RECOMMENDED ACTION AND JUSTIFICATION:
It is recommended that the Board of Supervisors adopt a resolution approving the amendment to the minimum residential road standards contained in the Mariposa County Road Improvement and Circulation Policy and adopting a Negative Declaration for the project; No. 2007-124. The amendment will bring the standards into consistency with and implement the applicable goals, policies, implementation measures, and standards in the Mariposa County General Plan.

BACKGROUND AND HISTORY OF BOARD ACTIONS:
The Mariposa County Board of Supervisors adopted the Mariposa County General Plan on December 18, 2006. The Plan requires that all newly created subdivision parcels have safe and maintained access roads where adequate capacity exists for development within the road system. The Board deemed it necessary to bring the minimum residential road standards into conformance with the General Plan and approved for public review on July 20, 2007 the amendment to the standards. The Planning Commission recommended the Board approve the standards as amended on August 17, 2007.

ALTERNATIVES AND CONSEQUENCES OF NEGATIVE ACTION:
Should the Board not adopt the revised standards, the existing standards would remain in effect and be inconsistent with the General Plan.

Financial Impact? ( ) Yes (X) No Current FY Cost: $  
Budgeted in Current FY? ( ) Yes ( ) No ( ) Partially Funded  
Amount in Budget: $  
Additional Funding Needed: $  
Source:  
Internal Transfer  
Unanticipated Revenue  
Transfer Between Funds  
Contingency  
( ) General ( ) Other

Annual Recurring Cost: $  
List Attachments, number pages consecutively  
A. Memo to Board - circle page 1  
B. Staff Report to Planning Commission - page 3  
C. Additional Correspondence - page 41  
D. Planning Commission Resolution - page 44  
E. Planning Commission Minutes - page 49  
F. Proposed Board Resolution - page 64

CLERK'S USE ONLY:
Res. No. 574  
Ord. No.  
Vote - Ayes:  
Noes:  
Absent:  
( ) Approved  
( ) Minute Order Attached  
( ) No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office.
Date:  
Attest: MARGIE WILLIAMS, Clerk of the Board  
County of Mariposa, State of California

By:  
Deputy

COUNTY ADMINISTRATIVE OFFICER:
( ) Requested Action Recommended  
( ) No Opinion  
Comments:

CAO:  

Revised Dec. 2002
Resolution No. 2007-440

A resolution adopting a Negative Declaration and approving the amendment to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124; Mariposa County, proponent.

WHEREAS the Mariposa County Board of Supervisors adopted the Mariposa County General Plan, which included goals, policies and implementation measures to ensure that residential development has safe and adequate access; and

WHEREAS those specific goals are 5-3 in the Land Use Element of the General Plan which states:

Integrate transportation and land use decisions to achieve the County’s managed growth objectives.

and Goal 9-1 in the Circulation, Infrastructure, and Services Element of the General Plan which states:

All development shall have safe and adequate access.

WHEREAS the General Plan states policies and implementation measures to implement these goals; and

WHEREAS Subsection 5.3.02.E(1) in the Residential land use classification section in the General Plan states:

All newly created subdivision parcels will have safe and maintained access roads. To qualify for subdivision, access to the subject property will be derived 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.

WHEREAS the Board of Supervisors deems it necessary to amend the residential road standards contained in the Mariposa County Road Improvement and Circulation Policy under Chart A – Minimum Road Standards, Residential in order to bring these standards into consistency with and to implement the applicable goals, policies, implementation measures and standards of the General Plan, and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Mariposa County Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study, Staff Report, and testimony presented by the public concerning the project; and
WHEREAS the Planning Commission has recommended that the Board of Supervisors adopt a Negative Declaration for the project and approve the amendment to the Road Improvement and Circulation as amended, and

WHEREAS the Board of Supervisors has considered the Planning Commission resolution and all of the information in the public record and has held a duly noticed public hearing on the project.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve the proposed amendment, as amended by the Planning Commission and the Board of Supervisors, to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy, the text of which is shown in Exhibit 1 of this resolution; and

BE IT THEREFORE FURTHER RESOLVED THAT this action is based on the findings that are stated in Exhibit 2; and

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors adopts a Negative Declaration for the stated amendment: project no. 2007-124.

BE IT FINALLY RESOLVED THAT the Board of Supervisors directs County staff to further study increasing the Average Daily Traffic (ADT) threshold for which a Rural Class I gravel road is required as shown in Chart A from 0·40 to 0·100 thereby requiring the adjustment of the ADT threshold in the following column from 41·249 to 101·249: and changing the minimum width requirement for a Rural Class II road from 20 feet to 19 feet.

ON MOTION BY Supervisor Pickard, seconded by Supervisor Turpin, this resolution is duly passed and adopted on September 11, 2007 by the following vote:

AYES: Turpin, Fritz, Pickard

NOES: Aborn, Bibby

EXCUSED: None

ABSTAIN: None

Janet Bibby, Chair
Mariposa County Board of Supervisors
Attest:

Margie Williams, Clerk of the Board  
Mariposa County Board of Supervisors

Approved as to Form:

Thomas P. Guarino  
Mariposa County Counsel
Exhibit 1

CHART A
Minimum Road Standards
Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer’s option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistance from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

These standards shall also apply to publicly maintained roads, including county roads, which must meet these standards if they serve new residential development. Measurements to determine road width for publicly maintained roads, including county roads, shall be as stated in paragraph two.

(For existing County roads, as an interim measure, until the County has adopted a comprehensive impact fee program and/or road mitigation program, project applicants may submit mitigating measures, along with the necessary environmental documentation.)

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>Potential Traffic Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average Daily Traffic (ADT) Plus Potential Increase</td>
</tr>
<tr>
<td></td>
<td>0-40</td>
</tr>
<tr>
<td>2.5 to 160+ acres</td>
<td>Rural Class I gravel</td>
</tr>
<tr>
<td>Less than 2.5 acres to 6-to-10 dwellings per acre</td>
<td>Rural Class I gravel</td>
</tr>
</tbody>
</table>

* Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises

**LEGEND**

<table>
<thead>
<tr>
<th>Road Class</th>
<th>Minimum Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Class I</td>
<td>18 feet</td>
</tr>
<tr>
<td>Rural Class II</td>
<td>20 feet</td>
</tr>
<tr>
<td>Rural Class III</td>
<td>22 feet</td>
</tr>
<tr>
<td>Town Class II</td>
<td>20 feet*</td>
</tr>
<tr>
<td>Town Class III</td>
<td>22 feet*</td>
</tr>
</tbody>
</table>

* Without parking and sidewalk
Exhibit 2

1. The Mariposa County General Plan recognizes the need for new residential projects to be served by roadways that provide safe and adequate access. The general plan's goals, policies, and implementation measures, as well as the standards for the Residential land use classification, are designed to ensure that access to each newly created parcel meets general plan requirements.

2. The existing standards contained in Chart A – Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy are not consistent with the goals, policies, implementation measures and standards contained in the Mariposa County General Plan. Implementation of the revised standards will make the Road Improvement and Circulation Policy consistent with and will implement the Mariposa County General Plan.

3. At their hearing on August 17, 2007 the Planning Commission recommended that the Board of Supervisors approve the revised standards as amended and adopt a Negative Declaration for the project.

4. The adoption and implementation of these revised standards will not have a significant impact on the environment and adoption of a Negative Declaration is warranted for this project.
COUNTY of MARIPOSA
P.O. Box 784, Mariposa, CA 95338 (209) 966-3222

JANET BIBBY, CHAIR
LYLE TURPIN, VICE CHAIR
BRAD ABORN
DIANNE A. FRITZ
BOB FICKARD

DISTRICT III
DISTRICT II
DISTRICT I
DISTRICT IV
DISTRICT V

MARIPOSA COUNTY BOARD OF SUPERVISORS

MINUTE ORDER

TO: KRS SCHENK, Planning Director
FROM: MARGIE WILLIAMS, Clerk of the Board
SUBJECT: PUBLIC HEARING to Approve a Resolution Approving an Amendment to the Minimum Residential Road Standards Contained in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124 and Adopt a Negative Declaration for the Project
RESOLUTION 07-440

THE BOARD OF SUPERVISORS OF MARIPOSA COUNTY, CALIFORNIA

ADOPTED THIS Order on September 11, 2007

ACTION AND VOTE:

Kris Schenk, Planning Director;
PUBLIC HEARING to Approve a Resolution Approving an Amendment to the Minimum Residential Road Standards Contained in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124 and Adopt a Negative Declaration for the Project

BOARD ACTION: Kris Schenk advised that there will be a more extensive review of the road standards this fall with the contract with Andy Hauge. Skip Strathearn/Senior Planner, presented the staff report and he advised of the Planning Commission’s recommended revisions to the chart for the Minimum Residential Road Standards. Kris Schenk, Dana Hertfelder/Public Works Director, and Thomas P. Guarino/County Counsel, responded to questions from the Board relative to an applicant being able to propose mitigation measures and road safety issues.

11:25 a.m. Recess

11:46 a.m. County Counsel advised that staff has been listening to the Board’s concerns and suggests that language be added to the chart that for existing County roads, as an interim measure, until the County has adopted a comprehensive impact fee program and/or a road mitigation program, project applicants may submit mitigating measures, along with the necessary environmental documentation. This will allow on an interim basis the processing of the projects that are in the pipeline. Discussion was held.

The public portion of the hearing was opened and input was provided by the following:

Anita Starchman Bryant, Starchman & Bryant Law Offices, advised that she is representing several developers in the County, stated she feels it is appropriate to add the proposed language to the bottom of the chart so that the public realizes that there is an alternative of being able to propose mitigation measures. She reviewed her email of September 6th to the Board.
Tim Miller, Miller Planning – Merced, states he supports the language that staff developed for existing roads as an interim policy.

