are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.3.a. The mitigation measures require frontage pedestrian improvements for major commercial developments and major subdivisions which will ensure development and traffic for these projects will not significantly impact traffic flow or the County streets or create significant traffic hazards. In addition, the measures require pedestrian improvements along Highway 140 and Eighth Street and sidewalk improvements for Smith Road when traffic levels warrant it and this will ensure that these roads will be able to adequately and safely accommodate pedestrian activity along
the roads.

4. Parking

ENVIRONMENTAL SETTING: Refer to Sections 1.52 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan has established off-street parking requirements for all new development outside the Parking District. These requirements will ensure that adequate on-site parking will be provided for new development and development converting to a higher intensity use. There is an existing parking problem in the Coakley Circle area near the Post Offices, but the County is proposing to construct a public parking/roadside rest area adjacent to the History Center which will provide spaces for tourism and short-term parking needs and alleviate the existing problem.

As for parking in the downtown area, the Mariposa Community Planning Advisory Committee Recommendations study calculated the parking demand for uses in the downtown area and the number of on-street, on-site, and public parking spaces, and the study determined there is adequate parking for the downtown businesses and uses. Although the study was conducted in 1986, the findings and conclusions of the study are still applicable since the circumstances and characteristics of the parking spaces and downtown uses have not substantially changed since 1986. The study further stated there were no excess parking spaces available for new development or development converted to a higher intensity. The Specific Plan does not require any parking for development in the Parking District and has not established special standards to address parking demands for new or higher intensity development in the Parking District. This may allow additional development in the downtown area without adequate parking, and as such, the Specific Plan may have a significant impact on parking necessary to support existing development.

Mitigation Measure G.1.a requires the reduction or removal of on-street parking along Highway 140 between Fourth and Seventh Streets to address traffic flow. This mitigation measure may be implemented within two years, and the loss of this on-street parking will have a significant impact on parking in the downtown area by reducing the total number of parking spaces and eliminating the most convenient spaces for downtown businesses.

MITIGATION MEASURE:

a) The public parking lots shall be redesigned and striped to provide the maximum number of parking spaces.
b) Improvements and amenities to promote safe, visible, and convenient access for the public parking lots from businesses and streets and increase usability of the lots shall be constructed. Such improvements and amenities shall include, but not be limited to, pathways, directional signs, and landscaping.

MITIGATION MONITORING:

a and b) The County will prepare a public parking improvement plan and implement the plan prior to or concurrently with the reduction or prohibition of parking along Highway 140. The plan and improvements have been incorporated into the Public Improvement Programs of the Specific Plan as contained in Section 4.3.

FINDING: The potential impacts on public parking in the downtown area are significant, but the impacts will be substantially lessened through implementation of the above described mitigation measures. The redesigned and striped parking lots will increase the number of parking spaces which currently exist in the downtown area. This will result in a net increase (added spaces minus removed spaces along Highway 140) of at least 80 spaces which will meet the parking demands of new and converted development. The improvement and amenities will make the parking lots more convenient and comfortable and thereby increase their usage.
H. PUBLIC SERVICES AND UTILITIES

1. Mariposa Public Utilities District

a. Domestic Water Supply within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.

DISCUSSION:
Water Supply: Implementation of the Specific Plan will allow development and growth to occur which will exceed the existing water supply of the Mariposa Public Utilities District. The present water supply is not adequate to serve additional development as a result of the continuing reduction of water yields from the MPUD wells and the lack of sufficient surface water runoff to fill the Stockton Creek Reservoir. The present water conservation measures and moratorium on water connections further demonstrates the need for additional water sources.

Water Storage: The existing water storage facilities are deficient in water storage capacity to provide adequate equalizing pressure to current development connected to the MPUD water system. Pressure Zone 3 has an existing 70,000 gallon storage tank which has been determined by MPUD to be deficient in storage capabilities by 120,000 gallons for both fire protection storage (primary function) and domestic water storage (secondary function). The storage facilities in each pressure zone are connected and provide equalizing pressure for the entire MPUD water delivery system. Additional development in Pressure Zone 3 will significantly impact water storage requirements based upon the existing shortfall.

Water System Deficiencies: Future development in the Smith Road area will severely impact existing water supply lines. The existing water lines serving the Smith Road area are in poor condition, inadequate in size, and do not provide adequate water pressure to existing development in the area. The existing shortcomings of the MPUD water system in the Smith Road area will severely limit the ability of MPUD to provide water to additional development in that area. Many of these lines are also too small in diameter to provide adequate water flows to existing development within the TPA. In addition, the level of deterioration of the existing water lines allows for a substantial loss of water from leaking and broken water mains. The current water system contains a number of water lines that are too small to handle the projected growth within the TPA. The undersized water lines create water delivery problems and decrease the water pressure available to service existing development. Any additional development will further reduce the available water supply to service existing developments.
Additional development will significantly impact the existing water system due to the inadequately sized lines and the level of deterioration of the existing lines.

Based upon the deficiencies of the MPUD water system, the lower water yields from existing MPUD wells, and deteriorating and substandard sized water mains, the Specific Plan will have a significant impact upon the ability of the Mariposa Public Utilities District to provide adequate domestic water service to existing development and to the projected growth and development which may occur under the standards of the Specific Plan.

**MITIGATION MEASURES:**

a) The County will not allow high intensity residential or commercial development within the TPA in those areas where water mains do not exist until MPUD provides adequate water mains and domestic water connections to support the additional residential and commercial development.

b) All residential development within the TPA will comply with the water supply standards provided within Section 3.0 (Improvement and Subdivision Standards) of the Specific Plan.

c) All subdivisions within MPUD will connect to the MPUD water system and will provide the necessary infrastructure as specified by MPUD to ensure adequate water flow and pressure to proposed as well existing development.

d) All landscaping proposed for commercial, office, multi-family, and industrial development must utilize drought tolerant plant species.

e) All new residential, multi-family, commercial, office, and industrial development will utilize low-flow fixtures (i.e. faucets, shower-heads, toilets, etc...). Standards implementing this provision are contained in Section 3.253 of the Specific Plan.

f) MPUD must pursue funding to upgrade the water distribution system within MPUD. The upgrading of the water system deficiencies in order to support current development is a high priority project. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the water distribution system within MPUD.
g) The completion of the Saxon Creek Water Project will provide an adequate year-round water supply to additional residential and commercial development within the Town Planning Area.

MITIGATION MONITORING:

a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards. These Standards are contained in Section 3.0 of the Specific Plan. The standards will be implemented through the subdivision process and building permit review and must be completed prior to recordation of the parcel or final map.

d) Landscaping requirements are addressed in the Design Review Overlay standards included in Section 3.26 of the Specific Plan.

e) The requirement for water saving devices and fixtures are contained in Section 3.24B of the Specific Plan and will be enforced through the building permit process.

f) The County, MPUD, and the Redevelopment Agency will monitor the timing of infrastructure improvements within the Town Planning Area. Additional programs and funding are discussed within the Public Improvements Section of the Specific Plan.

g) Environmental Review for the Saxon Creek Project has been completed and funding sources are being investigated and procured. No final determination has been made on construction start up although projections indicate 1994 as the earliest possible completion date.

FINDING: The impact upon the water supply and the ability of MPUD to provide water to existing and future development is significant, but will be substantially lessened to a non-significant level through implementation of the above described mitigation measures. Adequate water supply to new residential development will be regulated and ensured through the subdivision process, while MPUD will pursue funding to upgrade the existing water system deficiencies. The continued encouragement of conservation measures, use of low-flow fixtures, and use of drought tolerant plant species in landscaping will reduce the demand on the water supply. The changes or alterations to the existing water system are under the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to upgrade the existing water system.
b. Sewage Disposal within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.

DISCUSSION: Development planned by the Specific Plan will not significantly affect the capabilities of the MPUD Wastewater Treatment Plant to provide adequate sewage disposal to present and future development within the Town Planning Area. The Wastewater Treatment Plant was designed to serve a projected population of approximately 6,000 persons within the TPA. The Specific Plan high population estimate for the year 2011 is 5,212 persons within the TPA which is less than design figure for the Wastewater Plant. This estimate is consistent with the design life of the wastewater treatment plant. MPUD has indicated that the sludge dewatering and septage receiving systems will require modification within the next five years. Residential septage is being received at the treatment plant from County wide sources under a pilot study to study the feasibility of long term acceptance of septage waste. If implemented on a full-time basis this program will require the above modifications. Additional development within the TPA may significantly impact sewage disposal based upon the age, condition, and lack of adequate sewer lines within the TPA boundary to serve future development. The existing sewer system does not serve the entire TPA and many sewer mains are inadequately sized to serve additional development. The existing sewer lines have deteriorated to the point where leakage is occurring creating a potential public health hazard within the TPA.

Based upon the lack of sewer lines to serve additional residential and commercial development within the TPA, the age and condition of the existing lines, and the public health hazard from effluent leaking from sewer lines, development planned by the Specific Plan will have a significant impact upon the ability of MPUD to provide adequate sewer service to additional development within the district.

MITIGATION MEASURES:

a) The County and the Mariposa Public Utility District will continue to discourage the use of individual on-site septic systems for residential and commercial development within the Town Planning Area.

b) All residential or commercial development within the MPUD served by an existing individual on-site septic system which is failing or does not meet County Health Department standards shall be required to connect to the MPUD wastewater treatment system.
c) All new residential and commercial development within MPUD will be required to connect to the MPUD wastewater treatment system and provide adequately sized on-site and off-site sewer lines to the nearest sewer main as specified by MPUD. All proposed subdivisions within the area served by MPUD shall have sewer service available to each parcel prior to recordation of a parcel or final map.

d) MPUD must pursue funding to upgrade the sewerage system within MPUD. The upgrading of the deficiencies of the sewer lines in order to support current development shall be a high priority project. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the sewer system within MPUD.

MITIGATION MONITORING:

a, b, and c: These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards.

d) The County, MPUD, and the Redevelopment Agency will monitor the timing of infrastructure improvements within the Town Planning Area. Additional programs and funding are discussed within the Public Improvements Section of the Specific Plan.

FINDING: The impact upon the existing sewage disposal system will be significant, but the impact will be substantially lessened to a non-significant level through the implementation of the above described mitigation measures. The upgrading of the existing sewer system by MPUD will ensure adequate sewage disposal, the requirements for new development will provide adequate infrastructure, while the requirements of the Health Department will protect the public health and safety. The changes or alterations to the existing sewer system are under the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to upgrade the existing sewer system.

c. Fire Protection within MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.55 of the Specific Plan Community Profile.
DISCUSSION: The Specific Plan will permit development which will have a significant impact upon the ability of the Mariposa Public Utilities District to provide adequate fire protection services within the Town Planning Area. The most important component of the fire protection service within the TPA is the fire hydrant system which is connected to the MPUD water system. As stated previously within the Specific Plan this water system has deteriorated and consists of water mains that are inadequate in capacity to provide for the necessary sustained water flow in the event of a fire. At present there are a number of potentially developable parcels within the northern portion of the TPA that are not served by MPUD water lines or fire hydrants. Additionally, in some areas currently served by hydrants the distance to the parcel or structure may reduce the water pressure available to suppress the fire based upon the length of the hose required.

At present there is adequate water storage for fire protection within Pressure Zone 1 (Downtown area) and Pressure Zone 2 (Cambell and Mueller Tracts), but there is a serious water storage deficiency within Pressure Zone 3 (Idlewheels Mobilehome Park & surrounding area). MPUD estimates that an additional 120,000 gallons of water are needed in Pressure Zone 3 for fire protection purposes. Current storage facilities provide 70,000 gallons of water for equalizing storage, fire protection purposes, and emergency water storage. Pressure Zone 3 contains a number of potentially developable parcels that are not presently served by the MPUD water system or have fire hydrants within close proximity. Additional development within Pressure Zone 2 may reduce the existing water storage levels available for fire protection services in Pressure Zone 3 to an unacceptable level. All of the pressure zones are connected and utilize the water storage tanks for pressure equalization. Additional development within Pressure Zone 3 may decrease the available water pressure and equalization for the other zones. The area which has the most deficient water system relative to needed fire flows is the Mueller Tract area within Pressure Zone 2. Only 25% of the residences are served by fire hydrants connected to a 6" water main, while the remaining parcels are served by a 2" water line which has no fire flow capabilities.

Another important feature of the MPUD fire protection service is the two fire engines owned by MPUD. One of these engines was acquired in 1967 and is in need of replacement due to its age and inadequate pumping capacity. At present MPUD has one garage at the location of their administrative office which houses one of the engines. The other engine is housed at a garage located at the CDF Headquarters. The MPUD General Manager has indicated the need for a facility which can adequately house at least two fire engines, and the addition of a third fire engine with a greater pumping capacity.
Based upon the importance of the MPUD fire hydrant system for fire protection within the TPA, the inadequacies of the present fire engines, the existing water storage deficiency, and the level of deterioration and lack of water lines available to serve presently vacant parcels, the standards of the Specific Plan will have a significant impact upon the capability of MPUD to provide adequate fire protection services to both existing and future development. The significance of this impact is based upon additional development creating potential fire hazards and the exposure of humans to those fire hazards due to inadequate fire protection.

MITIGATION MEASURES:

a) The County will not allow residential and commercial development to occur within MPUD in those areas without adequate water mains until MPUD can provide adequate water connections and fire hydrants which provide the required fire flow capacities as determined by MPUD.

b) All new residential development within MPUD will be required to connect to the MPUD water system and provide adequately sized on-site water lines to the nearest water main as specified by MPUD.

c) All new residential development will provide fire hydrants which are connected to the MPUD water system by a minimum 6" main and spaced a minimum of 1' for parcels greater than a 1/2 acre in size and 330' for parcels less than 1/2 acre in size.

d) All new commercial development within MPUD will be required to connect to the MPUD water system and provide adequately sized on-site water lines and on-site fire hydrants connected to the nearest MPUD water main as specified by MPUD.

e) MPUD must pursue funding to upgrade the water distribution system within MPUD, provide a new firehouse and new fire engines. A Redevelopment Plan is currently being pursued which could provide funding for this project. If it is not approved, MPUD may utilize alternative funding sources available to complete the upgrading of the water distribution system within MPUD.

MITIGATION MONITORING:

a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards.
supplemental to the existing County Subdivision Ordinance and County Improvement Standards.

d) MPUD will provide the necessary information regarding the required fire flows and hydrant system necessary for any new commercial development within MPUD. MPUD and the County will be responsible for monitoring any new commercial development to ensure that adequate fire protection is available through the MPUD water system.

e) MPUD and the Redevelopment Agency will be responsible for monitoring improvements to the MPUD water system.

FINDING: The impact upon fire protection services and the ability of MPUD to provide fire protection services to existing and future development is significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the mitigation measures listed above into the standards of the Specific Plan. The upgrade and extension of the MPUD water system with adequate water mains and fire flows will ensure adequate fire protection service is provided to new and existing development. The changes or alterations to the existing water system are the responsibility and under the jurisdiction of MPUD. The need for improvements has been recognized by MPUD, and programs have been initiated and funding is being procured to correct the existing water system.

2. Septic Disposal Outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.23 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan encourages annexation of the entire TPA into the MPUD but will permit development within areas outside MPUD that are within the Town Planning Area. These areas will be served by individual on-site septic disposal systems. All proposed on-lot septic disposal systems for residential development must meet current setback requirements, minimum parcel size requirements, and are subject to and required to meet all percolation standards outlined in the Subdivision Ordinance and any other requirements of the Mariposa County Health Department. All existing parcels proposing to utilize an on-site septic disposal system are regulated through the building permit process.

Those areas adjacent to the Fairgrounds which have been designated appropriate for light industrial uses are outside MPUD and septic disposal will be provided by on-site septic disposal systems. The uses permitted in this area are considered to be low generators of septic waste and all such uses are subject to County Codes and
Standards and requirements established by the Mariposa County
Health Department.

Based upon existing County Ordinances and Standards, the use of
individual on-site septic systems in the areas of the TPA outside
MPUD will not be significantly impacted by the standards and uses
allowed under the Specific Plan.

FINDING: This impact has been determined not to be significant.

3. Fire Protection outside MPUD

ENVIRONMENTAL SETTING: Refer to Section 1.57A of the Specific Plan
Community Profile.

DISCUSSION: The Mariposa Public Utilities District does not
provide fire protection outside the District boundary. MPUD has an
automatic aid agreement with Mariposa County which provides for the
response of MPUD apparatus to virtually all portions of the TPA.
MPUD also has a mutual aid agreement with the State that provides
for MPUD response Countywide at the discretion of the MPUD Fire
Chief. The County and the California Department of Forestry (CDF)
are responsible for providing fire protection services to those
areas not served by MPUD and the CDF is still responsible for
wildland fires within the TPA and MPUD. The California Department
of Forestry, Mariposa Public Utilities District and the County have
joint assistance agreements which provide for additional fire
protection services in the event of an emergency. Those areas
outside MPUD are designated state responsibility lands under the
fire protection authority of the California Department of Forestry
(CDF). All residential, commercial and industrial development
within state responsibility areas will be required to meet the fire
safe regulations as established in section 4290 of the Public
Resources Code. These regulations will become effective on
September 1991, or the County may adopt regulations that are
equivalent to or more restrictive.

There are several areas within the TPA including the Fairgrounds
area and the area north of Hospital Road that are not presently
served by the MPUD water system. The area surrounding the
Fairgrounds is located near the Mormon Bar Volunteer Fire Station.
The proximity of the fire station to the Fairgrounds area provides
adequate fire protection services to existing single family
residences in this area not served by MPUD. However, light
industrial uses are permitted in this area under the standards of
the Specific Plan. These uses by their nature create a greater
fire risk and may require advanced fire fighting equipment to
adequately service this type of development. At this time the
County Fire Warden has indicated that the Mormon Bar Fire Station

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and the Bootjack Fire Station does have adequate equipment to properly suppress a commercial or industrial type fire. The Mormon Bar Fire Station currently has a single fire engine and one water tanker. The Bootjack Fire Station is also within adequate response distance to the Fairgrounds area and has an additional fire engine and water tanker.

The lack of available water storage in the Fairgrounds area may create potentially significant fire hazards to existing residential uses and may create significant hazards to public health as development occurs.

All commercial and industrial uses which involve the bulk storage of flammable, explosive or hazardous materials will require the approval of a Use Permit. The Use Permit process and mandatory environmental review will determine if the storage of such materials will have a significant impact upon fire protection services.

The northern portion of the TPA which is outside MPUD is not served by the MPUD water system and has no existing water storage available for fire suppression purposes. The Specific Plan will allow development in this area that may have a significant impact upon fire protection services based on the lack of water service, water storage, heavy fuel loading in the area, restricted access and the topography of the area.

The Specific Plan does not include or establish any specific fire safe standards for commercial and industrial development occurring outside the boundaries of MPUD. The lack of comprehensive fire safe standards for those areas outside MPUD's sphere of fire protection services may result in significantly cumulative impacts upon fire protection services in those areas not presently served by MPUD. All commercial and industrial development within State Responsibility Areas provided fire protection service by the CDF are required to meet the fire safe regulations as required by Section 4290 of the Public Resources Code.

