RESOLUTION - ACTION REQUESTED 2012-593

MEETING: December 4, 2012

TO: The Board of Supervisors

FROM: Sarah Williams, Planning Director

RE: General Plan Amendment No. 2008-063

RECOMMENDATION AND JUSTIFICATION: Public hearing to Consider Adoption of a Resolution with Findings, Certifying the Final Supplemental Environmental Impact Report (FSEIR), Approving the Mitigation Monitoring and Reporting Program (MMRP) and Approving the Catheys Valley Community Plan (June 2012 version), General Plan Amendment No. 2008-063.

BACKGROUND AND HISTORY OF BOARD ACTIONS: On June 19, 2012, the Board of Supervisors directed staff to prepare final documents for action to approve the Catheys Valley Community Plan. On July 10, 2012, following the failure of a motion to approve the plan as submitted, further edits to the plan were directed by the Board of Supervisors.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
- Do not adopt resolution certifying FSEIR, approving MMRP and approving Catheys Valley Community Plan. General Plan policies for area planning for Catheys Valley would not be implemented by a Community Plan.
- Continue public hearing and direct staff to amend provisions in Community Plan. Environmental determination and General Plan consistency findings may be impacted by this alternative, depending upon the amendment(s).

FINANCIAL IMPACT:
None

ATTACHMENTS:
121121 Memo to BOS (PDF)
121105 Memo to BOS with December 2012 CVCP (PDF)
121204 BOS Draft Resolution Approving CVCP (DOC)
FSEIR Cover Thru Table of Contents (PDF)
FSEIR Chapter 1 (PDF)
FSEIR Chapter 2 (PDF)
FSEIR Chapter 3 (PDF)
FSEIR Chapter 4 (PDF)
FSEIR Chapter 5 (PDF)
FSEIR Chapter 6 (PDF)
FSEIR Chapter 7 (PDF)
Resolution - Action Requested 2012-593

FSEIR Chapter 8 (PDF)
Appendix A (PDF)
Appendix B (PDF)
Appendix C (PDF)
Appendix D (PDF)
Appendix E (PDF)
Appendix F (PDF)
Appendix G (PDF)
Appendix H (PDF)
Appendix I (PDF)
120619 BOS Minute Excerpt (PDF)
120710 BOS Minute Excerpt (PDF)
121204 Matrix Comparison of Existing GP December CVCP (PDF)
Email from Debra Salonen (PDF)
Email from Roxann Mulvey (PDF)
Email from Shirley Schmelzer (PDF)
Email from Stephanie Evans (PDF)
Dishman Email (PDF)
Sakaki Email (PDF)
Uebner Letter (PDF)

CAO RECOMMENDATION
Requested Action Recommended

[Signature]
Rick Benson, County Administrator/Officer

RESULT: ADOPTED [4 TO 1]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen
NAYS: Janet Bibby
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE-CHAIR
LEE STETSON
KEVIN CANN
JIM ALLEN

DISTRIBUTION

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: SARAH WILLIAMS, Planning Director

FROM: RENE' LaROCHE, Clerk of the Board

SUBJECT: Public Hearing to Consider Adoption of a Resolution with Findings, Certifying the Final Supplemental Environmental Impact Report (FSEIR), Approving the Mitigation Monitoring and Reporting Program (MMRP) and Approving the Catheys Valley Community Plan (December 2012 Version), General Plan Amendment No. 2008-063

RES. 12-593

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on December 4, 2012

ACTION AND VOTE:

1. Planning RES-2012-593
Public Hearing to Consider Adoption of a Resolution with Findings, Certifying the Final Supplemental Environmental Impact Report (FSEIR), Approving the Mitigation Monitoring and Reporting Program (MMRP) and Approving the Catheys Valley Community Plan (December 2012 Version), General Plan Amendment No. 2008-063.

Staff presentation by Sarah Williams/Planning Director, with Dave Conway/Environmental Health Manager present to answer questions. Ms. Williams presented an overview of the project; a history of the Board's previous reviews; and a review of amendments that have been made in the past.

Board Questions:
Supervisor Stetson requested clarification regarding General Plan allowances relative to the subdivisions mentioned in her presentation; and the application of amendments to the CVCP in the future. Supervisor Turpin requested clarification regarding the overall density of the CVCP compared to the General Plan. Supervisor Cann requested clarification regarding wastewater treatment; and the limitations to developers relative to community systems. Supervisor Bibby requested clarification regarding the terms "new parcel" and "existing parcel" and when, during the course and lifetime of a parcel, those labels would be applied; and clarification regarding building density percentage; the applicability and potential consequences of ag land swapping; water development and use; responsibility for design and review; and Ag Committee protocols. Sarah Williams responded.
Supervisor Cann requested a comparison of the new State requirements to build a septic system compared to previous requirements. Supervisor Turpin requested clarification regarding the rules and regulations relative to subdivisions. Supervisor Stetson sought clarification as to areas in Catheys Valley that might not be acceptable for an engineered system. Supervisor Bibby requested clarification of when parcels become “existing” parcels. Dave Conway responded.

**The public portion of the hearing was opened.**

Input was provided by the following:
Sharon Scarborough, with a question regarding water table testing relative to the current subdivision. Dave Conway responded. Chair Bibby instructed that all questions be asked first, so that Staff could answer them all at the same time. Further input provided by: Rick Uebner, who read from a prepared statement in opposition; Debra Salonen, with questions regarding lot subdivision, sewer systems, and increase in the plan size from original; Brad Aborn, spoke in opposition, commented regarding lot size, and posed a question regarding second homes; Steve Fortner, spoke in support, clarified the wastewater system; Fred Friedlund, spoke in opposition; Philomene Schultz, spoke in support; Sergio Fuentes, spoke in opposition, with questions regarding the Advisory Board’s role relative to the Board and Planning Commission, effects of livestock/agriculture changes to Ag Exclusive land, and possible legal effects if changes are made to verbage; Debbie Lester, spoke in opposition; Tammy Guenthart requested clarification regarding new vs. existing parcels, and who would pay if a community water system failed; Rick Lobaugh, spoke in support, thanked the Board for the process; Heather Bernikoff, asked that the plan not include community water and sewage; Carol Hart, spoke in opposition; Gordon Bielanski/President of the Homeowner’s Association, spoke in support; Mark Harris/Owner, Yosemite Falls Well Drilling, spoke in support; Brett Baumann, spoke in support, question regarding onsite sewage systems, thanked the Board and the Planning Department; Tim Miller/Miller Planning and Design, provided clarification as to criteria used in the CVC, and consideration when planning parcels; Amanda Neal/Baker, Manock & Jensen Law Offices, representing the Fortners, spoke in support; Bob Stark, spoke in support; Anita Starchman Bryant/Starchman and Bryant Law Office, representing the Fortner Family Trust, spoke in support; Dave Raboy, commented on property values, is against community water and sewage; Don Starchman/Starchman and Bryant Law Offices, spoke in support; Steve Saunders, spoke in support.

4:54 PM **Recessed** for break

5:11 PM **Reconvened**

Staff responded to public questions and provided further clarification.

Staff responded to Board questions. Discussion ensued regarding options other than adopting the plan as presented; and what would constitute a “minor” change.

6:00 PM **Recessed** for break and to allow Staff time to research questions and confer.

6:16 PM **Reconvened**

Staff responded that the changes discussed were significant and would require revised documents; discussion ensued regarding turn-around time. Supervisor Cann expressed his reservations at attempting to prohibit a community water system, and expressed his support for the plan.
No further Board questions. No further information from Staff. No further public questions or comments.

The public portion of the hearing was closed.

Deliberation.

Supervisor Stetson stated that he is committed to not allowing the process of community planning to fail; Supervisor Bibby clarified that she has never been in favor of limiting development but, rather, having enough space so as not to create run-off problems.

Action was taken to adopt the resolution modified as follows, to correct clerical error:

Insert text on page 5-6 of the Plan (packet page 186.) to clarify that the Maximum building intensity for 2.5 acre land areas is 10% lot coverage, as is stated later in the document.

RESULT: ADOPTED [4 TO 1]
MOVER: Kevin Cann, District IV Supervisor
SECONDER: Jim Allen, District V Supervisor
AYES: Lee Stetson, Lyle Turpin, Kevin Cann, Jim Allen
NAYS: Janet Bibby

Cc: Steven W. Dahlem, County Counsel
    File
STATE OF CALIFORNIA
COUNTY OF MARIPOSA
BOARD OF SUPERVISORS

Resolution
No. 2012-593

A Resolution Certifying the Final Supplemental Environmental Impact Report (SEIR), Approving the Mitigation Monitoring and Reporting Program, and approving the Catheys Valley Community Plan; General Plan Amendment No. 2008-63.

WHEREAS, Section 65300 et seq. of the California Government Code requires each county to adopt a comprehensive, long-term general plan for the physical development of each county; and

WHEREAS, on the 18th day of December 2006, the Board of Supervisors of the County of Mariposa ("County") adopted a comprehensive update of the County's General Plan ("General Plan"), which identified 17 planning areas, including the Catheys Valley Community Planning Area; and

WHEREAS, the General Plan adopted in December 2006 identified the plan to be prepared for the Catheys Valley Community Planning Area as a Community Plan. The Community Plan is intended to be incorporated into and become a part of the General Plan. The Catheys Valley Community Plan implements General Plan Section 5.3.01, which establishes area plans to serve as "mini-General Plans adopted to meet the needs of each town, community, or uniquely identified special area of the County"; and

WHEREAS, as a result of over eighty public meetings, the Catheys Valley Planning Advisory Committee developed the structure and content of the original (preliminary) draft recommended Catheys Valley Community Plan dated 2008; and

WHEREAS, the Mariposa County Board of Supervisors and Planning Commission did, on the 1st day of April 2008, conduct a duly noticed and properly advertised public meeting to take public testimony and to consider the preliminary draft Community Plan; and

WHEREAS, the processing of the Community Plan project was assigned a project number and it is known as General Plan Amendment No. 2008-63; and

WHEREAS, the Mariposa County Board of Supervisors did, on the 15th day of July 2008, conduct a duly noticed and properly advertised public meeting to take public testimony and to consider revisions to the preliminary draft Community Plan; and

WHEREAS, an Initial Study and Negative Declaration of Environmental Impact were prepared pursuant to the California Government Code, Mariposa County Code, the California Environmental Quality Act (CEQA) and local administrative procedures; and

WHEREAS, the Initial Study and Negative Declaration of Environmental Impact were made available to the public on the 30th day of December 2008; and

WHEREAS, on the 15th day of January 2009, the Catheys Valley Planning Advisory Committee conducted a public meeting, and following public comment and discussion,
took action to forward the recommended draft Catheys Valley Community Plan to the Planning Commission for their consideration by formal motion; and

WHEREAS, on the 7th day of May 2009, the Planning Commission conducted a duly noticed public hearing and adopted Resolution No. 2009-10 recommending the Board of Supervisors adopt a Negative Declaration and approve the plan; and

WHEREAS, on the 14th day of July 2009, at a duly noticed continued public hearing, the Board of Supervisors considered the Planning Commission’s recommendation and public input in accordance with the California Environmental Quality Act (CEQA) implementing Guidelines. The Board of Supervisors adopted Resolution No. 09-355, directing the preparation of a Supplemental Environmental Impact Report (SEIR) for the Catheys Valley Community Plan and retaining jurisdiction for purposes of the further processing; and

WHEREAS, the Board of Supervisors determined that a Supplemental EIR was appropriate to address potential changes in environmental effects that may result from implementation of the Catheys Valley Community Plan since certification of the General Plan EIR (State Clearinghouse #2002071101). The General Plan EIR evaluated the policies and land uses adopted with the General Plan. When an area plan, such as the Catheys Valley Community Plan, modifies policies and/or land uses, additional environmental document is required to evaluate potential physical changes to the environment. The SEIR focused on changes in potential environmental effects for land use, population and housing, traffic and transportation, air quality and greenhouse gas emissions, and noise. The Catheys Valley Plan policies do not change the General Plan EIR’s discussion of remaining environmental issues, including public services and utilities, biological resources, geology and seismicity, hydrology and water quality, historic and cultural resources, public health and safety, and visual resources. The Board of Supervisors also determined that a Supplemental EIR was appropriate to address greenhouse gas emissions in light of changes in state regulations effective after certification of the General Plan EIR in December 2006. State statutes SB 375 and AB 32 establish a regulatory framework for restricting greenhouse gas emissions and require environmental analysis of these emissions through CEQA. The California Natural Resources Agency adopted amendments to the CEQA Guidelines concerning greenhouse gas emissions on December 30, 2009 that became effective on July 16, 2010 (CEQA Guidelines Section 15007); and

WHEREAS, the Draft SEIR for the Catheys Valley Community Plan is a program Environmental Impact Report that supplements the program Environmental Impact Report for the adopted General Plan pursuant to CEQA Guidelines Section 15163; and

WHEREAS, a Draft SEIR was prepared and made available for a State Clearinghouse (SCH No. 2008121121) and public comment period which started on the 14th day of January 2010 and ended on the 8th day of March 2010; and

WHEREAS, as a result of the Draft SEIR, amendments were recommended to the community plan; and

WHEREAS, the amendments were contained in the December 2009 version of the Catheys Valley Community Plan; and
WHEREAS, the amendments to the Catheys Valley Community Plan as contained in the December 2009 version of the Catheys Valley Community Plan were referred to the Planning Commission for review pursuant to Government Code Section 65356; and

WHEREAS, on the 19th day of March 2010, at a noticed public meeting, the Planning Commission considered the amendments to the Catheys Valley Community Plan which resulted from preparation of the Draft SEIR; and

WHEREAS, the Planning Commission considered the December 2009 Draft SEIR as it reviewed the amendments to the Catheys Valley Community Plan; and

WHEREAS, the Planning Commission adopted Resolution No. 2010-004 recommending the Board of Supervisors approve the amendments; and

WHEREAS, starting on 13th day of April 2010 and continuing through the 14th day of March 14, 2011, the Board of Supervisors conducted a series of duly noticed public hearings, continued hearings and public workshops. The Board of Supervisors considered technical input regarding the Draft SEIR and workshop discussion regarding the content and policies of the plan; and

WHEREAS, as a result of the hearings and workshops, the Board of Supervisors made further amendments to the Catheys Valley Community Plan; and

WHEREAS, the changes to the plan were significant enough to necessitate further amendments be made to the Draft SEIR; and

WHEREAS, on the 14th day of March 2011, the Board of Supervisors gave direction to staff to prepare an amended Supplemental Environmental Impact Report based on the Catheys Valley Community Plan dated March 14, 2011 (Board of Supervisors Version); and

WHEREAS, a revised Draft SEIR was prepared and made available for a State Clearinghouse (SCH No. 2008121121) and public comment period which started on the 1st day of March 2012 and ended on the 16th day of April 2012; and

WHEREAS, the amendments to the Catheys Valley Community Plan as contained in the “Catheys Valley Community Plan, March 14, 2011 (Board of Supervisors Version)” were referred to the Planning Commission for review pursuant to Government Code Section 65356; and

WHEREAS, a duly noticed Planning Commission public hearing was scheduled for the 6th day of April 2012; and

WHEREAS, the Planning Commission did hold a public hearing on the noticed date and considered the information in the public record, including the Staff Report, the amendments to the Catheys Valley Community Plan as contained in the draft Catheys Valley Community Plan dated March 14, 2012, and public input; and

WHEREAS, the Planning Commission considered the March 2012 Draft SEIR as it reviewed the amendments to the Catheys Valley Community Plan; and
WHEREAS, the Planning Commission adopted Resolution No. 2012-004 recommending the Board of Supervisors approve the amendments; and

WHEREAS, an Addendum to the Draft SEIR was prepared and made available for a State Clearinghouse (SCH No. 2008121121) and public comment period which started on the 24th day of April 2012 and ended on the 24th day of May 2012; and

WHEREAS, a duly noticed Board of Supervisors public hearing was scheduled for the 19th day of June 2012; and

WHEREAS, the Board of Supervisors did hold a public hearing on the 19th day of June 2012 and considered the information in the public record, including the Staff Report, Attachments to the Staff Report, the draft Catheys Valley Community Plan (Board of Supervisors Version March 14, 2011), the Draft SEIR including Appendices, an Addendum to the Draft SEIR, public comments on the Draft SEIR and Addendum to the Draft SEIR, Planning Commission Minutes from the public hearing conducted on the 6th day of April 2012, Planning Commission Resolution No. 2012-004, additional public comments, correspondence from staff recommending minor text edits to the plan, and public input made at the hearing; and

WHEREAS, following deliberation, the Board of Supervisors continued the public hearing to the 10th day of July at 2:00 p.m. or as soon thereafter as possible and directed staff to prepare documents necessary for action on the Catheys Valley Community Plan (March 14, 2011 Version) with edits to the plan recommended in correspondence to the Board of Supervisors dated June 19th, 2012 from Sarah Williams (add text to Policy CV5.3-1a to clarify that plan policy does not prohibit creation of a community system that abates a public health problem) and correspondence to the Board of Supervisors dated June 18th, 2012 from Anders Hauge (remove all references to carrying capacity in Section 5.3.01 and Appendix A). The Board of Supervisors' recommended edits included amendments to Section 5.1.02.A(5) (Average slope of subject property) and Section 5.1.02.C(5) (Slope) as discussed during the hearing; and