Tolley Gorham asked if the Planning Department would immediately begin processing the projects that have been held pending the resolution of this standard. Kris Schenk advised that if this is adopted, that Planning would send out a letter for those projects that received an earlier letter advising that they did not meet current standards, letting the applicants know that if their project meets this standard, that public hearings will be scheduled. Tolley Gorham asked whether projects that can meet a nine-foot road width, but not a ten-foot, could go forward with mitigation measures.

Ken Baker, represents several properties in the County, referred to the General Plan process, and he stated he does not feel that narrow roads cause a problem – he feels that people are complaining more about road repairs versus width. He further commented on the proposed language and stated he feels that Public Works should play a lead role for the streets.

Jim Brannan, agent for John Boggs on a parcel that is located at the intersection of Yosemite Oaks Road and Oaks Road, advised of issues that they have been dealing with on this project; and he stated he would like to see “common sense” brought back into the process.

Ken Melton recommended that the Rural Class I road for 0-40 Average Daily Traffic (ADT) be changed to 0-120.

Theresa Castaldi stated she concurs with Attorney Bryant, and she urged the Board to keep the road decisions and process with Public Works.

Staff responded to questions from the Board relative to recommendations for the road standards.

Anita Starchman Bryant provided additional input relative to road width issues; and she asked how staff will address the applicants that received letters denying their projects and withdrew their applications based on that information. Kris Schenk stated he thought there were only two applicants who withdrew their applications and received refunds; and they could reapply for their projects – start over with their applications.

Staff responded to questions that were raised on the road standards for the Rural Class I road.

Rod Timmons provided input on road width issues and with environmental impacts and cumulative dust impacts.

The public portion of the hearing was closed and the Board commenced with deliberations. Staff responded to questions from the Board relative to dealing with mitigation measures and the suggested language change. (M)Pickard, (S)Turpin, Res. 07-440 was adopted approving an amendment to the Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124, with the changes as recommended by the Planning Commission and with the additional language recommended by staff during this hearing for chart “A”; adopting a Negative Declaration for the project; and directing staff to evaluate the impact of changing a Rural Class I road to 0-100 ADT. Supervisor Turpin asked that the motion be amended to include a change to nineteen-foot width for a Rural Class II road; and the motion was amended, agreeable with the maker, to include direction for staff to evaluate this. Further discussion was held relative to the road standards. Ayes: Turpin, Fritz, Pickard, Noes: Aborn, Bibby. The hearing was closed.

Cc: Dana Hertfelder, Public Works Director
    Thomas P. Guarino, County Counsel
    File
MEMORANDUM

Date: August 31, 2007
To: Mariposa County Board of Supervisors
From: Kris Schenk, Director
        Skip Strathearn, Senior Planner
RE: Amendment to Minimum Residential Road Standards: September 11, 2007 agenda

The revised standards were approved for public review by the Board on July 20, 2007. The key changes to the existing standards are as follows:

1. Public roads, including county roads, must now meet the minimum standards when new residential projects are considered.
2. Parcels ranging in size from 40 to 160+ acres must adhere to higher standards in higher traffic volume areas.
3. The existing standards break parcel sizes of 2.5 to 160+ into four categories to determine applicable road standards. The revised standards include 2.5 to 160+ parcel sizes in one group with common standards.
4. Rural Class II (20') roadways in areas with parcels ranging in size from 2.5 to 160 acres and which have potential traffic volumes of 250-699 average daily trips must be paved.
5. Requirements for Rural Class IV (24') and Town Class IV (24') roadways have been removed from the standards.

The Planning Commission reviewed the proposed revised standards at their hearing on August 17, 2007 and adopted a resolution recommending the Board approve the standards with some changes. However, these proposed changes would not alter the actual standards themselves, which remain unchanged from those approved for public review by the Board. The Commission only added some additional text to help to further clarify the standards. The proposed changes are shown on page 3 of the Commission’s resolution, which is included in this packet as Attachment D.

The initial study prepared for the revised standards project found no significant impact resulting from project implementation. The Planning Commission’s resolution recommends that the Board adopt a Negative Declaration for the project.

Our Mission is to provide our clients with professional service and accurate information in a respectful, courteous, and enthusiastic manner resulting in a well-planned rural environment.
<table>
<thead>
<tr>
<th>Attachment</th>
<th>Description</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>A</td>
<td>Memorandum to Board</td>
<td>1</td>
</tr>
<tr>
<td>B</td>
<td>Staff Report to the Planning Commission</td>
<td>3</td>
</tr>
<tr>
<td>C</td>
<td>Additional Correspondence (not included in Commission staff report)</td>
<td>41</td>
</tr>
<tr>
<td>D</td>
<td>Planning Commission Resolution</td>
<td>44</td>
</tr>
<tr>
<td>E</td>
<td>Planning Commission Minutes</td>
<td>49</td>
</tr>
<tr>
<td>F</td>
<td>Proposed Board Resolution</td>
<td>64</td>
</tr>
</tbody>
</table>
PROJECT: Amendment to the Minimum Residential Road Standards in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124

PROONENT: Mariposa County

NOTICING: Gazette Ad: August 2, 2007
Public Postings: August 1, 2007; and those that were mailed by August 3, 2007

COMMISSION ACTION: Staff recommends the Planning Commission adopt a resolution recommending that the Mariposa County Board of Supervisors:
A. Adopt a Negative Declaration for the project, and
B. Approve the amendment to the minimum residential road standards contained in the Mariposa County Road Improvement and Circulation Policy as amended; Project No. 2007-124.

STAFF SUMMARY ANALYSIS:
The revised standards have been proposed by the Mariposa County Public Works Department upon the direction of the Mariposa County Board of Supervisors. The recently adopted Mariposa County General Plan contains goals, policies and implementation measures addressing the necessity for safe and adequate access for new development, including residential development, and the Board found it necessary to revise the residential road standards in the Mariposa County Road Improvement and Circulation Policy to make them consistent with and to implement the General Plan. The proposed revised standards reflect the direction provided by the Board of Supervisors to the Mariposa County Public Works Department on May 22, 2007 and approved by the board for public review on July 10, 2007.

These revised residential road standards would apply countywide. The proposed standards replace Chart A – Minimum Road Standards, Residential contained in the Mariposa County Road Improvement and Circulation Policy. The existing standards and the proposed standards are shown in Figures 1 and 2 on pages 4 and 5, respectively. The revised standards are designed to make the standards consistent with and to implement the applicable goals, policies, implementation measures and other applicable text of the Land Use and the Circulation, Infrastructure, and Services elements of the Mariposa County General Plan.
Goal 5-3 of the Land Use Element states the following:

"Integrate transportation and land use decisions to achieve the County’s managed growth objectives."

This goal is followed by policies and implementation measures that implement the goal. Policy 5-3a states:

"New subdivisions and lands created for commercial and industrial purposes shall have direct access to maintained roads."

This policy is followed by Implementation Measure 5-3a(3) which states:

"No subdivision shall be approved unless it is found that there is adequate road capacity to serve the new traffic."

Goal 9-1 of the Circulation, Infrastructure, and Services Element states the following:

"All development shall have safe and adequate access."

This goal is followed by policies and implementation measures that implement the goal. Policy 9-1b states:

"Road capacity shall be the basis for determining the adequacy of access for all new development within the County."

This policy is followed by Implementation Measure 9-1b(1) which states:

"The County shall define the capacity of all roads."

Policy 9-1c states:

"Roads shall have adequate capacity to serve road needs."

This policy is followed by Implementation Measure 9-1c(1) which states:

"The density of land for development purposes within an area shall be based on the capacity of the road divided by the average daily traffic of the permitted use."

Policy 9-1d states:

"Road improvement requirements shall be based on road capacity."

This policy is followed by Implementation Measure 9-1d(1) which states:

"No subdivision or discretionary project shall be approved if the traffic generated by the proposed project will exceed the capacity of the road systems which
Amendment to Residential Road standards  
Planning Commission Hearing of August 17, 2007  
Page 3 of 8

provide access from the nearest County major collector or State highway unless mitigation is required."

These goals, policies and implementation measures are supported by the standards in subsection 5.3.02 – in the Residential Land Use Classification section of the General Plan. Subsection 5.3.02.E(1) states:

"All newly created subdivision parcels will have safe and maintained access roads. To qualify for subdivision, access to the subject property will be derived 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.

The definitions section of the general plan, Appendix A, Glossary of Terms, provides a definition of adequate capacity. The definition for 4. Adequate Capacity on page A-4 states:

"Adequate capacity means a road which meets County Improvement Standards, including width, for existing traffic and proposed traffic increases."

The proposed revised standards meet this definition because they propose specific road widths that are to be considered when a new residential subdivision is reviewed for compliance with these standards.

Proposed Changes to the Existing Standards
Roadways serving new residential development, including existing off-site public roads such as county roads, will be required to meet these revised standards in order for the development to be approved, or these roadways would need to be improved to standard in order for the project to be approved. Implementation of these standards has the potential to prohibit or restrict the density of new residential development in areas served by inadequate roads as defined in the standards. The costs to bring substandard roads up to the prescribed standard may be cost-prohibitive for project proponents. The requirement that off-site county roads or other public roadways must meet these minimum standards is a significant change from the existing standards, which only applied the standards to roadways within a residential development and other easement roads connecting the project to a public road as described in Section 16.12.160 of Title 16, Subdivisions. Potential traffic increases on existing roadways will be taken into consideration.

Other significant changes in the revised standards from the existing standards are the requirements that parcels ranging in size from 40 to 160+ acres must adhere to higher standards in higher traffic volume areas and that Rural Class II roadways in areas with parcels
# EXISTING RESIDENTIAL ROAD STANDARDS

****** MARIPOSA COUNTY ROAD POLICY 1991 ******

## CHART A—MINIMUM ROAD STANDARDS

### (1) RESIDENTIAL

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer's option. Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises.