Based upon the lack of water storage within the Fairgrounds area and the northern portion of TPA, and the development of light industrial and commercial uses with a higher fire potential, the Specific Plan may have a potentially significant impact upon fire protection service in the Fairgrounds area. Additional development in the northern area outside MPUD may have a potentially significant impact due to the lack of water service to the area, lack of water storage, heavy fuel loading, topography, and restrictive access.
MITIGATION MEASURES:

a) All parcels zoned for single family residential use in the northern portion of the TPA will be required to comply with fuel clearance standards to reduce the overall fuel load in the area.

b) All parcels zoned for single family residential use in the northern portion of the TPA that are not connected to the MPUD water system will not be able to subdivide below 5 acres unless water, sewer, and fire protection services are provided by MPUD. If the parcel is currently provided with only one of the MPUD services, subdivision should be conditioned upon the provision of all of the MPUD services (water, sewer, and fire protection).

c) For new or substantial expansions of areas of commercial and light industrial uses outside MPUD, water storage as required by the California State Fire Safe Standards shall be provided.

d) The California Board of Forestry Fire Safe Regulations will be in effect by September 1991. Alternatively the County may adopt regulations that are equal to or more restrictive. In either case the applicable fire standards will be in effect in September 1991.

e) MPUD shall ultimately expand fire protection services to include all developed portions of the TPA.

f) MPUD and the County shall jointly develop standards for development in areas currently not served but proposed to be annexed into the MPUD.

g) The extension of MPUD domestic water service into unserved areas will include adequate infrastructure to provide fire flows in accordance with I.S.O. standards.

MITIGATION MONITORING:

a, b, and c) These measures have been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards.

d) The Board of Forestry Fire Safe Regulations will be monitored by the County and the California Department of Forestry which provides fire protection services to designated State Responsibility Areas.
e, f, and g) MPUD and the County will develop and implement fire service plan which will identify equipment and facility needs to adequately serve planned growth within 2 years. Financing of new equipment and facilities may be provided by assessing impact fees on new development or through other funding mechanisms.

FINDING: The impact upon fire protection services to existing and future development in those areas not served by MPUD may be significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the above described mitigation measures. The Subdivision standards, water storage requirements, adoption of the Fire Safe Regulations, and extension of the MPUD water system should ensure that fire protection service to those areas currently outside MPUD is adequate.

4. Police Protection

DISCUSSION: The location of the Mariposa County Sheriff's Department main office within the Mariposa Town Planning Area ensures adequate police protection and emergency response time to existing development within the TPA. The Mariposa County Sheriff's Office currently has 17 Deputies and 5 Sergeants who are available for patrol. The existing number of Deputies provides adequate police protection for the TPA based upon the ratio of officers to population served. The Mariposa County General Plan establishes a guideline ratio of 1 officer to 750 citizens as being adequate. The current County population is 14,950, which provides a ratio of 1 officer to 623 citizens providing a level of service substantially exceeding the goal established by the General Plan.

The location of the Sheriff's facilities within the Mariposa TPA should substantially reduce the overall costs of providing police protection services to new development within the TPA. The predicted development and resultant population growth within the TPA will generate increased revenue collected from taxes and fees which should offset the costs for providing additional police protection within the TPA. Therefore, the Specific Plan and any subsequent growth will not have a significant impact upon police protection services within the TPA.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on police protection should be monitored relative to the County's ability to fund necessary expansion of services throughout the County.
5. Schools

ENVIRONMENTAL SETTING: Refer to Section 1.57D of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow growth and development that will increase the overall student population, which may significantly impact the present school facilities. The Mariposa County Unified School District indicated that any substantial residential development within the School District's boundaries may exceed the capacity and may cause overcrowding of both the High School and Elementary School located within the Mariposa Town Planning Area. Any growth occurring within the TPA may also significantly impact the Mariposa Junior High School located outside of the TPA.

Both the High School and Elementary School located within the TPA and have additional space for future expansion. The Junior High School is located outside the TPA on a parcel that has sufficient area for future expansion purposes. Both the High School and Elementary School utilize relocatable modular classrooms to accommodate increases in the student population. At present there are no known plans for any permanent expansion of facilities for either the High School or Elementary School.

Based upon the availability of land for expansion of school facilities within the TPA, the revenue collected from the assessment of school impact fees, the ability to increase this revenue by the collection of school impact fees from commercial and industrial development, and the use of modular relocatable classrooms to accommodate additional students, the Specific Plan will not have a significant impact upon the Mariposa County Unified School District's ability to provide educational services within the TPA.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on educational facilities should be monitored relative to the Mariposa County Unified School District's ability to fund necessary expansion of services throughout the County.
6. Maintenance of Public Roads and Public Parking

ENVIRONMENTAL SETTING: Refer to Section 1.5 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow residential and commercial development within the Town Planning Area which will result in an increase in traffic, an increased demand for parking, and will significantly impact public roads and their maintenance within the TPA.

Present parking within the downtown area is provided by the Mariposa Parking District and is sufficient for the present needs of existing businesses although much of the available parking is not conveniently located. Any new development within the downtown area may create a shortage of public parking. Additionally if traffic increases to the point that on-street parking is no longer allowed within the downtown area a definite public parking shortage will result. The Mariposa Parking District is responsible for developing, constructing, and maintaining the existing parking facilities within the District. The existing public parking facilities are discussed in the Community Profile Section of the Specific Plan. Minimum on-site parking standards and requirements have been established within the Specific Plan for commercial development within the Town Planning Area which is not within the Parking District. These standards are discussed in Section 3.23 of the Specific Plan.

The availability of parking lots outside the Parking District for annexation into the District, the continued assessment of property for funds to maintain parking, the availability of County land for parking purposes, and the parking requirements and standards of the Specific Plan should ensure that the impact on parking within the TPA from the increased development allowed by the Specific Plan will not be significant.

Increased traffic resulting from development may significantly impact the maintenance of existing public roads within the TPA. The County currently is responsible for the maintenance of the public roads in the TPA. Revenue collected from development should offset the impacts on road maintenance and should maintain public roads at their current level.

FINDING: This impact has been determined not to be significant at the present time. However, the general impact of growth on public parking and the maintenance of public roads at their current level should be monitored relative to the County's ability to fund increased road and parking maintenance costs for future development within the TPA.
7. General Government Services

ENVIRONMENTAL SETTING: Refer to Section 1.32 of the Specific Plan Community Profile.

DISCUSSION: The Specific Plan will allow development within the TPA which will result in a corresponding increase in population. This will increase the demand for general government services provided by Mariposa County and potentially significantly impact the ability of the County to provide these services. A number of County offices are located adjacent to the Mariposa County Courthouse, while others are located some distance away. The Specific Plan supports the concept of maintaining the historic Courthouse as the center of County Government services. Section 4.1 of the Public Improvement Programs section within the Specific Plan provides background material and outlines the proposed County Government Center project. This project is in the preliminary planning stage and no site planning or architectural designs have been completed.

The location of a majority of County facilities in one general locale will provide the most efficient operation of County government services. The continued emphasis on the Courthouse as the center of government activities will provide a high degree of accessibility to the general public.

The location of County services in a general area surrounding the Courthouse and the development of the County Government Center to centralize government activities should adequately provide services to both existing and future development within the TPA. As such the Specific Plan will not significantly impact the ability of the County to continue to provide services to the general population.

FINDING: This impact has been determined not to be significant at this time. However, the general impact of population growth on general County services should be monitored relative to the County's ability to fund expansion in other areas of the County.

8. Utilities

DISCUSSION: Implementation of the Specific Plan will not affect the ability of utility companies to provide telephone, electrical, gas, and other utility services to existing residential and commercial development within the Town Planning Area. All new residential, commercial and industrial development within the TPA will be required to meet the Uniform Building Code and will be
required to meet County setback standards, and provide any required
easements for utility services as required by the utility provider.

The subdivision standards within the County Subdivision Ordinance,
provisions of the Uniform Building Code, the standards of the
County Zoning Ordinance, and increased revenue from new development
will ensure that the Specific Plan does not significantly affect
the ability of utility companies to provide their services to both
existing and new development within the TFA.

FINDING: This impact has been determined not to be significant.

9. Parks and Recreation

ENVIRONMENTAL SETTING: Refer to Section 1.57C of the Specific Plan
Community Profile and Sections 4.5 and 4.6 of the Specific Plan
Improvement Programs Section.

DISCUSSION: The Specific Plan will permit growth and development
within the TFA which may have a potentially significant impact upon
recreational opportunities and the availability of open space
within the TFA. The conversion of vacant land within the TFA to
development uses will significantly diminish the available supply
of open space. The projected population growth estimates developed
for the Specific Plan indicate that the residential growth within
the northern portion of the TFA may create the demand for a
neighborhood park or playground in that area.

The existing parks and recreation facilities within the Town
Planning Area include Mariposa Park, the athletic fields adjacent
to Mariposa High School, the picnic area located at the County
Fairgrounds and a portion of the proposed Mariposa Creek Park.
These facilities are not located within reasonable walking distance
of one another. Additionally, the Mariposa Park is located on a
steep hillside which discourages both pedestrian and bicycle
traffic to the park. Most of the proposed Mariposa Creek Park is
still in the planning stages although a pedestrian bridge over
Mariposa Creek and the first section of the parkway has been
completed near the Best Western Motel at the south end of the TFA.

Based upon estimated population growth, increased residential and
commercial development, the distance and inaccessibility of present
recreational facilities, and the loss of open space to development,
the Specific Plan may have a potentially significant impact upon
recreational opportunities and the availability of open space
within the TFA.
MITIGATION MEASURES:

a) The Development Standards of the Specific Plan provide for setbacks from the Mariposa Creek floodplain which provides open space and reduces flood hazards.

b) The implementation of the Redevelopment Plan may provide funding for the acquisition of land along Mariposa Creek for future segments of the Mariposa Creek Parkway. If it is not approved, the Parks and Recreation Division should pursue alternative funding sources such as development impact fees to complete the Mariposa Creek Park.

c) The Division of Parks and Recreation shall adopt a Parks and Recreation Master Plan and shall determine the need for additional recreational facilities.

d) The Division of Parks and Recreation will investigate the feasibility of a program to improve the accessibility of the existing parks and recreational opportunities to the general public and residents alike. This shall include the possible establishment of pedestrian pathways and the acquisition of additional open space.

MITIGATION MONITORING:

a) This measure has been incorporated into the Specific Plan as Improvement and Subdivision Standards supplemental to the existing County Subdivision Ordinance and County Improvement Standards. These Standards are contained in Section 3.21C of the Specific Plan.

b) The Redevelopment Agency may provide additional funding sources for the acquisition of land for open space or recreational purposes. Funding for additional recreational facilities may be drawn from the County General Fund, State Bond Acts, fees received through development impact fees, and from local donations.

c) The draft Parks and Recreation Master Plan has been completed and will be finalized in the near future. The Master Plan will provide standards for determining the need for additional recreational facilities.

d) The draft Parks and Recreation Master Plan has identified the need to improve access to the existing park facilities in the TPA. The policies and standards of the Design Review District encourage and support open space and landscaped pedestrian corridors.
FINDING: The impact upon existing open space and recreational facilities and opportunities available to existing and future population within the Town Planning Area may be significant, but the impact will be substantially lessened to a non-significant level through the incorporation of the above described mitigation measures. The acquisition of land for the Mariposa Creek Parkway, the development of pedestrian pathways to existing parks, and the establishment of additional recreational facilities will ensure adequate open space and recreational opportunities within the TPA.

10. Solid Waste Disposal

DISCUSSION: The Mariposa Landfill is a Class II landfill on a 27 acre parcel located approximately 2.5 miles northwest of the Mariposa Town Planning Area on State Highway 49 North. The landfill currently receives approximately 10,000 tons of solid waste a year, including 5,000 tons a year from Yosemite National Park. The Mariposa County Landfill is projected to be the disposal site for all solid waste produced in Mariposa County through the year 2030. This determination is based upon geologic and engineering studies completed for the Mariposa County Solid Waste Management Plan which have identified a potential 40 to 50 year site life for the Mariposa County landfill. This estimate on the potential site life includes a buffer allowing for an average 3% increase per year of refuse entering the waste stream travelling to the landfill. No other solid waste alternatives to the present landfill are proposed within the Mariposa County Solid Waste Management Plan other than continuing the landfill operations at the present Mariposa County landfill.

The growth and development within the TPA as permitted under the Specific Plan may have a significant impact upon the Mariposa County landfill based upon the high concentration of population and commercial/industrial activities within the Mariposa Town Planning Area adjacent to the landfill. The additional growth and development will increase the amount of solid waste materials entering the landfill. Additionally, an increase in waste at the landfill will require additional fill material to adequately cover the waste beyond what is presently available at the site. If the current landfill site life is not extended and no other disposal facilities are provided, the County will experience a shortage of landfill space available for solid waste disposal.

Based upon the potential increase in the amount of solid waste entering the Mariposa County landfill, the potential lack of fill material to cover waste, the establishment of commercial and
industrial uses which generate increased waste, and the lack of alternative sites and limited site life of the present landfill, the Specific Plan may have a potentially significant impact upon solid waste disposal for new residential and commercial development in the TPA.

MITIGATION MEASURES:

a. All new major retail operations shall provide recycling facilities for newspaper, glass, aluminum and plastic to reduce the amount of recyclable material entering the landfill.

b. All new major commercial, industrial, office, and Government facilities located within the Town Planning Area shall develop and implement Waste Reduction Plans to achieve a 25% reduction of all solid wastes by January 1, 1995, and a 50% reduction by January 1, 2000.

MITIGATION MONITORING:

a) This measure will be implemented on a Countywide basis. Within one (1) year of the adoption of the Specific Plan all significant retail operations in the TPA shall be required to provide recycling facilities.

b) The Integrated Waste Management Board recommends source reduction, recycling and composting activities to reduce the waste stream entering landfills. The only recycling center servicing the TPA is located at the landfill and is operated by Total Waste Systems.

FINDING: The impact upon the Mariposa County landfill and the ability of the landfill to adequately dispose of the increased solid waste created by both existing and future development within the TPA may be significant, but the impact will be substantially lessened to a non-significant level through the implementation of the above described mitigation measures.
I. CULTURAL RESOURCES

1. Historic Sites and Structures

DISCUSSION: The Historic Design Review Overlay (HDRO) District of the Specific Plan has specific policy and standards regulating the exterior alteration and expansion of historic structures and also has standards prohibiting the demolition of historic structures and sites unless approved by the County. The HDRO standards protect historic structures in the District from alterations or expansion which may have a detrimental effect on the historical significance of the structure and from premature and unnecessary demolition. Furthermore, the HDRO standards require all new development to be designed in an historically compatible manner. As such, the Specific Plan will ensure that development will not have a significant impact on historic structures and sites in the HDRO District.

However, there are a number of historic structures and sites (as identified by the Mariposa County Historic Resources Inventory) located outside the HDRO District, and the Specific Plan does not have standards to regulate alteration and expansion of these structures or protect them from demolition or destruction. The Specific Plan, by not regulating alterations or demolition, may indirectly contribute to non-historical alterations and demolition of these structures. The County has identified these structures as contributors to the history and architecture of Mariposa, and any alterations or demolition of these structures may be significant.

MITIGATION MEASURES:

a) The Historic Design Review standards, including the standards for reviewing and approving demolitions, shall be applied to exterior modifications and demolitions of all historic structures in the TPA as identified by the Mariposa County Historic Resources Inventory.

MITIGATION MONITORING:

a) This measure has been incorporated into the Specific Plan as a development standard applicable to the identified historic structures. The standard is contained in Section 3. of the Specific Plan and will be implemented by the Zoning Ordinance through the Planning Approval process. A Design Review or Demolition Permit application will be required for the proposed modifications or demolition. The appropriate building permits or demolition permit will not be issued
unless the applications are approved and the permits comply with said approval. Non-compliance will be a violation of the Zoning Ordinance.

FINDING: The potential impacts on historic structures located within the Historic Design Review Overlay District are not significant because of the proposed historic design review standards. The potential impacts on historic structures located outside the Historic Design Review Overlay District may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measure. The measure will ensure that exterior modifications and alterations to historic structures are compatible with the historic character of the structure and historic structures are not unnecessarily demolished or destroyed.

2. Archaeological Sites

DISCUSSION: Although portions of the TPA have been extensively developed and disturbed by human activity for the past 140 years, there are both known and potential archaeological sites located within the TPA. The known archaeological site is in the Mormon Bar area which has a history of habitation by Native Americans. The Mariposa County Historical Resources Inventory has identified archaeological resources in this area consisting of Native American mortar grinding holes used for the preparation of food, and there may be additional archaeological resources associated with this site. The Mariposa County Historical Sites and Records Preservation Commission has stated there may be a Chinese burial ground located in this area. The Mormon Bar area is planned for light industrial uses which will require extensive grading for roads, driveways, parking areas, septic systems, and building pads, and such grading and development may disturb or destroy any archaeological resources existing in this area. Because of the sensitivity and potential importance of these archaeological sites, the impact of grading and development on sites which may contain archaeological resources may be significant.

The Historical Sites and Records Preservation Commission also stated there may be a Native American burial ground located in the area north of John C. Fremont Hospital. The location of this burial ground is not known. All parcels located in this area are one (1) acre or larger in size, and the area is planned for single family residential use with a 1/2 acre minimum parcel size. Nonetheless, grading and development, especially for small-parcel subdivisions and commercial development, may disturb and destroy burial grounds existing in this area. Since a burial ground may be
located in this area and Native American human remains must be protected from excavation or disturbance, any development in the TPA north of the hospital may significantly impact this Native American archaeological site.

MITIGATION MEASURE:

a) Prior to any grading or development on the properties identified in the Mormon Bar area with archaeological or historic resources, an archaeological reconnaissance shall be performed on the subject property. The Planning Director shall develop mitigation measures to preserve, protect, or excavate any important archaeological resources based on the recommendations contained in the reconnaissance report and the recommended mitigation set forth in Appendix K of the California Environmental Quality Act Guidelines.

b) Prior to consideration of any land division application proposing parcels less than five (5) acres in size or Specific Plan amendments on property in the northern part of the TPA outside the MPUD boundaries, an archaeological reconnaissance shall be performed on the subject property. The approving body shall develop mitigation measures to preserve, protect, or excavate any important archaeological resources based on the recommendations contained in the reconnaissance report and the recommended mitigation set forth in Appendix K of the California Environmental Quality Act Guidelines.

c) If human remains not previously identified are discovered or recognized during grading or development activities in the identified areas listed in Mitigation Measures 1.2.a and 1.2.b, there shall be no further excavation or disturbance of the site or nearby area reasonably expected to overlie adjacent human remains. The County Coroner shall investigate the cause of death of the remains, and an archaeological reconnaissance shall be performed on the subject property to evaluate the remains. The Planning Director shall develop mitigation measures to protect, preserve, or properly excavate the remains in accordance with the mitigation for human remains set forth in Appendix K of the CEQA Guidelines.

MITIGATION MONITORING:

a) The measure has been incorporated into the Specific Plan as a development standard applicable to the identified properties. The standard and the map identifying the properties are contained in Section 3. of the Specific Cultural
Plan. The standard will be implemented by the Zoning Ordinance through the Planning Approval process, and development permits for grading or structures will not be issued until the archaeological reconnaissance has been performed and appropriate mitigation has been established. If the Planning Director determines there are no important archaeological resources located on the subject property, the Planning Director will authorize the issuance of the appropriate permits. If the Planning Director determines there are important resources located on the subject property, the Planning Director will develop the required mitigation, and the mitigation will be implemented before the Planning Director authorizes the issuance of the development permits. Non-compliance will be a violation of the Zoning Ordinance.

b) The measure has been incorporated into the Specific Plan as a development standard applicable to land divisions and specific plan amendments on the identified properties. The standard and the map identifying the properties is contained in Section 3. of the Specific Plan. The standards will be made an application requirement for land divisions and amendments, and the applications cannot be considered without the archaeological reconnaissance report. The importance of identified resources and mitigation to preserve, protect, or excavate important resources will be determined by the approving body. The mitigation must be implemented prior to issuance of any grading permits associated with the project, recording of the final map, or approval of the specific plan amendment.

c) The measure has been incorporated into the Specific Plan as a development standard and is contained in Section 3. of the Specific Plan. The Planning and Building Department will prepare an informational handout outlining the Specific Plan requirements and State law regarding the disturbance of human remains, and this handout will be given to all applicants requesting a development permit in the identified areas. The standard will be made a condition of all grading and building permits. Building inspectors will be informed of the requirements and will examine disturbed areas for evidence of human remains during inspections. Non-compliance with the standard will be a violation of the Grading Ordinance and Zoning Ordinance and applicable State laws.