WHEREAS, the Board of Supervisors did hold a public hearing on the 10th day of July 2012 and considered the documents prepared by staff, including the amended Catheys Valley Community Plan; the Final Supplemental Environmental Impact Report (FSEIR) including the written responses to comments and the responses to comments made during the public hearing; the Draft Resolution approving the Catheys Valley Community Plan, approving amendments to the General Plan to reflect the adopted status of the Catheys Valley Community Plan, approving the Mitigation Monitoring and Reporting Program, and certifying the FSEIR; and

WHEREAS, when a motion to adopt the resolution failed, the Board of Supervisors directed further amendments be made to the plan. Based on discussion about the amendments, the Board’s motion included direction that the FSEIR did not need to be further recirculated; and

WHEREAS, a duly noticed Board of Supervisors public hearing was scheduled for the 4th day of December 2012; and
WHEREAS, the Board of Supervisors did hold a public hearing on the 4th day of December 2012 and considered the information in the public record. The packet submitted to the Board of Supervisors by staff included a Staff Memorandum to the Board of Supervisors dated November 5, 2012 describing all text edits made to the plan since the previous version of the plan and describing all necessary text edits to the General Plan to reflect the adopted status of the CVCP, the draft Catheys Valley Community Plan December 2012, the Final SEIR including the responses to comments, the Draft Resolution, and a Staff memorandum the Board of Supervisors dated November 21, 2011 addressing environmental review issues and all public input made at the hearing; and

WHEREAS, the Staff Memorandum to the Board of Supervisors dated November 21, 2012 included in the staff packet for the public hearing on the 4th day of December 2012 contained discussion and justification to support a finding as to why the FSEIR did not need to be recirculated; the discussion focused on each of the specific amendments made to the CVCP document since the plan version on which the circulated DSEIR was based and FSEIR prepared as well as CEQA Guidelines Section 15088.5.; and

WHEREAS, the Catheys Valley Community Plan contains a land use diagram, describes issues of importance, and establishes guiding principles, goals and policies for land use and development in the community area. The plan establishes land use designations and specific policies for the Catheys Valley Community Planning Area; and

WHEREAS, pursuant to the Catheys Valley Community Plan, Section 1.1 Philosophy, “The overriding objective of the Catheys Valley Community Plan, hereafter referred to as the CV Plan, is to preserve the rural and ranching lifestyle and character of the area. The land within the boundaries of the Catheys Valley Community Plan is rural and not to be used for urban scale development or regional commercial development”; and

WHEREAS, the Guiding Principles established by the Catheys Valley Community Plan are: to ensure managed growth; to remain a “crossroads” community; to maintain the rural character of the Catheys Valley area; to protect rural character by not allowing tract type housing which is inconsistent with the rural character of the area; to provide opportunities for locally-oriented commercial businesses meeting local needs; to protect agricultural operations and ensure new agriculture opportunities are possible; to provide opportunities for home businesses commensurate with the rural character of the area; and to ensure the public health and safety is protected by development in scale with infrastructure; and

WHEREAS, the Community Plan focuses on the specific planning subject areas of Land Use and Infrastructure and Services. All other aspects of land use and development in the Catheys Valley Planning Area are guided by the Mariposa County General Plan; and

WHEREAS, pursuant to Implementation Measures, new zoning classifications, consistent with the Community Plan land use designations, and adoption of specific design review guidelines and development standards for the Commercial and Institutional land use classifications of the Catheys Valley Community Plan will be considered and adopted under separate future actions; and
WHEREAS, this General Plan Amendment has been circulated among trustee and responsible agencies, potentially affected local agencies which provide service to the area, interested public organizations, Native American contacts, property owners within and adjacent to the planning area boundaries, and others as appropriate.

NOW THEREFORE BE IT RESOLVED the Board of Supervisors of the County of Mariposa hereby certifies that it has reviewed and considered the information in the Final Supplemental EIR prior to adopting this Resolution and approving the General Plan Amendment No. 2008-068, the Catheys Valley Community Plan. The Board of Supervisors further certifies that the Final Supplemental EIR reflects its independent judgment and analysis. In accordance with CEQA, the Board of Supervisors has independently reviewed and evaluated the CEQA Findings of Fact attached to this resolution as Exhibit 3.

BE IT FURTHER RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby certify the Final Supplemental Environmental Impact Report as complying in full with the requirements of CEQA and California law, and as being adequate to support approval of General Plan Amendment No. 2008-068, the Catheys Valley Community Plan, approves and adopts the Mitigation Monitoring and Reporting Program included with this Resolution as Exhibit 4, and adopts the CEQA Findings of Fact included with this resolution as Exhibit 3.

BE IT FURTHER RESOLVED that the Board of Supervisors designates the Mariposa Planning Department, 5100 Bullion Street, Mariposa California, as the location and custodian of the documents and materials constituting the record of proceedings upon which this decision and resolution are based.

BE IT FURTHER RESOLVED that the Board of Supervisors authorizes County staff to prepare and file with the appropriate State and County offices a Notice of Determination within five working days following the date of adoption of this resolution and pay required Fish and Game fees for the filing.

BE IT FURTHER RESOLVED, the Board of Supervisors does hereby approve the Catheys Valley Community Plan December 2012 as contained in Exhibit 1 of this Resolution.

BE IT FURTHER RESOLVED, pursuant to the General Plan Introduction, Section 7, and General Plan Section 5.3.01, the Catheys Valley Community Plan and Supplemental Environmental Impact Report are hereby published and incorporated into Volume II of the General Plan.

BE IT FURTHER RESOLVED, to ensure internal consistency to reflect the adopted status of the Catheys Valley Community Plan, the following amendments to Volume I and Volume II of the General Plan are approved (new text in **italicized** font, deleted text in **strike-through** font) to reflect the status of the Catheys Valley Community Plan as adopted:

Amendment to Mariposa County General Plan Section 5.3.01:

As of December 2006, the towns of Mariposa, Coulterville, Fish Camp and Wawona each have adopted “town planning area specific plans”. These plans will remain in
effect and are incorporated in Volume II of the General Plan as the community’s area plans, though modifications or updates may be necessary to consider Planning Study Areas adjacent to the communities or address new policies. For Mariposa and Coulterville, the name of the plan will change from “specific plan” to “town plan”. For Fish Camp and Wawona, the name of the plan will remain “town planning area specific plan”. \textit{As of December, 2012, Catheys Valley has an adopted “community plan.”}

**Amendment to Figure 5-1 Mariposa County General Plan Planning Areas** as contained in Exhibit 2:

Amendment to update Figure 5-1 to show the approved boundary of the Catheys Valley Community Plan, and to reflect the status of adopted planning areas.

**Amendment to Figure 5-2 Mariposa County General Plan Land Use Diagram** as contained in Exhibit 3:

Amendment to reflect the status of the Catheys Valley Community Plan as “Adopted Area Plan”.

**Amendment to Table 5-1 Mariposa County General Plan** to change status of Catheys Valley Community Plan from pending completion to adopted:

<table>
<thead>
<tr>
<th>Planning Area</th>
<th>Planning Advisory Committee</th>
<th>Area Plan Status</th>
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<tr>
<td>Bear Valley Community</td>
<td>No</td>
<td>Not scheduled</td>
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<tr>
<td>Bootjack Community</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Buck Meadows Special</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Catheys Valley Community</td>
<td>Yes</td>
<td>\textit{Adopted} Pending completion in short term</td>
</tr>
<tr>
<td>Coulterville Town</td>
<td>Yes</td>
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<tr>
<td>El Portal Town</td>
<td>Yes</td>
<td>Pending for completion in intermediate term</td>
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<tr>
<td>Fish Camp Town Specific Plan</td>
<td>Yes</td>
<td>Adopted</td>
</tr>
<tr>
<td>Foresta Special</td>
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<td>Not scheduled</td>
</tr>
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<td>Greeley Hill Community</td>
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<td>Not scheduled</td>
</tr>
<tr>
<td>Hornitos Community</td>
<td>No</td>
<td>Not scheduled</td>
</tr>
<tr>
<td>Lake Don Pedro Town</td>
<td>No</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Mariposa Town</td>
<td>No</td>
<td>Adopted</td>
</tr>
<tr>
<td>Midpines Community</td>
<td>Yes</td>
<td>Pending for completion in short term</td>
</tr>
<tr>
<td>Mount Bullion Town</td>
<td>No</td>
<td>Not Scheduled</td>
</tr>
<tr>
<td>Wawona Town Specific Plan</td>
<td>Yes</td>
<td>Adopted; Update pending for completion in short term</td>
</tr>
</tbody>
</table>
Amendment to Section 5.3.01.E(1) Description of Planning Areas

Four Five communities have adopted area plans.

... 

Catheys Valley Community Planning Area. Catheys Valley has an adopted Community Plan, adopted in December, 2012. The overall objective of the Catheys Valley Community Plan is to preserve the rural and ranching lifestyle and character of the area. The plan provides for a broad vision maintaining the Catheys Valley Planning Area as a “rural crossroads” and not a “town.” The land within Catheys Valley is rural and not to be used for urban scale development or regional commercial development. A cluster of commercial enterprises to serve local residents meets the community’s needs. The adopted plan reflects the community’s preference to ensure agricultural preservation as an anchor to maintaining rural character.

Three Two other planning areas with pending short-term area plans include:

- Catheys Valley Community Planning Area. The Catheys Valley Community Plan provides for a broad vision maintaining the Catheys Valley Planning Area as a “rural crossroads” and not a “town.” Catheys Valley was never a town at any point in the County’s history. A cluster of commercial enterprises to serve local residents meets community needs. The community preference is to preclude any special districts and rely on individual wells, individual onsite sewage disposal systems, and agriculture preservation as anchors maintaining rural character.

... 

Amendment to Section 5.3.01.I(2) Interim Regulations in Planning Study Areas:

The Planning Areas of Bear Valley, Bootjack, Buck Meadows, Catheys Valley, El Portal, Foresta, Greeley Hill, Hornitos, Lake Don Pedro, Midpines, Mount Bullion, and Yosemite West do not have adopted area plans...

Amendment to Table of Contents, Volume II:

Table of Contents

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Bear Valley Community Planning Study Area
Bootjack Community Planning Study Area
Buck Meadows Special Planning Area Interim Land Use Map
Catheys Valley Community Planning Study Area
Expanded Coulterville Town Planning Study
Don Pedro Town Planning Study Area
El Portal Town Planning Study Area
Fish Camp Town Planning Study Area
Foresta Special Planning Study Area
Greeley Hill Community Planning Area Interim Land Use Map
Hornitos Community Planning Area Interim Land Use Map
Expanded Mariposa Town Planning Area Interim Land Use Map
Midpines Community Planning Area Interim Land Use Map
Mt. Bullion Town Planning Area Interim Land Use Map
Yosemite West Special Planning Area Interim Land Use Map
Wawona Community Planning Area Interim Land Use Map

3. AREA COMMUNITY PLANS

Coulterville Town Planning Area Specific Plan and Final Environmental Impact Report
Fish Camp Town Planning Area Specific Plan and Environmental Impact Report
Mariposa Town Planning Area Specific Plan and Environmental Impact Report
Wawona Town Planning Area Specific Plan and Final Environmental Impact Report
Catheys Valley Community Planning Area Community PLAN AND ENVIRONMENTAL IMPACT REPORT

Amendment to Section 1. Introduction, Volume II:
The Planning Areas of Bear Valley, Bootjack, Buck Meadows, Catheys Valley, El Portal, Foresta, Greeley Hill, Hornitos, Don Pedro, Midpines, Mount Bullion and Yosemite West do not have adopted area plans...

... The towns of Coulterville, Fish Camp, Mariposa, and Wawona have adopted town planning area specific plans. The names of the Fish Camp and Wawona town planning area specific plans will remain the same. Each specific plan was originally adopted as an ordinance. The community of Catheys Valley has an adopted community plan.

Amendment to Section 2. Interim Land Use Diagrams, Volume II:
The listed Planning Study Area Interim Land Use Diagrams are attached to this Volume:

Bear Valley Community Planning Study Area
Bootjack Community Planning Study Area
Buck Meadows Special Planning Area Interim Land Use Map
Catheys Valley Community Planning Study Area

...
Amendment to boundary of Community Plan

The approved boundary of the Catheys Valley Community Plan differs from the boundary of the Catheys Valley Planning Area boundary as contained in the General Plan. Mariposa County APNs 011-260-008 and 011-300-065 are removed from the Catheys Valley Planning Area. The land use classification of these two parcels was Agriculture / Working Landscape in the Catheys Valley Interim Land Use Diagram and is made Agriculture / Working Landscape in the General Plan Land Use Diagram as shown on Figure 5-2 of the General Plan. Mariposa County APNs 011-310-027, 011-310-090, 011-310-091, 011-310-092, 016-110-079, 016-110-080, 016-110-081, 016-110-082, 016-110-083, 016-110-084, and 016-160-013 are added to the Catheys Valley Planning Area boundary by this action. The land use classification of these added parcels is as shown on Figure 5-1 of the Catheys Valley Community Plan, the Catheys Valley Community Plan Land Use diagram.

NOW THEREFORE BE IT FINALLY RESOLVED the Board of Supervisors does hereby make the General Plan Amendment Findings as contained in Exhibit 5 of the Resolution in support of their recommendation.

ON MOTION BY Supervisor Cann, seconded by Supervisor Allen, this resolution is duly passed and adopted on the 4th day of December, 2012 by the following vote:

AYES: Stetson, Turpin, Cann, and Allen

NOES: Bibby

EXCUSED: None

ABSTAIN: None

[Signature]
Janet Bibby, Chair
Mariposa County Board of Supervisors

Attest:

Rene’ LaRoche
Clerk of the Board of Supervisors

APPROVED AS TO FORM:

[Signature]
Steven W. Dahlem
County Counsel
EXHIBIT 1 – Catheys Valley Community Plan
CATHEYS VALLEY COMMUNITY PLAN

December 2012
Resolution No. 2012–593 Certifying the Final SEIR, Approving the MM&RP, and Approving the Catheys Valley Community Plan; General Plan Amendment No. 2008–63

December 4, 2012

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CATHEYS VALLEY COMMUNITY PLAN
ADOPTION AND UPDATES

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THE COUNTY OF MARIPOSA

Catheys Valley Community Plan

December 2012

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Damon Golubics, Senior Planner
Alvaro Arias, Associate Planner
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Former Catheys Valley
Planning Advisory Committee
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Janet Bibby
Pete Brooks
Tammie Guenthart
Brian Kudela
Richard Miller
Dwight Oliver
Gloria Palmer
Richard Uebner
Mary Ann Visher

HAUGE BRUECK
ASSOCIATES
MARIPOSA COUNTY PLANNING DEPARTMENT
P. O. Box 2039 • Mariposa, CA 95338 • 209.966.5151 www.mariposa county.org/planning
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1. Introduction and Setting

1.1 PHILOSOPHY

The overriding objective of the Catheys Valley Community Plan, hereafter referred to as the CV Plan, is to preserve the rural and ranching lifestyle and character of the area. The land within Catheys Valley is rural and not to be used for urban scale development or regional commercial development.

1.2 LOCATION

Catheys Valley, one of Mariposa County’s seventeen Planning Areas shown in Figure 1-1, is located in western Mariposa County along Highway 140, a gateway into Mariposa County and Yosemite National Park. Access to Catheys Valley is from Highway 140, Hornitos Road, Old Highway, and Schoolhouse Road. The CV Plan encompasses approximately 26.2 square miles (16,752 acres), ensuring that the community’s issues and objectives are addressed in the appropriate context and detail.

1.3 POPULATION AND HOUSING

Catheys Valley had a population of approximately 900 persons in 2010. The population is approximate because census tracts do not align with the Catheys Valley Community Planning Area boundaries. The area is the fifth largest community in the County, with Mariposa, Yosemite Valley, Bootjack, Lake Don Pedro, and Midpines having larger populations.

In 2010, there were approximately 400 single-family dwelling units in Catheys Valley with approximately 70% owner occupied. Unlike other areas of the County, few of the dwellings in Catheys Valley are held for occasional or seasonal use. There are two small, older mobile home parks and no multi-family, attached, or high-density housing in the area.

The CV Plan accommodates a build-out projection of approximately 1,300 persons and 570 dwelling units. This number defines Catheys Valley’s “fair share” of the County’s regional housing needs allocation. The CV Plan accommodates a population holding capacity of approximately 2,900 persons and 1,290 dwelling units.
1.4 EVOLUTION OF THE CATHEYS VALLEY COMMUNITY PLAN

In the mid-1990s, a Planning Advisory Committee was appointed by the Board of Supervisors to prepare a specific plan for Catheys Valley. After detailed surveys and several years of effort, the Catheys Valley Zoning Plan was passed by the Committee, but never presented to the Planning Commission or Board of Supervisors due to its inconsistency with the then-effective Mariposa County General Plan. When the County initiated an update to the General Plan in 2000, the Catheys Valley plan was the first of the area plans to be assigned. The Catheys Valley Planning Advisory Committee (PAC) was reactivated to prepare the CV Plan.