<table>
<thead>
<tr>
<th>POTENTIAL TRAFFIC VOLUME (ADT) FOR EACH ROAD</th>
<th>See p. 7 Traffic volume cols.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-40</td>
<td>41-249</td>
</tr>
<tr>
<td>160+ acre or 1/4 section</td>
<td>12' Gravel</td>
</tr>
<tr>
<td>40-169.9 acre or 1/4 1/4 section</td>
<td>10' Gravel</td>
</tr>
<tr>
<td>5-39.9 acre parcels</td>
<td>8' Gravel</td>
</tr>
<tr>
<td>2.5-4.9 acre parcels</td>
<td>8' Gravel</td>
</tr>
<tr>
<td>over 1/2 to under 2.5 acres</td>
<td>8' paved</td>
</tr>
<tr>
<td>1/2 acre &amp; less parcels</td>
<td>8' paved</td>
</tr>
<tr>
<td>more than 5, and up to 10 dwelling units per acre</td>
<td>8' paved</td>
</tr>
</tbody>
</table>

### LEGEND

- **P**= Path on one side of the road.
- **P-B**= Path on both sides.
- **P+1, P-L** = Parking—one side, or both sides.
- **C-G** = Curb, gutter, and one side—sidewalk.
- **C-S** = Curb, gutter and sidewalks both sides.
- **R** = Rural, Town—see the Improvement Standards.
- **W, W+2, W+4** = Travel widths of roads. Shoulders, turn lanes, parking lanes will be in addition to these.

Sidewalk & path location in relation to travel lanes will be determined based on project design.
### FIGURE 2

**PROPOSED RESIDENTIAL ROAD STANDARDS**

#### CHART A

Minimum Road Standards

Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer’s option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistance from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>Potential Traffic Volume</th>
<th>Average Daily Traffic (ADT) Plus Potential Increase</th>
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<td>Rural Class I gravel</td>
<td>Town Class II paved</td>
</tr>
</tbody>
</table>

(Note: The minimum road width for new roads in the county is 18 feet, in accordance with Public Resources Code 4290. Rural Class I roads are 18 feet in width; Rural Class II roads are 20 feet in width and Rural Class III roads are 22 feet in width. Town Class II roads are 20 feet wide, excluding parking and sidewalk, and Town Class III roads are 22 feet in width, excluding parking and sidewalk.)
ranging in size from 2.5 to 160+ acres and which have potential traffic volumes (existing plus project traffic) of 250-699 Average Daily Trips must be paved.

The existing standards break parcel sizes of 2.5 to 160+ into four categories to determine applicable road standards. The revised standards include 2.5 to 160+ parcel sizes in one group with a common standard.

An additional change is the replacement of the requirement for Town Class IV roadways with the Town Class III standard for higher density residential development served by high-traffic volume roadways.

Minimum road widths would remain consistent with Public Resources Code 4290.

Under the revised standards, the county Planning and Public Works departments will be required to review existing off-site roadways, including county roads, in order to make a determination as to a new residential development’s consistency with these standards. Should existing roadways not meet these standards as described in the revised chart, a recommendation will be made to reject the project, or to approve it with the condition that off-site public roads will need to be improved to standard. As noted above, the potential, and not just existing traffic volumes, will be considered during project review.

Implementation of the standards has the potential to have a positive impact on air quality due to the fact that project proponents have the option of paving a Rural Class I road in exchange for a reduced road width for parcel sizes of 2.5 to 160+ acres and where average daily traffic is 41-249. In addition, the proposed standards call for Rural Class II and Rural Class III roads to be paved for roadways with 250-699 ADTs and 700-3000 ADTs, respectively.

**STAFF RECOMMENDATIONS FOR CHART A:**
Staff recommends the addition of a third paragraph in the revised standards that states:

>"These standards shall also apply to publicly maintained roads, including county roads, which must meet these standards if they serve new residential development. Measurements to determine road width for publicly maintained roads, including county roads, shall be as stated in paragraph two."

Staff also suggests adding the required road widths for each type of road in the table.

**Examples of Roadways Potentially Affected**
It is difficult to estimate how many residential development projects could be affected with the implementation of the revised standards, since the total development potential and related traffic volumes must be analyzed for the roads serving the area of a project. Certain roads that may be adequate currently, may not be in the future when all development potential is considered. But we can provide some examples based on current conditions and traffic loads using Public Works Department roadway information. Triangle Road provides a good example of how a residential project may be reviewed based on current traffic and roadway width information.
According to information provided to the state by the Public Works Department, Triangle Road is considered both a minor and major collector depending upon the roadway section. Only 1.10 miles of roadway where it is considered a major collector is 24 feet in width. For the remaining 7.44 miles where it is a major collector, the paved road width is 21 feet. It is also 21 feet wide for 3.15 miles where it is a minor collector. Traffic volumes for county roadways compiled by Public Works from July 2005 through April 2006 show that the volume at the Triangle Road/Darrah Road intersection was 1,194 and 1,008 at its intersection with Meadow Lane. It was 1,116 at Tip Top Road heading north and 783 heading south, respectively. These types of volumes, just with existing conditions, would mean the roadway may not be sufficient to allow new residential development with parcel sizes of 2.5-160+ acres under the proposed standards. A Rural Class III road would be required and this standard calls for minimum road widths of 22 feet. Measurements would be required to be taken as per the proposed revised standards during project review to determine actual average width.

Another example would be Marshall Road that serves the Mormon Hills area and intersects with Old Highway. This short roadway is paved but is only 16 feet wide. Mark Lee Road, which intersects with Marshall and serves the Mormon Hills area, is only 17 feet wide. The latest traffic volume information for Marshall Road shows that it carries 434 daily vehicle trips. These roads would need to be improved to a minimum Rural Class II (20-foot wide) standard should there be an effort to create further residential parcels that would be served by the roads.

Other county roadways, such as Grosjean Road, Agua Fria Road and portions of Old Highway, would not currently be adequate to allow creation of additional residential parcels under the revised standards.

---

**Agency Comments on Proposed Amendment**

**A. Agency Comments**

The proposed initial study/proposed Negative Declaration was sent to the following agencies: Mariposa County Public Works, Mariposa County Health Department, Mariposa County Fire Department, and the California Department of Forestry and Fire Protection. No comments were received from these agencies as of the time of the printing of this staff report.
Findings for Proposed Residential Road Standards Amendment

1. The Mariposa County General Plan recognizes the need for new residential projects to be served by roadways that provide safe and adequate access. The general plan's goals, policies, and implementation measures, as well as the standards for the Residential land use classification, are designed to ensure that access to each newly created parcel meets general plan requirements.

2. The existing standards contained in Chart A – Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy are not consistent with the goals, policies, implementation measures and standards contained in the Mariposa County General Plan. Implementation of the revised standards will make the Road Improvement and Circulation Policy consistent with and will implement the Mariposa County General Plan.

3. The adoption and implementation of these revised standards will not have a significant impact on the environment and adoption of a Negative Declaration is warranted for this project.

Attachment A  Correspondence
Attachment B  Initial Study
Attachment C  Draft Resolution
Richard L. Uebner
P.O. Box 102
Cathey’s Valley, CA 95306
(209) 374-3493

July 10, 2007

Mariposa County Board of Supervisors
P. O. Box 784
Mariposa, CA 95338

Dear Supervisors,

For the past thirty-five years I have been a resident of Cathey’s Valley. I was also a member of Company 23, the Cathey’s Valley Volunteer Fire Department, for twenty-five years. I understand the need for a comprehensive general plan with reasonable requirements that will allow for growth while maintaining the rural quality of our county. I am here to encourage you to adopt road standards consistent with the minimum standards recommended by Cal Fire and suggested by Dana Hertfelder. I hope that you have the conviction to use adequate capacity standards that will assure the health and safety of Mariposa County residents for years to come. I also hope that you have the strength to resist pressures to water down the standards to satisfy the requests of developers at the expense of our citizens’ safety and welfare.

There is another related issue that I would like to address, that of how these changes will be adopted. Logically they should be adopted as an amendment to the county plan. However, the expedient way would be to consider it just an administrative action to clarify the standards. If this happens I am concerned that there will be future efforts to make “administrative adjustments” which will change the intent of the original county plan by circumventing the amendment process. I encourage you to be aware of this possibility and protect the amendment process.

Thank you.

Sincerely,

Rick Uebner
Rick (Richard L.) Uebner
A. PROJECT INFORMATION:

Project Title: Amendment to the Residential Road Standards in the Mariposa County Road Improvement and Circulation Policy

Lead Agency: County of Mariposa

Original Document: July 25, 2007

Contact Person: Skip Strathearn, Senior Planner
County of Mariposa Planning Department
5100 Bullion Street, Mariposa CA 95338
Phone: (209) 742-1219  Fax: (209) 742-5024
Email: sstrathearn@mariposacounty.org

Project Proponent: County of Mariposa

Project Description: These revised residential road standards would apply countywide. The proposed standards replace Chart A – Minimum Road Standards, Residential contained in the Mariposa County Road Improvement and Circulation Policy. The existing standards and the proposed standards are shown in Figures 1 and 2 on the pages 3 and 4. The revised standards are designed to implement the applicable goals, policies and implementation measures of the Land Use and the Circulation, Infrastructure, and Services elements of the Mariposa County General Plan. Goal 5-3 of the Land Use Element has the following goal:

"Integrate transportation and land use decisions to achieve the County’s managed growth objectives."

Goal 9-1 of the Circulation, Infrastructure, and Services Element has the following goal:

"All development shall have safe and adequate access."