FINDING: The impacts on archaeological sites may be significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation.
measures. Development projects which have the potential to disturb or destroy archaeological sites will not be permitted unless an archaeological reconnaissance of the property has been performed and appropriate mitigation has been implemented to preserve, protect, or properly excavate important archaeological resources and human remains. Mitigation Measure I.2.c will educate and inform people who may disturb human remains through their development activities and prevent further disturbance of human remains upon their discovery.
J. HOUSING AND POPULATION

ENVIRONMENTAL SETTING: Refer to Sections 1.35 of the Specific Plan Community Profile.

DISCUSSION: Mariposa is the government and commercial center of the County and is served by a community water and sewer system. As such, the Town Planning Area has been designated by the Mariposa County General Plan as a center for commercial, industrial, and high density residential development. Residential development in the TPA is more varied than any other part of the County consisting of large-lot single family residences, small-lot single family residences, multi-family units, mobile home parks, senior citizen housing, and government assisted housing. Based on these factors, the TPA has been planned for high population growth with varied housing types to achieve the goals, policies, and objectives of the General Plan Housing Element.

The Specific Plan has designated approximately 283 acres for medium-density single family residential (SFR 9,000 square foot), 593 acres for low-density single family residential (SFR 1/2 acre), and 82 acres for high density residential (MFR). These areas were chosen based on proximity to commercial services, environmental considerations, land use compatibility, and availability of vacant and underutilized land for future development. It is estimated based on the amount of vacant and underutilized land in these land uses that approximately 860 additional single family residential and 380 additional multi-family residential units may be constructed. In addition, the Professional Office and General Commercial land uses allow multi-family residential units as a conditional use or mixed use, and the land proposed for these uses could reasonably result in 200 multi-family units being constructed. Along with an estimated 20 additional residential units in the Scenic Resource land use, the Specific Plan provides for 1,460 new housing units under the proposed land use classifications and densities. These housing units could support a population growth of 3,000 in the next 20 years, and as such, the Specific Plan provides for adequate housing for the low and middle growth estimates for population as shown in Table 7. The Specific Plan also provides adequate residential acreage and densities to allow for the construction of special housing types and affordable housing.

However, the limited water supply of MPUD is a significant constraint to future residential growth. The existing water supply can only meet the demands of existing development, and even if well yields return to their previous level, there is only enough surplus
water to serve approximately 130 residential-equivalent connections. Consequently, MPUD can accommodate at most approximately 300 additional people without developing additional water supplies, and this equates to six (6) years of growth at the low growth estimate and only three (3) years at the high population estimate. This assumes all available water would be allocated to residential uses with no water connections for commercial development. The Saxon Creek Water Supply Project will secure a surface water supply from the Merced River which will be able to support a population of 6,000 in the TPA and accommodate projected population growth for at least the next 20 years. However, the Saxon Creek Project is not scheduled for completion until 1994. The existing water supply, even with supplementary wells, will not be able to provide adequate water to support projected residential and commercial growth to 1994. Because of the need for additional housing in the County as stated in the Housing Element and the fact the TPA is the only area of the County appropriate and suitable for special housing types, the lack of adequate water supplies will have a significant impact on housing and population in the TPA and the County as a whole.

The impacts of adjacent land uses and traffic on housing is discussed in Section 4.F of this report.

MITIGATION MEASURES:


b) The County in conjunction with the Mariposa Public Utility District shall provide appropriate funding, staffing, and support to complete the Saxon Creek Water Supply Project.

c) A minimum of 50% of the available water supply for new development shall be reserved for residential units.

MITIGATION MONITORING:

a) Discussed previously.

b) The completion of the Saxon Creek Water Supply Project has been identified as a primary goal, objective, and policy of the Specific Plan. The County will authorize appropriate funds and staffing levels through the County budget to achieve the completion of the Saxon Creek Project. The Saxon Creek Project and County programs to support the project have also been incorporated into the Public Improvements Program of the Specific Plan as contained in Section 4.6.
c) The County in conjunction with MPUD will develop and implement within six months after adoption of the Specific Plan enforceable standards to allocate and reserve available water connections to commercial and residential units.

FINDING: The potential impacts on housing and population in the TPA caused by insufficient water supply are significant. The mitigation measures will protect the MPUD well system from increased usage of subsurface water from private wells, extend existing water supply through water conservation measures, and reserve a substantial proportion of the available water supply for residential growth. However, these mitigation measures will not substantially lessened the short-term impacts on housing and population, and adequate housing and population growth cannot be accommodated by the Specific Plan. There are no other feasible mitigation measures available to the County to address the impacts. The development of additional short-term water sources are the responsibility and within the jurisdiction of the Mariposa Public Utility District, and MPUD will develop short-term water sources if feasible to serve new development. Therefore, a Finding of Overriding Considerations is adopted for the impacts on housing and population resulting from insufficient water supply based on the following:

a) The Mariposa Public Utility District is the responsible agency with jurisdiction to develop additional short-term water sources to support future residential and commercial growth.

b) The short-term and unavoidable impacts on housing and population growth will be balanced by the long-term benefits of sustainable housing and population growth upon completion of the Saxon Creek Project. The deficit of housing growth in the first few years of the implementation of the Specific Plan should be eliminated by increased housing growth after completion of the Saxon Creek Project, and as such, the deficit of housing in the first years is acceptable.
K. HAZARDOUS MATERIALS

DISCUSSION: The Specific Plan will not allow uses which generate, store, or use potentially hazardous materials except as conditional uses (e.g. storage of flammable or hazardous materials) in the commercial and industrial land uses. The conditional use permit process and mandatory environmental review will ensure that these uses which may generate, store, or use hazardous materials will not significantly impact adjacent land uses and human safety. The transportation and disposal of such wastes are regulated by Federal and State regulations and standards which provide adequate control of these materials, and such transportation and disposal would also be addressed through the use permit process. As such, the Specific Plan will not result in significant impacts resulting from the generation, storage, use, transportation, and disposal of hazardous materials.

FINDING: This impact is not significant.
5. Cumulative Impacts
CUMULATIVE IMPACTS

Cumulative impacts associated within specific environmental issues are addressed in Section 4 of the EIR. Outside the range of these specific issues the following cumulative impacts are identified:

(1) The cumulative impact of growth within the eleven town planning areas identified by the Mariposa County General Plan.

The general plan identified eleven town planning areas within the county as existing and for future centers of commercial, residential and industrial growth. Growth within each town planning area is addressed by a Specific Plan/EIR prepared as needed and appropriate. The cumulative impact of growth within the combined town planning areas is addressed by the Mariposa County General Plan Environmental Impact Report. This document should be referenced for information on this overall cumulative effect.

(2) The Saxon Creek Water Source Project has a maximum theoretical capacity of approximately 5,000 acre feet/year. This theoretical capacity is over three times the estimated demand of the Mariposa Town Planning Area over the time frames addressed by this plan. Although the MFUD Water Treatment Plant is the only existing treatment facility to be served by the project, the potential does exist to serve other areas with the excess water.

In accordance with policies contained in the General Plan, the only appropriate location for concentrations of high intensity development are town planning areas. This policy limits the potential cumulative impacts associated with growth to existing or future designated town planning areas. Water service to areas outside of the Mariposa TPA by the Saxon Creek Project can only occur in conjunction with the preparation of a Specific Plan and EIR addressing growth within the town planning area.
6. Alternatives
ALTERNATIVES TO PROPOSED PROJECT

This chapter discusses the impacts of alternatives to the proposed specific plan. A series of alternative scenarios is provided that reflect the range of possibilities for the community of Mariposa.

- Preferred project alternative.
- No additional development alternative.
- Reduced development or slow growth alternative.
- No project (existing plan) alternative.
- Increased development alternative.

Basis for Consideration of Alternatives

The community of Mariposa is the largest center of employment and population within the County. The community is the center of county government and is the regional service provider for approximately 80% of the county's population. Mariposa has been the dominant community within the county since the 1850's. The community is substantially developed and is one of the few areas in the County containing urban level services and infrastructure. Any specific plan adopted must be consistent with the County General Plan as summarized in Section 2.2. Key goals identified by the community, include providing for residential, commercial, industrial and governmental facilities growth, maintaining the small town character of the community, and providing adequate infrastructure to serve new development. Environmental constraints within the community include steep slopes, Mariposa Creek, limited water, sewer, and roadway capacity.

1. Preferred Project Alternative -

   The preferred project alternative was developed to meet reasonable needs for residential, commercial and industrial development while providing environmental protection, particularly relative to the steep hillside areas and Mariposa Creek. This alternative would require construction of the Saxon Creek Water Source project but could be serviced by existing sewage treatment capacity. This alternative identifies sufficient area to provide for aggressive commercial expansion over the next 20 years assuming that Mariposa will continue to be the regional service provider for 80% of the County's population and provide substantial tourist services. Planned residential areas will provide sufficient areas to accommodate aggressive residential growth over the next 20 years. Low and moderate income housing opportunities were
promoted based upon the communities identified population of service sector employees and retirees. Land uses are applied based upon a recognition of environmental and infrastructure limitations. In particular the development scheme relates directly to existing circulation infrastructure and impacts. The proposed plan provides clear definition of residential, commercial, industrial, institutional and open space land uses to stabilize property values and provide an incentive for investment.

The preferred plan relates infrastructure needs specifically to development and establishes programs for new development to finance necessary upgrades to infrastructure and public services which reduces the fiscal impact of development on the county and the general public. The environmental effects of the preferred alternative are mitigated by a specific, implementable mitigation program.

2. No Additional Development Alternative

This alternative would maintain the status quo within the community allowing no new development. Implementation of this alternative assumes that future residential, commercial, industrial and institutional growth would occur outside of the Mariposa TPA either dispersed throughout the county or within another TPA such as Bootjack, Mt. Bullion or Cathey’s Valley. This alternative would not require the Saxon creek Water Source project. Implementation of this alternative would reduce the dominance of the community of Mariposa within the county over time. This alternative would conflict with several of the primary goals and policies of the General Plan and the specific plan for the community. This alternative would be the most environmentally desirable relative to impacts within the Mariposa TPA, however, over time the environmental effects of the growth would be "transplanted" to other locations potentially creating more significant environmental effects. Pursuit of this alternative would likely require public investment in infrastructure and services outside of the Mariposa TPA in an area where such services do not currently exist. Such an expansion of infrastructure would have a significant growth inducing impact.

This alternative directly conflicts with General Plan goals and the communities desires while potentially creating more significant environmental effects countywide.

3. Reduced Development or Slow Growth Alternative

This alternative would fit somewhere in between alternative 1 (preferred) and alternative 2 (no growth). This alternative
could be accomplished by reducing the intensity and density of development within the TPA and/or by imposing an annual growth cap. Implementation of this alternative assumes that some of the future residential, commercial, industrial, and institutional growth would occur outside of the Mariposa TPA either dispersed throughout the County or in other TPA's. This alternative would require the Saxon Creek Water Source project. Implementation of this alternative would likely reduce the dominance of the community of Mariposa within the county over time. This alternative could potentially conflict with some of the goals and policies of the General Plan and the specific plan for the community. Of particular concern are goals relative to affordable housing opportunities and expansion of government facilities. Commercial and industrial facilities could be accommodated elsewhere (tourist related facilities in El Portal, Midpines and Cathay's Valley; local serving commercial in Bootjack).

This alternative may reduce environmental effects within the community of Mariposa by reducing the density and intensity of development. However, as in Alternative 2, these impacts would be potential "transplanted" to other areas of the county which could increase the overall environmental effects. Pursuit of this alternative would likely require an expansion of infrastructure into areas outside of the Mariposa TPA into areas where such services do not currently exist. Such an expansion of infrastructure would have a significant growth inducing impact. This alternative could substantially lessen the traffic related impacts of the preferred alternative.

This alternative appears to conflict with specific General Plan goals and policies and has questionable overall environmental benefit (except for traffic and circulation).

4. No Project - Existing Plan Alternative

Implementation of this alternative would retain the existing specific plan standards within the community. This alternative would be similar to the preferred alternative from the standpoint of future growth although not as much commercial and industrial growth would be accommodated. The existing plan does not specifically correlate land use to environmental and infrastructure limitations. The existing plan does not contain a detailed and implementable program relative to environmental protection or infrastructure. The existing plan does not contain clear distinctions between residential, commercial, industrial, institutional and open space land uses which tends to de-stabilize property values and create a disincentive for investment. This flexibility is perceived as desirable from the standpoint of real estate speculation but has questionable
merit from the standpoint of promoting actual development.

The existing plan does not relate infrastructure needs to new development. This may ultimately require that general county taxpayers or existing utilities users subsidize the cost of new development either by increasing taxes or reducing existing service levels.

Although growth under the existing plan would be similar to the preferred alternative, the environmental impacts would be substantially greater.

5. Increased Development Alternative

This alternative could be accomplished by increasing the intensity and density of development within the TPA and/or by expanding the TPA boundary. Pursuit of this alternative would assume growth in all sectors substantially above both low and high estimates for the next 20 years. Increasing the intensity and density of development would make infeasible many of the mitigation measures/development standards within the plan thereby substantially increasing environmental effects. Expanding the boundaries of the TPA would potentially allow intensive development on the steep hillside areas or outside the logical limits of the community. This could potential lead to undesirable "leap frog" development and erosion of the viability of the existing service centers in the community. Intensifying development would require the Saxon creek Water Source project and may require an expansion of sewer treatment capacity. Intensifying development would create additional, difficult to address, traffic and circulation impacts.

Pursuit of this alternative potentially supports General Plan goals but conflicts with specific plan goals of preservation of sensitive areas and the small town flavor of the community. This alternative has the potential to create environmental impacts significantly greater than the preferred alternative for no identifiable purpose.
7. Growth Inducing Impacts
The adoption and implementation of this plan will accommodate significant growth and development. The Plan establishes land uses and infrastructure requirements based upon policy direction contained in the overall Mariposa County General Plan and projections of growth within the community based upon past performance. The plan provides for growth into the foreseeable future, but does not provide significant excess development capacity that could lead to undesirable growth inducement impacts such as sprawl, premature development and landuse conflicts.

The development potential programmed into the Specific Plan is based upon the General Plan's growth and environmental policy determinations that intensive development should occur within designated town planning areas in addition to the Community's identified desire to continue as the County's center of commerce, government and population. While allowing growth the Plan implements detailed programs to preserve sensitive environmental areas as well as the small town character of the Community. Based upon the Mariposa TPA's position as the center of governmental services within the County, public services can be most efficiently provided to growth within the TPA. As discussed in the Alternative Section, implementation of a no growth or slow growth alternative would direct growth into other areas of the County. Since few areas contain the level of existing development or infrastructure available in the Mariposa TPA, pursuit of such alternatives may actually have a greater negative impact associated with growth.

The financing and extension of infrastructure (sewer lines, water lines, roads) within the TPA will have the effect of increasing the rate of development within the areas served. Policies are included within the Specific Plan that address the timing and design of such growth and limit negative growth inducing effects.

On a County-wide and area-wide basis it is projected that the adoption and implementation of this plan will generally reduce the negative growth inducing impacts on the region.
3. Relationship Between Short-Term Uses and Long-Term Productivity
THE RELATIONSHIP BETWEEN LOCAL SHORT-TERM USES OF MAN'S ENVIRONMENT AND THE MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY.

New development involving the construction of roads, parking areas buildings and other permanent facilities has the potential to irretrievably commit resources to development uses. The Community of Mariposa is the largest and one of the oldest in the County so a substantial commitment to development within the area has already been made.

Of particular concern in this evaluation is the premature conversion of sensitive or vulnerable resources to development. Resources which merit consideration within the Mariposa TPA include Open Space, Wildlife Habitat, Mineral Resources and Agricultural Lands. The following section addresses potential concerns associated with these resources.

Open Space – In the preparation of the plan and the EIR two critical areas of open space within the Community have been identified: the steep ridges and ridge tops surrounding the TPA and Mariposa Creek and Stockton Creek. Development within these areas could irretrievably commit these resource areas to development. Standards are included within the Plan that only allow very low density development (1 residence per 20 acres) on the steep ridges. Standards are also provided which establish minimum setbacks from all drainages including Mariposa and Stockton Creek and that protect the water quality within the creeks. These standards are specifically designed to preserve these resources while allowing development to occur.

Wildlife Habitat – Section 4 D of the EIR identifies important wildlife resources within the TPA. This section also identifies mitigation measures established to protect these resources. These standards are considered adequate to protect these resources within the TPA. Implementation of the specific plan may actually reduce pressure to convert more valuable wildlife habitat located outside the Town Planning Area to development uses.

Mineral Resources – As discussed in Section 1.21 of the Specific Plan there are significant mineral resources located in the around the Mariposa TPA. Significant extraction of these resources is already precluded by the extent of existing development within the Town Planning Area. Implementation of the Specific Plan will not direct growth into any substantially undeveloped areas where mineral resources are known to occur. Therefore, new development allowed by this Specific Plan should not significantly effect potential mineral extraction.
Agricultural Lands - The impact on agricultural lands is discussed in Section 4 B of the EIR which concludes that the plan will have no significant impact on agricultural lands located within or outside of the TPA.

The EIR does not identify any uses of land which could pose unmitigated long-term risks to health or safety. The alternative discussion contained in Section 6 explains why pursuit of the preferred alternative is justified at this time.
9. Significant Irreversible Environmental Changes
ANY SIGNIFICANT IRREVERSIBLE ENVIRONMENTAL CHANGES WHICH WOULD BE INVOLVED IN THE PROPOSED ACTION.

Implementation of the proposed plan will irreversibly commit areas to development which are currently sparsely developed. As discussed in Sections 5, 6, and 7 of the EIR, the decision to concentrate growth within the Mariposa TPA was based upon evaluation of environmental issues on a regional basis. Planning for development within the TPA will assist in avoiding premature environmental changes in other more sensitive areas.
10. Unavoidable Significant Environmental Impacts
UNAVOIDABLE SIGNIFICANT ENVIRONMENTAL IMPACTS

Unavoidable significant environmental impacts resulting from this project are discussed specifically in Section Four of this report. This section identifies significant impacts on Smith Road (Section G.2.), the Smith Road intersections (Section G.1.), and on housing and population (Section J.). These impacts cannot be mitigated to a non-significant level and alternative designs are not appropriate to mitigate the impacts. The reasons why the impacts cannot be mitigated and why alternative designs are not appropriate are discussed in the findings for the individual impacts and in the alternatives section of this report.
Appendices
APPENDIX A

ORGANIZATIONS AND PERSONS CONSULTED

Mariposa County Unified School District

Mariposa County Health Department

Mariposa County Fire Warden's Office; Larry Cowger, Deputy County Fire Warden

California Department of Food and Agriculture

United States Department of Agriculture - Soils Conservation Service, Jerry Progner, District Conservationist

California Department of Transportation, District 10

Mariposa Historical Sites and Records Preservation Commission, Harry O. Stewart, Chairman

Mariposa County Air Pollution Control District, John Christiansen, Air Pollution Control District Officer

Mariposa Public Utility District; Mark Rowney, General Manager

Mariposa County Public Works Department; Gwen Foster, Transportation Planner; Larry Pollard, Public Works Director

Mariposa County Parks and Recreation Department; Rich Begley, Parks and Recreation Director; Kay Hutmaacher, Landscape Architect/Planner.