From 2000 through 2004, the PAC prepared a Preliminary CV Plan. The 2004 Preliminary CV Plan process included over forty committee meetings, a Community Planning Fair, and a series of public meetings conducted to fully learn and understand the vision for the future as represented by the Catheys Valley community.

Initially, the Committee prepared the CV Plan boundary, which included more than 32 square miles. The PAC selected this boundary in October 2002 by connecting the gateway points to "Catheys Valley." The boundary was drawn to surround potential residential development areas with unsubdividable agricultural lands.

In 2003, the Preliminary CV Plan was presented to property owners and residents in three phases. The first was a public meeting discussing land use classifications and the relationship to zoning, the second was a meeting to address the policy issues contained within the CV Plan, and the third was a presentation to obtain public comment. The PAC recommended the Preliminary CV Plan to the Planning Commission and Board of Supervisors in 2004. No action was taken on the Preliminary CV Plan at that time; discussion on the CV Plan was placed on hold temporarily in 2005 pending completion of the Mariposa County General Plan.

In 2007, after adoption of the General Plan, the PAC resumed discussions of the CV Plan. The PAC, Planning Commission, and Board of Supervisors held multiple meetings from 2007 through 2012 to discuss and revise the content of the CV Plan, including goals, policies, implementation measures and the CV Plan Boundary (see Figure 2-1).
1.5 RELATIONSHIP TO THE MARIPOSA COUNTY GENERAL PLAN

The State of California Planning and Zoning Law (Government Code Sections 65000-66033) sets requirements for land use planning at the local government level and specifies that a local general plan shall be prepared and maintained by local governmental agencies. "Community plan" is a term for a plan that focuses on a particular region or community within a general plan area. A community plan is adopted by resolution as an amendment to a general plan, in the manner set out in Section 65350, et seq., and refines general plan policies as they apply to a community and are implemented by ordinances and other discretionary actions, such as zoning. A community plan shall be internally consistent with a general plan. To facilitate consistency, a general plan provides a policy framework for the detailed treatment of issues in a community plan. To simplify implementation, a community plan and general plan should share a uniform format for land use categories, terminology, and diagrams. Each community plan does not need to address the issues required by Section 65302 when the general plan satisfies these requirements.

The CV Plan is based upon, and is consistent with, the Mariposa County General Plan. The CV Plan is tiered from the General Plan and both share a uniform format. The CV Plan is in Volume II, Section 3 of the General Plan.
2. Issues Important to Catheys Valley Citizens

This Chapter identifies specific Catheys Valley issues that tier from Mariposa County General Plan Chapter 2.

The Catheys Valley community recognizes its location “in the path” of future growth pressure. It is the first cluster of residential and commercial services one encounters when traveling east from San Joaquin Valley metropolitan areas. With the recording of a 32,000-acre conservation easement between the Town of Planada in unincorporated Merced County and the Mariposa County line, there is little, if any, private land in eastern Merced County available for future development along Highway 140.

Mariposa County’s 207,500 acres of Williamson Act lands are primarily located on the Merced-Mariaposa County line in broad vistas of working ranches in the landscape running along Highway 140 to the western edge of Catheys Valley. Mariposa County Williamson Act contracts run for twenty years.\(^1\) To date, no Williamson Act lands in Mariposa have successfully completed cancellation with the exception of a 3.5-acre portion of a contract necessary for a public project. In recent years, selected properties (24,600 acres), including parcels southwest of Catheys Valley and in the southern part of Catheys Valley, have begun the 19-year process of non-renewal of their Williamson Act contracts and a gradual increase in their property tax assessments.

With Catheys Valley as the “first apparent site” for development potential in western Mariposa County, the community recognized a need to balance its rural character with the ability to accommodate a reasonable influx of new growth. Development patterns in other western foothill areas of the Sierra Nevada mountain range provide a graphic track record of rural area conversion into sprawling suburban tracts. The Catheys Valley community recognized the importance of avoiding this occurrence.

\(^1\) Williamson Act contracts, also called “Agricultural Preserves or Land Conservation Act contracts”, provide property tax reductions for ranching and farming, and agriculture lands. The contract is a “rolling” twenty-year contract in Mariposa County. The State contract requirement is ten years. Unless the property owner files a notice of non-renewal non-renewing the contract, a new year is added to the contract each year. Williamson Act contracts are always twenty years long. Once a non-renewal is recorded, the property would exit the contract in nineteen years.
2.1 ISSUES OF IMPORTANCE

The issues of importance for Catheys Valley have not changed between the mid-1990s and the early 21st Century. The community defines its issues as:

- Preserving rural character;
- Ensuring designs for new commercial development are compatible with the existing character;
- Keeping commercial development at an appropriate local scale and not as a regional shopping attraction;
- Maintaining quality of life;
- Maintaining quality of education;
- Preventing suburban sprawl;
- Protecting agriculture as a way of life and a part of the economy;
- Maintenance of private roads;
- Protecting water quality; and
- Remaining an area of single family dwellings.

These issues are the foundation of the CV Plan goals, policies, and implementation measures.

2.2 CATHEYS VALLEY BOUNDARIES

The geographic area that represents “Catheys Valley” is larger than the boundary of the CV Plan. This greater area was defined by the community as the area where residents believe they are “within” or have “returned to” Catheys Valley.

The CV Plan boundary (see Figure 2-1) was identified to protect the interests of the crossroads’ residential and agricultural property owners. The Catheys Valley Community Planning Area is intended to maintain the rural character and strong agricultural economic base for the area, the minimum area most residents believe is necessary to protect the community from encroachment by densities and uses that are resource intensive, incompatible with, or unsuitable to, the rural nature of Catheys Valley.

The boundary of the Catheys Valley Community Planning Area defines a rural, viable, interdependent, agricultural, and residential community supported by small neighborhood commercial enterprises that are sustainable with the area’s limited natural resources and public services.
Figure 2-1 - Planning Area Boundary

CATHEYS VALLEY COMMUNITY PLAN BOUNDARY

DATA SOURCE: GIS PARCEL MAP FROM THE MARIPOSA COUNTY ASSESSOR'S OFFICE, UPDATED DECEMBER 2008

MAP UPDATED BY: E. MERIAM, GIS TECHNICIAN; FEBRUARY 27, 2012

MARIPOSA COUNTY PLANNING DEPARTMENT
PO BOX 2039 5100 BULLION STREET
MARIPOSA, CALIFORNIA 95338-2039
209.966.3131 FAX 209.743.5024
MARIPOSAPLANNING@MARIPOSACOUNTY.ORG
HTTP://WWW.MARIPOSACOUNTY.ORG/PLANNING

MARIPOSA COUNTY MAKING AN EFFORT TO ENSURE THE ACCURACY OF THE GIS DURING THE ANALYSIS AND CONCLUSION RESULTING FROM USING OUR GIS DATA.
3. Guiding Principles

Guiding Principles are the over-riding concepts directing development of the CV Plan. They tier from and are consistent with the Guiding Principles found in Chapter 3 of the Mariposa County General Plan. The purpose of Guiding Principles is to define the significant and long-term objectives for the CV Plan and a vision for the Catheys Valley community.

3.1 GUIDING PRINCIPLES

Through the planning process, the community was clear that the “rural character” of Catheys Valley be maintained. Therefore, the CV Plan is founded on the following guiding principles that implement this vision.

- Ensure managed growth.
- Remain a “crossroads” community.
- Maintain the rural character of Catheys Valley.
- Protect rural character by not allowing tract-type housing, which is inconsistent with the rural character of the area.
- Provide opportunities for locally-oriented commercial businesses meeting local needs.
- Protect agricultural operations and ensure new agriculture opportunities are possible.
- Provide opportunities for home businesses commensurate with the rural character of the area.
- Ensure that public health and safety is protected by development in scale with infrastructure.

3.1.01 ENSURE MANAGED GROWTH

The CV Plan manages growth through two mechanisms. One is to maintain residential land uses along the major road systems: Hornitos Road, Highway 140, and Schoolhouse Road. The residential land uses are surrounded by agriculture and ranch lands that may not be converted to non-agricultural uses without meeting General Plan policies for conversion of agriculture lands to non-agricultural uses.

The second tool is focusing commercial development off of and south of Highway 140 in a cluster on or off the Hornitos Road extension. The designated Community Commercial area is of adequate size to provide for a group of stores offering goods and services to meet the local Catheys Valley community’s needs. Locating the commercial off the highway reduces the attractiveness of the site to businesses needing to serve highway traffic or direct tourism-related business.
3.1.02 REMAIN A “CROSSROADS” COMMUNITY

Catheys Valley has never been a “town” at any point in its history. The objective is to maintain the character of being a “crossroads” community and not evolve into a town.

3.1.03 MAINTAIN THE RURAL CHARACTER OF CATHEYS VALLEY

Residents of Catheys Valley define its rural agricultural character as the most critical issue concerning its history, resources, attributes, and future. Dictionary definitions utilize “rural” and “country” interchangeably. While these may be terms that have different meanings to different persons, the CV Plan establishes a common ground for presenting its Guiding Principles.

The many individuals, property owners, and residents of Catheys Valley who have provided comments and stated positions about the CV Plan and its development over a long number of years have defined their expectations for “rural.” To the residents of Catheys Valley, rural means:

- Their current lifestyle, in which open space or countryside are important visual elements.
- A countryside residential/agricultural community that exhibits a strong agricultural economic base, alongside which home, 4-H or hobby-based agricultural activities co-exist.
- Their ability to enjoy seeing the stars at night.
- A recognition that centers of commerce already exist in urban areas such as the Town of Mariposa and the City of Merced, just minutes away, and local siting of national retail chain commercial development is unneeded in Catheys Valley.

Maintaining the historically rural character of Catheys Valley has another aspect to its purpose. This allows the Town of Mariposa to be the commercial center of Mariposa County. Increasing commercial usage and introducing urban densities would create market competition with the County seat. Urban-scale development would impact the area’s limited physical resources, impose demands on the County’s limited financial resources, and create a new town where none exists between Planada and the Town of Mariposa. At the time the CV Plan was prepared, infrastructure in Catheys Valley — particularly roads — is not capable of meeting current needs. No matter what had been proposed two decades prior to this CV Plan, to carry forward densities and broad scopes of development potential without supporting infrastructure is not what the people of Catheys Valley have asked for its future.

The goals, policies, and implementation measures contained within the CV Plan effectively define “rural character” as the ultimate result of meeting these expectations.
3.1.04  **PROTECT RURAL CHARACTER BY NOT ALLOWING TRACT-TYPE HOUSING**

Recognizing changes in foothill counties up and down the Sierra Nevada, the Catheys Valley area does not wish to lose rural identity and become a suburb of Merced. This Guiding Principle includes the concept that Catheys Valley is not the future suburban resource that absorbs residential overflow from nearby counties. Substantially higher density development activities, especially those associated with the past rapid growth in the greater Merced area, have the potential to disrupt and consume the fragile resources of this rural environment.

Policies incorporated in the CV Plan purposefully preclude conventional tract subdivision development. Lot sizes are intended to discourage large residential subdivisions in order to preserve the rural character. This Guiding Principle protects the existing agricultural economic base from encroachment by residential development, ensuring that only rural-style residential development, which provides a buffer between residential uses and farms and ranches, is the future of Catheys Valley.

Such policies encourage agricultural enterprises and opportunities to strengthen the area’s agricultural economic base in ways compatible with the limited physical resources of the area and the rural character desired by the community.

3.1.05  **PROVIDE OPPORTUNITIES FOR LOCALLY-ORIENTED COMMERCIAL BUSINESSES MEETING LOCAL NEEDS**

The community’s desire is to see an increase in businesses serving the local residential and agricultural needs of the Catheys Valley area without dependence on “drive-by” or “capture” shopping. As rural counties have evolved in the Sierra Nevada, many of the lower elevation communities have become extensions of Valley-centered urban areas. With this expansion into the foothills comes the impacts of regional shopping and national chains. A result of the homogenized commercial and retail characteristics is a loss of local community character. The protection of rural character in Catheys Valley limits population growth, which reduces the attractiveness to chain businesses.

Providing opportunities for locally-oriented neighborhood, small scale commercial, and supporting agricultural businesses is part of the County’s needs and define Catheys Valley’s character. Large commercial activities are detrimental to the community’s character, not only from the impact of stores or businesses that may be out-of-scale to the community, but also because of the competition or draw regional businesses would impose on the Town of Mariposa. Catheys Valley is not seen as the “Mariposa” between Planada and Mariposa; it is seen as a rural crossroads.

3.1.06  **PROTECT AGRICULTURAL OPERATIONS AND ENSURE NEW AGRICULTURE OPPORTUNITIES ARE POSSIBLE**

Catheys Valley is a quilt of ranchlands, specialty agriculture, and large lot residential development. It is recognized that explosive population growth in the Merced area will bring new population to Catheys Valley. Some new population is likely to be former ur-
banites seeking solace in the rolling hills and oak woodlands of the community. Experience in other foothill counties finds the inward migration of formerly urban populations sometimes settle with very different expectations of life adjoining agricultural lands. The Catheys Valley community finds it critical to ensure the right to farm and protection of existing agricultural operations.

3.1.07 PROVIDE OPPORTUNITIES FOR HOME BUSINESSES COMMENSURATE WITH THE RURAL CHARACTER OF THE AREA

A business in the home is part of the rural character of Catheys Valley. Many families earn or supplement household income with businesses based at home. Mariposa County provides extraordinary opportunity for businesses and industries based at home.

These opportunities, however, provide potential conflicts between the goals of the CV Plan and the scope of uses allowed as home enterprises and rural home industries. Within the CV Plan, assurances are included for home enterprises and rural home industries to flourish consistent with community character.

The CV Plan provides for a Community Commercial area and a commercial expansion area into which growing home businesses may relocate. This “fair share” of business-based lands for the future ensures that there are locations where local home business and rural home industries can relocate in the local area when the success of the business requires expansion to an appropriately zoned location.

3.1.08 ENSURE THAT PUBLIC HEALTH AND SAFETY IS PROTECTED BY DEVELOPMENT IN SCALE WITH INFRASTRUCTURE

Catheys Valley faces many of the same challenges as the rest of Mariposa County related to the delivery of infrastructure and community services. The County has limited abilities to provide public facilities and services. This is particularly true with delivery of domestic water and treatment of wastewater. Large distances between service connections and topographic variation contribute to very high costs associated with developing a public water or wastewater treatment system for the area.

As Catheys Valley grows, the need for fire protection, increased emergency service mutual aid, and other types of emergency services also increases. A rural population combined with the number of residents working away from Catheys Valley during the day results in a decreasing pool of volunteers willing, able, or trained to provide such services. Managing growth is one method of keeping the demand for such services in line with the population’s capacity to provide services.

Road improvement and maintenance is another significant issue. Most of the roads in Catheys Valley, with the exception of Highway 140 and Hornitos Road, are not constructed to contemporary standards of width, alignment, shoulders, and passing lanes. Many private roads and many County roads have evolved over the years as opposed to having been planned and designed. Growth in the Catheys Valley area will increase traffic volume and place demands on the road system. The CV Plan keeps the focus of maintaining and enhancing service levels as part of its vision.
4. Catheys Valley Community Plan Administration

This Chapter tiers from Mariposa County General Plan Chapter 4, General Plan Administration, and discusses the role of advisory bodies on Catheys Valley issues. General Plan Chapter 4 addresses the following issues:

- Interpretation of General Plan provisions;
- Review and update of the General Plan;
- Amending the General Plan;
- Interim administration of the General Plan; and
- General Plan implementation.

4.1 ROLE OF ADVISORY BODIES IN CATHEYS VALLEY COMMUNITY PLAN IMPLEMENTATION

The following committees appointed by the Board of Supervisors are established to provide advice and recommendations on policy, implementation, and review in compliance with Mariposa County Code Chapters 2.50.100, 2.90, and 2.110 and implementing resolutions:

- Agricultural Advisory Committee;
- Catheys Valley Community Planning Advisory Committee; and
- Historic Sites and Records Preservation Commission.
5. Goals and Policies of the Catheys Valley Community Plan

This Chapter provides background information on key issues and establishes specific Catheys Valley goals and policies that tier from the Mariposa County General Plan. The CV Plan goals, policies, and implementation measures focus on land use (Section 5.1) and infrastructure and services (Section 5.3).

The General Plan includes twelve elements as follows:

Chapter 5 – Land Use;
Chapter 6 – Economic Development;
Chapter 7 – Arts and Culture;
Chapter 8 – Housing;
Chapter 9 – Circulation, Infrastructure, and Services;
Chapter 10 – Agriculture;
Chapter 11 – Conservation and Open Space;
Chapter 12 – Local Recreation;
Chapter 13 – Regional Tourism;
Chapter 14 – Historic and Cultural Resources;
Chapter 15 – Noise; and
Chapter 16 – Safety.

The General Plan is the controlling document and its policies prevail countywide. The General Plan goals and policies are not repeated in the CV Plan and the user is referred to the General Plan for policy guidance.