These goals are followed by policies and implementation measures that implement the goals.

Roadways serving new residential development, including existing off-site public roads such as county roads, will be required to meet these revised standards in order for the development to be approved. Implementation of these standards has the potential to prohibit or restrict
the density of new residential development in areas served by inadequate roads as defined in the standards. The requirement that off-site county roads or other public roadways must meet these minimum standards is a significant change from the existing standards, which only applied the standards to roadways within a residential development and other nonexclusive easement roads connecting the project to a county road, state highway, or public access road across federal or state land.

Other significant changes in the revised standards from the existing standards are the requirements that parcels ranging in size from 40 to 160+ acres must adhere to the standards and that Rural Class II roadways in areas with parcels ranging in size from 2.5 to 160+ acres and which have potential traffic volumes of 250-699 Average Daily Trips must be paved.

The existing standards break parcel sizes of 2.5 to 160+ into four categories to determine applicable road standards. The revised standards include 2.5 to 160+ parcel sizes in one group with a common standard.

An additional change is the replacement of the requirement for Town Class IV roadways with the Town Class III standard for higher density residential development served by high-traffic volume roadways.

Minimum road widths would remain consistent with Public Resources Code 4290.

*Additional Documents:*

All of the documents cited and relied upon in the preparation of this Initial Study are available at the County of Mariposa Planning Department and are hereby incorporated into the record for this Initial Study.
**FIGURE 1**

**EXISTING RESIDENTIAL ROAD STANDARDS**

---

**MARIPosa COUNTY ROAD POLICY 1991**

**CHART A—MINIMUM ROAD STANDARDS**

(1) **RESIDENTIAL**

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer's option. Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises.

<table>
<thead>
<tr>
<th>POTENTIAL TRAFFIC VOLUME (ADT) FOR EACH ROAD</th>
<th>See p. 7, Traffic volume calc.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-40</td>
<td>41-249</td>
</tr>
<tr>
<td>250-499</td>
<td>500-3000</td>
</tr>
</tbody>
</table>

| 180+ acre or 1/4 section                   | 10' gravel                      |
|                                           | 18'                               |

| 40-159.9 acre or 1/4 1/4 section           | 10' gravel                      |
|                                           | 18'                               |

| 5-39.9 acre parcels                        | 10' gravel                      |
|                                           | 18'                               |

| 2.5-4.9 acre parcels                       | 10' gravel                      |
|                                           | 18'                               |

| over 1/2 to under 2.5 acres                | 18'                               |
|                                           | 18'                               |

| 1/2 acre & less parcels                    | 18'                               |
|                                           | 18'                               |

| more than 5, and up to 10 dwelling units per acre | 18'                               |
|                                                    | 18'                               |

**LEGEND**

- *P*—Path on one side of the road.
- *P*—Path on both sides.
- *P*—Parking—one side, or both sides.
- *C*—Curb, gutter, and one side—sidewalk.
- *S*—Curb, gutter and sidewalks both sides.
- *R*—Road classes—see the Improvement Standards.
- *K*—Rural, Town—see the Improvement Standards.

**Travel widths of roads. Shoulders, turn lanes, parking lanes will be in addition to these.**

Sidewalk & path location in relation to travel lanes will be determined based on project design.
FIGURE 2
PROPOSED RESIDENTIAL ROAD STANDARDS

CHART A
Minimum Road Standards
Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer's option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistant from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>Potential Traffic Volume</th>
<th>6-40</th>
<th>41-249</th>
<th>250-699</th>
<th>700-3000</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average Daily Traffic (ADT) Plus Potential Increase</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.5 to 160+ acres</td>
<td>Rural Class I gravel</td>
<td>Rural Class I paved or Rural Class II gravel</td>
<td>Rural Class II Paved</td>
<td>Rural Class III Paved</td>
<td></td>
</tr>
<tr>
<td>Less than 2.5 acres to 6-to-10 dwellings per acre</td>
<td>Rural Class I gravel</td>
<td>Town Class II paved</td>
<td>Town Class III</td>
<td>Town Class III</td>
<td></td>
</tr>
</tbody>
</table>
B. PROJECT IMPACT TO ENVIRONMENTAL FACTORS:

(blank): no impact
L: Less than Significant Impact
M: Less than Significant Impact with Mitigation
PS: Potentially Significant

Aesthetics  Agriculture Resources  Air Quality
Biological Resources  Cultural Resources  Geology/Soils
Hazardous Materials  Hydrology/Water Quality  Land Use/Planning
Mineral Resources  Noise  Population/Housing
Public Services  Recreation  Transportation/Traffic
Utilities/Service Systems  L  Mandatory Findings of Significance

C. TABLE OF CONTENTS

Section A--CEQA Determination of Impact ................................................................. 6
Section B--ENVIRONMENTAL CHECKLIST ................................................................ 7
Section C--Mandatory Findings of Significance ......................................................... 29
Section A
CEQA DETERMINATION OF IMPACT

On the basis of this initial evaluation:

√ 1) I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☐ 2) I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ 3) I find the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ 4) I find the proposed project MAY have a "potentially significant impact" or "Less Than Significant With Mitigation" impact on the environment, but at least one effect: 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ 5) I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects: (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards and (b) have been avoided or mitigated pursuant to that earlier EIR, or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

By:  
Skip Strathearn  
Date:  
July 25, 2007  
Title:  
Senior Planner  
Representing:  
County of Mariposa  
Signature:  
[Signature]
Section B
ENVIRONMENTAL CHECKLIST
EVALUATION OF ENVIRONMENTAL IMPACTS

B.1 AESTHETICS

<table>
<thead>
<tr>
<th>1. AESTHETICS</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Have a substantial adverse effect on a scenic vista?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Substantially degrade the existing visual character or quality of the site and its surroundings?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

B.1.a Scenic Vista
A significant impact would be one that has a substantially adverse effect on a scenic vista. There are no Mariposa County ordinances, policies, resolutions or other documents that identify designated scenic vistas. New residential subdivision roads may be located in an area with an informally recognized scenic vista. However, residential development projects can currently be located in such areas. The standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the recently adopted General Plan’s goals, policies and implementation measures. Conclusion: There is no impact on this issue.

B.1.b State Scenic Highway
A significant impact would be one that substantially damages scenic resources such as trees, rock outcroppings and historic buildings along a state scenic highway. The California Department of Transportation (Caltrans) administers the California Scenic Highway Program. The revised road standards do not provide for a new residential development entitlement within a state Scenic Highway corridor. They merely revise existing standards to bring them into consistency with and to implement the recently adopted General Plan’s goals, policies and implementation measures. Conclusion: There is no impact on this issue.
**B.1.c Aesthetics**
A significant impact would be one that substantially degrades the existing visual character or quality of the site and its surroundings. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with the applicable goals, policies and implementation measures of the recently adopted General Plan. **Conclusion: There is no impact on this issue.**

**B.1.d Create Light or Glare**
A significant impact would be one that creates a new source of substantial light or glare that would adversely affect day or nighttime views in the area. The revised standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with applicable goals, policies and implementation measures of the recently adopted General Plan. **Conclusion: There is no impact on this issue.**

**B.2 AGRICULTURAL RESOURCES**

<table>
<thead>
<tr>
<th>2. AGRICULTURE RESOURCES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

**B.2.a Convert Farmland to Non-Agricultural Use**
A significant impact would be one that converts farmland designated as “prime,” “unique” or “farmland of statewide importance” to nonagricultural uses. The revised road standards apply countywide. There is only a total of 177 acres of Prime, Unique and Farmland of Statewide Importance in Mariposa County, according to the Important Farmland Map issued by the State Department of Conservation for 2004. Implementation of the revised road standards would have no potential to impact farmland. **Conclusion: There is no impact on this issue.**

**B.2.b Conflicts with Zoning for Agricultural Use or a Williamson Contract**
A significant impact would be one that conflicts with agricultural zoning or a Williamson Act contract. The revised standards do not provide for a new residential development entitlement.
They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Conclusion: There is no impact on this issue.

B.2.c Convert Farmland to Non-Agricultural Uses
A significant impact would occur if the project involves other changes in the existing environment, which due to their location or nature, could result in conversion of farmland to non-agricultural uses. Implementation of these standards has no potential to lead to the conversion of existing farmland or agricultural operations. Conclusion: There is no impact on this issue.

B.3 AIR QUALITY

<table>
<thead>
<tr>
<th>3. AIR QUALITY – [Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.] Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>

B.3.a, b. Air Quality Plan/Violation of Air Quality Standards
A significant impact would be one that conflicts with or obstructs implementation of the applicable air quality plan. A significant impact would be one that violates any air quality standard or contributes substantially to an existing or projected air quality violation. Under the California Clean Air Act of 1988, districts designated as non-attainment for state Clean Ambient
Air Quality Standards (CAAQS) must submit a plan for attaining or maintaining state standards for these pollutants.

Mariposa County is located within the Mountain Counties Air Basin (MCAB) and is under the jurisdiction of the Mariposa County Air Pollution Control District (MCAPCD). The MCAPCD has not yet adopted recommended significance thresholds for air quality review of development projects subject to the California Environmental Quality Act (CEQA) within district boundaries. MCAPCD is currently preparing a New Source Review Rule that should contain some thresholds, Mariposa County is classified as either attainment or unclassified status for all federal air quality standards, except ozone. The Mariposa County Air Pollution Control District was going to be required to prepare an attainment plan; however, air quality modeling has shown that the County will be in attainment by 2009, so the state is not now requiring such a plan be prepared. Conclusion: There is no impact on these issues.

B.3.c Cumulative Impacts
A significant impact would be one that results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors). The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan.