Mariposa County Sheriff's Office, Rod Sinclair, Captain
### APPENDIX B

**GENERAL PLAN/ZONING AMENDMENTS NECESSARY IN CONJUNCTION WITH ADOPTION OF THE SPECIFIC PLAN**

<table>
<thead>
<tr>
<th>PARCEL</th>
<th>PARCEL SIZE</th>
<th>LAND USE</th>
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<tbody>
<tr>
<td>12-010-53</td>
<td>83.5</td>
<td>TPA to MT</td>
</tr>
<tr>
<td>12-010-54</td>
<td>71.1</td>
<td>MT to TPA</td>
</tr>
<tr>
<td>12-130-19</td>
<td>49.7</td>
<td>MH to TPA</td>
</tr>
<tr>
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</tr>
<tr>
<td>12-130-02</td>
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<tr>
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<td>12-140-59</td>
<td>7.9</td>
<td>MT to TPA</td>
</tr>
</tbody>
</table>
APPENDIX C

NOTICE OF PREPARATION
NOTICE OF PREPARATION

TO: State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

FROM:
Lead Agency
Mariposa County Planning Dept.
P.O. Box 2039
Mariposa, CA 95338
(209) 966-5151
ATTN: Duane Hall

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report

Mariposa County will be the Lead Agency and will prepare an environmental impact report for the project described below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency may need to use the EIR prepared by our agency when considering a permit or other type of approval for a development project which may be allowed by the Specific Plan. Your agency may not have to grant any such permit or approval, but your views and comments on the potential environmental impacts of the project as they pertain to your agency and expertise are welcomed.

Project Title: Mariposa Town Planning Area Specific Plan

Project Location: Mariposa, Mariposa County

Project Description: The preparation and adoption of an update to the Specific Plan which guides and regulates the future land use and development of the town of Mariposa. The plan will establish special land use policies and standards for the Mariposa Town Planning Area.

A more detailed project description and location and the potential environmental effects of the project are contained in the attached materials. A copy of the Initial Study is attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but not later than thirty (30) days after receipt of this notice. Please send your response to Tony Lashbrook, Mariposa County Planning Director at the address
shown above. In your response, please indicate the name of a contact person in your agency which may be contacted in regards to your agency's response.

In preparing your responses, please take into consideration that the specific plan process and document provide mechanisms for integrating environmental mitigation measures into the project and future development as policy revisions, land use district boundary modifications, and development standards. Your timely input at this stage will save both your agency and the County of Mariposa valuable time and effort in the long run.

If you have any questions in regards to this project and the Notice of Preparation, please feel free to contact Duane Hall of this office at (209) 966-5151.

TONY LASHBROOK, Planning Director

April 10, 1990

CARR
MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

PROJECT LOCATION AND DESCRIPTION

Mariposa is the major community of the County and is the seat of County government. It is located in the central part of Mariposa County approximately 40 miles southwest of Yosemite National Park. The attached maps show the regional location of the town and the boundaries of the town planning area.

The project entails the preparation and adoption of a specific plan to guide and regulate the future land use and development of the town of Mariposa. A specific plan is used by Mariposa County to apply special land use policies and regulations to the communities of the County in which the general policies of the General Plan and the County-wide development standards of the Zoning Ordinance may not be adequate. A specific plan was adopted for the Mariposa Town Planning Area (TPA) in 1981, and the land use policies and development standards of that plan are implemented by the Mariposa County Zoning Ordinance. The project is being undertaken to update and revise the existing specific plan to reflect present conditions and incorporate new strategies for development in the TPA. In addition, the specific plan will develop specific development standards and zoning districts for the TPA and will be adopted as an ordinance. As such, the specific plan will be both a land use policy document and a development regulatory document.

A proposed land use map for the project specific plan is attached showing the proposed land use districts for the TPA. These land use districts include residential (9,000 sq. ft.; 1/2 acre; 2 1/2 and 5 acre; Multi-Family), commercial (Professional Office, Light, and Heavy), Light Industrial, Scenic Resource, planned unit developments (PUD, Transitional Residential), and Public/Quasi-Public. The proposed land use districts generally follow the land use districts of the existing Specific Plan except for the following major modifications:

1. A Light Industrial land use district is proposed for the Fairgrounds area. This land use district is an expansion of the existing General Commercial district and will allow for light industrial uses not presently allowed in the General Commercial district.

2. Commercial districts are proposed to be extended along Highway 49 North. These commercial extensions include Heavy Commercial and Professional Office Commercial districts on the south side of Highway 49 between the Mariposa Cemetery and Mariposa Creek and a Professional Office Commercial district on the north side of Highway 49 west of Smith Road.
3. A Light Industrial district is proposed south of Mariposa Creek near Highway 49 North. This property is currently designated for planned residential development.

4. The existing commercial districts on the east side of Highway 140 in the northern part of the town planning area are proposed to be designated Planned Unit Development which will require further review of development by the County and affected agencies before the development is permitted.

5. An area south of Mariposa Creek near Sixth Street is proposed to be designated Light Commercial. The area is presently in the Multi-Family Residential district.

In addition to the primary land use districts described above, an Historic Design Overlay District for the historic downtown area and a Design Review Overlay District for the remainder of the town planning area will be established.

The Specific Plan will not be confined to only land use issues. Other issues which will be addressed by the Specific Plan include circulation and public improvements. The circulation section will address potential traffic impacts on State Highways 140 and 49 and the local County roads, examine the parking and pedestrian problems, and develop short and long-term solutions for these impacts and problems. Public improvement programs will include a County Government Center, the Mariposa Creek Park project, and additional public parking areas. The Specific Plan will also address environmental issues which are identified in the Environmental Impact Report.
APPENDIX D

INITIAL STUDY
INITIAL STUDY
ENVIRONMENTAL CHECKLIST FORM "B"

SECTION A

I. BACKGROUND

1. Name of Project Proponent: County of Mariposa

2. Address and Phone Number of Proponent: P.O. Box 2039, Mariposa, CA 95338 (209) 966-5151

3. Lead Agency: Mariposa County Board of Supervisors

4. Project Title: Mariposa Town Planning Area Specific Plan

II. DESCRIPTION OF PROJECT

The project entails the adoption of a specific plan to guide and regulate the future land use and development of the town of Mariposa. The specific plan will be an update and revision of the existing Mariposa Town Planning Area Specific Plan and will establish special land use policies and development regulations.

III. DESCRIPTION OF ENVIRONMENTAL SETTING

The Mariposa Town Planning Area (TPA) encompasses the community of Mariposa which is an historic goldrush town located in the central Sierra Nevada foothills. The town is situated between two northwest-southeast trending ridges which form a drainage basin for Mariposa Creek. Mariposa Creek flows along the western edge of the town and has several intermittent streams including Stockton Creek draining into it. The town has been developed on the benches of the creek and the adjacent hillsides. Slopes are moderate to steep (6%-30%) increasing in grade from Mariposa Creek. Native vegetation on undeveloped land is varied and consists of Ponderosa Pine, Digger Pine, Live Oak, Blue Oak, Manzanita, and riparian vegetation along Mariposa Creek. The Department of Fish and Game's Natural Diversity Data Base has identified two rare or threatened plant species as possibly being located in the Mariposa TPA.

State Highways 49 and 140 travel through Mariposa and merge as a single highway for the length of the central part of the town. The town is platted and developed in a linear manner along the State Highways due to the topography of the area. The historic downtown area contains a number of historic
buildings and structures and is developed primarily with retail commercial uses. Other commercial areas in Mariposa are located near the intersection of Highway 140 and Highway 49 North and in the Fairgrounds area. Residential areas of town are found along Bullion Street and Jones Street and in the Smith Road area. A number of professional offices and County government buildings are located near the historic Mariposa County Courthouse.
IV. Environmental Effects Checklist:

(Explanations of all "Yes" or "Maybe" answers are required on attached sheets)

<table>
<thead>
<tr>
<th>Potential Effect</th>
<th>Yes</th>
<th>Maybe</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>EARTH Could the project result in:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. The destruction, covering of any unique geologic or physical features?</td>
<td>(1)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Substantial acceleration in wind or water erosion of soils, either on or off the site?</td>
<td>(2)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Unnecessary or unusual exposure of people or property to geological hazards such as earthquakes, landslides, mudslides, ground failure, or similar hazards?</td>
<td>(3)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>AIR Could the project result in:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Creation of substantial air emissions or major deterioration of ambient air quality?</td>
<td>(4)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. The creation of objectionable odors?</td>
<td>(5)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. The creation of substantial amounts of air-borne particulate matter?</td>
<td>(6)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>WATER Could the project result in:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7. Major changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?</td>
<td>(7)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8. Major alterations to the course of flow of flood waters?</td>
<td>(8)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9. Major discharge into surface waters or any major alteration of surface water quality, including but not limited to temperature, dissolved oxygen or turbidity?</td>
<td>(9)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>10. Major alteration or reduction of available subsurface water supplies necessary to support existing development?</td>
<td>(10)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>PLANT LIFE Could the project result in a substantial reduction of the numbers of any rare or endangered species of plants?</td>
<td>(11)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANIMAL LIFE Could the project result in:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>12. Major reduction of the numbers of any unique, rare or endangered species of animals?</td>
<td>(12)</td>
<td></td>
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</tr>
<tr>
<td>13. Major introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?</td>
<td>(13)</td>
<td></td>
<td></td>
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<tr>
<td>14. Major deterioration of existing fish or wildlife habitat?</td>
<td>(14)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>NOISE Could the project result in increases in existing noise levels detrimental to existing uses?</td>
<td>(15)</td>
<td></td>
<td></td>
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<tr>
<td>LIGHT AND GLARE Could the project produce new light or glare abnormal to existing uses?</td>
<td>(16)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>LAND USE Could the project result in a substantial alteration of the present or planned use of an area?</td>
<td>(17)</td>
<td></td>
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</tbody>
</table>
### NATURAL RESOURCES
Could the project result in:

<p>| | | |</p>
<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>18. Major increases in the rate of use of any natural resource excluding water?</td>
<td></td>
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<tr>
<td>19. Substantial depletion of any non-renewable natural resource or preclude development of a natural resource?</td>
<td></td>
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</tr>
<tr>
<td>20. <strong>RISK OF UPSET</strong> Could the project involve a risk of an explosion or release of hazardous substances?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21. <strong>POPULATION</strong> Could the project substantially alter the existing or planned location, distribution, density or growth rate of human populations of an area?</td>
<td></td>
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</tbody>
</table>

### TRANSPORTATION/CIRCULATION
Could the project result in:

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>22. Major effects on existing parking facilities, or demand for new parking?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23. Major alterations to present or planned patterns of circulation or movement of people and/or goods?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>24. Major increase in traffic that may be hazardous to motor vehicles, bicyclists, pedestrians, or livestock?</td>
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</tbody>
</table>

### PUBLIC SERVICES
Could the project have an effect upon, or result in a need for new or altered governmental services in any of the following areas?

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<table>
<thead>
<tr>
<th></th>
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<tbody>
<tr>
<td>25. Fire Protection</td>
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<td></td>
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<tr>
<td>26. Police Protection</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27. Schools</td>
<td></td>
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<tr>
<td>28. Parks and Other Recreation Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29. Maintenance in public facilities including streets and roads</td>
<td></td>
<td></td>
</tr>
<tr>
<td>30. Other governmental or public services or facilities</td>
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<td></td>
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</tbody>
</table>

### HUMAN HEALTH
Could the project result in:

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>31. Creation of any health hazard or potential health hazard (excluding mental health)?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32. Exposure of people to potential health hazards?</td>
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</table>

### AESTHETICS
Could the project result in:

<p>| | | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>33. The destruction of any scenic vista or view open to the public?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>34. The creation of an aesthetically offensive site open to public view?</td>
<td></td>
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</tbody>
</table>

### CULTURAL RESOURCES
Could the project result in:

<p>| | | |</p>
<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>35. The alteration of or the destruction of a prehistoric or historic archaeological site?</td>
<td></td>
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</tr>
<tr>
<td>36. Adverse physical or aesthetic effects to a prehistoric or historic building, structure or object?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Environmental Checklist Form "B", Page 4A

V. DISCUSSION OF PROBABLE ENVIRONMENTAL EFFECTS

1, 33, and 34: The development of structures or roads on the hillsides of Mariposa or along Mariposa Creek may degrade or impair the view of these unique physical features. The project proposes to limit the size of newly created parcels on the hillsides, but does not have any standards for regulating development on the hillsides. There are no open space provisions for Mariposa Creek. Because of the potential development allowed on the hillsides and along the creek and the visual resource importance of these features, these effects may be significant.

2: Grading for development on moderate to steep slopes will result in increased soil erosion. Exposure of soils on large sites over a period of time may result in significant erosion as may grading on the steep slopes of the surrounding hillsides.

4: Increased traffic on the State Highways (see Checklist Nos. 23 and 24) will result in decreased levels of service on these highways and will generate increased emissions from motor vehicles. The impact on the ambient air quality of the area which is presently an attainment area for all pollutants is unknown. The topography of the town (ridges surrounding narrow valley) will impede the proper dispersal of pollutants. Because of these factors, this effect may be potentially significant.

6: Grading on moderate to steep slopes may result in the creation of substantial amounts of airborne particulate matter. This airborne particulate matter may effect neighboring land uses, traffic, and the air quality of the town, and has the potential to be significant.

7, 8, and 9: Development will increase the amount of impervious surfaces in the town which will alter absorption rates and increase surface runoff. Increased surface runoff with erosion of soil will increase discharges into surface waters, especially Mariposa Creek, and may alter the quality of the surface water. In addition, development adjacent to drainage courses may alter drainage patterns and the flow of floodwaters. Based upon the scope of the project, the number and type of drainages flowing into Mariposa Creek, and the community importance of Mariposa Creek, these effects may be significant.
8, 31, and 32: A 100-year floodplain has been identified and mapped for Mariposa Creek. The project will allow industrial, commercial, and residential development within the floodplain with no special standards to protect structures from floodwaters or prohibit major alterations to the floodwater channel. Structures within the floodplain could expose people to floodwater hazards and alter floodwaters which could effect upstream and downstream properties. These effects may be potentially significant.

10: The Mariposa Public Utility District (MPUD) has approximately twelve (12) wells to supplement its surface water reservoir and has a limited number of water connections available with its existing facilities. Development permitted by the Specific Plan will eventually exceed the existing District water supply or will not be served by the District. Additional wells will have to be drilled by MPUD or private owners in order to serve this development until an alternative water supply is developed. The effect of these wells on the subsurface water supply of the town or existing MPUD and private wells is unknown.

11: The Department of Fish and Game's Natural Diversity Data Base (NDDB) indicates that two threatened or rare plant species—Congdons Lomatium (Lomatium congdonii) and Mariposa Clarkia (Clarkia biloba australis)—may be located within the Mariposa Town Planning Area. The Mariposa Clarkia has been mapped by the NDDB within a specific location in the Mormon Bar area. A recent survey for these plants has not been conducted to determine if the plant species exist in the TPA, and there is no evidence available to conclude the plant species do not exist within the TPA. As such, the project may have a significant effect on these rare or threatened plant species by allowing development to occur in potential plant habitats.

15, 16, and 17: The project will allow for development in certain areas which may be more intensive than current existing uses or uses presently permitted by the Specific Plan. More intensive development in these areas will result in increased noise and light and will alter the present and planned land use of the Town Planning Area. These effects may be significant due to the nature and scope of the project.
21: The project will designate areas which are presently
developed with residential uses or planned for residential
uses as commercial or light industrial. The project may
reduce the amount of land available for residential uses
and alter the existing or planned location of population.
These effects may be significant due to the unique housing
characteristics and opportunities of the Mariposa Town
Planning Area.

22: At the present time, there is inadequate parking in the
downtown area and the Coakley Circle area. The project
will allow continued commercial development in these areas
which will effect existing parking and create demands for
additional parking. Also, commercial development along
Bullion Street may impact on-street parking if inadequate
on-site parking is not provided.

23, 24: The project will increase the intensity and amount of
land available for commercial development. The project
also proposes to extend commercial development along
Highway 49 North. This will increase the amount of traffic
on State Highways 49 and 140 including the amount of
through traffic. State Highways 49/140 between 3rd Street
and Jones Street presently have a minimally acceptable
level of service, and increased traffic on this section of
the highways will result in an unacceptable level of
service. Specifically, increased traffic will intensify
traffic congestion in the downtown area, create or
intensify hazards at intersections, and create additional
hazards for pedestrians. These effects will be
significant.

25, 26, 28, 29, and 30: Increased commercial and residential
development in Mariposa will create additional demands for
fire protection, police protection, schools, recreational
services, and other public services. These services are
presently adequate for the town, but the effect of the
project on these services is unknown.

35: There are several historic areas in the Mariposa Town
Planning Area which presently are not intensely developed.
These historic areas include Mormon Bar and the area
formerly known as Logtown (along Mariposa Creek near the
cemetery). Although there are no historic structures
existing in these areas, there is a potential for below-
ground historic or archaeological sites to exist in those
areas. Intense development in these areas may unearth or
destroy unknown historic and archaeological sites, and this
may be significant.
33, 34, and 36: The town of Mariposa has a number of historic buildings and structures which contribute greatly to Mariposa being known as an historic goldrush town. The project proposes standards to protect historic buildings from unnecessary demolition and historic design standards to require compatible historic architecture in the historic downtown area. However, these standards are directed towards individual development projects and approvals, and the impact of these standards on the overall historic character of Mariposa and their cumulative impact are unknown.
VII. ANALYSIS OF SIGNIFICANCE:

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A discussion of these probable environmental effects of the project is contained in Section V of this Initial Study.

VIII. MANDATORY FINDINGS OF SIGNIFICANCE (As per Section 1.081 of the CEQA Guidelines, requires EIR if "Yes")

Does the project have:

A. The potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?  
   A.   ☑️

B. The potential to achieve short term, to the disadvantage of long term, environmental goals?  
   B.   ☑️

C. Impacts which are individually limited but cumulatively considerable?  
   C.   ☑️

D. Environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?  
   D.   ☑️
IX. DETERMINATION:

On the basis of this initial study:

A. ___ It is found on the basis of this initial study that the proposed project WILL NOT have a significant effect on the environment and a NEGATIVE DECLARATION WILL BE PREPARED.

B. ___ It is found on the basis of this initial study that the potential environmental effects of this project WILL NOT be significant in this case because the mitigation measures described in Section VI will be added to the project proposal as conditions of approval and will mitigate environmental effects entirely or to an acceptable level. A NEGATIVE DECLARATION will be prepared.

C. ___ It is found on the basis of this initial study, that the proposed project MAY have a significant effect on the environment, and an Environmental Impact Report is required. (This determination may be based upon Section VII, Analysis of Significance or Section VIII, Mandatory Findings of Significance)

D. ___ It is found that it can be argued on the basis of substantial evidence that the project may have a significant environmental impact. An Environmental Impact Report is required.