The CV Plan provides supplemental goals, policies, and implementation measures that tier from and refine the General Plan, focusing on issues and opportunities specific to Catheys Valley. The goals and policies presented in the CV Plan are organized utilizing the General Plan’s numbering system and are numbered using the prefix “CV”.

The preservation, maintenance, and enhancement of agriculture is of heightened importance to Catheys Valley. To emphasize this importance, the CV Plan implements the General Plan Agriculture Element.

5.1 LAND USE

5.1.01 MAINTAINING RURAL CHARACTER

A. MINIMUM PARCEL SIZE

Requiring a minimum parcel size for residential development maintains a sense of open space while still allowing residential development. With use of septic systems and wells, larger areas are required for setbacks so that development can occur on parcels. This is particularly true in Catheys Valley due to soil characteristics and problems associated with the quality and quantity of groundwater for potable use.
The community supports larger minimum residential parcel sizes that result in a character recognized as being "rural." Parcels in the Residential land use classification have a minimum average density of five acres with the potential to have minimum two and one-half (2.5) acre parcels (average of five acres) for new subdivisions in compliance with General Plan provisions for clustering. Parcels in the Community Residential land use classification have a minimum parcel size of two and one-half (2.5) acres for new subdivisions. Parcels created within the Residential and Community Residential land use classifications when adjacent to lands in the Agriculture/Working Landscape classification have a minimum parcel size of five acres for new subdivisions. The State of California allows secondary residential units. These are not calculated in the minimum parcel sizes required for new subdivisions.

The minimum parcel sizes provide separation and buffer to allow rural activities such as farm animals, gardens, horses, or collectibles.

In terms of utility services, the minimum parcel sizes for new subdivisions enable individuals to use their own well for water supply and individual onsite sewage disposal, although certain infrastructure options are offered to the developer at the time of subdivision. Most importantly, the minimum parcel sizes purposely preclude urban or suburban scale development being imposed on the rural landscape within Catheys Valley. It is recognized that the minimum parcel sizes are not necessarily the most efficient means of maintaining open space, but the Catheys Valley area has long developed with significant spacing between homes as a result of its parcel size patterns. The CV Plan continues that pattern.

B. CATHEYS VALLEY DESIGN STYLE

Catheys Valley Community Design Guidelines, Appendix B, provide design guidelines that reflect a desired rustic “western” village style for commercial and institutional uses within Catheys Valley. The CV Plan includes policies to achieve the desired rural character for commercial and institutional development with the intent to avoid cliché California suburban styles. Implementation of the CV Plan requires adoption of Site Development and Supplementary Standards through an ordinance process. Design review requirements shall apply to commercial and institutional uses and not apply to permitted uses and associated development in the Agriculture/Working Landscape, Community Residential, and Residential land use classifications.

As development has increased in the foothills, land developers have stretched the suburban styles of Central Valley urban areas into the rural Sierra landscape. Throughout the California foothills, there is a trend to either emulate the “Mission” cliché architecture with its pale tan or cream color stucco walls as being “rural character.” The Catheys Valley area has never sustained permanent settlements using this style. A similar style to Mission is the stucco, adobe brick, and heavy timber of the “Southwest” architecture. This design, too, has never been used in western Mariposa County. Neither Mission nor Southwest styles fit Catheys Valley’s rural character.

As a working rural area, the historic character of Catheys Valley is best implemented using natural materials for siding and trim such as weathered wood and stone. Use of modern materials that closely resemble natural materials is appropriate. Consistent with the
styles of the historic ranch homes and the Gold Rush era, appropriate roof styles include gable roof lines with relatively steep pitch or a false façade. The Catheys Valley Design Guidelines requires covered walkways, and an emphasis on raised walkways constructed of surfaces with the appearance and texture of wood. The intent is to avoid the urban-style smooth sidewalk. Acceptable building and roof materials, designs, and styles are identified in Appendix B.

The Catheys Valley Design Guidelines emphasize the creation of a “rural crossroads community” appearance. Commercial and institutional development needs to have a pedestrian focus incorporating shared driveways whenever possible and site design centered on pedestrian safety, convenience, and proximity. Vehicle-oriented features, such as drive-through windows, are not consistent with pedestrian character, and the implementing programs will prohibit their inclusion in project designs or site plans.

C. SITE DEVELOPMENT AND SUPPLEMENTARY STANDARDS

Siting new commercial or institutional development to fit existing terrain and maintain existing vegetation is important to achieve the rustic western village theme and enhance Catheys Valley community design. Some characteristics are extremely important to incorporate at policy level; however, most detail will be contained within the Catheys Valley Design Guidelines (Appendix B), or the Mariposa County Zoning Ordinance. Site development and supplementary standards shall not apply to uses or associated development described in the Agriculture/Working Landscape, Community Residential, and Residential land use designations.

Primary objectives include saving native vegetation and significant rock outcroppings as priorities. Commercial and institutional development can be constructed to fit into the terrain as opposed to changing terrain to fit the project. Site preparation and design are a part of the overall development process, and any grading, land clearing, or tree removal for commercial or institutional development necessitates a Design Review application prior to initiation of activities. Structures and site development are to be integrated into existing terrain, topography, and landforms. These concepts mean some grading may be terraced, site preparation costs may increase, and greater care in design is necessary.

Other objectives include using natural materials or materials that appear natural for the facing of retaining walls and retaining and preserving natural drainages, such as Owens Creek and other “blue-line” streams, because these drainages are part of the rural character.

How a site is used, whether within or outside a structure, is a part of the rural character. Siting of new development off Highway 140 creates an internal rural village and avoids a highway-orientation. The siting of structures must reflect appropriate setbacks from property lines and the rural vista. Buildings will need to complement and not block views. Establishing height standards is important to the rustic western village theme. The rear elevations of the buildings are integral to the design guidelines because commercial and institutional development can be visible from adjoining properties and roads.

Siting structures appropriately applies both to buildings and other types of physical development or structures. Vistas in Catheys Valley are an integral part of the rural charac-
ter and the landscape. Rolling hills with oak woodlands and shallow valleys dominate the landscape. There are very few obstructions to views.

In 2000, a water tank was installed on property in the central area of Catheys Valley. This hilltop structure of significant height becomes the dominant visual feature when one enters the center of Catheys Valley from either Hornitos Road or Highway 140. The scale, mass, and siting of this water tank is inappropriate. Design and zoning regulations will ensure that future structures have a scale, mass, and siting that is appropriate to the character of Catheys Valley.

Other design characteristics to be addressed in guidelines and zoning regulations include signage, lighting, grading, and landscaping. Mariposa County overall, and Catheys Valley in particular, are among the few areas in California where it is still possible to clearly see stars in the night sky. Recognized “dark sky” standards are to be integrated into the Design Guidelines.

D. SEPARATION OF COMMUNITY COMMERCIAL AND AGRICULTURE/WORKING LANDSCAPE

Community planning areas represent commercial and service centers away from the County’s more densely populated areas, such as Mariposa or Lake Don Pedro. Catheys Valley includes a significant amount of land included in the Agriculture/Working Landscape land use classification. This inclusion is intentional. Catheys Valley’s rural character is dependent on ensuring a continued balance of rural density residential and working ranches, farms, and agriculture-related businesses.

As rural counties grow, much of the incoming population comes from urban and urbanizing areas. New residents locate in Mariposa County for many reasons, but key among those reasons is the County’s rural character. Catheys Valley epitomizes rural character. New residents sometimes do not recognize that the vast expanses of ranch land surrounding their homes provide not only scenic qualities, but represent another’s business and a significant portion of the County’s economic base.

The intermixing of rural residences with working ranches and farm lands is part of the rural charm, but it also creates potential conflicts between the person seeing their residence as a home with certain “rural character” expectations being inconvenienced by the economic activity at an adjoining ranch or farm.

Residential development adjacent to Agriculture/Working Landscape lands should reflect the balance between the rural home and the working ranch and farm. The minimum residential parcel size is five acres when adjacent to Agriculture/Working Landscape lands. A new subdivision adjoining Agriculture/Working Landscape lands provides an opportunity to disclose the County’s “Right to Farm” regulations and policies.

5.1.02 LAND USE CLASSIFICATIONS

California Government Code §65302 et seq. requires a general plan to include maps designating the general distribution and location of land uses. With no incorporated cities, the Mariposa County General Plan serves both the regional needs of the County and the
more precise planning needs of Catheys Valley. Land use classifications are used to identify future land uses in Catheys Valley. The CV Plan, a part of the General Plan, serves as the general plan for the Catheys Valley area.

The CV Plan includes five land use classifications, as shown in Figure 5-1:

- Residential;
- Community Residential;
- Community Commercial;
- Agriculture/Working Landscape; and
- Public Facilities and Services.

The CV Plan land use classifications are different from zoning districts established in the County Zoning Ordinance. The purpose of a land use classification is to paint a picture of the future land use patterns of Catheys Valley. The land use classifications generally follow the traditional zoning in Catheys Valley, with some additions. The CV Plan ensures that parcels with existing zoning that allows the subdivision of land into 2.5-acre parcels be retained through the Community Residential land use classification.

California General Plan law requires land use classifications to describe an extent of uses, population density, and building intensity. These requirements form the basis for the latter application of zoning.

Zoning districts (zones) are implementation tools of the General Plan and CV Plan. Zoning districts, identified within each land use category, implement the CV Plan’s purposes. The zones specify entitlements by prescribing permitted uses. The zones prescribe administrative uses, permitted uses, conditional uses, accessory uses, temporary uses, and site development and supplementary standards.

The CV Plan land use classifications include several components:

- Purpose;
- Extent of uses;
- Consistent zoning classifications;
- Population density standards;
- Building intensity standards; and
- Criteria for inclusion in the land use classification.

Development standards, prescription of uses, and other requirements are implemented through the Zoning Ordinance, Title 17 of the Mariposa County Code, which shall be amended to accommodate the special zoning standards in the CV Plan.

- The purpose defines the need for the classification and the reasons for its inclusion in the CV Plan.
- The extent of uses defines the general characteristics of the use of land within the classification. The extent of uses is not intended to serve as a supplement or override of the prescribed administrative uses, permitted uses, and conditional uses implemented through zoning.
- Zoning consistency defines which of the County's zoning districts are permitted within a land use classification.

- Population density is the maximum number of projected persons per acre of gross land area based on the number of dwelling units and the Year 2000 Census number of persons per dwelling unit. Population density is a numeric calculation and does not create an actual regulation or limit on occupancy.

- Building intensity represents different characteristics for different types of uses. For residential development, building intensity is the number of dwelling units per either 5 acres or 2.5 acres of gross land area. For non-residential development, building intensity is the employee/user capacity of a facility. This may be determined in square footage, lot coverage, traffic generation, or other defined factor in the explanation under a land use classification.

- Criteria for inclusion are policy specifics applicable to the review of any application that proposes to change the land use classification of land from one classification to another.

A. RESIDENTIAL

A(1) Purpose

The Residential land use classification identifies lands for household living in a rural setting.

A(2) Extent of Uses

In keeping with the County's rural lifestyle, Residential land includes dwellings and agricultural activities compatible with residences. Typical accessory uses are related to personal recreation, home-based entrepreneurial activities, and other uses consistent with rural character. Religious facilities are allowed subject to a conditional use permit, when found to be consistent with rural character.

A(3) Zoning Consistency

The following zoning districts are consistent with the purpose of the Residential land use classification:

- Agriculture Exclusive
- Mountain Home

A(4) Population Density and Building Intensity

Maximum number of dwelling units: One (1) dwelling unit per legally existing parcel.¹

Maximum density for new subdivisions: One (1) dwelling unit per five (5) acres of gross land area.

¹ Accessory dwelling units consistent with policies in the Housing Element are not included in this calculation.
Minimum parcel size for new subdivisions: Two and one-half (2.5) acres of gross land area provided the average density does not exceed one (1) dwelling per five (5) acres for the proposed subdivision. Parcels created within the Residential land use classification when adjacent to Agriculture/Working Landscape land have a minimum parcel size of five (5) acres of gross land area.

Maximum building intensity: 10% lot coverage per five (5) acres of gross land area and 10% lot coverage per two and one-half (2.5) acres of gross land area.

Average population density: 0.491 persons per acre of gross land area.\(^1\)

\(^1\) The 2000 Census defines 2.45 persons per dwelling unit as the County average. This is a mathematical calculation required by California law. The population density is a calculation of multiplying the number of units per acre by 2.45.
Figure 5-1 - Catheys Valley Community Plan Land Use

CATHEYS VALLEY COMMUNITY PLAN
LAND USE DIAGRAM

LAND USE CLASSIFICATIONS
- RESIDENTIAL
- COMMUNITY RESIDENTIAL
- COMMUNITY COMMERCIAL (TOTAL ACRES ACS 1.17)
- AGRICULTURE / WORKING LANDSCAPE
- PUBLIC FACILITIES AND SERVICES
- COVERED BY THE COUNTY WIDE GENERAL PLAN
- STATE HIGHWAY 140

COMMERCIAL AREA HIGHLIGHT
Figure 5-2 - Catheys Valley Commercial Reserve
A(5) Site Development and Supplementary Standards

Site development and supplementary standards are implementation requirements of the CV Plan. Some standards include broader policies defined to aid implementation. The standards included in this section are required for new development, unless specified in the CV Plan or the General Plan.

♦ Functional service classification and current template of the road

Roads in Catheys Valley serve a variety of functions requiring different development standards. These standards are intended to provide adequate capacity for anticipated development and safe and efficient traffic management.

♦ Average slope of subject property

The County Planning Staff will review residential building permits on existing and future parcels with slopes in excess of 15%, and the Planning Commission will review subdivisions with slopes on parcels with slopes in excess of 15%, in compliance with Section 5.3.02 E(2) of the General Plan.

♦ suitability of soils for individual onsite sewage disposal system meeting Health Department requirements

New parcels shall have approved areas for onsite sewage disposal systems and shall obtain an approval from the Health Department.

♦ Potable water supply related to the residential land use classification

Standards for potable water supply in the Residential land use classification are provided in General Plan Section 5.3.02.E(4).

♦ Fire protection and fire management

New construction shall conform to the regulations of the County Building Department, County Fire Department, and California Department of Forestry and Fire Protection (Cal Fire) for purposes of fire management and fire safety.

A(6) Intensity of Use Standards

Intensity of use shall be consistent with rural character:

Visual – Development that is accessory to the primary use of lands within the Residential land use classification shall be of an appropriate use, height, scale, mass, and bulk to be permitted. The Zoning Ordinance shall include appropriate standards to define the Catheys Valley standards.

Storage – Storage standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(3). Self-storage units shall not be classified as a home enterprise or rural home industry in Catheys Valley.
Parcel size compatibility and relationship to surrounding uses - The minimum parcel size within the Residential land use classification is five (5) acres when it adjoins a parcel in the Agriculture/Working Landscape land use classification.

Animal husbandry – Animal husbandry standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(6).

A(7) Criteria for New Lands to be Included

Criteria for inclusion of new lands into the Residential land use classification are provided in General Plan Section 5.3.02.G Items 1a, 1b, 2, and 4.

B. COMMUNITY RESIDENTIAL

B(1) Purpose

The Community Residential land use classification identifies lands for household living in a rural community setting.

B(2) Extent of Uses

In keeping with the County’s rural lifestyle, Community Residential land includes dwellings and agricultural activities compatible with residences. Typical accessory uses are related to personal recreation, home-based entrepreneurial activities, and other uses consistent with rural character. Religious facilities are allowed subject to a conditional use permit, when found to be consistent with rural character.

B(3) Zoning Consistency

The following zoning districts are consistent with the purpose of the Community Residential land use classification:

Agriculture Exclusive
Mountain Home
Neighborhood Residential
Rural Residential

B(4) Population Density and Building Intensity

*Maximum number of dwelling units:* One (1) dwelling unit per legally existing parcel.¹

*Maximum density for new subdivisions:* One (1) dwelling unit per two and one-half (2.5) acres of gross land area. Parcels created within the Community Residential land use classification when adjacent to Agriculture/Working Landscape land have a maximum density of one (1) dwelling unit per five (5) acres of gross land area.

*Minimum parcel size for new subdivisions:* Two and one-half (2.5) acres of gross land area. Parcels created within the Community Residential land use classification when ad-

¹ Accessory dwelling units consistent with policies in the Housing Element are not included in this calculation.
jacent to Agriculture/Working Landscape land have a minimum parcel size of five acres (5) of gross land area.

Maximum building intensity: 10% lot coverage per two and one-half (2.5) acres of gross land area. Parcels created within the Community Residential land use classification when adjacent to Agriculture/Working Landscape land have a maximum building intensity of 10% lot coverage per five (5) acres of gross land area.

Average population density: 0.98 persons per acre of gross land area. Parcels created within the Community Residential land use classification when adjacent to Agriculture/Working Landscape land have an average population density of 0.491 persons per acre of gross land area.¹

B(5) Site Development and Supplementary Standards

Site development and supplementary standards for the Community Residential land use classification are provided in Section 5.1.02.A(5).

B(6) Intensity of Use Standards

Intensity of use standards for the Community Residential land use classification are provided in Section 5.1.02.A(6).