The revised standards contain a provision that would allow project developers the option of paving or graveling a road serving a residential development with a potential volume of 41 to 249 Average Daily Trips (ADTs). The developer can construct an 18-foot wide road, Rural Class I, if it is paved, but a 20-foot wide road, Rural Class II, if graveled. The generation of particulate matter (PM$_{10}$) in the form of dust would be significantly limited should a road be paved as opposed to graveled. In addition, the proposed standards call for Rural Class II and Rural Class III roads to be paved for roadways with 250-699 ADTs and 700-3000 ADTs, respectively. If new roads are required to be constructed to these standards for new residential development, dust generation from the new roads will be significantly reduced.

Conclusion: There is no impact on this issue.

B.3.d Sensitive Receptors to Pollutants
A significant impact would be one that exposes sensitive receptors to pollutant concentration. Sensitive receptors are defined as members of a population who are most sensitive to the adverse health effects of air pollution and the land uses where these populations groups would reside for long periods. These groups include children, elderly, the acutely ill and the chronically ill, and typical land uses include schools, residential care facilities, and hospitals. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement applicable goals, policies and implementation measures of the General Plan. As noted in B.3.c, the revised standards allow a developer to pave a road with a potential traffic volume of 41-249 ADTs in exchange for a reduced width requirement. This provision has the potential to limit the
generation of particulate matter. Likewise, new roadways with the potential for 250-3000 ADTs that may be need to be constructed to serve new development will be required to be paved. 

**Conclusion:** There is no impact on this issue.

### B.3.e Objectionable Odors

A significant impact would be one that creates objectionable odors affecting a substantial number of people. Implementation of these standards does not have the potential to create objectionable odors. 

**Conclusion:** There is no impact on this issue.

---

#### B.4 BIOLOGICAL RESOURCES

<table>
<thead>
<tr>
<th>4. BIOLOGICAL RESOURCES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
</tbody>
</table>
**Initial Study for Revised Residential Road Standards**  
**Proponent: County of Mariposa**  
**Page 12**

| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? |  | √  |

### Biological Resources

A significant impact would be one that has a substantial adverse effect on any candidate, sensitive or special status species; adversely affects riparian habitat or another sensitive natural community; adversely affects wetlands; interferes with the movement of native resident or migratory fish or wildlife species, or with migration corridors, or one which impedes the use of native wildlife nursery sites; conflicts with local ordinances and policies protecting local biological resources; or conflicts with any conservation plan.

The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement applicable goals, policies and implementation measures of the General Plan. New road construction to serve residential development is reviewed for potential impacts to biological resources as part of the environmental review for the project as a whole. **Conclusion: There is no impact on these biological resource issues.**

### CULTURAL RESOURCES

<table>
<thead>
<tr>
<th>5. CULTURAL RESOURCES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>d) Disturb any human remains, including those interred outside of formal cemeteries?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

### Cultural Resources

A significant impact would be one that would cause a substantial adverse change in the significance of an historic or archaeological resource; destroy a unique paleontological resource or site or a unique geologic feature; or disturbs human remains.
The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement applicable goals, policies and implementation measures of the General Plan. New road construction to serve residential development is reviewed for potential impacts to cultural resources as part of the environmental review for the project as a whole. *Conclusion: There is no impact on these cultural resource issues.*

### B.6 GEOLOGY AND SOILS

<table>
<thead>
<tr>
<th></th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>ii) Strong seismic ground shaking?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>iii) Seismic-related ground failure, including liquefaction?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>iv) Landslides?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>b) Result in substantial soil erosion or the loss of topsoil?</td>
<td></td>
<td>✓</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>e) Have soils incapable of adequately supporting the use of septic tanks or</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
B.6.a Faults, Ground Shaking, Ground Failure and Landslides
A significant impact would be one that exposes people or structures to loss, injury or death. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of these standards does not have the potential to expose people or structures to adverse impact associated with these issues. Conclusion: There is no impact on this issue.

B.6.b Soil Erosion
A significant impact would be one that results in substantial soil erosion or loss of topsoil. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. However, new Rural Class II roadways as defined in the Road Improvement and Circulation Policy with the potential for 250-699 ADTs, and that may need to be constructed to serve new residential development, will be required to be paved under the revised standards. Likewise, Rural Class III roads with the potential for 700-3000 ADTs will be required to be paved. Existing Rural Class II and Class III road standards in the Road Improvement and Circulation Policy do not require paving. Paving will create impermeable surfaces resulting in increased runoff that has the potential to lead to increased soil erosion. New roadway construction and operation in the county must comply with the standards contained in the Mariposa County Road Improvement and Circulation Policy and the Mariposa County Improvement Standards. These standards contain prescribed activities to reduce soil erosion as a result of roadway construction and operation to less than significant levels. Paved roads have the potential to reduce erosion that may occur on un-paved road surfaces. Conclusion: This impact is less than significant.

B.6.c Unstable Soil
A significant impact would be one where soil becomes unstable as a result of the project. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. New roadway construction in the county must comply with the standards contained in the Mariposa County Road Improvement and Circulation Policy and the Mariposa County Improvement Standards. These standards contain activities to reduce soil erosion. Implementation of these standards does not have the potential to lead to unstable soils. Conclusion: There is no impact on this issue.

B.6.d Expansive Soils
A significant impact would occur if the project is placed on expansive soils and creates substantial risk to life or property. Implementation of these standards does not have the potential to lead to substantial risk to life or property due to expansion soils. Conclusion: There is no impact on this issue.
B.6.e **Septic Systems**

A significant impact would occur if septic tanks or systems are utilized for the project and the soil is unable to support their use. Implementation of these standards does not have the potential to lead to impacts on the issue of septic systems. **Conclusion: There is no impact on this issue.**

### B.7 HAZARDS & HAZARDOUS MATERIALS

<table>
<thead>
<tr>
<th>7. HAZARDS AND HAZARDOUS MATERIALS</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>g) Impair implementation of or physically interfere with an adopted</td>
<td></td>
<td></td>
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<td>√</td>
</tr>
</tbody>
</table>
B.7.a  Transport of Hazardous Materials
A significant impact would be one that produces a substantial risk to the public from routine transportation, use, or disposal of hazardous material, or from reasonably foreseeable accidental release of such material. Implementation of these standards will not involve the transport, use or disposal of any hazardous materials. Conclusion: There is no impact on this issue.

B.7.b  Upset and Accident
A significant impact would be one that creates a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Implementation of these standards will not involve the use or disposal of hazardous material; therefore, an upset or accidental event involving the release of hazardous materials occurring is not likely. Conclusion: There is no impact on this issue.

B.7.c  School Proximity
A significant impact would be one that emits hazardous emissions or handles hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. Implementation of these standards will not involve hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes near a school. Conclusion: There is no impact on this issue.

B.7.d  Exposure from Existing Contaminated Sites
A significant impact would be one that is located on a listed contamination site and expose the public or the environment to the hazard. Implementation of these standards will not impact a contaminated site. Conclusion: There is no impact on this issue.

B.7.e, f  Hazards Near Airports and Airstrips
A significant impact would be one that results in a safety hazard for people residing or working in the vicinity of a public airport or private airstrip. Implementation of these standards will not involve safety hazards near airports or airstrips. Conclusion: There is no impact on these issues.

B.7.g  Emergency Response Plans
A significant impact would be one that impairs the implementation of or interferes with an emergency response or evacuation plan. Roadways that would be constructed as part of new residential development will be required to adhere to all standards for emergency ingress/egress. Conclusion: There is no impact on this issue.
B.7.h **Risk of Wildland Fires**
A significant impact would be one that exposes people or structures to a significant risk of wildland fires. Implementation of these standards will not expose people or structures to wildland fires. *Conclusion: There is no impact on this issue.*

### B.8 HYDROLOGY & WATER QUALITY

<table>
<thead>
<tr>
<th>8. HYDROLOGY AND WATER QUALITY</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Violate any water quality standards or waste discharge requirements?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>f) Otherwise substantially degrade water quality?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?


h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?


i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?


j) Inundation by seiche, tsunami, or mudflow?


B.8.a  Water Quality Standards
A significant impact would occur if the project degraded surface or subsurface water quality in the area. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. However, new Rural II roadways as defined in the Road Improvement and Circulation Policy with the potential for 250-699 ADTs and that may need to be constructed to serve new residential development will be required to be paved under the revised standards. Likewise, Rural Class III roads with the potential for 700-3000 ADTs will be required to be paved. Existing Rural Class II and Class III road standards in the Road Improvement and Circulation Policy do not require paving. Paving will create impermeable surfaces resulting in increased runoff that has the potential to lead to increased soil erosion and impacts to drainages. New roadway construction and operation in the county must comply with the standards contained in the Mariposa County Road Improvement and Circulation Policy and the Mariposa County Improvement Standards. These adopted policies contain requirements for soil compaction and sediment control during construction, and permanent re-vegetation following construction. Onsite inspections by the Public Works Department are conducted to ensure compliance with these standards. In the alternative, paved roadways could have the effect of reducing siltation that may result from non-paved roadways. Conclusion: This impact is less than significant.

B.8.b  Changes in Groundwater Resources
A significant impact would be one that substantially depletes groundwater quantities or interferes with groundwater recharge.