E. ___ It is found that there is a serious public controversy concerning the potential environmental effects of the project and an Environmental Impact Report is required.

F. ___ It is found that the project cannot be approved or conditionally approved and no further action is required under the provisions of the California Environmental Quality Act.

X. ACTIONS:

A. Section "A" of this Initial Study was:
   Prepared by Duane Hall Date April 3, 1990
   Assisted by
   Reviewed by Tony Lashbrook Date April 10, 1990
   Reviewed by

B. Section "B" of this Initial Study was:
   Prepared by Duane Hall Date April 3, 1990
   at the direction of
   Approved by Tony Lashbrook Date April 10, 1990

C. Authority:
   Tony Lashbrook Signature
   Planning Director
   Title

   For
APPENDIX E

RESPONSES TO NOTICE OF PREPARATION
Mr. Duane Hall  
Mariposa County Planning Department  
P.O. Box 2039  
Mariposa, California 95338

Subject: Response to Notice of Preparation of Draft Environmental Impact Report

Dear Mr. Hall:

This response to the Notice of Preparation of a Draft Environmental Report (DEIR) is filed on behalf of the Mariposa County Superintendent of Schools and the Mariposa County Unified School District.

While this response is directed toward the DEIR for the Mariposa Town Planning Area Specific Plan. However, our response will be similar when the DEIR for the Mariposa County Redevelopment Plan is received.

In order to effectively assess the environmental impact of the proposed project on the Mariposa County Superintendent of Schools and the Mariposa County Unified School District, the following information is requested:

1. Square footage of commercial and industrial facilities to be constructed in the Plan Area

2. Projected time line for construction of commercial and industrial facilities.

3. Square footage of commercial and industrial facilities to be reconstructed, renovated, remodeled or refurbished.

4. Number and types of new jobs expected to result from construction, reconstruction, renovation, remodeling, or refurbishing of commercial and industrial facilities.
5. Location, number, size, type, and price (in 1990 dollars) of low and moderate income housing to be constructed.

6. Time line for construction of low and moderate income housing.

7. Location, number, size, type, and price (in 1990 dollars) of other residential housing to be constructed.

8. Time line for construction of other residential housing.

9. Projected total number of residential units within Plan Area including time line.

10. Projected total residential population within Plan Area including time line.

11. Projections of sales tax subventions and other revenue increases attributable to the Redevelopment Plan which will become available to the County of Mariposa.

Should you not be able to provide the foregoing information, we will assess the impact of the project assuming full build-out consistent with the General Plan and will advise you accordingly. If you wish specific information from either the Mariposa County Superintendent of Schools or the Mariposa County Unified School District, please let me know.

Thank you very much for your assistance in this matter. Please contact me if you have any questions.

Sincerely,

Barbara J. Parker
Deputy Superintendent - Business

BJP:br
May 15, 1990

TO : Duane Hall, Planning
FROM : C. R. Mosher, MD, Health Officer

SUBJECT: Mariposa Town Planning Area Specific Plan

We see no environmental health impacts from this review.
Separate comments from Air Pollution District will be sent.
Background:

Development patterns in California's State Responsibility Area (SRA) and county fire wildland over the past decades have instigated eliminated strategic suppression options on major fires. The presence of structures intermixed with wildland fuels severely complicate fire control. The traditional strategy of falling back to the next ridge or gaining control cannot be accomplished because there may be $20 million worth of structure between here and there. Suppression becomes a tactical exercise, moving from structure to structure on a case by case basis, often over inadequate access and usually with limited water supplies. Nevada County's 49er fire and others in recent years are examples of the problems that can and will occur in the future unless the overall development process can be changed.

Strategic fire protection planning can provide the design and implementation measures that will help to regain strategic options. Strategic planning is not a new idea, but it is the new application of pre-planning integrated into the local and procedural aspects of local government development decisions.

Our recommendations for this EIR are stated below. They are based on an overall observation and do not specifically address individual areas on the proposed land-use map. Our intent would be to work together to establish where the elements would be utilized within the Mariposa Town Planning Area. The elements in most cases would be considered long-term in nature and would require some maintenance agreement to be established.

LAND USE:

Opportunities to establish greenbelts, fuel breaks, fuel reduction, buffer zones, water supply requirements, set backs for fire hydrants to allow off street filling.

HOUSING:

Definition of hazard areas and appropriate mitigation for...
CIRCULATION:
Strategic ingress/egress, road design, helibase, helispots, evacuation routes (ground and air).

CONSERVATION
Fuel breaks, fuel reduction zones, additional designed requirements for resource protection.

OPEN SPACE:
Fuel breaks, fuel reduction zones, strategic access and water supplies, designation of parks.

SAFETY:
Evacuation routes, water supplies, road standards, fuel reduction buffer zones, air access, definition of hazard areas and mitigation requirements.

We hope these elements will provide for opportunities for fire and resource protection in the Mariposa Town Planning Area.

If you have any further questions, please feel free to contact my office.

Sincerely,

GARY GILBERT
County Fire Warden

BY: Larry Couger
Larry Couger
Deputy County Fire Warden

cc: Craig Anthony, Deputy Chief
Ted VanDevort, Operations Chief
May 4, 1990

Duane Hall
Mariposa County Board of Supervisors
P.O. Box 2039
5101 Jones Street
Mariposa, CA 95338

Dear Mr. Hall,

Thank you for the opportunity to comment on the forthcoming Draft Environmental Impact Report (DEIR) for Mariposa Town Planning Area Specific Plan, SCH# 90020361.

The California Department of Food and Agriculture (CDFA) would appreciate a discussion of the following issues in the DEIR.

1. A complete description of the planning area. This should include current and planned land use designations, the number of acres in agricultural production, soil classifications and acreages, and cropping history.

2. Whether any land under a Williamson Act contract or in an Agricultural preserve is part of, or near to the planning area. How will development affect these designations?

3. The possible mitigation measures to ensure that agricultural land is not prematurely or unnecessarily converted to non-agricultural uses. These measures can include use of the Williamson Act, deed disclosures, a Right-to-Farm Ordinance, phased development, and transfer of development rights.

4. The interface conflicts which can arise from the close proximity of agricultural and urban areas due to noise, dust, chemical usage, trespassing, and traffic. Include any buffering measures (i.e. greenbelts, buffers, berms, etc.) which are proposed for the development.

5. The pressure this project could create to convert surrounding agricultural land to urban uses. Can the project be considered precedent setting?

6. Whether development of the area constitutes discontiguous growth and, if so, whether development is necessary at this time.

7. Given the projected need for residential and urban development, what is the cumulative agricultural impact of this and other projects in the region?
The lead agency should also solicit comments from concerned local agencies such as the agricultural commissioner's office, the USDA Soil Conservation Service office, and the county Farm Bureau Federation office, since the above issues are not necessarily comprehensive.

The CDFA supports the right of local agencies to develop and implement land-use policy in its area of influence, but also wants to assure that agricultural land is not prematurely and irreversibly lost due to development which is not accurately assessed for environmental impact.

Sincerely,

[Signature]

George Clavier
Graduate Student Assistant
Agricultural Resources Branch
(916) 322-5227

cc: Office of Planning and Research
Mariposa County Agricultural Commissioner
California Association of Resource Conservation Districts
April 28, 1990

TO:       Tony Lashbrook

SUBJECT: Draft EIR for Mariposa TPA Specific Plan

I hate to sound like a broken record, however my input to this proposal addresses the need for a grading ordinance.

This past January we had a meeting where representatives from El Dorado County shared with us their experiences of rapid development in the absence of a grading ordinance. Much environmental damage was done, lots of money was spent, and a number of litigations occurred before they implemented the grading ordinance.

With this proposed specific plan we would see more intensive land use and as the check list shows, there will be more chance of erosion and water quality degradation. My normal response to these probable environmental effects would be to mitigate by complying with the county grading ordinance. Obviously, that response is useless because no one complies.

My input for this particular proposal is this: This is such a narrow canyon that any erosion that occurs is very likely to go directly into Mariposa Creek. I suggest that until an adequate grading ordinance is developed and the mechanism to implement that ordinance is in place, that there be no more intensive uses of land be allowed.

Thanks for the opportunity to comment.

Sincerely,

Jerry Progner
District Conservationist
April 18, 1990

Mr. Tony Lashbrook  
Planning Director  
Mariposa Co. Planning Dept.  
P.O. Box 2039  
Mariposa, CA 95338

Attn: Mr. Duane Hall

Dear Mr. Lashbrook:

Caltrans has reviewed your Notice of Preparation of a Draft EIR report for the Mariposa Town Planning Area Specific Plan and offer the following comments:

- The DEIR should address impacts to State Highways 49 and 140 within the limits of the proposed plan;
- As the proposed development occurs items of concern will be widening, dedication of right of way and access openings to and from the State highways.

If you have any questions in regard to our comments please call me at the above noted telephone number.

Sincerely,

AL JOHNSON
IGR Coordinator

cc: B Lincoln/Mpa Co Trnspt Comm
May 24, 1990

TO: Tony Lashbrook, Planning Director

FROM: Harry Stewart, Chairman
Historical Sites and Records Preservation Commission

SUBJECT: Notice of Preparation of a Draft Environmental Impact Report - Mariposa Town Planning Area Specific Plan

The Historical Sites and Records Preservation Commission met on May 21, 1990 with this subject being its main agenda item. It was helpful to have Duane Hall from your office at our meeting to answer our many questions.

While we are not positively aware of the locations of any historical resources in these areas, there have been representations by very knowledgeable people which indicate the possibility of such locations.

Specific areas of concern include:

1. The Fairgrounds area and the general Mormon Bar area. Possible areas of historic interest include bedrock mortars and a Chinese burial ground.

2. Highway 49 North. Possible areas of historic interest behind the cemetery in the Logtown area. There was a sawmill there in the 1850's which produced the lumber used in the Courthouse construction. Also in that area is the Fournier Adobe.

3. The area above the Hospital in which one-half acre residential lots and mountain home land use is proposed reportedly contains an Indian burial ground.
Tony Lashbrook, Planning Director
May 24, 1990
Page 2

Our Commission strongly supports the inclusion of mitigating measures relating to anything of potential archeological interest during any development whereby all construction would be halted until a recognized archeologist is able to make a determination of historic value, with no collection of artifacts being permitted.

We appreciate the thought which went into the preparation of your April 16, 1990 document and for the opportunity to review and comment on the material.
FINAL
ENVIRONMENTAL IMPACT REPORT
MARIPOSA TOWN PLANNING AREA
SPECIFIC PLAN

State Clearinghouse Number:  90020361

Mariposa County Board of Supervisors

Certified by Resolution No. 92-37 on
January 14, 1992
MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

TABLE OF CONTENTS

I. Purpose and Format of Final EIR 1

II. Mariposa County Resolution No. 92-37 2

III. Persons, Organizations, and Public Agencies Commenting 5

IV. Comments Received on Draft EIR 6

V. Lead Agency Responses to Comments 36

VI. Amendments to Draft EIR 46

VII. Draft Environmental Impact Report
SECTION I

PURPOSE AND FORMAT OF THE
FINAL ENVIRONMENTAL IMPACT REPORT

The Final Environmental Impact Report (EIR) for the Mariposa TPA Specific Plan update is the final environmental document which will be considered by the Board of Supervisors in the adoption of the Specific Plan. The Final EIR includes responses by the Board of Supervisors to significant environmental issues raised in comments on the Draft EIR, new information available on the CalTrans improvement project proposed for Highway 49 North, and modifications made by the Board of Supervisors to specific mitigation measures. Specifically, the Final EIR consists of the following:

1) The Board of Supervisors resolution certifying the Final EIR.
2) A list of persons, organizations, and public agencies commenting on the Draft EIR.
3) Comments received on the Draft EIR.
4) Lead Agency Responses to Comments.
5) Amendments to the Draft EIR.
6) The Draft EIR.

The contents of the Final EIR have been prepared in the form of an attachment or addendum to the Draft EIR as allowed by Section 15146(b) of the California Environmental Quality Act (CEQA) Guidelines.

The comments received on the Draft EIR are contained in Section IV of the Final EIR. Each comment document is numbered in the top-right corner and specific comments are assigned a letter in the right margin. Those references are provided to key the responses contained in Section V to the applicable document and comment.

Some responses to comments call for amendments to the Draft EIR. In addition, the new information on Highway 49 North and the Board modifications to mitigation measures necessitate amendments to the Draft EIR. These amendments to the Draft EIR are included in Section VI, and those sections of the Draft EIR which have been amended are identified in the Draft EIR by a solid line in the right margin. A reference number is provided next to the margin line to indicate the specific amendment in Section VI which applies to that section of the Draft EIR. If there is a solid line next to a section in the Draft EIR, that section may no longer be valid and you must refer to Section VI of the Final EIR.
SECTION II

MARIPOSA COUNTY RESOLUTION NO. 92-37

CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT
A RESOLUTION CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE MARIPOSA TOWN PLANNING AREA SPECIFIC PLAN UPDATE

WHEREAS, the Mariposa County Board of Supervisors has initiated an update to the Specific Plan for the Mariposa Town Planning Area; and

WHEREAS, the Board, acting as the Lead Agency, has prepared an Environmental Impact Report (EIR) for the project in accordance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the Mariposa County Environmental Review Policies and Procedures; and

WHEREAS, the Board established a public review period for the Draft EIR and held noticed public hearings to receive comments on the Draft EIR; and

WHEREAS, the Board has considered the documentary and verbal comments submitted on the Draft EIR and responded to substantial environmental points raised by those comments in accordance with CEQA.

NOW THEREFORE BE IT RESOLVED that the Mariposa County Board of Supervisors hereby determines and certifies:

1) That the modifications made to the Specific Plan and EIR by the Board of Supervisors after the public review period are not substantial and the potential impacts of these modifications are addressed within the bounds of analysis provided in the EIR.

2) That the Final Environmental Impact Report for the Mariposa Town Planning Area Specific Plan Update is adequate and has been completed in compliance with the provisions of
the California Environmental Quality Act (CEQA), the CEQA
Guidelines, and the Mariposa County Environmental Review
Policies and Procedures.

3) That the Final EIR has been presented to the Board of
Supervisors and the Board has reviewed and considered the
information contained in the Final EIR prior to adopting the
Specific Plan.

PASSED AND ADOPTED by the Mariposa County Board of
Supervisors on this 14th day of January, 1992 by the
following vote:

AYES: Baggett, Punte, Erickson, Radanovich

NOES: None

ABSTAINED: None

EXCUSED: Taber

SALLY S. PUNTE, Chairman
Mariposa County Board of Supervisors

ATTEST:

MARGIE WILLIAMS
Clerk of the Board

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

JEPHEM G. GREEN
County Counsel
SECTION III

PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES
COMMENTING ON THE MARIPOSA TPA SPECIFIC PLAN UPDATE
DRAFT ENVIRONMENTAL IMPACT REPORT

The Mariposa County Board of Supervisors has received specific comments on the Draft Environmental Impact Report (EIR) from the following agencies and persons:

1) California Department of Food and Agriculture
2) California Department of Fish and Game
3) California Department of Transportation, District 10
4) Mariposa Public Utility District
5) Mariposa Local Agency Formation Commission
6) Mariposa County Public Works Department
7) Mariposa Air Pollution Control District
8) Mariposa County Historical Sites and Preservation Commission
9) Donald J. Starchman
10) Michael Caja
11) Roberta M. Standen

Comments received on the Specific Plan and its contents which do not specifically reference the Draft EIR have not been included in this document. This portion of the Final Environmental Impact Report includes comments made specifically on the contents, analysis, and conclusions of the Draft EIR and responses to those comments.
SECTION IV

COMMENTS RECEIVED ON THE DRAFT ENVIRONMENTAL IMPACT REPORT
Memorandum

Mr. Russ Colliau
State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814

Date: June 4, 1991
Place: Sacramento

Department of Food and Agriculture -- 1220 N Street, P.O. Box 942871
Sacramento, CA 95814-0001

SCH No. 90020361 -- The Mariposa Town Area Specific Plan Update

The California Department of Food and Agriculture (CDFA) has reviewed the Draft Environmental Impact Report (DEIR) on the above referenced project. This project would involve the updating of the Mariposa Town Area Specific Plan. The CDFA has the following comments and recommendations.

The CDFA would like to commend the Specific Plan Update. This Specific Plan lists the same concerns regarding the preservation of agricultural land as those we hold here at the CDFA. It was a pleasure to see that the Specific Plan will not result in the conversion of an agricultural land to non-agricultural uses.

The CDFA supports the right of local agencies to develop and implement land-use policy in its area of influence. However, the CDFA wants to assure that agricultural land is not prematurely and irreversibly lost due to development which is not accurately assessed for environmental impact. Again, the CDFA is thankful that agricultural land is not to be developed in this Specific Plan.

Sincerely,

Mary McNally
Graduate Student Assistant
Agricultural Resources Branch
(916) 322-5227

cc: Mariposa County Agricultural Commissioner
California Association of Resource Conservation Districts
Memorandum

1. Projects Coordinator
   Resources Agency

2. Mr. Tony Lashbrook
   Mariposa County Planning Department
   P.O. Box 2039
   Mariposa, California 95338

Date: June 18, 1991

SCH 90020361, Mariposa Town Planning Area Specific Plan Update
and Draft Environmental Impact Report (EIR), Mariposa County

The Department of Fish and Game has reviewed Mariposa
County's Draft EIR regarding the Mariposa Town Planning Area (TPA)
Specific Plan Update. The TPA is located in a narrow valley
within the western foothills of the Sierra Nevada, in the Central
area of Mariposa County with a land base of approximately 1,900
acres. State highways 49 and 140 intersect in the TPA and serve
to connect Mariposa with Merced, Oakhurst, and Yosemite National
Park. The TPA is located within the Foothill or Digger Pine
Chaparral Belt of the Sierra Nevada. Wildlife habitat consists
primarily of Pine-Oak Woodland, chaparral, and riparian wetland
along Mariposa and Stockton creeks.

Based upon the information provided, it appears the project
will adversely affect wildlife resources, including resident and
migratory deer in the Yosemite deer herd, mountain lions, and
black bears as well as wildlife species associated with riparian
wetland habitats. These impacts will occur both within the
project boundaries and on adjacent lands. They will include:
(1) increased traffic (and associated disturbance and "road
kills"), (2) increased disturbance factors for wildlife,
(3) direct consumption of existing habitat due to constructed
project features, (4) increased illumination, altering the feeding
effectiveness and predatory-prey relationships of nocturnal
animals, (5) increases in the abundance/incidence of free roaming
pets, which prey adversely upon wildlife, and (6) interruption of
daily and seasonal movement corridors of local and migratory
animals and many other problems.

We believe the mitigation measures as contained in the
Draft EIR fall short of reducing project impacts below significant
levels.

The proposed project has the potential to adversely impact
riparian wetland habitat along Mariposa and Stockton creeks. The
following measures should be incorporated into the project to
protect riparian wetland habitat and adopted as conditions of
approval by the Board of Supervisors:
1. Establishment of a 100-foot buffer zone starting at the outermost edge of the riparian vegetation along Mariposa and Stockton creeks and no future development allowed within this buffer zone or in the riparian zone itself.

2. All native riparian vegetation shall be retained. The Department has direct jurisdiction under Fish and Game Code sections 1601-03 in regard to any proposed activities that would divert or obstruct the natural flow or change the bed, channel, or bank of any stream. We recommend early consultation since modification of the proposed project may be required to avoid impacts to fish and wildlife resources. Formal notification under Fish and Game Code Section 1603 should be made after all other permits and certifications have been obtained. Work cannot be initiated until a streambed alteration agreement is executed.