B(6) Criteria for New Land to be Included

Criteria for inclusion of new lands into the Community Residential land use classification are provided in General Plan Section 5.3.02.G, with the exception that Finding No. 3 shall be:

3. The subject property will be contiguous on at least two sides to lands within the Residential, Community Residential, or Community Commercial land use classifications.

C. COMMUNITY COMMERCIAL

C(1) Purpose

The Community Commercial land use classification identifies land for local business, service, and commerce for business with the primary purpose of serving residents of Catheys Valley. Community Commercial lands identify a community center for Catheys Valley and encourage the clustering of commercial and economic activity that can function without the direct need to attract pass-through traffic from Highway 140. The primary purpose of the community commercial area is to serve the local needs of Catheys Valley and vicinity. The Community Commercial land use classification uses serve the needs of the local population. Businesses requiring drive-by, capture, or tourist customers in order to be financially successful are not appropriate in Catheys Valley. The

¹ The 2000 Census defines 2.45 persons per dwelling unit as the County average. This is a mathematical calculation required by California law. The population density is a calculation of multiplying the number of units per acre by 2.45.
Community Commercial land use classification is not intended for the construction of a regional shopping or tourist service center.

C(2) **Extent of Uses**

Primary uses are retail and commercial businesses supporting the needs of a small community comprised of home businesses, agricultural uses, working families, retired individuals, and commuters. Businesses with a primary market derived from a regional population or tourists are not compatible with the Community Commercial classification. Religious facilities, including those with retail sales consistent with this section and/or including sports and entertainment facilities for organization members and/or the members of the community are allowed subject to a conditional use permit.

Accessory uses may be developed after the primary use is in place if the uses enhance the primary use. Residential uses on lands within the Community Commercial land use classification shall be accessory to the primary use.

C(3) **Zoning Consistency**

The following zoning districts are consistent with the purpose of the Community Commercial land use classification:

- Neighborhood Commercial Zone Three
- Public Sites

C(4) **Population Density and Building Intensity**

*Minimum parcel size for new subdivisions:* Two and one-half (2.5) acres of gross land area.

*Maximum dwelling units:* A maximum of four (4) attached residential units per parcel when an integral part of a commercial development.

*Maximum building intensity:* Thirty-three (33) percent lot coverage. The maximum gross square footage of a single building shall be five thousand (5,000) square feet.

*Maximum population density:* One hundred percent of the number of employees of the primary use.

C(5) **Development Standards**

- **Frontage on maintained road**

Development within the Community Commercial land use classification shall be required to front on a paved, maintained road. Frontage standards in the Community Commercial land use classification are provided in General Plan Section 5.3.03.E(2).
Parking and access

Access to a County arterial or major collector shall be shared between commercial lots and the County shall be empowered to require access design to serve multiple parcels.

Buildings shall be sited so that parking areas may be shared between Community Commercial uses. Buildings shall be sited to facilitate pedestrian access between structures using accepted design principles for safety and attractiveness.

Site designs in which structures are designed with large parking areas between buildings and the access roads shall be avoided.

Design

Design Review required: Proposed commercial and institutional development, including modifications to existing development, shall be consistent with the Catheys Valley Design Guidelines (Appendix B).

Viewshed: The height, mass, and bulk of a structure shall be in conformance with the Catheys Valley Design Guidelines (Appendix B).

Structure design, landscaping and scenic environment: The colors, materials, texture, and style of a structure shall be consistent with the Catheys Valley Design Guidelines (Appendix B).

Site development: Site development shall be consistent with the Catheys Valley Design Guidelines (Appendix B).

Slope

Development sites with slopes over ten percent (10%) shall be engineered for stability and designed to match the natural contours and topography in order to blend with the natural environment. The use of cuts and fills shall be minimized.

The County Planning Staff will review building permits on existing and future parcels with slopes in excess of 15%, and the Planning Commission will review subdivisions on parcels with slopes in excess of 15%, in compliance with Section 5.3.02 E(2) of the General Plan.

Landscaping

Existing mature native landscaping shall be retained to the greatest extent possible. Native species suitable to site characteristics shall be required. Landscaping shall conform to the requirements of the Catheys Valley Design Guidelines.
Water supply and wastewater disposal

Prior to submittal of an application for design review, the applicant shall obtain the approval of the Health Department for an onsite or shared wastewater disposal system and an appropriate supply of potable water from an on-site or shared source adequate to serve the intended structure and its range of uses.

Fire protection and fire management

Rural commercial and institutional development will meet fire protection regulations.

C(6) Criteria for New Lands to be Included

Community commercial area

The CV Plan identifies the community commercial area. The Community Commercial area is adequate to meet the long-term needs of Catheys Valley projected population.

Future community commercial area expansion

In order to apply for a change of land use classification into the Community Commercial land use classification, the County shall substantiate all of the following:

1. The subject property has frontage on a paved, maintained road built to the standards of a minor arterial, major collector, or minor collector.

2. The subject property adjoins existing commercial lands.

3. The properties included in the Community Commercial land use classification are more than 75% developed. If a specific development application is based on a rural home industry expanding the number of jobs so that relocation from home to a business location is required, this finding is not required.

4. A specific development proposal accompanies the application.

5. The subject property is within the area shown as Community Commercial Reserve in Figure 5-2.

D. AGRICULTURE/WORKING LANDSCAPE

The CV Plan applies the General Plan Agriculture/Working Landscape land use classification, General Plan Section 5.3.04.

E. PUBLIC FACILITIES AND SERVICES

E(1) Purpose

The Public Facilities and Services land use classification defines lands identified for the location of or expansion to public and private uses serving the general public’s health, safety, and welfare.
E(2) Extent of Uses

Schools; parks; religious facilities, including those with sports and entertainment facili-
ties for organization members and/or the members of the community; public facilities.

E(3) Zoning Consistency

The following zoning districts are consistent with the purpose of the Public Facilities and
Services land use classification:

Public Sites

E(4) Population Density and Building Intensity

Maximum dwelling units: Per approved project, generally one dwelling unit per
project site for purposes of providing onsite security.¹

Minimum parcel size
for new subdivisions: Two and one-half (2.5) acres of gross land area.

Maximum building intensity: Per approved project.

Maximum population density: 2.45 persons per onsite security dwelling

E(5) Development Standards

Site development and supplementary standards for the Public Facilities and Services land
use classification are provided in Section 5.1.02.C(5).

E(6) Criteria for New Lands to be Included

Land shall be owned or used by a public agency, a recognized public utility, a quasi-
public utility, or homeowner association.

F. LEGAL EXISTING USES OF LAND

Regulations for legally existing uses of land in Catheys Valley are provided in General
Plan Section 5.1.12 and Goal 5-11, Policies 5-11a and 5-11b, and Implementation Mea-
asures 5-11a(1) and 5-11b(1).

G. HOME BUSINESSES

Traffic generation standards for home businesses in the Residential and Community Res-
idential land use classifications are provided in General Plan Section 5.3.02.F(2).

¹ For example, a mobile home in which a caretaker and family reside on the grounds of a public park.
H. PLACES OF WORSHIP

The small neighborhood religious facility walked to by families has also become part of historic Americana. Religious facilities today meet multiple spiritual and community needs. Traditionally, the small congregations in the rural neighborhood religious facility were busily used on Sundays and possibly a mid-week Bible Study or youth group meeting. Today’s religious facility complexes may serve distantly living regional congregations and offer a wide variety of educational, spiritual, service, and even recreational activities.

Catheys Valley and the County of Mariposa welcome opportunities for residents to build and fully use religious facilities. Recognizing this freedom to worship, the CV Plan seeks a balance between the ability to worship and the importance of addressing land use compatibility issues throughout the community. Depending on the extent of additional non-traditional facilities and activities offered by the complex, religious facilities are identified conditional uses in the CV Plan, depending on their consistency and compatibility with other uses in the classification.

Primary and traditional religious facility operational characteristics are similar to assembly uses. As such, the facility needs to be situated with access from a maintained road with adequate capacity to serve the full functions of the religious facility or place of worship. In order to maintain rural character, a place of worship is subject to design review as an institutional use in compliance with the Catheys Valley Design Guidelines (Appendix B) that balance the characteristics unique to worship with size, mass, bulk, and scale of rural character. Religious facilities and religious centers shall comply with appropriate lot coverage and onsite parking, access, and landscaping standards as applicable to similar uses.

5.1.03 LAND USE GOALS AND POLICIES

The following are the CV Plan land use goals, policies, and implementation measures. These policies are unique to the CV Plan and are not repeated in the General Plan. In several cases, policies are “tiered” from or are otherwise related to broader General Plan policies and are noted in the text.

Goal CV5.1-1: Parcel sizes for residential uses shall be sized for rural character.

(5.1.1, Policies CV5.1-1a, and CV5.1-1b, and Implementation Measures CV5.1-1a(1) and CV5.1-1b(1) are tiered from General Plan Goal 5-2. General Plan text will be reviewed in conjunction with CV Plan policies and implementation measures.)

Policy CV5.1-1a: Two and one-half (2.5) acres is the minimum parcel size for new subdivisions in the Community Residential land use classification.

Implementation Measure

CV5.1-1a(1): The County shall amend the Zoning Ordinance to establish a Neighborhood Residential zone, which maintains a minimum parcel size of two and one-half (2.5) acres of gross land area, and shall modify the
County Zoning Map to designate parcels in the Community Residential land use classification as the Neighborhood Residential zone.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: One-Time Impact – Requires approximately 350 to 450 hours of staff time to update the Zoning Ordinance and the County Zoning Map and process a negative declaration of environmental impact over a period of approximately 24 months.

Ongoing Impact – Small increase in property tax revenues to General Fund by increasing the number of potential parcels (after subdivision and sale). Inconsequential dollar amount.

Consequences: The General Plan proposes flexibility in its residential land development patterns when there are suitable site development characteristics. The Community Residential land uses are located near Community Commercial land uses and transit. Revisions to the County Zoning Ordinance provide consistency with the CV Plan.

Policy CV5.1-1b: Five (5) acres is the minimum parcel size in the Residential and Community Residential land use classifications when the parcels are adjacent to Agriculture/Working Landscape land.

Implementation Measure

CV5.1-1b(1): The County shall update the County Zoning Ordinance to require a minimum parcel size of five (5) acres of gross land area in the Residential and Community Residential land use classifications when the parcel is adjacent to Agriculture/Working Landscape lands.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: One-Time Impact – Staff time is included in Implementation Measure CV5.1-1a(1).

Ongoing Impact – Small decrease in property tax revenues to General Fund by decreasing the number of potential parcels. Inconsequential dollar amount.

Consequences: Revisions to the County Zoning Ordinance will provide a buffer between residential and agriculture/working landscape lands.
Goal CV5.1-2: Maintain rural densities for residential development in the Residential land use classification.

(Goal CV5.1-2, Policy CV5.1-2a, and Implementation Measures CV5.1-2a(1) are tiered from General Plan Goal 5-9. General Plan text will be reviewed in conjunction with CV Plan policies and implementation measures.)

Policy CV5.1-2a: One house per five acres is Cateleys Valley’s rural average density.

Implementation Measure CV5.1-2a(1): In the Residential land use classification, the maximum allowable density for residential development shall be one dwelling unit per five acres.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

Fiscal Impact: None.

Consequences: This fixes the standard of the “five acre parcel” as the rural standard in Cateleys Valley. It does not, however, require that this density be based on a minimum parcel size, just an average density of one house per five acres. A second residential unit that conforms to the requirements of California Government Code Section 65852 will not be considered in the calculation of allowable density for a residential parcel in Cateleys Valley.

Goal CV5.1-3: Parcel sizes for commercial and institutional uses shall be based on maintaining rural character.

Policy CV5.1-3a: Commercial and institutional development shall be sited on parcels designed and sized to maintain rural character.

Implementation Measure CV5.1-3a(1): The County shall modify the County Zoning Ordinance to establish the Neighborhood Commercial Zone Three, which incorporates a minimum parcel size of two and one-half (2.5) acres of gross land area and standards for commercial and institutional development to maintain rural character.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal impact: One-Time Impact – Cost is included in Implementation Measure CV5.1-1a(1).
Ongoing Impact – Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: Revisions to County Zoning Ordinance will provide consistency with CV Plan.

Goal CV5.1-4: New development emphasizes rural character qualities.

Policy CV5.1-4a: Design review shall be required for commercial and institutional development.

Implementation Measure

CV5.1-4a(1): The County Zoning Ordinance shall be amended to establish site development and supplementary standards for Catheys Valley commercial and institutional zones. A proposed project shall be reviewed to ensure architectural design, site layout and grading, landscaping, and development style maintain rural character in scale with the area. The standards should address, at a minimum, the following issues:

- Mechanical equipment (such as water storage tanks);
- Setbacks tailored to the community for residential, commercial, and institutional development;
- Lighting plans reflecting the guidelines of the International Dark Sky Association; and
- Building and structure heights reflective of the topography, building site, and surrounding properties.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: One-Time Impact -- Cost is included in Implementation Measure CV5.1-3a(1).

Consequences: New commercial and institutional projects will be evaluated based on Catheys Valley site development and supplementary standards.

Goal CV5.1-5: Achieve balance with rural residences and working ranches and farms.

(Goal CV5.1-5, Policies CV5.1-5a and CV5.1-1b, and Implementation Measures CV5.1-5a(1) and CV5.1-5b(1) are tiered from General Plan Policy 5-5a. General Plan text will be reviewed in conjunction with CV Plan policies and implementation measures.)

Policy CV5.1-5a: Subdivision activity is only permitted on maintained roads with adequate capacity to serve the potential new lots.
Implementation Measure

CV5.1-5a(1): To qualify for subdivision, access to the subject property shall be from a road that is:
  (1) maintained; and
  (2) has adequate capacity for the potential traffic volume generated by the total number of existing lots and those which can be created within the road system.

Timing: Ongoing review standard
Responsibility: Mariposa County Planning Department
Fiscal impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.
Consequences: This establishes a minimum standard linking circulation with land use. A public or private road must have adequate capacity to accommodate the traffic generated by the proposed and potential subdivisions within the same road system to be approved.

Implementation Measure

CV5.1-5a(2): Prior to the submittal of a final subdivision map, roads serving the proposed subdivision shall be improved, or appropriate surety submitted to the County of Mariposa to cover the cost of improving such roads, to the standards required for subdivision capacity as identified in the General Plan Circulation, Infrastructure, and Services element.

Timing: Ongoing review standard
Responsibility: Mariposa County Planning Department
Fiscal impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.
Consequences: Road improvements must be completed, or surety for completion posted, prior to the submittal of the final subdivision maps.

Goal CV5.1-6: Development minimizes impacts on and/or improves air quality.

(goal CV5.1-6, Policy CV5.1-6a, and Implementation Measures CV5.1-6a(1) and CV5.1-6a(2) are tiered from General Plan Policy 11-

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1 "Maintained road" means a road that receives scheduled maintenance from the State Department of Transportation, County of Mariposa, special district, or mandatory private road maintenance association created as part of the project approval.
1c. General Plan text will be reviewed in conjunction with CV Plan policies and implementation measures.)

**Policy CV5.1-6a:** Implement standards that minimize impacts on and/or improve air quality.

**Implementation Measure CV5.1-6a(1):** For new commercial and institutional building permits and all subdivision applications, including new residential subdivision applications in Catheys Valley, the County shall require energy conservation and the reduction of greenhouse gas emissions in conformance with California Code of Regulation Title 24, Parts 6 and 11. Additional measures shall include one or more of the following:

- Limited hours of operation of outdoor lighting.
- The use of solar heating, automatic covers, and efficient pumps and motors for pools and spas.
- The installation of solar, wind, and geothermal power systems, and solar hot water heaters.
- Features that discourage excessive use of water for cleaning outdoor surfaces and vehicles.
- Low-impact development practices that maintain the existing hydrologic character of the site to manage stormwater in accordance with General Plan Implementation Measure 16-5a(2) and protect the environment. (Retaining increased stormwater runoff on-site resulting from project implementation can drastically reduce the need for energy-intensive imported water at the site.)
- Mixed-use included in commercial development projects to support the reduction of vehicle trips, promote alternatives to individual vehicle travel such as the Yosemite Area Regional Transportation System (YARTS), and promote efficient delivery of services and goods.

**Timing:** Short-Term Planning Period

**Responsibility:** Mariposa County Planning Department.

**Fiscal impact:** Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

**Consequences:** Reduces emissions of air pollutants and greenhouse gases.

**Implementation Measure CV5.1-6a(2):** The County supports the availability of the following educational programs for Catheys Valley residents as time and resources permit:

- Energy efficiency and water conservation, including available programs and incentives;
• Waste reduction and available recycling services; and
• Options for individuals and businesses to reduce transportation-related emissions, including YARTS, bicycle, and horse trails.

Timing: Short-Term Planning Period
Responsibility: Mariposa County Public Works Department.
Fiscal impact: Ongoing Impact – Staff time during the work day to answer questions and provide available information.
Consequences: Reduces emissions of air pollutants and greenhouse gases.