The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of these standards does not have the potential to impact groundwater resources. Conclusion: There is no impact on this issue.
B.8.c, d, e  **Drainage and Runoff**  
A significant impact would be one that substantially alters drainage and surface flows in a manner that results in substantial erosion, siltation or flooding; or that would result in the capacity of storm drainage facilities to be exceeded; or that provides additional sources of polluted runoff. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. However, new Rural II roadways as defined in the Road Improvement and Circulation Policy with the potential for 250-699 ADTs and that may need to be constructed to serve new residential development will be required to be paved under the revised standards. Likewise, Rural Class III roads with the potential for 700-3000 ADTs will be required to be paved. Existing Rural Class II and Class III road standards in the Road Improvement and Circulation Policy do not require paving. Paving will create impermeable surfaces resulting in increased runoff and increased water volume in adjacent drainages. New roadway construction in the county must comply with the standards contained in the Mariposa County Road Improvement and Circulation Policy and the Mariposa County Improvement Standards. These adopted policies contain requirements for drainage plans, soil compaction and sediment control during construction, and permanent re-vegetation following construction. Any amendments to drainages will ensure that the function and capacity of the affected drainage course is maintained following construction. Onsite inspections by the Public Works Department are conducted to ensure compliance with these standards. These standards contain prescribed activities to reduce impacts of roadway construction and operation on adjacent drainages to less than significant levels. **Conclusion:** This impact is less than significant.

B.8.g  **Housing in 100-year Flood Hazard Area**  
A significant impact would occur if houses were put in a flood hazard area. Implementation of these standards has no potential to have an impact on housing in flood hazard areas. **Conclusion:** There is no impact on this issue.

B.8.h, i  **Impeded or Redirected Flood Flows/Dam Failure**  
A significant impact would occur if project structures impede or redirect floodwaters, or if people or structures were exposed to a significant risk of loss, injury or death from dam failure. Implementation of these standards has no potential to have an impact on flood flows or the issue of dam failure. **Conclusion:** There is no impact on these issues.

B.8.j  **Seiche, Tsunami and Mud Flow Hazards**  
A significant impact would occur from inundation by seiche, tsunami or mudflow. Implementation of these standards has no potential to have an impact on the issue of seiche, tsunami or mud flow hazards. **Conclusion:** There is no impact on this issue.
### B.9 LAND USE & PLANNING

<table>
<thead>
<tr>
<th>Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Physically divide an established community?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>c) Conflict with any applicable habitat conservation plan or natural community conservation plan?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

#### B.9.a Physically Divide an Existing Community

A significant impact would occur if the project physically divided an established community. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. **Conclusion: There is no impact on this issue.**

#### B.9.b Conformance with General Plan Designation, Zoning and Other Environmental Policies

A significant impact would occur if the project conflicted with an applicable general plan policy or regulation of an agency with jurisdiction over the project. The minimum road width contained in the revised standards complies with Public Resources Code (PRC) 4290. No road serving a new residential development is allowed to be less than 18-feet in width, the minimum width for PRC 4290 compliance. The revised road standards do not provide for a new residential development entitlement. All new residential projects will be reviewed for conformance to the Mariposa County General Plan and the Title 17, Zoning. Road standards will not have an impact on the general plan and zoning designations for property. **Conclusion: There is no impact on this issue.**

#### B.9.c Conservation Plans

A significant impact would occur if a project conflicted with an applicable conservation plan. Implementation of revised road standards does not the potential to conflict with any applicable habitat conservation plan or natural community conservation plan. **Conclusion: There is no impact on this issue.**
**B.10 MINERAL RESOURCES**

<table>
<thead>
<tr>
<th>10. MINERAL RESOURCES</th>
<th>Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?</td>
<td></td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
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</tbody>
</table>

The state legislature adopted the Surface Mining and Reclamation Act (SMARA) in 1975, which designated Mineral Resource Zones (MRZ) for areas possessing minerals which are of statewide or regional significance.

**B.10.a Mineral Resources in the Project Area**

A significant impact would occur if the project resulted in the loss of availability of a mineral resource of value to the region and state. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. **Conclusion: There is no impact on this issue.**

**B.10.b Mineral Resources Summary**

A significant impact would occur if the project resulted in the loss of availability of a locally important mineral resource recovery site. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. **Conclusion: There is no impact on this issue.**

**B.11 NOISE**

<table>
<thead>
<tr>
<th>11. NOISE</th>
<th>Would the project result in:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable</td>
<td></td>
<td></td>
<td></td>
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<td>✓</td>
</tr>
<tr>
<td>standards of other agencies?</td>
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<td>-------------------------------</td>
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<td></td>
<td></td>
</tr>
<tr>
<td>b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>✓</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?</td>
<td>✓</td>
<td></td>
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</tr>
</tbody>
</table>

**B.11.a Noise Policies, Ordinances and Standards**
A significant impact would occur if the project resulted in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to expose people to excessive noise. **Conclusion: There is no impact on this issue.**

**B.11.b Ground-Borne Noise Impacts**
A significant impact would result if the project exposed persons to or generated excessive ground-borne vibration or ground-borne noise levels. Implementation of these revised standards has not potential to result in ground borne noise impacts. **Conclusion: There is no impact on this issue.**
B.11.c **Permanent Increase in Ambient Noise**

A significant impact would result if a substantial permanent increase in ambient noise levels occurs in the project vicinity above levels without the project. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to expose people to a permanent increase in ambient noise. Implementation of the revised standards has the potential to reduce ambient noise due to the fact that certain roadways are required to be paved instead of graveled, thereby reducing noise that would occur as vehicles travel on graveled roads. **Conclusion:** There is no impact on this issue.

B.11.d **Temporary or Periodic Increase in Ambient Noise**

A significant impact would result if a substantial temporary or periodic increase in ambient noise levels occurs in the project vicinity above levels without the project. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to expose people to an increase in temporary noise. **Conclusion:** There is no impact on this issue.

B.11.e, f **Exposure to Airport/Airstrip Noise**

A significant impact would occur if exposure to excessive noise from public or private airports. Implementation of the revised standards has no potential to expose people to airport noise. **Conclusion:** There is no impact on these issues.

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**B.12 POPULATION & HOUSING**

<table>
<thead>
<tr>
<th>12. POPULATION AND HOUSING</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?</td>
<td></td>
<td></td>
<td></td>
<td>✓</td>
</tr>
<tr>
<td>b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
<tr>
<td>c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?</td>
<td></td>
<td></td>
<td>✓</td>
<td></td>
</tr>
</tbody>
</table>
B.12.a  Population Growth Inducement
A significant impact would result if the project induces substantial population growth in an area. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to induce population growth. Conclusion: There is no impact on this issue.

B.12.b, c  Displacement of Housing and/or People
A significant impact would result if the project displaced substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere and/or displaced substantial numbers of people. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to displace housing or people. Conclusion: There is no impact on these issues.

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B.13  PUBLIC SERVICES

<table>
<thead>
<tr>
<th>13. PUBLIC SERVICES</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</td>
<td></td>
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</tr>
<tr>
<td>a) Fire protection?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>b) Police protection?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>c) Schools?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>d) Parks?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>e) Other public facilities?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
</tbody>
</table>

B.13.a, b, c, d  Emergency Services/Schools/Parks Impacts
The proposed project would have a significant environmental impact if emergency service public facilities, school and/or parks needed to be constructed or expanded in order to maintain adequate service levels for the proposed project and the construction or expansion of those
facilities created a substantial adverse physical impact. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to impact emergency services, schools or parks. Conclusion: There is no impact on these issues.

B.13.e Other Public Facility Impacts / including Road Improvement Impacts
The proposed project would have a significant environmental impact if public road facilities would need to be constructed in order to maintain adequate service levels for the proposed project. New roadways would need to be constructed to serve new residential development. County roads may be improved to the revised standards in order to implement a new residential project. Maintenance of these roads would also be required once constructed. However, the revised standards address how roads are to be constructed; they do not provide additional development entitlements. Therefore, roads would require maintenance regardless of what standards apply. Conclusion: There is no impact on this issue.

B.14 RECREATION

<table>
<thead>
<tr>
<th>14. RECREATION</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Would the project increase the use of existing neighborhood and regional parks or recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
</tbody>
</table>

B.14.a, b Use of Existing/New Recreational Facilities
A significant impact would result if the project substantially increased the use of existing recreational facilities or was accelerated due to the project, and increase in use had the potential to cause substantial physical deterioration; or resulted in the construction of new facilities which would have an adverse physical effect on the environment. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to impact recreational facilities. Conclusion: There is no impact on these issues.
### B.15 TRANSPORTATION & TRAFFIC

<table>
<thead>
<tr>
<th>15.TRANSPORTATION/TRAFFIC</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Would the project:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?</td>
<td></td>
<td></td>
<td>No impact</td>
<td></td>
</tr>
<tr>
<td>b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?</td>
<td></td>
<td></td>
<td>No impact</td>
<td></td>
</tr>
<tr>
<td>d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?</td>
<td></td>
<td></td>
<td>No impact</td>
<td></td>
</tr>
<tr>
<td>e) Result in inadequate emergency access?</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) Result in inadequate parking capacity?</td>
<td></td>
<td></td>
<td>No impact</td>
<td></td>
</tr>
<tr>
<td>g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?</td>
<td></td>
<td></td>
<td>No impact</td>
<td></td>
</tr>
</tbody>
</table>

#### B.15.a, b Substantial Increase in Traffic Levels/Change in Level of Service

A significant impact would result if the project caused an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system. The revised standards are designed to implement and make residential road standards consistent with the applicable goals, policies and implementation measures contained in the Mariposa County General Plan. Goal 5-3 of the Land Use Element has the following goal:

"Integrate transportation and land use decisions to achieve the County’s managed growth objectives."

Goal 9-1 of the Circulation, Infrastructure, and Services Element has the following goal:

"All development shall have safe and adequate access."
These goals are followed by policies and implementation measures that implement the goals. The condition of existing or new roads serving a residential development must be as stated in the revised standards or a residential project cannot be approved. The standards ensure that roads are in adequate condition to serve residential development. Implementation of the revised standards will not have a negative impact on the levels of service standards contained in the Mariposa County General Plan for major collector and arterials. The revised standards may prohibit or restrict the density of new residential development if the roads are not adequate as defined by the standards, which may have the effect of helping to maintain adequate levels of service on these types of roadways. Conclusion: There is no impact on these issues.