3. Special consideration should be given to designating Mariposa County flood plain as a wildlife corridor through the community.

If the above-described (mitigation/consultation) is not (included/undertaken), the project should not be approved. The Department opposes the authorization of any project which would result in the net loss of either wetland acreage or wetland habitat value. We remind the lead agency that approval of any project with associated unavoidable effects will require a "Finding of Overriding Considerations" as a part of the approval decision.

If you have any questions or wish to discuss these comments, please contact Mr. George Nokes, Regional Manager, Region 4, 1234 East Shaw Avenue, Fresno, California 93710, telephone (209) 222-3761.

Pete Bonadelli
Director
June 4, 1991

10-Mpa-49,140
City of Mariposa
Mariposa Town Planning
Area Specific Plan Update
DEIR
SCH #90020361

Mr. Russ Coliau
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Coliau:

Caltrans has reviewed the DEIR for the Mariposa Town Planning Area Specific Plan and has the following comments:

Page 160

• The proposed Autone Road/State Route 49/State Route 140 intersection (shown in Fig. 22) is not acceptable. The extreme skew of the intersection would impair driver visibility and would make some of the turning moves difficult for automobiles and impossible for trucks or other large vehicles. The angle should be as close to 90 degrees as possible. The proposed 30' right-of-way is not wide enough for a proper roadway with shoulders. The minimum roadway should consist of 12' traffic lanes with 4' paved shoulders, for a minimum width of 32'.

Page 170

• Item C, Mariposa Mine Loop (shown in Fig. 26) - This plan would also create an unacceptable extremely skewed intersection where it meets State Route 49. It needs to be a right angle or nearly so.

• Fig. 26 also shows a new curved connection between State Route 49 and Bullion Street. This, too, would be unacceptable with the skew shown. In fact, what purpose would it serve? By the time it is realigned to a right angle, it would provide no better service than Third Street, which would be immediately next to it. It would be better to improve Third Street. (This is covered on Page 172, Item H - It is a one-way “ramp” to Bullion Street. This, too, would be unacceptable since it could encourage drivers to take a wrong-way, short-cut.)

Page 177

• Item 5 - “Chokers” and other built-in islands or restrictors on the highway are totally unacceptable. They are a hazard to vehicles and create congestion, which is the primary problem already in the downtown area. This recommendation goes against the stated aims of this Specific Plan, to improve conditions.
Item 7 - This recommends several street parking areas be converted to diagonal or right-angle parking. This would be a step backwards. Many studies have been done which have shown that a considerable increase in accidents can be expected with this type of parking. In addition, traffic congestion is increased on the streets.

If you have any questions in regard to our comments please call Mr. Raymond Goulart of our Traffic Operations section at (209) 948-7935.

Sincerely,

[Signature]

AL JOHNSON
IGR Coordinator

Attachment
June 27, 1991

Mr. Tony Lashbrook
Mariposa Planning Dept.
Box 2039
Mariposa, Ca. 95338

REF: SPECIFIC PLAN AND EIR FOR MARIPosa TOWN PLANNING AREA

Dear Tony:

The MPUD Board of Directors have reviewed the draft Mariposa Town Planning Area Specific Plan and Environmental Impact Report. There are some recommended changes in the description of MPUD’s facilities, history and future projects. In addition, the Board wishes to convey recommended changes to the policies, standards and regulations.

Page 43 – Section 3. MPUD has accepted title to the total elevated storage tank at the hospital. There is no longer a reservation of 90,000 gallons storage for the hospital only. This reservation was made originally due to the hospital’s location outside of MPUD boundaries. Since the annexation of the hospital property in 1984, the storage reservation is no longer necessary.

Page 44 – Section D. There is one unit process at the wastewater treatment plant that is operating at over capacity. The sludge dewatering process will need repair and additional capacity. MPUD and Mariposa County will be proposing a plan for a permanent septage receiving station which will include improvements to the sludge dewatering unit process.

Page 46 – Section F. The District fire fighting apparatus consists of two fire engines and no support vehicles.

Page 47 – Section F/Page 48 – Section A. The fire response inside of MPUD boundaries by CDF and the responses outside of MPUD by MPUD is provided by Mutual Aid and Automatic Aid Agreements between MPUD, Mariposa County and CDF. Wildland fires
within MPUD boundaries as well as outside of MPUD boundaries are CDF's responsibility.

Page 59 - Section 2.1. Third paragraph - development moratorium should be changed to moratorium on sewer connections.

Page 80, 81, 82 - Sections 2.6.2 & 2.6.3. The MPUD Board recommends that the word "should" replace words "will, shall, and must" when reference to MPUD services is made. At the top of Page 81 end of the first paragraph, the MPUD Board recommends the word "identified" be changed to "recommends".

Page 82. MPUD Board is of the opinion that Item (F) on Page 61 is discriminatory. The MPUD Board is not willing to dedicate a percentage of available water connections to a particular type of development. The Board recommends Item H be deleted from the document.

Page 114 - Item 3. ISO standards have not been adopted by MPUD although the district fire protection system is rated by the Insurance Services Office. The Uniform Fire Code is more consistent with the Uniform Building Code as well as being more of a generally accepted standard for fire protection. The implementation of parts of either standard would probably be included in a "fire service plan".

Page 131 & 132 - Section 3.25. The MPUD Board recommends the word "shall" be replaced with "should" in the first sentence of Section 3.25(B).

Page 146 & 147 - Section D. Items 3, 4, & 5. If connection is made to MPUD water system, the Specific Plan should simply make reference to MPUD standards. MPUD has adopted standards for construction of water mains and fire hydrants.

Page 148 - Section 3.37(A). MPUD all ready has an ordinance in effect that requires new development to connect to the MPUD sewer. The MPUD Board recommends the statement "if MPUD supplies a written statement that adequate sewer connections have been reserved for the subdivision" be deleted. MPUD will not reserve a sewer connection without a permit being issued for the specific improvement on the parcel. Plans for construction of buildings, payment of permit fees, etc., are required before a permit is issued.
The Farmers Home Administration has obligated funding for the project. Before any funds are received from FmHA certain conditions must be met.

ENVIRONMENTAL IMPACT REPORT: If Mariposa County includes MPUD's recommendations in the Specific Plan, there are several corresponding changes that will be required in the EIR.

Thank you.

Sincerely,

James A. McGee
Chairman
MPUD Board of Directors

MLR:gp
Local Agency Formation Commission

Mariposa County
(209) 966-5151

Post Office Box 2039
Mariposa, California 95338

August 6, 1991

Mariposa County Board of Supervisors
P.O. Box 784
Mariposa, CA 95338

RE: Mariposa TPA Specific Plan Update and Draft Environmental Impact Report

Dear Members of the Board,

The Mariposa County Local Agency Formation Commission (LAPCo) has reviewed the Mariposa TPA Specific Plan Update and Draft Environmental Impact Report for those matters pertaining to special districts subject to the authority of LAPCo and serving the TPA, namely the Mariposa Public Utility District (MPUD). The Commission commends the County for including the Local Agency Formation Commission in the review process and addressing the provision of services both within and outside the Mariposa Public Utility District. The Commission has the following comments on the documents:

1) The Commission supports MPUD's request to have the words "will, shall and must" as they relate to MPUD be replaced by the word "should" in Chapter 2 of the Specific Plan document. The Commission supports this request because Chapter 2 is the policy section of the Specific Plan and the requested change will allow for flexibility in adopting implementation standards.

2) The Commission recommends that the words "will, shall and must" as they relate to MPUD not be changed in Chapter 3 since this chapter is the regulatory standard section of the Specific Plan and set standards must be in place.
3) Pertaining to Section 3.25(B) of the Specific Plan, the Commission recommends that the Plan allow for a waiver by MPUD to the MPUD sewer connection requirement without further County approval based on adopted MPUD waiver procedures. The Commission further recommends the MPUD waiver procedures be reviewed and approved by the County before the waiver provision is added to the Specific Plan. This recommendation will reduce unnecessary County approvals for a sewer connection waiver when there are adequate waiver provisions adopted by MPUD to protect the public health and safety and comply with County standards while ensuring that such waivers are only granted under appropriate circumstances.

4) The prohibition of new private wells within MPUD as contained in Section 3.41(B) of the Specific Plan is strongly supported by the Commission. MPUD is the designated water provider for the District, and during these times of limited water availability for MPUD, it is important to protect MPUD's groundwater supply from further depletion which may affect service to existing and future development.

5) The Commission strongly supports the County's request to update the MPUD Sphere of Influence. The sphere of influence was adopted in 1980 prior to adoption of the first Specific Plan and is outdated in regards to both State law requirements and the existing circumstances and characteristics of the Town Planning Area and MPUD. The Commission has proposed budgeting funds for FY 1991-92 to undertake an update to the MPUD Sphere of Influence.

6) The Environmental Impact Report (EIR) adequately addresses and discusses the potential environmental impacts associated with an update to the MPUD Sphere of Influence. No revisions or comments are necessary to the EIR except as necessary for Comment #3.

The Commission looks forward to working with the County in an update to the MPUD Sphere of Influence. Tony Lashbrook, the Executive Officer for LAFCo, will be available to discuss our comments with the Board during the public hearing process.

Sincerely,

Barron E. Brouillette
Chairman, Local Agency Formation Commission
August 20, 1991

TO: Tony Lashbrook
FROM: Gwendolyn Foster

RE: Comments on Draft Mariposa Town Planning Area Specific Plan & DEIR

Attached are corrections, comments and recommendations on circulation related items in the Mariposa Town Plan. Also included are responses to Caltrans comments on the DEIR. Items are arranged in their order of appearance.

The most important recommendation is that Antone Road be designed and built as a County Road, while the Mariposa Mine Loop be designated a State Highway route.

Please call me if you have any questions.

attachment
COMMENTS ON DEIR

ITEM: Summary 6--Traffic on State Highway 49 South

COMMENT/RECOMMENDATION:

Traffic increase on Highway 49 South may be significant.

MITIGATION:
A County-wide traffic study will determine impacts on the Highway, and develop funding for improvements. Possible highway improvements in the Fairgrounds area and encouragement of service development in eastern part of County could help reduce these impacts.

JUSTIFICATION:

Recent traffic count on Hwy 49 South at Hwy 140 approached 10,000 vehicles per day. The eastern area of the County will continue to use Mariposa as a service center until other facilities are developed.

ITEM: Summary 6--Traffic on State Highway 49 North

RECOMMENDATION:

Effect of commercial and professional office land uses will have a significant effect on traffic on Highway 49 between Highway 140 and Mariposa Creek.

MITIGATION:
A continuous left turn lane is included in the State Transportation Improvement Program.

JUSTIFICATION:

Since many of the parcels in this area are too small to develop a frontage road across them, and since there are no other alternate county roads for access, the State Highway in this area will serve this purpose. As is the case with most strip commercial development, a continuous left turn lane will help reduce conflicts with highway traffic. Antone Road, when developed, could help carry some of the local through traffic from Highway 140 and 49 South.

ITEM: page 33, level of service on Hwy 49

CORRECTION:

Highway 49 South was measured to have higher traffic volumes
than Highway 140 West. Highway 49 North is expected to have increased traffic volume due to planned land uses. See above.

ITEM: a), page 36, level of service E

COMMENT/RECOMMENDATION:

Level of Service should be established using accepted traffic engineering methods. As traffic counts are done every 3 years by the County & Caltrans, recommend these studies be conducted during same period. Also recommend that removal of all parking only be considered an option if pedestrian traffic can be handled safely.

ITEM: option #2, page 37, traffic volumes Smith Road

RECOMMENDATION:

Left turn lanes shall be constructed when funding becomes available and the projects can be included in the County's capital improvement program or in one of Caltrans' improvement programs.

JUSTIFICATION:

There may be more pressing projects within the County. The criteria used to select these projects should be uniform. Construction of the project should be based upon programming and funding considerations. Caltrans has already indicated that the projects will be necessary soon.

ITEM: a), page 37, traffic study for LOS E

RECOMMENDATION:

Measurement of level of service should be done by Caltrans to determine when action should be taken. Proposed improvements to the state highway should be placed into a State program when Caltrans determines that the highway has reached Level of Service E.

JUSTIFICATION:

Level of Service is based upon a traffic engineering procedure that may look at average highway performance and/or peak month. Completion of improvements depends on programming considerations as well as when certain conditions are reached. The County and/or Caltrans cannot always respond with highway improvements within a year.
RESPONSE TO CALTRANS' COMMENTS ON DEIR

ITEM: page 169—"Antone Road" intersection & 49 S

RESPONSE:

An intersection for the planned road on the other side of the creek should be located away from the existing 49 S intersection. County staff would appreciate further discussion with Caltrans on the best location where a County road intersection could be constructed.

JUSTIFICATION:

Agree that the skewed intersection is not acceptable as shown. This was a conceptual drawing to show how placement of a road in this area might impact existing and planned improvements. An intersection and roadway designed as required by Caltrans would have even more of an adverse effect on Mariposa Creek in this area.

An alternative was considered for Highway 49 traffic bound for the Coakley Circle/Joe Howard Streets area. This would travel up the hill through the County Park.

ITEM: C, page 170—Mariposa Mine Loop/Hwy 49 S

RESPONSE:

This intersection should be properly designed to Caltrans specifications.

JUSTIFICATION:

Details of the intersection at Highway 49 S have not been resolved. One possibility that had been discussed involved installation of a grade separation bridge across Mariposa Creek and Highway 49 to meet Highway 140.

ITEM: page 170, Fig 26 & page 172, h.
Bullion Street "off-ramp" from Hwy 49 South

COMMENT/RESPONSE:

The concept of this improvement would be to allow Highway 49 South traffic to easily travel onto Bullion Street and through to the east side of town without travelling through the downtown. Southbound traffic on Bullion would still be required to turn left at the 3rd Street intersection with
What a corridor analysis is

When a project acts as a generator or attractor of vehicle trips which may result in a significant change in level of service of local roadways, freeways, or arterials, the affected transportation corridor should be analyzed.

In conclusion the California Clean Air Act of 1988 (CCAA) requires air pollution control districts to adopt, implement, and enforce transportation control measures to the degree needed to meet state air pollution standards. Programs are required to reduce emissions from areawide or indirect sources and to reduce the number or length of trips. (Health and Safety Code, Section 40716).

cc: Charles B. Mosher, MD, Health Officer
Air Pollution Control Board
b. Long-term emissions;

c. Local scale analysis;

d. Corridor analysis;

What short-term emissions are

Short-term emissions are generated during the site preparation and construction phase of a project. Short-term emissions include fugitive dust resulting from grading and materials handling, construction workers' vehicular traffic, and the exhaust from heavy-duty gasoline and diesel-powered vehicles.

What long-term emissions are

The long-term emissions associated with a project include both the direct emissions generated by the operation of the project and the indirect emissions induced by the project, the latter caused principally by the use of motor vehicles. This assessment should identify and analyze emission sources, i.e., motor vehicles, project operations, or power usage generated on the project site and by the utilities.

The factors to be considered when determining vehicle usage are:

a. Number of vehicle trips associated with the project;

b. Length of trips;

c. Peak hour traffic count estimates;

d. Percent cold/hot starts;

e. Types of trips and average speeds;

f. Vehicle miles traveled per day;

g. The percent of stops and starts and average queuing times per intersection in estimating vehicle emissions;

What a local scale analysis is

A local scale analysis is an estimate of a project's air quality impact in the vicinity of project. Special emphasis should be placed on identifying locations of sensitive receptors such as hospitals and schools and the actual exposure to pollutants. Concentrations of carbon monoxide and lead are of primary concern.
Highway 49.

The current 3rd Street intersection, as traffic increases, may cause more of a conflict with major turning movements between the highways, similar to the problem caused by multiple driveways at the corner shopping center. For this reason, one alternative may be to move the 3rd Street intersection further or closer to the Highways intersection.

Another alternative, considered in the circulation study of the town, would be to provide a connection to Jones Street from Highway 49 S.

ITEM: 5, page 177--chokers

RECOMMENDATION:

Chokers should not be installed on the State Highways, or on streets where additional traffic flow is desired to reduce traffic on the State Highways.

JUSTIFICATION:

Highway 140 will be wider above 7th Street, which may increase speeds in that area. The installation of chokers would reduce speeds through the downtown, however, this would act against the purpose of the Highway. If a bypass by 49 and 140 were constructed, then chokers might be appropriate, in order to make Charles Street downtown a "local commercial" road.

ITEM: 7, page 177

RECOMMENDATION:

Additional traffic on the side streets could help reduce traffic on the State Highway, therefore, diagonal parking on Bullion Street should not be established. Diagonal or right-angle parking can not be installed or permitted on County Roads, unless exclusively permitted by resolution/or ordinance.

JUSTIFICATION:

There are still locations in the downtown where parking could be located to serve the needs of the many existing small lots. There is a conflict in having Bullion serve as a reliever street for Highway 140, and also installing parking along the road.
August 15, 1991

TO: Tony Lashbrook, Planning Director

FROM: Jon Christenson, Air Pollution Control Officer

SUBJECT: Town Plan - Air Quality Impacts

The Mariposa Town Plan Project will have a significant effect on the environment if it will cause a violation of any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. Also, the project will have a significant effect on air quality if it conflicts with adopted environmental plans and goals of Mariposa County.

The Clean Air Act of 1970 established air quality standards for several pollutants. These standards are divided into primary standards, designed to protect the public health, and secondary standards, intended to protect the public welfare from effects such as visibility reduction, soiling, nuisance and other forms of damage. In addition, the State of California has adopted its own standards. See attached standards.

Development and land use projects include residential developments, shopping centers, and regional car staging areas. These projects may have substantial emissions due to the vehicle traffic associated with them.

EVALUATION OF AIR QUALITY IMPACTS ON MARIPOSA TOWN PLAN

1. Items to be evaluated

The following items should be taken into consideration when evaluating the air quality impacts of a proposed development or land-use project:

a. Short-term emissions;
To:       Tony Lashbrook, Planning Director

From:    Historical Sites and Records Preservation Commission

Subject: Mariposa Specific Plan Update and Draft Environmental Impact Reports

This Commission is responding to your memorandum dated May 3, 1991. Historic aspects and goals in the Specific Plan are adequately stated in sections for incentives for renovation, preservation, alternate uses and even demolition of historic resources. Further, the goals, standards and requirements for design of commercial or planned developments are well prepared toward matching same with the total historic tone of the community.

The Commission recommends that it have representation on the "Design Review Committee" appointed by the Board of Supervisors (see page 109 of the Mariposa Specific Plan). It seems logical since our efforts, experience and concerns relate to the entire County, that such representation should apply to other Specific Plans as well.

In regard to the Draft Environmental Impact Report, it too is well prepared and seems to adequately address our concerns which relate to historical resources. The discussion and provisions of mitigating measures in this area answer our concerns.

Thank you for requesting our review and comments.
July 8, 1991

Charles Fall
Chairman
Mariposa County Planning Commission
P.O. Box 2039
Mariposa, CA 95338

Dear Charlie:

The following comments are in reference to the Mariposa Town Planning Area Specific Plan Draft Environmental Impact Report:

P. 6 A la - totally ignores uniform building code and required soils report for subdivision, Page 7 has a statement that most of the soils are 15% or greater, yet throughout this document 15% and greater are referred to as hillside standards. Hillside standards should be for 25% or greater.

P. 11 - Mitigation Measure b) change shall to should. This language would preclude the existing work being done by Cal Trans.