5.2 AGRICULTURE

5.2.01 UNIQUE CATHEYS VALLEY AGRICULTURAL ISSUES

Agriculture is a crucial policy issue in Catheys Valley because it contributes to the community and Mariposa County’s overall economic and social sustainability and is a major aspect of the community and County’s rural character. Agriculture provides open space, habitat for plants and wildlife, recreation for residents and tourists, a diverse range of specialty products, and local jobs. Agriculture serves as a model and anchor for Catheys Valley’s rural way of life. The CV Plan maintains rural character and creates an important, long-term, and fundamental economic base, requiring that agriculture be nurtured, sustained, and preserved.

Agriculture utilizes primary resources of soil, water, sun, and air. The viability of agriculture is dependent on conserving and managing these resources for the future. The partnership between the County and private interests create collaboration opportunities to ensure Catheys Valley’s resources are used in beneficial ways that enhance the value of agriculture in the local economy. Therefore, the water demands of future projects, including residential/commercial, and water intensive agriculture projects, should be evaluated for impacts on existing agriculture and the agricultural economy, and residential uses within the vicinity of the proposed project.

The General Plan Agriculture Element implements programs resolving issues related to agriculture in Catheys Valley. Some programs cross element boundaries and are implemented elsewhere in the CV Plan. The key issues addressed in the Agriculture Element are:

• General Plan Section 10.1.01 – Preserving agricultural lands,
• General Plan Section 10.1.02 – Working landscape stewardship (From the General Plan, Section 10.1.02: “Stewardship is the act of land use conservation and land resource protection. The General Plan is based on the precept that those who live on and manage the land are the best stewards. This is particularly true with agriculture and forestry.”)
• General Plan Section 10.1.03 – Nurturing the agricultural economy throughout
  the County, and
• General Plan Section 10.1.04 – Maintaining the rural character of the County.

The inclusion of this introductory text in the CV Plan is recognition of the essential con-
tributions agriculture makes to Catheys Valley's economy and character.

5.2.02 AGRICULTURE GOALS AND POLICIES

The CV Plan implements the General Plan Agriculture Element Goals and Policies in
General Plan Section 10.2.

5.3 INFRASTRUCTURE AND SERVICES

5.3.01 DISTINCTIVE ASPECTS OF CATHEYS VALLEY INFRASTRUCTURE AND
SERVICES

The General Plan addresses circulation issues and road maintenance consistent with the
needs of Catheys Valley. There is no need for special circulation related goals in the CV
Plan. Likewise, utilities are addressed in the General Plan, and Catheys Valley-specific
utilities policies are unnecessary.

As a rural crossroads community that has never been a “town,” Catheys Valley has a den-
sity and development potential that avoids the need for public systems to deliver potable
water or manage wastewater disposal. Onsite or privately maintained shared systems are
adequate to meet long-term community needs including those for existing parcels, new
subdivision parcels and commercial development.

Narrow rural roads and an increasing family population create a recipe for dangerous in-
termixing of pedestrian, bicycle, and vehicle traffic. The Catheys Valley area needs to
develop a pedestrian system to separate children and adults from vehicle traffic. Key pe-
destrian links from residential areas to the Catheys Valley Park and the commercial cen-
ter are needed.

Two telecommunications providers serve the Catheys Valley: Sierra Telephone Com-
pany, based in Oakhurst, and TDS, which is part of a group of small phone companies.
Sierra Telephone provides the 966 and 742 prefix services and offers fiber optic connec-
tions to a portion of its service area. Sierra Telephone and TDS have been offering DSL
high-speed internet connectivity in outlying areas of the County in an increasing range of
locations.

High-speed internet connections and contemporary features are necessary for the County
to accomplish its long-range economic development strategies. The General Plan
includes a Guiding Principle advocating connectivity.
5.3.02 INFRASTRUCTURE AND SERVICES GOALS AND POLICIES

Goal CV5-3.1: Maintain rural character by providing exclusively for individual onsite sewage disposal systems on parcels within the Residential and/or Community Residential land use classifications.

Policy CV5.3-1a: Parcels in new residential subdivisions shall be self-sufficient in terms of individual on-site wastewater disposal. New residential subdivisions shall not be approved if public, mutual, or privately maintained shared wastewater disposal systems are required for development. This policy does not prohibit the creation of a community or shared wastewater system on existing parcels in the Residential and/or Community Residential land use classifications that abates a public health problem.

Implementation Measure
CV5.3-1a(1): The Local Agency Formation Commission is encouraged to not approve the formation of a district empowered to provide wastewater disposal to parcels in the Residential or Community Residential land use classifications.

Timing: Short-Term Planning Period
Responsibility: Local Agency Formation Commission
Fiscal Impact: Avoids the cost of forming and operating a special district for wastewater.
Consequences: This measure supports the General Plan assessment of a land use issue which concludes that higher density developments which need public wastewater disposal systems must occur in existing Town Planning Areas which already provide some level of infrastructure and services.

Implementation Measure
CV5.3-1a(2): The County shall not approve new residential subdivisions requiring formation of a private or mutual company for purposes of wastewater disposal.

Timing: Short-Term Planning Period
Responsibility: Mariposa County Planning Department
Fiscal Impact: None.
Consequences: Implements the policy for non-public entities.

Goal CV5.3-2: Maintain rural character ensuring that future commercial, residential, and institutional development-related infrastructure requirements allow for protection of agricultural uses.
Policy CV5.3-2a: Water demands of future projects, including commercial, residential, and institutional projects, shall be evaluated for impacts on existing agricultural operations/economy.

Implementation Measure CV5.3-2a(I): The County shall require the submittal of an analysis of the impacts of water demand of future commercial, residential, and institutional projects on current agricultural operations.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.

Consequences: This measure requires that the impacts of future development on the water supplies for current agricultural operations be disclosed.
Appendix A – Catheys Valley Community Plan Glossary

The CV Plan Glossary is tiered from Mariposa County General Plan Appendix A, Glossary of Terms. The following words and phrases are specific to the CV Plan. Please refer to the General Plan for other definitions.

1. Build-out projection. “Build-out projection” means the population forecast method described in General Plan Section 1.8.02 that considers topographical, infrastructure, soil, and transportation constraints on development.

2. Individual domestic well. “Individual domestic well” means a water well used to supply water for the domestic needs of an individual residence or systems of four or less service connections (California Well Standards Chapter 2, Part 1, Section 1).

3. Mutual water company. “Mutual water company” means any private corporation or association organized for the purposes of delivering water to its stockholders and members at cost, including use of works for conserving, treating and reclaiming water (California Public Utilities Code Section 2725).

4. Population holding capacity. “Population holding capacity” means the total potential population of Catheys Valley based on the likely number of parcels to be created by subdivision and maximum feasible build-out of developable parcels.

5. Public water system. “Public water system” means a system for the provision of water for human consumption through pipes or other constructed conveyances that has 15 or more service connections or regularly serves at least 25 individuals daily at least 60 days out of the year. A public water system includes the following:

   (1) Any collection, treatment, storage, and distribution facilities under control of the operator of the system which are used primarily in connection with the system.

   (2) Any collection or pretreatment storage facilities not under the control of the operator that are used primarily in connection with the system.

   (3) Any water system that treats water on behalf of one or more public water systems for the purpose of rendering it safe for human consumption

   (California Health and Safety Code, Section 116275(h)).

6. Right to farm. “Right to farm” means the County’s recognition and support of the right to conduct agricultural activity through enforcement of County Code Chapter 18.04, Right to Agricultural Activity.

Tract-type housing. “Tract-type housing” means a style of housing development in which multiple homes that utilize identical or similar architectural designs are constructed on a tract of land.
Appendix B – Catheys Valley Design Guidelines

This Appendix defines the guidelines for design review of new institutional and commercial construction and modifications to existing institutional and commercial structures in Catheys Valley.

The Catheys Valley community is concerned that once a site has been graded and disturbed and long-lived perennial vegetation removed, the damage cannot be undone. For example, planting oak seedlings does not mitigate removing a two hundred year old oak tree. With the Catheys Valley area’s signature terrain feature being rolling hills, grading a hilltop for a flat building site would permanently alter the area’s rural character.

1 BASIC DESIGN REVIEW CRITERIA FOR COMMERCIAL AND INSTITUTIONAL DEVELOPMENT

The CV Plan and Design Guidelines can be effectively implemented with the adoption of site development supplementary standards applied to new development. The site development supplementary standards shall be prepared as an implementation measure of the CV Plan, and are subject to public review and comment, Planning Commission recommendation, and adoption by the Board of Supervisors. Site development supplementary standards are expected to include site design, grading, performance standards, and parking standards. The standards are not incorporated as requirements of the CV Plan. The specific standards shall be prepared after the CV Plan is adopted as amendments to the County Zoning Ordinance.

A. SITE DESIGN AND GRADING

The following measures apply to the review of grading permits for commercial and institutional development within Catheys Valley:

1. If an aggregate total of more than one acre of a site is to be disturbed by grading, or if more than 15% of the mature oak trees on a parcel are to be removed, the Mariposa County Planning Department shall review the grading permit prior to its approval for conformance with the provisions in this section of the CV Plan.

2. New or modified structures should be designed to conform to existing landforms. This means that foundations should be designed and built in general conformance with the topography of the site. Cut and fill should be minimized, or at least sculpted to fit the landform when the building site is on rolling or hillside terrain. Use existing natural vegetation and landscaping with native plant species to hide cuts and fills when major grading occurs for a building pad.

3. While property owners enjoy view sites, the rolling terrain in Catheys Valley is a part of the area’s character. When construction occurs on hilltops, it is desirable to avoid flattening the natural terrain into building pads; rather the structures’ foundations should be shaped to fit on the hill.

4. In cases where retaining walls of 36” or taller may be required, the retaining walls shall be faced with a texture such as keystone block, stamped stone, or brick veneer to visually break up smooth concrete surfaces.
5. If significant mature native vegetation must be removed for a project, then those trees shall be replaced ("replacement landscaping") with at least a 4 to 1 (replacement vegetation to mature native vegetation) ratio because the planted trees will not achieve the shade and character of the removed mature tree for a significant period of time.

6. The bed and bank of natural drainage courses shall be maintained if shown as a "blue line" drainage on USGS topographic maps or the County’s Geographic Information System. Setbacks from flood prone areas shall be maintained.

7. Drainage structures shall be screened from public view through the use of materials with a natural appearance, the use of natural materials, or vegetation overgrowth.

8. The "Chinese" walls prevalent in the Catheys Valley area shall be retained and no breaches permitted unless absolutely necessary for project design and when no alternatives exist. Such demolition is subject to review by the Mariposa County Planning Department.

B. DESIGN CRITERIA

Allow businesses with outdoor sales and storage areas on a case-by-case basis because the outdoor uses could detract from the rustic western village theme.

New commercial development should not be designed to "face" Highway 140 but to "face" interior roads because a highway strip-commercial development would not be consistent with the rustic western village theme.

New development (commercial and institutional) is to be set back from Highway 140 so that the drive through the community maintains the current rural character. It will be important to preserve or enhance vegetation between the roadway and development. This will also minimize the negative visual impacts of the highway on residential development.

Planting new landscaping is encouraged between Highway 140 and the development so that the drive through the community maintains the current rural character.

It is appropriate to have landscaping planted between commercial/institutional development and residential development to minimize the impacts for the new commercial/institutional development on the residential development.

New development should not be more than two habitable stories (exposed) plus a roof not to exceed 35 feet height.

A basement completely below ground level is not counted toward the two habitable stories maximum.

Exceptions to height guidelines should be considered on a case-by-case basis for chimneys, water tanks, ornamental towers and spires, and commercial communications towers because these uses could detract from the rustic western village theme.

Signs should not detract from the building architecture and site development but rather should be designed to be a part of the overall designed development, and require
that signs be reviewed when the building and site development plan are reviewed so that this can be achieved.

Require low-lying monument signs (6 feet maximum height) and/or signs on the face of the building.

Do not allow internally lit plastic signs.

Allow temporary signs for short-term sales and events, which are not regulated; and define temporary signs as those that are displayed for no more than 10 days.

Allow directional signs within a development if there is no advertising.

Establish a maximum sign area based upon the size of the building so that smaller buildings would have smaller signs and larger buildings could have larger signs; still need to have maximum sign area with this criteria.

Off-site advertising signs (billboards) are prohibited.

The color requirements for buildings should apply to signs, but shall allow one logo sign. The allowed logo sign shall be limited in size.

New light should be maintained entirely on-site.

Establish standards to minimize nighttime glare or the commercial area “glow”, visible from a distance, which is already present with just the one new commercial development in the community.

Establish lighting standards consistent with International Dark Sky guidelines.

Lighting standards should allow the minimal amount of nighttime lighting necessary to light the development for health and safety. The extent of nighttime lighting at the new commercial development in Catheys Valley is considered to be inconsistent with this guideline in terms of the brightness, number, and height of fixtures.

Consider lighting standards that require commercial developments to shut off their lights or reduce the lighting at nighttime when the business is closed.

Require landscaping with native and other plant species with low water demand.

Require parking lot landscaping to break up paving and provide shaded parking spaces for the hot summer season.

Require landscaping on new graded slopes to bring the graded slopes back to a natural look as soon as possible. This “slope” landscaping should consist of native trees and shrubs for the most natural look and should be designed with a naturalistic pattern design.

New development should be sited to be compatible with existing agricultural uses (maintain agricultural buffer).

C. ACCESS AND PARKING

Parking lots shall be designed to be a part of a project and not a “sea of asphalt” overwhelming the quality of the structure architecture. Parking lots shall be designed to accomplish the following goals:
The number of parking spaces and the design of ingress and egress for new development shall be adequate so that the additional traffic does not lower level of service or create unsafe conditions along roads or within parking areas.

Parking lot access shall be of adequate width and stacking distance in recognition that the majority of vehicles in Catheys Valley are pickup trucks and sports utility vehicles. No compact car spaces shall be counted towards meeting parking requirements. Lane width and turning radii shall be adequate to accommodate full size sports utility vehicles, such as the Chevrolet Suburban.

Parking areas and access lanes shall be paved to reduce or eliminate particulate emissions from dust. The County may approve alternate surface materials for parking areas if the material provides both a pervious land area and prevents particulate dust generation.

Parking lots shall be designed with lanes for safe pedestrian access.
EXHIBIT 2 – Amended General Plan Planning Areas / Figure 5-1
EXHIBIT 2 – Amended General Plan Land Use Diagram / Figure 5-2
EXHIBIT 3 - CEQA FINDINGS OF FACT

Having received, reviewed and considered the Final SEIR and other information in the record of proceedings, the Board hereby adopts the following findings in compliance with CEQA and the CEQA Guidelines:

Part A: Findings regarding the environmental review process and the contents of the Final Supplemental EIR.

Part B: Findings regarding the environmental impacts of the Catheys Valley Community Plan and the mitigation measures for those impacts identified in the Final SEIR and adopted as conditions of approval (incorporated into the plan).

Part C: Findings regarding alternatives and the reasons that such alternatives are rejected.

In adopting these findings, the Board certifies that these findings are based on full appraisal of all viewpoints, including all comments received up through the conclusion of the final hearing on the project concerning the environmental issues identified and discussed in the Final SEIR. The Board is adopting these findings for the entirety of the actions relating to the adoption of the Catheys Valley Community Plan.

Part A: Environmental Review Process

1. Overview of the Proposed Project – General Plan Amendment No. 2008-068, the Catheys Valley Community Plan

PROJECT DESCRIPTION

The State of California Planning and Zoning Law (Government Code Sections 65000-66033) sets requirements for land use planning at the local government level and specifies that a local general plan be prepared and maintained by local governmental agencies. A “community plan” is a term for a plan that focuses on a particular region or community within the general plan area. A community plan is adopted by resolution as an amendment to the general plan, in the manner set out in Section 65350, et seq. It refines the policies of the general plan as they apply to the community and implemented by ordinances and other discretionary actions, such as zoning. The community plan is required to be internally consistent with the general plan.

The general plan provides a policy framework for the detailed treatment of issues in the community plan. The community plan and general plan share a uniform format for land use categories, terminology, and diagrams. Each community plan does not need to address issues required by Section 65302 when the general plan satisfies these requirements.

The Mariposa County General Plan identifies seventeen planning areas, including Catheys Valley. The General Plan states that “area plans may be adopted for purposes of maintaining rural character, identifying and preserve public lands, protecting agriculture lands, or addressing localized issues in greater detail than is possible in the countywide General Plan” (Volume I, p. 5-28).
The Catheys Valley Community Plan comprises an integrated, consistent, and compatible statement of policies for Catheys Valley following direction established by the Board of Supervisors. Catheys Valley Community Plan goals, policies, and implementation measures refine the General Plan to strengthen and enhance the rural and ranching lifestyle of Catheys Valley.

The Catheys Valley Community Plan relies on, and does not modify:

a) The following General Plan elements:
   - Economic Development;
   - Arts and Culture;
   - Housing;
   - Conservation and Open Space;
   - Local Recreation;
   - Regional Tourism;
   - Historic and Cultural Resources;
   - Noise; and
   - Safety.

b) The following General Plan land use designation:
   - Agriculture/Working Landscape.