**B.15.c  Change in Air Traffic Patterns**
A significant impact would result if the project resulted in substantial safety risks due to changes in air traffic patterns. Implementation of these standards does not the potential to have an impact on air traffic. Conclusion: There is no impact on this issue.

**B.15.d, e  Creation of Hazards (by Design or Use)/Emergency Access**
A significant impact would result if the project produced hazards to safety from design features or incompatible uses. The revised residential road standards are designed to bring standards into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. The goals, policies and implementation measures of the General Plan were adopted to ensure safety in traffic movement and to define road capacities for review of future residential development applications. Implementation of the revised standards will serve to enhance traffic safety on roadways. The revised standards will also ensure that new roadways constructed as part of residential projects will meet minimum standards of state Public Resources Code 4290. Conclusion: There is no impact on these issues.

**B.15.f  Impacts to Parking**
A significant impact would result if the project resulted in inadequate parking. Implementation of the revised standards does not have the potential to impact parking issues. Conclusion: There is no impact on this issue.

**B.15.g  Impacts to Alternative Transportation**
A significant impact would result if the project conflicted with alternative transportation policies, plans or programs. Implementation of these standards will not interfere with alternative transportation policies. Conclusion: There is no impact on this issue.

**B.16  UTILITIES & SERVICE SYSTEMS**

<table>
<thead>
<tr>
<th>UTILITIES AND SERVICE SYSTEMS Would the project:</th>
<th>Potentially significant impact</th>
<th>Less than significant with mitigation incorporation</th>
<th>Less than significant impact</th>
<th>No impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>Requirement</td>
<td>Status</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>----------------------------------------------------------------------------</td>
<td>--------</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
<td>√</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

B.16.a, b, c, d, e, f, g  Water Treatment Requirements/Impacts of Construction of Water and Wastewater Facilities/Impacts of Construction of Storm-drainage Facilities/Adequacy of Water Supply/Adequacy of Wastewater Treatment Plant/Adequacy of Solid Waste Facilities (Landfill Capacity)/Compliance with Solid Waste Regulations

A significant impact would result if the project caused water treatment requirements to be exceeded; adversely affected the environment due to the amendment to existing or construction of new water treatment, wastewater treatment or stormwater drainage facilities; adversely affected the environment due to construction of existing or new stormwater drainage facilities; demands a water supply that is not available from existing entitlements and resources; results in a determination by the wastewater treatment provider that it has inadequate capacity; creates a disposal need that cannot be accommodated by the landfill; or is unable to comply with federal, state and local statutes and regulations related to solid waste.

The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to impact utilities and service systems issues. **Conclusion:** *There is no impact on these issues.*
Section C
MANDATORY FINDINGS OF SIGNIFICANCE

<table>
<thead>
<tr>
<th>Finding:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation</th>
<th>Less than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</td>
<td></td>
<td></td>
<td>√</td>
<td></td>
</tr>
<tr>
<td>2. Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
<tr>
<td>3. Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</td>
<td></td>
<td></td>
<td></td>
<td>√</td>
</tr>
</tbody>
</table>

Impact Discussion & Conclusions:

1. This initial study found that the project has the potential to have an impact on the issues of soil erosion and drainage and runoff, due to the fact that certain roadways will be required to be paved under the revised standards, as opposed to being graveled under the existing standards. The study concluded that these impacts are considered to be less than significant due to imposition of road construction and operational standards contained in the Mariposa County Road Improvement and Circulation Policy and the Mariposa County Improvement Standards.

2. The revised road standards do not provide for a new residential development entitlement. They merely revise existing standards to bring them into consistency with and to implement the applicable goals, policies and implementation measures of the General Plan. Implementation of the revised standards has no potential to have a cumulatively considerable impact.

3. Implementation of the revised road standards does not have the potential to have a substantial impact on human beings, either directly or indirectly.
MEMORANDUM

To: Mariposa County Planning Commission
   Planning Director Kris Schenk
   Public Works Director Dana Hertfelder
   Deputy Planning Director Sarah Williams
   Senior Planner Skip Strathearn

From: Donald J. Starchman
       Anita Starchman Bryant
       Starchman & Bryant Law Offices

Re: Comments on Amendment to Residential Road Standards

CC: Mariposa County Board of Supervisors

We respectfully request that the Mariposa County Planning Commission consider the following recommended changes to the Proposed Residential Road Standards presented in Mariposa Planning Staff Report, Project No. 2007-124 to be considered at the August 17, 2007 Planning Commission meeting. These recommended changes are incorporated, except for our final recommendation regarding ADT, in the attached document.

The recommended changes are as follows:

1.) For parcel size 2.5 to 160+ acres and potential traffic volume of 250-699 ADT, we recommend that the minimum road standard be Rural Class I Paved (two 9 foot lanes). We object to the proposal that the minimum road standard be Rural Class II Paved (two 10 foot lanes). This proposed minimum road standard will decrease safety on our County roads, negatively impact the environment, degrade our rural character and preclude residential development. Yet, the Staff Report fails to provide any justification for a 10 foot lane standard versus a 9 foot lane standard. Director Hertfelder testified before the Board, at two separate hearings, that studies show that an increase of lane width from 9 feet to 10 feet enables the public to drive faster and that the accident rate increases. Given this information, we ask how the Rural Class II Paved standard meets the goals and policies of the General Plan that "All development shall have safe and adequate access." Why support a policy that will increase accident rates on County roads that currently have a record of safety? Requiring greater width necessitates cut, fill, removal of trees and the creation of impermeable surfaces - in turn, these improvements create additional run-off, erosion, and degradation of surface water. Again, while the Staff Report recognizes these probable impacts, there is no justification given for adopting a 10 foot standard in lieu of a 9 foot standard. At the same time, higher speeds, which are likely when roads are widened, decreases fuel efficiency and increases air pollution. Rural character, the guiding policy of the General Plan, and scenic vistas would be adversely affected by widening our County lanes. Finally, requiring that County roads with an ADT of 250-699 be 20 feet wide will result in more determinations by Public Works that existing County roads have inadequate capacity than if an 18 foot standard is adopted. In effect, the 20 foot standard will preclude more residential development than if an 18 foot standard is adopted.
Any instance in which the Planning Commission or Board of Supervisors considers a policy that will endanger the general public, create environmental problems, degrade our rural character and preclude residential development, there MUST be a benefit demonstrated for adopting such a policy. No benefit has been identified for the 10 foot lane width standard.

2.) For all parcel sizes and potential traffic volume of >3,000, an additional column stating that the minimum road standard shall be determined on a "case-by-case" basis MUST be added in order to implement the Board of Supervisors' unanimous direction given at the July 10, 2007 Board hearing to the Public Works Department and Planning Department.

3.) An additional note should be inserted under the Minimum Road Standards chart stating the following: "Planning Director can recommend (subject to the approval of the Planning Commission) alternative mitigation measures for County maintained roads that do not meet minimum standards, including but not limited to turnouts, shoulder improvements, site distance improvements, posted speed limits and impact fees. Such mitigation measures have been successfully utilized in the past. At the July 10, 2007 Board hearing both Supervisors Pickard and Turpin stated that they wanted mitigation measures as a possibility in lieu of meeting the minimum width standards. Supervisor Pickard suggested the following mitigation measures as examples: turnouts and impact fees.

Supervisor Turpin stated that he wanted the revised Minimum Road Standards to provide the ability for the Public Works Department to make a "judgment call" in those instances where minimum width standards could not be met. Based on these comments it is our understanding that the Board inadvertently omitted consideration of mitigation measures in its direction to the Public Works Department and Planning Department.

In addition, the proposed amendment to the Minimum Residential Road Standards fails to address roads with restrictions, such as Harris Road which contains a one lane bridge. During the July 10 Board hearing, Director Hertfelder stated that in considering roads like Harris Roads, the Public Works Department does not "count" the one lane bridge when considering travel width if there is sufficient site distance or waiting areas. However, under the proposed amendment, there is no allowance for such roads. A clause concerning the consideration of mitigation measures would provide that allowance.

Finally, the proposed amendment does not provide instruction to determine ADT. As stated by Director Hertfelder at the July 10 Board hearing, if ADT is measured on a County Road near the intersection of that road and a State Highway and near a popular business located on that County Road, the ADT will be considerably higher than a measurement further down that County Road. Thus, the ADT measurement taken near the intersection could require a higher standard for that entire County Road, regardless of the fact that the ADT is far less for the majority of that County Road.

Thank you for your attention and consideration.

Anita Starchman Bryant
Starchman & Bryant
Attorneys at Law
4750 Highway 49 South, Suite 1
Mariposa, CA 95338
(209) 966-6111
Telefax (209) 966-2320
===============================================================================

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Thank you very much.
FIGURE 2

PROPOSED RESIDENTIAL ROAD STANDARDS

CHART A
Minimum Road Standards
Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer's option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistance from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>Potential Traffic Volume</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Average Daily Traffic (ADT) Plus Potential Increase</td>
</tr>
<tr>
<td></td>
<td>0-40</td>
</tr>
<tr>
<td>2.5 to 150 acres</td>
<td>Rural Class I gravel</td>
</tr>
<tr>
<td>Less than 2.5 acres to 6-to-10 dwellings per acre</td>
<td>Rural Class I gravel</td>
</tr>
</tbody>
</table>

Note: Planning Director can recommend (subject to the approval of the Planning Commission) alternative mitigation measures for County maintained roads that do not meet minimum standards, including but not limited to turnarounds, shoulder improvements, site distance improvements, posted speed limits, and impact fees.