P. 12 - Mitigation measure "d" is an overkill. The proposal is already to down zone to 20 acre minimum.

P. 17 - Leave well standards out of this document. The county already is addressing county wide well standards.

P. 39 c - Note that "... there is an overwhelming need for additional housing in the TPAr." Yet development standards are being presented which make it impossible to develop much of the TPAr in an environmentally and economically sound manner. Unrealistic road standards must be addressed.

P. 40 - Where is the environmental impact of the construction of 54 feet of road improvements on Smith Road addressed?

P. 42 - By adopting an environmentally sound design, the $600,000 figure can be greatly reduced.

P. 30.3 - Please note language in the last two paragraphs; this needs to be stressed throughout this process.
P. 81 and 82 - It is impossible to preserve the "small town flavor of the community" with the existing road standards and the lack of a Planned Residential Development Standard which allows a great deal of flexibility and creativity.

Appendix B - We should not remove all of these areas from the TPA. We should instead look at creative ways to develop the more moderate slopes, while protecting the steeper slopes.

Sincerely,

Donald J Starchman
TO: THE PLANNING COMMISSION
THE PLANNING DEPARTMENT
THE BOARD OF SUPERVISORS

Re:
THE DRAFT T.P.A. SPECIFIC PLAN
and
ENVIRONMENTAL IMPACT REPORT
1985-1991

from
Michael Czaja

Back in 1985 the Board of Supervisors formed the Mariposa Community Planning Advisory Council to update the 1981 Specific Plan that had never come into being operative.

The Council finished its work in 18 months. Meetings were open to the public and considerable input was obtained in this manner. Issues were openly debated and written proposals voted on only after 3 or 4 drafts. As the study progressed full presentations were made in open discussion, first with Supervisors Leroy Radanovich and Eric Erickson, and a second time to the Chamber of Commerce and the business sector. There were two additional structured meetings with residents and business people from the north Hwy 49 area. The Council acted with unusual diligence in putting their work before all sectors of the community. The final recommendations for the modification of the Specific Plan were published in the Spring of 1987.

The process of moving the Council's Report through review stages and on to adoption has taken four years. The reasons are many. First, the Planning Dept. was understaffed and occupied with the Golden Bell Mining Project. Secondly, the Board prioritized the adoption of Title 17 although the Specific Plan Report was in line ahead of it. The Planning Commission took its time with reviewing the Report, scheduling it only at regular meetings as the work load permitted. The attitude of the Commission was expressed by Kathleen Bagwell at a meeting at which I was present - that there was no hurry in processing the Specific Plan since the 1982 Specific Plan had come into force with the adoption of Title 17, and a year's trial run would show whether it would do the job. The implication was that maybe it didn't need updating.

Putting that incident aside, the Planning Commission was deliberate as it examined and cross-examined every line of the "recommendations" and made constructive input of their own - they did a very thorough job. In following months the Board of Supervisors approved the 1987 Report and instructed the Planning Dept. to produce a new Draft Specific Plan and E.I.R. The new document was published in the Spring of 1991.

After 6 years of hard work by so many honest and dedicated people who were involved in producing this Plan it is most unkind to have Don Starchman and others label the efforts of the Council, the Planning Department, and the Planning Commission as "cavalier. The proposal that final action by the Commission
be delayed three or four months is badly motivated. The request for spot rezoning of lands to accommodate projects in the embryonic stage of design and to grandfather these projects violates the integrity of the planning process. It is shameful. The events that occurred in the Commission meeting on June 21, 1991, can be viewed only as efforts to thwart reasonable, sound planning in this community. The Commission should dismiss these overtures, outright and with prejudice.

EVALUATION OF THE SPECIFIC PLAN

What should the Community expect of the new Specific Plan? Does it improve on the old one? Are goals and policies for a better quality of life clearly stated, and are they workable and realistic? Is the proposed land use structure designed to protect human values as well as providing for future growth? Is it fair to all segments of the community, or is it biased in favor of one sector or another? Does it provide for participation by its citizens and allow for a responsible leadership by elected officials at the same time? Does it have a vision for the future of the community? How does the Plan measure up against probing questions of this kind?

THE CONCEPTS, GOALS, OBJECTIVES AND POLICIES OF THE SPECIFIC PLAN ARE CLEARLY SET OUT IN SECTION II ON PAGES 50 TO 82. THESE PAGES ARE THE KEY TO UNDERSTANDING THE WHOLE DOCUMENT.

This Specific Plan is systematically concerned with being responsive to the goals and objectives of the County's General Plan as required by State law. The specific elements of the Plan deals with start with Land Use, Open Space and Conservation Elements, and go on through Circulation, Housing, Noise, Safety, Seismic Safety, Recreation, Historic Preservation, etc. In the body of the pages that follow the listed elements, and more, are discussed in detail with performance standards set up for their implementation. The Draft E.I.R. that is partner to the Plan is a critical examination of the Draft Specific Plan with mitigation measures planned to reduce impacts to insignificant levels. This volume is exceptionally well done. In these two volumes the Planning Dept. has done an exemplary job of creating a mechanism to deal with the growth and management of the community on a long term basis.

I therefore recommend with strongest conviction that the Planning Commission support the Draft Specific Plan and E.I.R. by encouraging its adoption by the Board of Supervisors.
I would like to add a caution that the Commission not be sidetracked from taking this action by nitty-gritty concerns such as the numbers of animals that may be kept on small lots, etc., nor by self-serving requests to change land uses to accommodate anticipated projects. The normal planning process includes opportunities for accomplishing variances, for rezoning, for Planned Unit Development projects and dealing with non-typical problems. This new 1991 Specific Plan will be seen in years to come as a milestone in the development of planning awareness in this community.

CRITICAL COMMENTS

The following comments may be useful in reconsidering specific items for modification:

BUILDING HEIGHT, 2 stories or 35'

A 35' height could accommodate a 4-story structure on a 15% slope with a 4/12 roof pitch. Recommend checking such regulations by drawing them to scale.

PLANNED DEVELOPMENT

Paragraph b,3 and b,4 should be illustrated with examples such as: a small park, club house, swimming pool, pond, vegetable garden, golf course, etc. The Mariposa Vista Estates project does not comply with the requirements, and yet was accepted as doing so by the Planning Dept.

SLOPE DENSITY

The chart on the following page suggests development on slopes up to 60% and beyond. If there is to be a bona-fide Preservation District, building on slopes above 20% (or 30%) should not be allowed at all.

PUBLIC IMPROVEMENT PROGRAM

How does the (a) Redevelopment Program sponsored by Jim Evans mesh in with the extensive P.I.P. outlined in these pages? These seem to be two similar but separate programs that need coordinating.

Neither P.I.P. nor R.P. recognize that the improvement and extension of Jessie Street southwardly, to connect the two public parking lots below 5th and 6th Streets, and connecting to Hwy 140, would solve circulation and parking
problems as well as creating considerable commercial acreage for development in the most central location of our commercial district. Circulation via Jessie St., Coakley Circle & Joe Howard St. to 49N should be part of this study.

LAND USE MAP

The Professional Office-Commercial zoning along Hwy 49 extends the Commercial District from Hwys 140/49 south to the USFS property - more than a mile in length. This will result in a decentralization of the downtown commercial district, decrease the drawing power of "old downtown," increase traffic on Hwy 49 north, and replicate Oakhurst in Mariposa. If I have heard this once, I have heard it a thousand times - "Keep Mariposa beautiful; we don't want another Oakhurst." Facing commercial development on Hwy 49 north and on Miller Road (south end) will do exactly that - replicate Oakhurst.

The solution at Hwy 49 N is to develop two interior roads, one on each side of and parallel to Hwy 49 and face development on these. This will eliminate multiple driveways and parking lot entrances from the Highway while doubling commercial frontage.

The new Specific Plan has not included this concept although it was thoroughly discussed by the Planning Council. There is a great need for the Planning Dept. to do prototype land planning (layout) in anticipation of developers' proposals. Private developers cannot assume this kind of design responsibility.

The Miller Road or "Little Hollywood" area is not suitable for commercial land uses because of bad access and circulation, steep terrain for parking and for structures. It is not the best environment for residential use but it is worse for commercial uses.

GOVERNMENT CENTER

Section 4.1 outlines the background of the current piecemeal approach to dealing with County space needs. Section 4.1 does recognize that the Courthouse has been the center of government activity since 1855 and should be the core of future development. However, what follows does not offer a VISION of a County Seat of the Future. There is no POLICY, no MASTER PLAN, and no Departmental organization to deal with research, design and construction of buildings, and open spaces. A concept for a Civic Center should include cultural facilities as well as government and legal administrative facilities. County administrators should recognize that "space needs" are infrastructure that needs to be dealt with in an organized, professional manner as are water
supply, sewarage systems, and roads. "Space Needs" needs a Department or at least a separate full time administrator.

The objection to this proposal, that of cost, does not stand up. Currently with every response to space needs crises consultants are hired to make special studies such as: Jail @ $30K, Industrial Zoning @ $30K, Circulation and Roads @ $20K, Transit Study, Yosemite @ ( ), History Center Parking Lot @ ( ), Parks & Recreation Open Space @ ( ). These monies would be better spent to retain a competent architectural and planning engineering firm in Fresno (ongoing basis) to solve Space Needs problems. The alternative would be to add a civil engineer to the Public Works staff and an experienced senior architect to the Planning Department staff.

These two alternatives should be studied thoroughly before a choice is made since each has different advantages.

IN CLOSING

The Specific Plan and E.I.R. can be a most constructive instrument in guiding the future development of our community toward a healthy, safe, and prosperous environment for good living. The Community Planning Council, the Planning Commission, and the Planning Department deserve our hearty congratulations. Thank you for this opportunity.

Sincerely,

Michael Czaja
Mariposa, CA
Mr. Tony Lashbrook  
Planning Director  
Mariposa County Planning Department  
P.O. Box 2039  
Mariposa, CA 95338

Re: Draft EIR for Mariposa TPA Specific Plan

Dear Mr. Lashbrook,

We had reviewed the Draft EIR of the Mariposa TPA Specific Plan and have comments to offer on several issues that we would like incorporated into the document, specifically as follows:

Water - Hydrology and Drainage

The mitigation measure indicated to prohibit new private wells within the MPUD district constitutes a virtual building moratorium in the Townsite.

The finding is not conclusive to justify this mitigation measure. We understand a typical water table does not exist and no hydrological studies have been conducted to determine the amount of available underground water within the Townsite.

The MPUD has a moratorium on new water hook-ups and does not plan any significant modifications to this plan until the Saxon Creek Water Project is on line. The goals and objectives of the Specific Plan cannot therefore be implemented.

There is no evidence that new wells drilled by the private sector will diminish the quality and quantity of wells drilled by the MPUD. To allow the drilling of new wells by the MPUD district while at the same time prohibiting the drilling of new wells by the private sector is an infringement upon property rights.

Earth - Geology and Soils

The land use plan relative to the location of "light Industrial" and "general commercial" uses within and adjacent to the Mariposa Creek Flood Plain is inconsistent with the mitigation measures as outlined in the section.
A Light Industrial and General Commercial zone is appropriate within the Town Planning Area but cannot logically be located in the indicated area. Only a very few acres of the large parcel designated Commercial, formerly the site of the "sand and gravel" plant on Highway 49 South is usable. The remainder is in the creek and the flood plain. To be developed as General Commercial would require major modifications to Mariposa Creek.

The opening up of an Industrial Research designation, although exciting in terms of diversification of the economy and certainly justified, cannot reasonably be located in the Mariposa Creek bed and floodplain West of Highway 49 North. This area is identified on the FEMA Flood Plain Map and a recent private Flood Plain Study confirms this location as flood plain. Buildings here would cause unacceptable alterations of the drainage patterns and water courses of the Creek and could not meet the requirements of the grading plan ordinances.

Seeing there is only so much land available within the Mariposa Townsite, we are suggesting the Mariposa Townsite be expanded in order to provide for Industrial Research to be located in a more appropriate area in terms of topography, impact on commuter traffic and utilities. The expansion of the TPA to include more land in the Fairgrounds/Ben Hur area may be appropriate.

Traffic Impact - Smith Road Impact Fee Program

Smith Road impact fee: Agree with the idea of a special assessment district and developer impact fee on new construction as way to accumulate the necessary funds for street improvements however; question the validity of the assumptions and methodology used to gather, compile and evaluate the statistics. We suggest a more professional study be conducted to determine the development potential based on the adopted plan using assumptions and generally accepted methods used in the field of traffic engineering and that a verifiable "Cost of Road Improvements" be incorporated into the study, prior to this plan being adopted by the County Board of Supervisors.

Thank you for the opportunity to provide input to the Draft Impact Report.

Sincerely,

COLDWELL BANKER MOTHER LODE PROPERTIES INC.,

Roberta M. Stamien
SECTION V

LEAD AGENCY RESPONSES TO COMMENTS ON THE
MARIPOSA TPA SPECIFIC PLAN UPDATE
DRAFT ENVIRONMENTAL IMPACT REPORT

Response to Comment Document #1

The California Department of Food and Agriculture states the Specific Plan will not result in the conversion of agricultural land to non-agricultural uses. This is discussed in the Draft EIR and no response is necessary.

Response to Comment Document #2

The California Department of Fish and Game (DFG) states the mitigation measures contained in the Draft EIR are insufficient to mitigate potentially significant impacts on wildlife resources and consequently the Specific Plan as proposed and subsequent development will have a significant impact on wildlife resources. To mitigate potential impacts to a non-significant level, the Department of Fish and Game recommends additional mitigation measures: (1) establishing a 200+ feet riparian corridor along Mariposa Creek which prohibits future development; (2) prohibiting the removal of native riparian vegetation; and (3) requiring any diversion or obstruction of Mariposa Creek to comply with the Fish and Game Code.

Section 4.D(1) of the Draft EIR concur with DFG's statement that the Specific Plan and subsequent development will adversely impact wildlife resources, especially the riparian habitat along Mariposa Creek. The Draft EIR states Mariposa Creek riparian habitat may be impacted by the conversion of riparian habitat to urban uses and the intensification of compatibility conflicts with adjacent urban uses which are not conducive to the preservation of habitat or utilization by wildlife. The Specific Plan proposes development standards, including the mitigation measures contained in Section 4.D(1), to protect the riparian habitat from conversion to urban uses and incompatible adjacent uses. The Draft EIR contains a mitigation measure which establishes a building and fill setback from Mariposa Creek to address potential flood impacts. No buildings or fill placements can be located within 50 feet from the centerline of Mariposa Creek or the 100-year floodplain which extends in some areas to 80 feet from the centerline of the creek. Grading is not specifically prohibited within the setback, but grading on commercial, industrial, and multi-family residential parcels which extend along most of the creek cannot occur except in conjunction with an approved project. The development project must be consistent with the Specific Plan's design review standards which establish Mariposa Creek as an open space area for flood control, recreation, pedestrian circulation, and community enhancement purposes and requires individual development to observe
and enhance the open space area. In addition, drainage easements are required along Mariposa Creek for any residential subdivision fronting the creek. Thus, the Specific Plan will substantially restrict development along Mariposa Creek that may remove riparian vegetation or be incompatible with the riparian habitat.

In order to adequately mitigate the potential impacts on the riparian habitat and wildlife along the creek, DFG states additional mitigation measures are necessary. These mitigation measures include a 100' buffer from the edge of the riparian habitat which prohibits all development and a prohibition against the removal of native vegetation. These mitigation measures are unreasonable and excessive for mitigation of the potential impacts to a non-significant level. This statement is supported by the following:

1) Riparian vegetation along Mariposa Creek does not extend beyond the 100-year floodplain and the 50' setback. The prohibition of building and fill placements within the floodplain and the community design review standards will ensure that development permitted by the Specific Plan will not convert significant amounts of riparian habitat to urban uses or be incompatible with adjacent riparian habitat. An additional 100' buffer will not protect riparian habitat along Mariposa Creek to a reasonably or substantially greater extent than the proposed Specific Plan standards.

2) Although the Specific Plan does not specifically prohibit the removal of native riparian vegetation, the standards previously mentioned will protect riparian vegetation from removal by permitted commercial, industrial, and multi-family residential development. Riparian vegetation may be removed for single family residential development, but this amount will not be substantial in comparison to the total amount of vegetation. In addition, the total prohibition of native riparian vegetation may result in overgrowth which may hinder use by wildlife. The prohibition of the removal of native riparian vegetation will not reasonably protect substantial amounts of native riparian vegetation from removal which are not already protected by the proposed Specific Plan standards.

3) A secondary benefit of the Mariposa Creek floodplain setback is the creation of an open space corridor. The Board of Supervisors has designated Mariposa Creek from the Fairgrounds to Highway 49 North as a future creekside park. This creekside park project is included as a public improvement project in Section 4 of the Specific Plan and will enhance the creek as a wildlife resource by retaining native vegetation; removing intrusive non-native species; revegetating the stream channel with native species; and restoring and protecting bird and wildlife habitats along the creek. Although the project proposes pedestrian and bike paths, bridges, and rest areas, a Negative Declaration was
adopted for the project stating the Mariposa Creek Project will not have a significant impact on wildlife resources or the riparian habitat along Mariposa Creek.

The mitigation measures contained in the Draft EIR will adequately mitigate potential impacts to wildlife resources along Mariposa Creek, including riparian vegetation, to a non-significant level. Nonetheless, DFG correctly states any diversion or obstruction of the natural flow or alteration of the creek channel is subject to Sections 1601 to 1603 of the California Fish and Game Code. In that minor grading within the Mariposa Creek floodplain is still permitted under the Specific Plan, the statutory requirements of Sections 1601 to 1603 of the Fish and Game Code have been incorporated into Mitigation Measure No. A.3(b) to require a Streambed Alteration Permit or waiver from DFG for grading within the Mariposa Creek setback area. This will ensure that the Department of Fish and Game has review authority over creek obstructions or alterations which may impact wildlife resources along Mariposa Creek.

The amended mitigation measure is stated in Section VI(B.3) of the Final EIR.

Response to Comment Document #3

The California Department of Transportation's comments are on the public improvement programs indicated in Section 4 of the Specific Plan document. The programs commented on by CalTrans are not mitigation measures but rather potential circulation and parking improvements identified in the Specific Plan. These potential improvements are identified as alternatives and options which should be further studied by the County to address future circulation issues in Mariposa. The Board of Supervisors has not approved, adopted, or funded these programs, and an environmental document will be required for these programs in accordance with the California Environmental Quality Act prior to their approval, funding, and implementation.

No response is necessary to these comments for the following reasons:

1) The identified programs are potential circulation and parking improvements to be studied by and acted upon by the County at a later date.

2) In that priorities and timetables have not been established for the alternative circulation and parking improvements, potential impacts which may result from such improvements are too speculative for evaluation at this time.

3) The approval, funding, and construction, of the improvement programs will be subject to the requirements of the California Environmental Quality Act. Environmental documentation will be prepared for all improvement programs prior to implementation.
4) The improvement programs identified by CalTrans are not mitigation measures listed in the Draft EIR.

Response to Comment Document #4

The Mariposa Public Utility District (MPUD) has provided up-to-date and accurate information concerning MPUD and comments on specific portions of the Specific Plan with a reference for necessary corresponding changes in the Draft EIR. The response to this information and comments is as follows:

Comment #4A--The information on MPUD included in the Community Profile of the Specific Plan and incorporated by reference into the Draft EIR will be amended to reflect the up-to-date and accurate information provided by MPUD. In addition, the information on MPUD has been updated to reflect circumstances which have changed since MPUD's comments. The necessary amendments and additions have been made to the Community Profile. Since the Community Profile is a referenced and incorporated document, no revisions are necessary to the EIR.