The Catheys Valley Community Plan modifies the General Plan, adopted in 2006, as follows:

c) The Catheys Valley Community Plan boundary contains 16,752 acres, which is 1,900 acres greater than the General Plan boundaries for the Catheys Valley Community Plan Study Area.

d) The Catheys Valley Community Plan relies on and expands the following General Plan elements:
   - Land Use; and
   - Circulation, Infrastructure, and Services.

e) The Catheys Valley Community Plan modifies or adds the following the land use classifications.
   - Residential
   - Community Residential
   - Community Commercial
   - Community Commercial Reserve; and
PROJECT OBJECTIVES

Section 1.1, Philosophy of the Catheys Valley Community Plan states, “The overriding objective of the Catheys Valley Community Plan...is to preserve the rural and ranching lifestyle and character of the area. The land within Catheys Valley is rural and not to be used for urban scale development or regional commercial development.”

The Catheys Valley Community Plan includes the following Guiding Principles specific to Catheys Valley:

- Ensure managed growth.
- Remain a “crossroads” community.
- Maintain the rural character of Catheys Valley.
- Protect rural character by not allowing tract-type housing, which is inconsistent with the rural character of the area.
- Provide opportunities for locally-oriented commercial businesses meeting local needs.
- Protect agricultural operations and ensure new agriculture opportunities are possible.
- Provide opportunities for home businesses commensurate with the rural character of the area.
- Ensure that public health and safety is protected by development in scale with infrastructure.

PROJECT CHARACTERISTICS

The Catheys Valley Community Plan boundary was identified to protect the interests of the crossroads’ residential and agricultural property owners. The Catheys Valley Community Planning Area is intended to maintain the rural character and strong agricultural economic base for the area, the minimum area most residents believe is necessary to protect the community from encroachment by densities and uses that are resource-intensive, incompatible with, or unsuitable to, the rural nature of Catheys Valley. The boundary of the Catheys Valley Community Planning Area defines a rural, viable, interdependent, agricultural, and residential community supported by small neighborhood commercial enterprises that are sustainable with the area’s limited natural resources and public services.

The Catheys Valley Community Plan includes five land use classifications: Residential, Community Residential, Community Commercial (including the sub-classification Community Commercial Reserve), Agriculture/Working Landscape, and Public Facilities and Services.

2. Findings Considering the General Plan EIR

a) When the Board of Supervisors adopted Resolution No. 2006-575, certifying the Final EIR for the Mariposa County General Plan, the Board considered and made the following determinations:
The following environmental impacts were identified as potentially significant and unavoidable: (1) loss of non-renewable mineral resources; (2) reduced level of service on state highways and county roads; (3) reduced level of service at intersections; (4) unmet demand for additional school capacity; and (5) greater air quality emissions than listed significance thresholds.

The following environmental impacts were identified as potentially significant but mitigated to a less than significant level: Land Use and Air Quality.

Build out of the General Plan land uses will convert some of the existing open space land in the County to a variety of urban, suburban, and rural uses. Loss of open space is considered to be a significant and irreversible effect. As existing open space land will be committed to developed uses, it is unlikely that such lands would be returned to their natural state in the future. Likewise, development of uses identified above generally commits future generations to similar uses. Additionally, uses of nonrenewable resources during all phases of plan build-out may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely (General Plan FEIR p. 5-1).

As the proposed General Plan designates substantial areas of land for development, the Plan thereby commits the environment to uses that may limit long-term productivity, particularly with respect to agricultural production. The proposed Plan, however, does provide a framework for establishing a balance between competing values and interests. For example, the proposed General Plan land use diagram and goals, objectives, policies, and implementation measures provide for growth to occur in the County. However, they also provide for protection of natural resources in conjunction with that growth. Additionally, development allowed under the proposed General Plan would result in a long-term commitment of energy resources to build, operate, and maintain structures (General Plan FEIR p. 5-1 through 5-2).

Any General Plan that designates undeveloped land for future development can be defined as ‘growth inducing.’ One of the County’s clear objectives in updating its General Plan is the promotion of economic development and accommodation of demand for residential growth. However, in promoting such development, the General Plan addresses the potentially adverse implications through policies, programs, and implementation measures which would seek to provide adequate public services and infrastructure, promote a balance between jobs and housing, minimize conflicts between various types of land uses, and protect environmentally sensitive resources (General Plan FEIR p. 5-2).

The General Plan Section 5.5 states: “Throughout this EIR, the impacts are identified and evaluated on a topic-by-topic basis. The results of these impacts, taken together, may be a perceived change in the rural characteristics of the County. This change may be related to: loss of open space, changes in visual characteristics and/or views, traffic increases, and an awareness of greater numbers of people and associated demand for public and social services (General Plan FEIR p. 5-2).”
b) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan will not result in unavoidable adverse impacts not identified in the General Plan EIR.

c) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan will result in an impact concerning greenhouse gas emissions (Impact AQ-6) that is less than significant with mitigation.

d) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan will not result in irreversible impacts that were not previously identified in the General Plan EIR.

e) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan implements General Plan policies for Catheys Valley and will not have long term environmental effects that were not identified in the General Plan EIR.

f) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan implements General Plan policies for Catheys Valley and will not have growth-inducing aspects that were not identified in the General Plan EIR.

g) Pursuant to the CVCP Final SEIR, the Catheys Valley Community Plan implements General Plan policies for Catheys Valley and will not have cumulative impacts that were not identified in the General Plan EIR.

h) Pursuant to the CVCP Final SEIR, cumulative impact findings considered land use policy differences between the CV Plan and the General Plan. The percentage of land area committed to developed uses in the CV Plan is 27%.

i) Pursuant to the CVCP Final SEIR, cumulative impact findings considered the residential density and minimum parcel size for new subdivisions in the Catheys Valley Community Plan Residential land use classification are adapted from the General Plan's residential density and minimum parcel size for development outside of planning areas. CV Plan Policy CV5.1-1a provides a density of one dwelling unit per 2.5 acres and minimum parcel size of 2.5 acres for new subdivisions in the Community Residential land use classification. Parcels created within the Residential and Community Residential land use classifications when adjacent to lands in the Agriculture/Working Landscape classification have a minimum parcel size of five acres for new subdivisions. The minimum parcel sizes provide separation and buffer to allow rural activities such as farm animals, gardens, horses, or collectibles.

j) Pursuant to the CVCP Final SEIR, cumulative impact findings considered whether the incremental emission of greenhouse gases (GHG) may be cumulatively considerable. The SEIR found implementation of the CV Plan will not create a cumulatively considerable incremental contribution to global climate change. Impact AQ-6 in Section 4.8 stated that the increase in GHG emissions resulting from the CV Plan was less than significant with mitigation in conformance with CEQA Guidelines Section 15064.4(b). The CV Plan accommodates growth in Catheys Valley, but does not hinder the State's ability to achieve statewide goals for reducing GHG emissions under AB 32. The SEIR found a proposed project should accord with statewide policy set forth in AB 32, which envisions a changing regulatory climate in California over the next decade that leads to dramatic reductions in overall statewide GHG emissions. In enacting AB 32, the Legislature did not intend to so burden entrepreneurs acting within the state
economy as to render their projects financially infeasible or uncompetitive. The state's heavy reliance on fossil fuels for transportation and energy sources is the primary problem to be addressed in achieving the Act's objectives. Land use decisions can exacerbate climate change by contributing to the needless consumption of electricity and GHG-emitting vehicle fuels; but good planning can only achieve limited results as long as the energy and transportation sectors remain highly dependent on fossil fuels. The SEIR found the CV Plan includes the following guiding principles from the Mariposa County General Plan that are intended to promote efficient use of resources: (1) Ensure managed growth; (2) Remain a "crossroads" community; (3) Maintain the rural character of the Catheys Valley area; (4) Protect rural character by not allowing tract-type housing, which is inconsistent with rural character of the area; (5) Provide opportunities for locally-oriented commercial businesses meeting local needs; (6) Protect agricultural operations and ensure new agriculture opportunities are possible; (7) Provide opportunities for home businesses commensurate with the rural character of the area; and (8) Ensure the public health and safety is protected by development in scale with infrastructure. Goal CV5.1-6, Policy CV5.1-6a, and Implementation Measures CV5.1-6a(1) and CV5.1-6a(2) include energy use, resource conservation, and green building standards focused on reducing GHG emissions. The SEIR found The CV Plan is consistent with the legislative intent of AB 32. Consistent with long-standing CEQA methodologies developed for traditional air pollutants, the emission calculation methodology used for the SEIR analysis treated project emissions as if they were "new" emissions, and did not correct for the fact that many of the future residents generating GHG emissions associated with implementation of Mariposa County and the Catheys Valley Plan could simply be moving from an existing location to Mariposa County and Catheys Valley. Mariposa County's and Catheys Valley's net contribution of GHG emissions to global climate change may likely be less than the estimates in this document, even recognizing that new structures generate new emissions from construction activities and monthly power consumption. The SEIR found that implementation of the Catheys Valley Plan will not directly induce increased birth rates leading to a net increase in GHG-emitting human beings. Rather, the plans will provide existing and anticipated populations with additional places to live and work. Finally, the SEIR found that land use decisions themselves can have only limited effects on reducing GHG emissions. Other than insisting on aggressive energy conservation and taking steps to design and orient land uses to reduce overall vehicle miles traveled, a city or county has few additional options for GHG emission reductions.

3. Adequacy of Final SEIR and Absence of Significant New Information in Final EIR

The Final SEIR was completed and made available for review by public agencies and members of the public on June 29, 2012.

The Final SEIR contains all of the comments received during the public comment periods, as well as three comments received after the public comment periods, together with written responses to those comments which were prepared in accordance with CEQA and the CEQA Guidelines. The Final SEIR includes one addendum (April 24, 2012).

The Board finds and determines that the Final SEIR provides adequate, good faith and reasoned responses to all comments raising significant environmental issues.
CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification of the Final EIR. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the project proponent declines to implement. The Guidelines provide examples of significant new information under this standard. Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.

The Board recognizes that the Final SEIR for the Catheys Valley Community Plan incorporates information obtained by the County since the Draft SEIR was completed, and contains additions, clarifications, modifications and other changes. With respect to this information, the Board finds as follows:

**Changes:** Various minor changes and edits have been made to the Draft SEIR, as set forth in Section 1.3 of the Final SEIR. These changes are shown in the FEIR in legislative format to display modified text, and are generally of an administrative nature such as correcting typographical errors or making minor adjustments to reflect the current status of information or data. The Board finds that these changes are of a minor, non-substantive nature and do not require recirculation of the Draft SEIR. The Board finds this new information does not change the SEIR in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect that the County declines to implement. The County finds these changes do not require recirculation of the Draft SEIR.

The Board of Supervisors has considered the memorandums from staff dated November 5, 2012 and November 21, 2012 as related to changes made to the Catheys Valley Community Plan.

The Board finds that there is no additional information which constitutes “significant new information” requiring recirculation, but rather that the additional information merely clarifies or amplifies or makes insignificant modifications in an adequate SEIR. Specifically, the Board finds that the additional information including the changes described above, does not show that:

a) A new significant environmental impact would result from the project.

b) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.

c) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the significant environmental impacts of the project, but the project’s proponents decline to adopt it.

d) The draft SEIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

Specifically, the Board finds the changes are not significant because the changes do not cause impacts or a substantial increase in the severity of impacts not otherwise evaluated.
in the various chapters of the SEIR such as 4.1 Land Use, 4.5 Biological Resources, 4.6 Geology and Seismicity, 4.7 Hydrology and Water Quality, 4.11 Public Health and Safety, and 4.12 Visual Resources.

Based on the foregoing, and having reviewed the information contained in the Final SEIR and in the record of the County's proceedings, including the comments on the Draft SEIR and the responses thereto, and the above-described information, the Board hereby finds that no significant new information has been added to the Final SEIR since public notice was given of the availability of the Draft SEIR and the Addendum to the Draft SEIR that would require recirculation of the SEIR.

4. Differences of Opinion Regarding the Impacts of the Project

In making its determination to certify the Final SEIR and to approve the Proposed Project, the Catheys Valley Community Plan, the Board recognizes that the Proposed Project implicates certain controversial environmental issues and that a range of technical, scientific and lay opinion exists with respect to those issues. The Board has acquired an understanding of the range of this technical, scientific and lay opinion by its review of the Draft SEIR, the comments received on the Draft SEIR and the responses to those comments in the Final SEIR, as well as testimony, letters and reports regarding the Final SEIR and the Project. The Board has reviewed and considered, as a whole, the evidence and analysis presented in the Draft SEIR, the evidence and analysis presented in the comments on the Draft SEIR, the evidence and analysis presented in the Final SEIR, and the information submitted on the Final SEIR from the County's consultants and by county staff, addressing those comments. The Board has gained a comprehensive and well-rounded understanding of the environmental issues presented by the Catheys Valley Community Plan. In turn, this understanding has enabled the Board to make its decisions after weighing and considering the various viewpoints on these important issues. The Board accordingly certifies that its findings are based on full appraisal of all of the evidence contained in the Final SEIR, as well as the evidence and other information in the record addressing the Final SEIR.

Part B: Impacts and Mitigation Measures

These findings provide the written analysis and conclusions of the Board regarding the environmental impacts of the Proposed Project and the mitigation measures proposed by the Final SEIR and adopted by the Board as conditions of approval for the Catheys Valley Community Plan.

In making these findings, the Board has considered the opinions of other agencies and members of the public, including but not limited to counsel for MERG and counsels for the Eugene and Dolores Fortner Family Trust, disagreeing with some of the analysis and impact evaluations in the SEIR. The Board finds that the determination of the significance of project-related impacts involves a judgment decision within the discretion of the Board, and the analysis and conclusions in the SEIR and record are supported by substantial evidence in the record, including testimony, information and the expert opinion of the EIR preparers and County staff.

A full explanation of the environmental findings and conclusions can be found in the Final SEIR and these findings hereby incorporate by reference the discussion and analysis in the
Final SEIR supporting the Final SEIR’s determinations regarding the Project’s impacts and mitigation measures designed to address those impacts. In making these findings, the Board ratifies, adopts and incorporates the analysis and explanation in the Final EIR in these findings, and ratifies, adopts and incorporates in these findings the determinations and conclusions of the Final SEIR relating to environmental impacts and mitigation measures, except to the extent any such determinations and conclusions are specifically and expressly modified by these findings.

As set forth in the Resolution the Board adopts, and specifically incorporates into the Catheys Valley Community Plan as Implementation Measures, the mitigation measures set forth in the Final SEIR Section 4.8.4 to reduce or avoid the potentially significant impacts of the Project. This action includes the adoption of each of the mitigation measures proposed in the Final SEIR as follows:

**Mitigation Measure AQ-1:** For new commercial and institutional building permits and subdivision applications, including new residential subdivision applications, in Catheys Valley, the County shall require that structures will:

- obtain third-party heating, ventilation, and air conditioning commissioning and verification of energy savings;
- install programmable thermostat timers; and
- include exterior electrical outlets to facilitate the use of electrical landscape maintenance equipment.

**Mitigation Measure AQ-2:** For new commercial and institutional building permits and subdivision applications, including new residential subdivision applications, in Catheys Valley, the County shall require that the buildings and subdivisions install high efficiency street and area lighting when lighting is otherwise required, such as:

- full cut-off light fixtures at parking lots and on buildings;
- photocells or astronomical time switches on permanently installed exterior lighting; and
- directional and shielded LED lights for exterior lighting and exterior and security lights with motion detectors.

**Part C: Basis for the Board’s Decision to Approve the Proposed Project Rather Than An Alternative to the Proposed Project**

1. **Summary of discussion of alternatives in the Final SEIR.**

The Draft SEIR evaluates a reasonable range of potential alternatives which include:

(1) **Alternative 1, General Plan Build-Out (No Project).** This “No Project” alternative assumes the continued implementation of the existing General Plan to build-out.

(2) **Alternative 2, Existing Zoning Build-Out.** This alternative assumes the continued implementation of the existing zoning under County Code Title 17 to build-out.

(3) **Alternative 3, Agriculture/Working Landscape Land Use Classification Build-Out.** This alternative assumes the implementation of the Agriculture/Working Landscape land use classification in Catheys Valley to build-out.
These alternatives were developed in response to comments received by the County during the scoping process.

2. The Board’s Findings Relating to Alternatives.

In making these findings, the Board certifies that it has independently reviewed and considered the information on alternatives provided in the Final SEIR, including the information provided in comments on the Draft SEIR and the responses to those comments in the Final SEIR. The Final SEIR’s discussion and analysis of these alternatives is not repeated in these findings, but the discussion and analysis of the alternatives in the Final SEIR is incorporated in these findings by reference.

The Board finds that when compared to the other alternatives described and evaluated in the EIR, the Proposed Project, as mitigated, provides a reasonable balance between implementation of the Project Objectives and reducing potential environmental impacts to a less than significant level.

By approving the Proposed Project, the Board finds that it has adopted mitigation measures that substantially reduce or avoid the significant environmental effects of the Proposed Project. As mitigated and conditioned, the Board finds that the Proposed Project will not result in any significant environmental impacts.

a) Description of Project Objectives.