Comment #4B--MPUD's comments on the Specific Plan do not affect mitigation measures contained in the Draft EIR except for Section 3.35(D)(3) which requires installation of fire hydrants for residential development. MPUD has commented that development located within MPUD should install fire hydrants in accordance with MPUD standards which may be different than the proposed standard. The MPUD is the fire protection agency for property within MPUD and their standards will ensure adequate sizing and spacing of fire hydrants. Based on their comments, Mitigation Measure No. H.1(c)(c) has been amended to state that fire hydrants for residential development within MPUD will be installed in accordance with MPUD standards. The amended mitigation measure is stated in Section VI(B.7) of the Final EIR. No other revisions to the Draft EIR are necessary to respond to MPUD's comments.

Response to Comment Document #5

The Mariposa Local Agency Formation Commission concurs with the mitigation measure prohibiting new private wells within MPUD and states as a responsible agency that the Environmental Impact Report adequately addresses and mitigates potential impacts associated with the proposed update to the MPUD sphere of influence. No response is necessary.

Response to Comment Document #6

The Mariposa County Department of Public Works has commented on specific sections of the Draft EIR and has also provided a response to CalTrans' comments on the Draft EIR (Comment Document #3). The
responses to the Department of Public Work's comments are as follows:

Comment #6A--The Public Works Department concurs with the Draft EIR conclusion that traffic increase on Highway 49 South may be significant. The traffic study indicated in Mitigation Measure No. G.1(b) may be incorporated in the County-wide traffic study recommended by the Public Works Department. As the mitigation measure does not prohibit the traffic study for the Ben Hur Road and Fairgrounds Road intersections being done in conjunction with a County-wide study, no revision to the mitigation measure is necessary.

Comment #6B--The Highway 49 North continuous left-turn lane improvement program as contained in the State Transportation Improvement Program is new information not available at the time of the Draft EIR preparation. This new information and amendments to the Highway 49 North mitigation measures have been incorporated into the EIR. The amendments are contained in Section VI(B.5) of the Final EIR.

Comment #6C--The comment states that traffic levels on Highway 49 South are greater than Highway 140 West. The last sentence of Paragraph #2 of the discussion on traffic impacts has been revised to clarify that traffic levels on Highway 49 South are less than Highway 140 between Highway 49 South and North. The amended sentence is stated in Section VI(A.1) of the Final EIR.

Comment #6D--Since the level of service for a segment of highway is determined by CalTrans, the level of service for segments of the highway will be determined by using traffic engineering methods accepted by CalTrans. The Public Works Department requests that the studies be conducted every three (3) years instead of two (2) years because traffic level determinations are conducted at three year intervals by CalTrans and the County Public Works Department. Since the mitigation measure is based on level of service determinations, Mitigation Measure No. G.1(a) has been amended to state the traffic studies will be conducted once every three (3) years. The mitigation measure requiring the reduction and removal of parking along Highway 140 in the downtown area was developed in conjunction with Mitigation Measure G.4(b) which requires improving public parking in the downtown area and promoting safe, visible, and convenient access for pedestrians. Mitigation Measure No. G.4(b) will be implemented prior to or concurrently with the reduction or removal of parking along Highway 140. No amendments to the Draft EIR are necessary for this response.

Comment #6E--This comment supports adopting Option #1 of Mitigation Measure No. G.2(c) rather than Option #2. The Public Works Department's comments have been noted and will be taken into account in the adoption of the appropriate mitigation measure. No amendments to the Draft EIR are necessary for this response.
Comment #6F—The level of service will be determined by CalTrans or by the County utilizing traffic engineering methods accepted by CalTrans. The urgency of improving traffic flow along the main traffic corridor of Mariposa necessitates the need for the quick responses indicated in Mitigation Measure No. 6.1(a). Requesting the placement of the left-turn channelization improvements into the State Transportation Improvement Program only when the Level of Service reaches an E level will result in the improvements being constructed several years after traffic flow has reached unacceptable conditions. This will result in significant traffic impacts on Highway 140 not being mitigated for an extended and unacceptable period of time. The mitigation measure will require the County and/or CalTrans to adopt improvement plans and funding mechanisms before the level of service on Highway 140 reaches an E level. This will allow the County and/or CalTrans to construct highway improvements within a reasonable period of time after traffic flow becomes unacceptable. No amendments have been made to the Draft EIR in response to this comment.

Comments #6G—The Public Works Department has provided a response to CalTrans' comments on potential circulation and parking improvement programs identified in the Specific Plan. The EIR response to CalTrans' comments is found in the "Response to Comment #3".

Response to Comment Document #7

General information on potential air quality impacts in the County and methods to identify these impacts is provided by the Mariposa County Air Pollution Control Officer. It is stated the Specific Plan may have a significant effect on air quality if the Specific Plan and subsequent development will cause or contribute to a violation of ambient air quality standards. However, the Air Pollution Control Officer does not state or provide information that the Specific Plan and subsequent development may impact air quality beyond that discussed in the Draft EIR. Lacking this determination, no amendments are necessary to the Draft EIR relating to air quality.

The Board of Supervisors will be considering the air pollution standards and control measures discussed in the last paragraph of the comments in the near future to address air quality in the County.

Response to Comment Document #8

The Mariposa County Historical Sites and Records Preservation Commission, an advisory body to the Board of Supervisors, has stated the Draft EIR adequately addresses potential impacts relating to historical resources. No response is necessary.
Response to Comment Document #9

The following responses address specific comments raised by Donald J. Starchman:

Comment #9A--The Uniform Building Code and soils report for subdivisions address building pad and foundation construction to ensure structural integrity and safety and do not address potential soil impacts (e.g. soil erosion) unrelated to structural integrity which may be caused by soil compaction and altered water absorption rates and drainage patterns. In addition, the Soils Report is only required on future parcels which may be created by subdivisions for five (5) or more parcels. The mitigation measures are supplementary to the County Grading Ordinance to provide more intensive review and standards for grading on moderate to steep slopes. The Board of Supervisors has modified the mitigation measures so they are implemented on slopes greater than 20% rather than 15%. The amended mitigation measures are discussed and stated in Section VI(B.2, B.3) of the Final EIR.

Comment #9B--The mitigation measure has been incorporated into the Specific Plan as a development standard which will be applicable to private development projects and County public improvement projects. CalTrans is exempted from County standards as it is a State agency. In addition, the construction work on Highway 140 has been completed.

Comment #9C--The mitigation measure addresses visual impacts which may result from development on the hillsides and ridges. The preservation of the hillsides and ridges in a natural appearing state has been identified as a key objective in achieving the goals of the Specific Plan. Although the minimum parcel size is 20 acres on the hillsides, development may occur on the hillsides and ridges on existing and future parcels. Since the hillsides and ridge are highly visible from the town of Mariposa and the State highways, the Draft EIR concluded that any development on the hillsides and ridges may significantly impact the aesthetic and natural quality of the hillsides and ridges. Hence, screening is required by the mitigation measure to reduce visual impacts created by development on the hillsides and ridges to a non-significant level. No amendments to the Draft EIR are necessary to address this comment.

Comment #9D--The Board of Supervisors has not adopted County-wide well standards. The comment does not state the mitigation measure is not necessary but rather how it should be implemented. The comment has been noted and considered in determining how the mitigation measure will be implemented through the Mitigation Monitoring and Reporting Program.
Comment #9E--The comment is a general statement that the mitigation measures contained in the Draft EIR will make it impossible to develop property in the Town Planning Area in an environmentally and economically sound manner. The comment is policy-oriented and cannot be adequately addressed in the response to comments. The Draft EIR is an informational document which analyzes potentially significant environmental impacts, including impacts on housing, that may result from the Specific Plan and includes necessary mitigation measures and alternatives which will allow development in the Town Planning Area to occur in an environmentally sound manner. The Draft EIR concludes the Specific Plan will not significantly impact housing in the Town Planning Area. The Specific Plan is the policy and regulatory document which takes into account and balances economic, housing, environmental, and other issues. The "balancing" of these competing interests and issues and the feasibility of mitigation measures will be determined by the Board of Supervisors through the adoption of the Specific Plan. In addition, the comment refers to a section which provides an option for a "Statement of Overriding Considerations" for the Smith Road improvements. A "Statement of Overriding Considerations" finding is acted upon at the Specific Plan approval stage and not at the EIR certification stage. The comment has been noted and considered.

Comment #9F--The mitigation measure for Smith Road requires minimum travel lane, shoulder, and pedestrian path improvements. General impacts which may result from the widening of Smith Road (e.g. increased traffic and development in the area) have been considered in the Specific Plan and Draft EIR. The Board of Supervisors has reduced the necessary improvements for Smith Road and approved a general cross-section of the improvements. However, specific engineered improvement designs and cross-sections for the improvements have not been developed and the mitigation measure has been incorporated into the Specific Plan as a public improvement program. Lacking a specific engineered improvement design, specific impacts which may result from the widening of Smith Road cannot be determined in the Draft EIR. However, prior to the establishment of the development impact fee program or approval and construction of the improvements, the specific improvement designs for the Smith Road widening will be established and the project will be reviewed in accordance with the requirements of the California Environmental Quality Act to address potential environmental impacts. Environmental documentation will be prepared for the project prior to its implementation.

Comment #9G--The comment has been noted and considered.

Comment #9H--The comment is a general statement in the alternatives section on the inconsistency between implementing existing County Road Improvement and Circulation Policy standards and preserving the small-town characteristics of Mariposa; the comment does not address specific environmental
impacts. The Specific Plan does contain a planned unit development overlay district which permits flexible development and improvement standards for residential development, and the County Road Improvement and Circulation Policy allows for alternative road standards for residential developments. In addition, the Board of Supervisors has established policy in the Specific Plan to encourage reduced road standards for residential developments to enhance community character. This comment has been noted and considered, and no amendments to the alternatives section of the Draft EIR are necessary for this comment.

Comment #91--Appendix B is a listing of those properties for which the town planning area boundary line must be adjusted to follow legally definable lines as required by State law. The properties have not been removed from the Town Planning Area because of the steepness of their slopes. No amendments to the Draft EIR are necessary for this comment.

Response to Comment Document #10

The comments from Michael Czaja address the Specific Plan only and do not address mitigation measures contained in the Draft EIR except for the moderate to steep slope development standard. The comment states no buildings should be constructed on slopes greater than 20%. The Draft EIR concluded that development could occur on moderate to steep slopes without significant environmental impacts provided there are special grading and development standards and reduced densities on the slopes. The Draft EIR contains mitigation measures to require these special standards and reduced densities. No amendments to the Draft EIR is necessary for this comment.

Response to Comment Document #11

The following responses address specific comments raised by Roberta M. Standen:

Comment #11A--The prohibition of new private wells will not constitute a "virtual" building moratorium. New development is permitted provided the development obtains water from MPUD or develops a individual water source which is controlled by MPUD. The comment states "there is no evidence that new wells drilled by the private sector will diminish the quality and quantity of wells drilled by MPUD". However, the Draft EIR concludes that the factors of an unknown finite amount of subsurface water and the limited water supply of MPUD indicate that the new private wells within MPUD have the potential to impact MPUD wells and this impact may be significant to existing MPUD water users and the ability of MPUD to provide water service. Any impact which has the potential to be significant must be feasibly mitigated to a non-significant level in accordance with the California Environmental Quality Act. The Draft EIR concluded the
prohibition of new private wells will substantially protect the MPUD water supply in that new water sources will be developed in accordance with the standards of MPUD.

Comment #11B--The land use plan is not inconsistent with the specified mitigation measures of the Draft EIR. The land use plan indicates the permitted and conditional uses of a particular parcel but any such uses must comply with development standards which are applicable to the uses. The mitigation measures have been incorporated into the Specific Plan as development standards, and all development must comply with these standards. Thus, the land use plan and development standards work in conjunction to designate permitted development on a parcel. The remainder of the comment is policy-oriented, and no response is necessary.

Comment #11C--The information provided on the Smith Road development impact fee program is contained in the Specific Plan. Any development impact fee program established to implement the Smith Road mitigation measures will have to comply with the requirements of State law before the fees can be imposed on development in the Smith Road area.
SECTION VI

AMENDMENTS TO MARIPOSA TPA SPECIFIC PLAN UPDATE
DRAFT ENVIRONMENTAL IMPACT REPORT

A. Discussion

1) This amendment is made pursuant to a response to a comment by the Mariposa County Public Works Department. The last sentence of the second paragraph of the discussion section on Page 33 is amended as follows:

". . . but these highways have substantially less traffic than Highway 140 between Highway 49 South and Highway 49 North with better traffic flow, . . . ."

B. Mitigation Measures

1) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measure No. A.1(a) on Page 6 is amended to state the mitigation measure applies to grading "... on slopes 20% or greater".

2) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measure No. A.1(d) on Page 6 is amended to state the mitigation measure applies to "... parcels which have an average slope of 20% or greater".

3) This amendment is made pursuant to a response to a comment by the California Department of Fish and Game. The following sentence is added to the end of Mitigation Measure No. A.3(b) on Page 9:

"A Streambed Alteration Permit or waiver to such permit shall be received by the California Department of Fish and Game in accordance with Sections 1601 to 1603 of the California Fish and Game Code for all grading within the setback and floodplain area."

4) This amendment is made pursuant to a response to a comment by the Public Works Department. The first sentence of Mitigation Measure No. G.1(a) on Page 36 is amended to state the traffic study "... shall be conducted every three years . . . ."

5) These amendments are made pursuant to new information on the CalTrans' improvement program for construction of a continuous left-turn lane on Highway 49 North between Highway 140 and Mariposa Creek. The last sentences of Options #1 and #2 of Mitigation Measure No. G.1(c) on Pages 36-37 are amended to state "Such improvements shall be funded by State transportation improvement funds and/or . . . ." Mitigation Measure No. G.1(d) on Page 37 is amended to state that the
mitigation measure is "OPTION #2 . . ." and the following mitigation measure is added as Option #1:

"OPTION #1--Left turn channelization and associated encroachment improvements on Highway 49 North shall be constructed for the Highway 49 North/Joe Howard Street intersection within five (5) years. Such improvements shall be funded by State transportation improvement funds."

6) This amendment is made pursuant to a determination from the Board of Supervisors. Mitigation Measures No. G.2(c) and G.3(c) on Pages 40 and 44 respectively are amended to state "Smith Road shall be improved with a minimum of two 12' travel lanes, two 3' shoulders, curb, gutter, and at least one sidewalk/path when . . . ."

7) This amendment is made pursuant to a response to a comment by the Mariposa Public Utility District. Replace Mitigation Measure No. H.1(C)(C) on Page 55 is replaced with the following:

"All new residential subdivisions within MPUD shall install fire hydrants in accordance with MPUD standards."

C. Mitigation Monitoring

1) The mitigation monitoring information for Mitigation Measure No. A.1(d) on Page 7 is amended to state the mitigation measure applies to " . . . parcels which have an average slope of 20% or greater".

2) The first and last sentences of Paragraph #2 of the mitigation monitoring information for Mitigation Measure No. G.1(c) on Page 38 is amended to state " . . . the State and/or County will construct . . . ."

3) The mitigation monitoring information for Mitigation Measure No. G.1(d) on Page 38 is amended to state this information is "OPTION #2-- . . ." and the following monitoring information is added as Option #1 for the mitigation measure:

"OPTION #1--The left-turn lane improvement project along Highway 49 North has been incorporated into the State Transportation Improvement Program and partial funding of the project has been obtained. If full funding is not obtained for the project, the Board of Supervisors shall notify CalTrans that left-turn channelization/encroachment improvements on Joe Howard Street are a high priority for completion under the available funding."

4) Mitigation Measure No. I.1(a) was inadvertently omitted from the Specific Plan as a development standard, and the mitigation monitoring information for the mitigation measure is incorrect.
To correct the omission, an amendment to the Specific Plan will be initiated to place the mitigation measure into the Specific Plan as a development standard. Therefore, the mitigation monitoring information on Mitigation Measure No. I.1(a) on Pages 68-69 is replaced with the following:

"An amendment to the Specific Plan and Zoning Ordinance will be initiated upon adoption of the Specific Plan to include the mitigation measure in the Plan. Upon approval of the amendment, the measure will be incorporated into the Specific Plan as a development standard applicable to the identified historic structures and will be implemented by the Zoning Ordinance through the Planning Approval process. A Design Review or Demolition Permit application will be required for the proposed modifications or demolition. The appropriate building permits or demolition permit will not be issued unless the applications are approved and the permits comply with said approval. Non-compliance will be a violation of the Zoning Ordinance."

D. Findings

1) The finding for Section G.1 on Pages 38-39 is replaced with the following:

"OPTION #1--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures except for the impacts on the Smith Road and Joe Howard Street intersections. Option #2 of Mitigation Measure G.1(c) for Smith Road is not feasible mitigation because of the high costs for construction of the improvements. Although the improvements to the Smith Road intersections will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at these intersections prior to 1996 if development is allowed in the Smith Road area. This substantial traffic may have a significant impact on traffic flow on the highways and create significant traffic hazards before the impacts are mitigated by left-turn channelization improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersections of Highway 49 North/Smith Road and Highway 140/Smith Road based on the following:

a) The high construction costs for the improvements (approximately $350,000) render it impractical to construct the improvements prior to 1996, and those economic considerations make the mitigation measure infeasible."
b) The benefits of residential growth in the Smith Road area and meeting the Housing Element goals and need projections outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits is not an alternative since this area is designated as one of the primary residential areas of the TPA and there is an overwhelming need for additional housing in the TPA and County, especially special housing types.

d) The five year time period will allow for sufficient collection of development impact fees and development of supplementary funding for the improvements including State transportation improvement funds.

Option #2 of Mitigation Measure No. G.1(d) for Joe Howard Street is not feasible mitigation because of the high costs for construction and limited time-frames for completing the improvements. Although the improvements to the Joe Howard Street intersection will be constructed by 1996 under Option #1 of the mitigation measure, substantial traffic volume increases may occur at the intersections prior to 1996 if development is allowed along Joe Howard Street and additional thru-traffic utilizes Joe Howard Street. This substantial traffic may have a significant impact on traffic flow on Highway 49 North and create significant traffic hazards before the impacts are mitigated by left-turn channelization and encroachment improvements. Other feasible mitigation is not available. A finding of Overriding Considerations is adopted for the impacts on the intersection of Highway 49 North/Joe Howard Street based on the following:

a) The high construction costs for the improvements (over $100,000) and the limited time-frames to fund and construct the improvements render it impractical to construct the improvements prior to 1996, and those economic considerations and time constraints make the mitigation measure infeasible.

b) The benefits of commercial and residential growth in this area and Joe Howard Street being used as an alternate route to the State highways outweigh the short-term, unavoidable significant impacts on the intersections and Smith Road.

c) A moratorium on the issuance of building permits in the area is not an alternative since this will result in undesired growth patterns in the TPA and will not reduce traffic levels on Joe Howard Street.

d) The five year time period will allow for sufficient collection of development impact fees and development of
supplementary funding for the improvements including State transportation improvement funds.

OPTION #2--The potential impacts on State Highways 49 and 140 are significant, but the impacts will be substantially lessened to a non-significant level through implementation of the above described mitigation measures including Option #2 of Mitigation Measure G.1(c) and Option #2 of Mitigation Measure No. G.1(d). The mitigation measures require traffic flow to be monitored along all key segments and intersections of the State Highways and left-turn channelization and other encroachment improvements to be constructed to maintain the highway levels of service at an acceptable and safe level (i.e. D level)."