A “community plan” is a term for a plan that focuses on a particular region or community within the general plan area. A community plan is adopted by resolution as an amendment to the general plan, in the manner set out in Section 65350, et seq. It refines the policies of the general plan as they apply to the community and is implemented by ordinances and other discretionary actions, such as zoning. The community plan is required to be internally consistent with the general plan.

In Mariposa County, adoption of the Community Plan for Catheys Valley is an implementation of the General Plan policies for the Planning Area Land Use Classification.

Pursuant to the General Plan, Chapter 3, “The General Plan is structured in layers. At the top level are the guiding principles. Guiding principles define the high-level direction of the Board of Supervisors for the entire General Plan. Woven together, the guiding principles provide the fabric from which the goals, policies and implementation measures are developed, which address the issues of importance raised by Mariposa County citizens in conformance with the General Plan’s fundamental philosophy.”

Pursuant to the Catheys Valley Community Plan, Section 1.1 Philosophy, “The overriding objective of the Catheys Valley Community Plan...is to preserve the rural and ranching lifestyle and character of the area. The land within Catheys Valley is rural and not to be used for urban scale development or regional commercial development.”

The Catheys Valley Community Plan states, “the Guiding Principles established by the Catheys Valley Community Plan are to ensure managed growth; to remain a ‘crossroads’ community; to maintain the rural character of the Catheys Valley area; to protect rural character by not allowing tract type housing, which is inconsistent with the rural character of the area; to provide opportunities for locally-oriented commercial businesses meeting
local needs; to protect agricultural operations and ensure new agriculture opportunities are possible; to provide opportunities for home businesses commensurate with the rural character of the area; and to ensure the public health and safety is protected by development in scale with infrastructure.”

b. Discussion and Findings Relating to the Alternatives Evaluated In The Draft SEIR

General Plan Build-out / No Project Alternative 1. Under CEQA, a “No Project Alternative” compares the impacts of proceeding with a proposed project with the impacts of not proceeding with the proposed project. A “No Project Alternative” describes the environmental conditions in existence at the time the Notice of Preparation was published, along with a discussion of what would be reasonably expected to occur in the planning area in the foreseeable future, based on current plans and consistent with available infrastructure and community services. Alternative 1 has a Build-out population projection of 1,291, which is very similar to the Build-out population projection of the proposed project (1,278).

The “No Project Alternative” would involve continued growth and development in Catheys Valley with the land uses as contained in the Catheys Valley Community Planning Study Area Interim Land Use Diagram, Volume II, General Plan. Land uses include the Catheys Valley Interim Community Center, the Residential, Natural Resources and Ag/Working Landscape land use classifications.

Like the Proposed Project, this alternative would not result in any significant impacts that could not be mitigated to a less than significant level. However, this Alternative would not achieve the Project Objective, as described in guiding principles that implement the “rural character” vision for Catheys Valley (Catheys Valley Community Plan Section 3.1, Guiding Principles). This alternative would not ensure the provision of opportunities of locally-oriented commercial businesses meeting local needs. This alternative would not ensure that development is in scale with infrastructure. This Alternative would not achieve implementation of the General Plan as specified in Section 5.3.01.A Planning Area Land Use Classification Purpose, “Planning areas are implemented by area plans adopted by the Board of Supervisors... ‘Area plans’ are mini-General Plans adopted to meet the needs of each town, community, or uniquely identified special area of the County.” The County has undergone an extensive community and public outreach process (Planning Advisory Committee meetings, public workshops and public hearings) to establish the “needs of the community.”

Existing Zoning Build-Out / Alternative 2. The Existing Zoning Build-Out Alternative evaluates the implementation of the existing zoning under County Code Title 17 to build-out. This Alternative describes the environmental conditions without consideration of the current policies of the General Plan (effective in December, 2006), along with a discussion of what would be reasonably expected to occur in the Catheys Valley planning area in the foreseeable future, based on current plans and consistent with available infrastructure and community services. Alternative 2 has a Build-out population projection of 1,304.

The Existing Zoning Build-Out Alternative would involve continued growth and development in Catheys Valley with the zoning as contained in on the current zoning map
for the Catheys Valley area. Zones include the Town Planning Area (TPA), Mountain Home (MH), Mountain General (MG) and Agriculture Exclusive (AE) Zones.

Like the Proposed Project, this alternative would not result in any significant impacts that could not be mitigated to a less than significant level. However, this Alternative would not achieve the Project Objective, as described in guiding principles that implement the “rural character” vision for Catheys Valley (Catheys Valley Community Plan Section 3.1, Guiding Principles). This alternative would not ensure: 1) that growth in the TPA zone is managed, 2) that opportunities are provided for locally-oriented commercial businesses meeting local needs, 3) that rural character is protected by not allowing tract-type housing, 4) that development is in scale with infrastructure, 5) that Catheys Valley remains a “crossroads” community, 6) that the rural character of Catheys Valley is maintained, and 5) that agricultural operations are protected. This Alternative would not achieve implementation of the General Plan as specified in Section 5.3.01.A Planning Area Land Use Classification Purpose, “Planning areas are implemented by area plans adopted by the Board of Supervisors... ‘Area plans’ are mini-General Plans adopted to meet the needs of each town, community, or uniquely identified special area of the County.” The County has undergone an extensive community and public outreach process (Planning Advisory Committee meetings, public workshops and public hearings) to establish the “needs of the community.”

Agriculture / Working Landscape Land Use Classification Build-Out / Alternative 3. The Agriculture / Working Landscape Land use Classification Build-Out Alternative assumes the implementation of the Agriculture/Working Landscape land use classification in Catheys Valley to build-out. This Alternative evaluates what would be reasonably expected to occur in Catheys Valley in the foreseeable future, with the A/W land use classification. Alternative 3 has a Build-out population projection of 932, and is the environmentally superior alternative.

Like the Proposed Project, this alternative would not result in any significant impacts that could not be mitigated to a less than significant level. This Alternative would not achieve the identified Project Objective, as described in guiding principles that implement the “rural character” vision for Catheys Valley (Catheys Valley Community Plan Section 3.1, Guiding Principles). This alternative would not ensure: 1) that opportunities are provided for locally-oriented commercial businesses meeting local needs, 2) that Catheys Valley remains a “crossroads” community, and 3) that growth is managed. This Alternative would not achieve implementation of the General Plan as specified in Section 5.3.01.A Planning Area Land Use Classification Purpose, “Planning areas are implemented by area plans adopted by the Board of Supervisors... ‘Area plans’ are mini-General Plans adopted to meet the needs of each town, community, or uniquely identified special area of the County.” The County has undergone an extensive community and public outreach process (Planning Advisory Committee meetings, public workshops and public hearings) to establish the “needs of the community.”
EXHIBIT 4 – Mitigation Monitoring and Reporting Program  
(Chapter 8 / CVCP FEIR)

<table>
<thead>
<tr>
<th>Measure AQ-1</th>
<th>Requirements for Energy Efficiency for New Commercial and Institutional Structures</th>
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<td>Complete, an ongoing review standard</td>
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<th>Measure AQ-2</th>
<th>Requirements for High Efficiency Street and Area Lighting</th>
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<tr>
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EXHIBIT 5 - GENERAL PLAN AMENDMENT FINDINGS

1. The adoption of the Catheys Valley Community Plan is in the general public interest, and will not have an impact on the general public health, safety, peace, and welfare.

The adoption of the Catheys Valley Community Plan is in the general public interest because the Catheys Valley Community Plan was developed to meet the needs of the Catheys Valley community. The plan was developed through the Planning Advisory Committee process and was amended considering the community of Catheys Valley and community values as expressed during the conduct of 2010 and 2011 Board of Supervisors' public hearings and workshops. There is no evidence that the Catheys Valley Community Plan as shown in Exhibit 1 will have any significant or adverse impacts on the general public health, safety, peace, and welfare.

The Catheys Valley Community Plan establishes specific goals, policies and implementation measures to implement guiding principles for Catheys Valley, including: to ensure managed growth, to remain a “crossroads” community, to maintain the rural character of Catheys Valley, to protect rural character by not allowing tract-type housing, which is inconsistent with the rural character of the area, to provide opportunities for locally-oriented commercial businesses meeting local needs, to protect agricultural operations and ensure new agricultural opportunities are possible, to provide opportunities for home businesses commensurate with the rural character of the area, and to ensure that public health and safety is protected by development in scale with infrastructure.

The Catheys Valley Community Plan area boundary was established to surround potential residential development areas with unsubdividable agricultural lands. This boundary was identified to protect the interests of the crossroads residential and agricultural property owners. The plan area is established to maintain the rural character and strong agricultural economic base for Catheys Valley, and represents the minimum area believed necessary to protect the community from encroachment by densities and uses that are resource intensive, incompatible with, or unsuitable to, the rural nature of Catheys Valley.

The Catheys Valley Community Plan allows commercial development serving local residential and agricultural needs of Catheys Valley, without dependence on “drive-by” or strictly tourist serving development. Providing opportunities for locally-oriented neighborhood, small scale commercial, and supporting agricultural businesses is part of the definition of Catheys Valley character. This limit does not currently exist, and the opportunity to develop uses which support regional tourism (if developed compatibly with adjoining land uses) exists anywhere within the 504-acre Interim Community Center through the Conditional Use permit process.

The Catheys Valley Community Plan establishes Community Design Guidelines for commercial and Institutional development within Catheys Valley, to achieve the desired rural character for the community. No guidelines currently exist for commercial and institutional development.
The Catheys Valley Community Plan establishes a minimum parcel size of five acres for residential development adjacent to Agriculture/Working Landscape lands to provide a separation and buffer between residential development when adjacent to Agriculture/Working Landscape lands. This minimum parcel size does not currently exist for subdivisions in the Interim Community Center or for minimum density subdivisions in the Residential Land Use.

The Catheys Valley Community Plan establishes the commercial land use in a cluster of parcels located on and off of the Hornitos Road and Hornitos Road Extension. The 33-acre Community Commercial and Community Commercial Reserve land use is purposefully located off Highway 140. This “limited” area commercial cluster does not currently exist and commercial development is currently allowed through a Use Permit Determination process anywhere in the 504 acre Interim Community Center.

The Board of Supervisors considers that significant time and effort were spent during the 2010 and 2011 public workshops to review each and every public concern regarding identified issues with the Catheys Valley Community Plan. The Board of Supervisors considers that twenty five (25) amendments were made to the Catheys Valley Community Plan, following thoughtful deliberation regarding the testimony and input from concerned residents, property owners, business owners, and their representatives. The Board considers that substantial public investment has been made to the current version of the amended plan, based on county staff and the public’s time spent at the hearings workshops (a total of 20 public hearings and workshops involving the Planning Commission or Board of Supervisors), the direct and indirect costs associated with amending the plan, and the direct and indirect costs associated with amending and processing the amended environmental review document for the plan. The Board does not find it to be in the general public interest to revisit a previous version of the Catheys Valley Community Plan.

During the 2010 and 2011 public workshops, the Board of Supervisors considered input from the public regarding plan provisions for water service and wastewater disposal. As a result of the workshops, the Board did not substantially modify plan provisions requiring new subdivision parcels to be self-sufficient in terms of individual domestic water service and wastewater disposal as a result of the workshops. A vote on this version of the plan was not successful on July 10, 2012. As a result of this vote, the Board of Supervisors directed staff to modify the plan to give options to subdivider for proof of adequate water to be consistent with options currently available in the General Plan, and to give commercial developers options for sewage disposal, including a shared or community type system.

The Board of Supervisors considers that there is no prohibition in the Catheys Valley Community Plan for installation of a water system for fire protection for a development, including sprinkler systems for residential development.

2. The processing of the amendments made to the Catheys Valley Community Plan conforms to the requirements of state law.

The processing of the Catheys Valley Community Plan, General Plan Amendment No. 2008-068 has been in accordance with all requirements pursuant to state law.
and county ordinance. State law and the Mariposa County General Plan allow for
the adoption of an area plan as provided by the Catheys Valley Community Plan.
The Catheys Valley Community Plan will be incorporated into Volume II of the
General Plan, and is an amendment to the General Plan. Text amendments to
Volume I of the General Plan are made to reflect the status of the Catheys Valley
Community Plan as adopted. This amendment to the General Plan (adoption of the
Catheys Valley Community Plan) has been processed in accordance with the
requirements of the Mariposa County General Plan. This amendment has also been
processed in accordance with adopted environmental review policies and laws. All
public hearings on the project were noticed in accordance with requirements of
Section 17.132 of Title 17 and applicable sections of state law.

In conjunction with the Catheys Valley Community Plan, the Board of Supervisors
is amending the Countywide General Plan, assuring internal General Plan
consistency.

General Plan Goal 5-1 is to “Maintain the rural character of Mariposa County.” This
is further defined by Policy 5-1a, which states, “New development shall be in
keeping with the County’s rural character.” Implementation Measure 5-1a(1) for
this goal and policy states, “Rural character for each of the planning areas is to be
defined by Area Plans.” The Consequences of this goal, policy and implementation
measure are defined by the General Plan as, “Area Plans developed for the Planning
Areas of the county can more precisely set standards to meet local needs. This
provides more details for development within Planning Areas. It may also result in
stricter standards within some Planning Areas.” The adoption of the Catheys Valley
Community Plan is consistent with these provisions of the General Plan. Not only
does adoption implement the General Plan, but the Catheys Valley Plan’s stated
overriding objective is “to preserve the rural and ranching lifestyle and character of
the area...” The Catheys Valley Community Plan identifies Issues of Importance,
Guiding Principles, and Goals, Policies and Implementation Measures to define and
guide growth and development in Catheys Valley to achieve this stated objective.

General Plan Section 5.3.01 “Planning Area Land Use Classification”, Subsection A
“Purpose” reads, “Community planning areas or special planning areas represent
separate policy approaches. A planning area’s character and values are generally
based in the character of the General Plan land use classifications in which it is
situated. At the policy level, area plans are developed specifically to reflect
community values.” General Plan Section 5.3.01 “Planning Area Land Use
Classification”, Subsection E “Adoption of Area Plans” reads, “The Board of
Supervisors governs the planning areas and is responsible for adopting the area
plans and associated regulations. To ensure area plans reflect local values, planning
advisory committees are formed of local residents, property owners, and business
owners to advise the Planning Commission and Board of Supervisors on local issues.
The preparation, review and revision of area plans are a responsibility of the
committee.” The Catheys Valley Community Plan was developed to, and contains
strong policies which reflect community values. The original structure and content
of the original Catheys Valley Community Plan was developed by the Catheys
Valley Planning Advisory Committee, and amended by the Board of Supervisors
based on a series of public workshops and meetings. The Plan’s identified issues of
importance and guiding principles are the vision for the Catheys Valley Community to implement the General Plan.

General Plan Section 5.3.01.E(1) "Description of Planning Areas" states the following for Catheys Valley Planning area, "The Catheys Valley Community Plan provides for a broad vision maintaining the Catheys Valley Planning Area as a "rural crossroads" and not a "town." Catheys Valley was never a town at any point in the County's history. A cluster of commercial enterprises to serve local residents meets community needs. The Catheys Valley Community Plan is consistent with this descriptive vision as contained in the General Plan, as it specifically provides opportunities for locally-oriented commercial businesses meeting local needs, and the boundaries of the plan area contain agricultural lands to "define a rural, viable, interdependent, agricultural, and residential community supported by small neighborhood commercial enterprises..."

The Board of Supervisors finds that the Addendum to the DEIR was available on the 24th day of April, 2012, which is 56 days from the 19th day of June, 2012 and 77 days from the 10th day of July, 2012. The public has had more than 45 days to review and comment on the information in the Addendum to the DEIR, prior to the scheduled public hearing on the plan in June, and scheduled final action on the plan in July, by the Board of Supervisors.

The county received written comments to the effect that the material included within the Addendum did not meet the requirements for recirculation as specified by CEQA Guidelines Section 15161 and 15162. The County elected to use a separate document (the addendum) as compared to simply revising the previously issued DEIR in order to facilitate the public's review of the document.

The County also received comments to the effect that the SEIR failed to properly identify documents relied upon in the SEIR. CEQA does not require that every document cited in the EIR be identified as to location and availability to the public.

- CEQA Guidelines Section 15148 “Citation” requires the EIR to cite all documents used in its preparation including, where possible, the page and section number of any technical reports which were used as the basis for any statements in the EIR. This section does not require cited documents be available.

- CEQA Guidelines Section 15150 “Incorporation by Reference” requires the EIR to state where the incorporated documents will be available for inspection, which shall minimally be made available to the public in an office of the Lead Agency in the county where the project is being carried out. Incorporation by reference is most appropriate for including long, descriptive, or technical materials that provide general background but do not contribute directly to the analysis of the problem at hand.

- CEQA Guidelines Section 15130 “Discussion of Cumulative Impacts” requires that an EIR shall discuss cumulative impacts of a project when the project's incremental effect is cumulatively considerable. The discussion of cumulative impacts shall reflect the severity of the impacts
and their likelihood of occurrence. CEQA Guidelines establishes that a summary of projections contained in an adopted local, regional or statement plan or related planning document that describes or evaluates conditions contributing to the cumulative effect are adequate discussion of significant cumulative impacts. CEQA Guidelines requires that any such adopted document shall be referenced and made available to the public at a location specified by the lead agency.