(Note: The minimum road width for new roads in the county is 18 feet, in accordance with Public Resources Code 4290. Rural Class I roads are 18 feet in width; Rural Class II roads are 20 feet in width; and Rural Class III roads are 22 feet in width. Town Class II roads are 20 feet wide, excluding parking and sidewalk, and Town Class III roads are 22 feet in width, excluding parking and sidewalk.)

* Per unanimous Board approval at July 10, 2007 Board hearing, road standards for 0-40 ADT shall be determined on a "case-by-case" basis.
STATE OF CALIFORNIA
COUNTY OF MARIPosa
PLANNING COMMISSION

Resolution
No. 2007-036

A resolution recommending that the Mariposa County Board of Supervisors adopt a Negative Declaration and approve the amendment to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124; Mariposa County, proponent.

WHEREAS the Mariposa County Board of Supervisors adopted the Mariposa County General Plan, which included goals, policies and implementation measures to ensure that residential development has safe and adequate access; and

WHEREAS those specific goals are 5.3 in the Land Use Element of the General Plan which states:

Integrate transportation and land use decisions to achieve the County's managed growth objectives.

and Goal 9.1 which states:

All development shall have safe and adequate access.

WHEREAS the General Plan states policies and implementation measures to implement these goals; and

WHEREAS Subsection 5.3.02.E(1) in the Residential land use classification section in the General Plan states:

All newly created subdivision parcels will have safe and maintained access roads. To qualify for subdivision, access to the subject property will be derived 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.

WHEREAS the Board of Supervisors deemed it necessary to amend the residential road standards contained in the Mariposa County Road Improvement and Circulation Policy under Chart A – Minimum Road Standards, Residential in order to bring these standards into consistency with and to implement the applicable goals, policies, implementation measures and standards of the General Plan, and
WHEREAS the Planning Commission is responsible for making a recommendation to the Board of Supervisors relative to the proposed amendment; and

WHEREAS the Planning Commission held a duly noticed public hearing regarding the proposed amendment; project no. 2007-124; and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and

WHEREAS the Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study, Staff Report, and testimony presented by the public concerning the project.

NOW THEREFORE, BE IT RESOLVED THAT the Planning Commission of the County of Mariposa does hereby recommend approval of the proposed amendment as amended to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy, the text of which is shown in Exhibit 1 of this resolution; and

BE IT THEREFORE FURTHER RESOLVED THAT this recommendation is based on the findings that are stated in Exhibit 2; and

BE IT THEREFORE FURTHER RESOLVED THAT the Planning Commission recommends that the Board of Supervisors adopt a Negative Declaration for the stated amendment; project no. 2007-124 as shown in Exhibit 3.

ON MOTION BY Commissioner Ross, seconded by Commissioner Francisco, this resolution is duly passed and adopted on August 17, 2007 by the following vote:

AYES: Ross, Francisco, Rudzik, Skyrud, DeSantis

NOES: None

EXCUSED: None

ABSTAIN: None

Robert Rudzik, Chair
Mariposa County Planning Commission

Attest:

Carol Suggs, Secretary to the
Mariposa County Planning Commission
Exhibit 1

Residential Road Standard Amendment Proposed Text

The following chart, as amended by the Planning Commission, is recommended for insertion into the Mariposa County Road Improvement and Circulation Policy to replace existing Chart A – Minimum Road Standards, Residential. The Planning Commission’s proposed changes are shown in **bold, italicized, and underlined** text.

### CHART A
Minimum Road Standards Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer’s option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistance from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

*These standards shall also apply to publicly maintained roads, including county roads, which must meet these standards if they serve new residential development. Measurements to determine road width for publicly maintained roads, including county roads, shall be as stated in paragraph two.*

<table>
<thead>
<tr>
<th>Parcel Size</th>
<th>Potential Traffic Volumes</th>
<th>Average Daily Traffic (ADT) Plus Potential Increase</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>0-40</td>
<td>41-249</td>
</tr>
<tr>
<td></td>
<td></td>
<td>250-699</td>
</tr>
<tr>
<td></td>
<td></td>
<td>700-3000*</td>
</tr>
<tr>
<td>2.5 to 1.60+ acres</td>
<td>Rural Class I gravel</td>
<td>Rural Class I paved or Rural Class II gravel</td>
</tr>
<tr>
<td>Less than 2.5 Acres to 6-to-10 dwellings per acre</td>
<td>Rural Class I gravel</td>
<td>Town Class II paved</td>
</tr>
</tbody>
</table>

*Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises.*

### LEGEND

<table>
<thead>
<tr>
<th>Road Class</th>
<th>Minimum Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural Class I</td>
<td>18 feet</td>
</tr>
<tr>
<td>Rural Class II</td>
<td>20 feet</td>
</tr>
<tr>
<td>Rural Class III</td>
<td>22 feet</td>
</tr>
<tr>
<td>Town Class II</td>
<td>20 feet*</td>
</tr>
<tr>
<td>Town Class III</td>
<td>22 feet*</td>
</tr>
</tbody>
</table>

*Without parking and sidewalk*
Exhibit 2

(Proposed Findings)

1. The Mariposa County General Plan recognizes the need for new residential projects to be served by roadways that provide safe and adequate access. The general plan’s goals, policies, and implementation measures, as well as the standards for the Residential land use classification, are designed to ensure that access to each newly created parcel meets general plan requirements.

2. The existing standards contained in Chart A – Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy are not consistent with the goals, policies, implementation measures and standards contained in the Mariposa County General Plan. Implementation of the revised standards will make the Road Improvement and Circulation Policy consistent with and will implement the Mariposa County General Plan.

3. The adoption and implementation of these revised standards will not have a significant impact on the environment and adoption of a Negative Declaration is warranted for this project.
Exhibit 3

PROPOSED

MARIPOSA COUNTY
NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

PROPOSED APPLICATION: Amendment to the Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124
Mariposa County, Proponent

PROJECT DESCRIPTION: The revised residential road standards apply countywide. The proposed standards replace Chart A – Minimum Road Standards, Residential contained in the Mariposa County Road Improvement and Circulation Policy. The revised standards are designed to bring standards into consistency with and to implement the applicable goals, policies, implementation measures and standards of the Land Use and the Circulation, Infrastructure, and Services elements of the Mariposa County General Plan that address safe and adequate access for new residential development.

No significant effect is based on the following findings:

(Findings as shown in Staff Report)

No significant effect is based on review procedures of the following County Departments or Divisions:

☐ Building Division  ☒ County Health Department
☒ Planning Commission  ☒ Public Works Department

Other: Mariposa County Fire, California Department of Forestry

An Initial Study was prepared by Skip Strathearn, Senior Planner and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338

_________________________  ________________
KRIS SCHENK, Director  Date
Mariposa Planning
Skyrud stated that staff is reviewing this based off an ordinance of which refers to the General Plan which was adopted in 1987. There may be some inconsistencies and we need to have staff look into this and get it tuned up.

Schenk stated that we will need to get titles 16 and 17 updated.

On motion of Commissioner Francisco, seconded by Commissioner DeSantis, the Planning Commission adopted a resolution finding that the project is exempt from environmental review and approved Conditional Use Permit No. 2007-108 with the recommended findings and conditions.

Motion carried by the following vote:
AYES: 3 (Francisco, Rudzik, DeSantis)
NOES: 1 (Ross)
ABSTAIN: 1 (Skyrud)

3. PUBLIC HEARING:

3A. Land Division No. 2006-002, Cynthia Lee and Jan Trieger, Applicants.

As announced at the beginning of the meeting, the applicants for this Land Division have requested a continuance.

3B. Amendment to Road Improvement and Circulation Policy, Project No. 2007-124, County of Mariposa, project proponent.

Schenk explained that the reason this item is before them is that since the adoption of the General Plan the Land Use and Transportation Elements need to be consistent. The General Plan took 6 years and Schenk explained the linkage between Land Use and Transportation Elements. Schenk sees this as one of a three part process.

Schenk explained that presenting these minimum standards to the Planning Commission is the first step. The County has an interest in establishing minimum standards in order to be consistent with the General Plan. Due to staffing issues with both Planning and Public Works, a consultant will need to be hired as we go into the second step which will be working on the comprehensive standards. This will go to the Board of Supervisors. Step three will be a capital improvement program to create fair impact fees. Schenk reminded everyone that we are simply looking at the first step of many in order to be consistent with the fire safe standards as there has not been a consistent standard for subdivisions. Schenk gave example of higher standards for subdivisions verses our own county roads. Schenk stated that the Board looked at this on July 10th and had referred it to the Planning Commission to be fast tracked, and that we can issue a negative declaration rather than an EIR, with a focused study.

Dana Hertfelder, Director of Public Works. Hertfelder stated that one of the inconsistencies that they are faced with is that the current General Plan has standards that are being applied to new construction, but those do not fit the County’s current road standards. Hertfelder explained that he looked at various studies regarding narrow roads and stated that they have developed what they believed would be a fit for County roads and County projects, concluding that he felt this was a good compromise.

Skip Strathearn presented the Amendment to the Road and Circulation Policy No. 2007-124 which proposed an amendment to the residential road standards contained in the Mariposa County...
Road Improvement and Circulation Policy. The amendment will bring the standards into consistency with the Mariposa County General Plan.

Strathearn concluded that it is staff’s recommendation that the Planning Commission adopt a resolution recommending that the Board of Supervisors adopt a negative declaration and approve the amendment as proposed.

Clarifications:

Rudzik inquired as we go from phase 1 to phase 2, will that require an update?

Schenk stated that we are looking at reasonable road standards, not suburban road standards. We need something that will fit for our County based on our forecasted growth. Schenk stated that if the Board decided that they wanted further work on the road standards then we may need to hire a consultant for a focused EIR.

Rudzik stated that he would like to see us get through this today so that we can move forward.

Skyrud questioned if we had a definition of a residential road.

Hertfelder replied that we do not have a definition for a residential road. The designations are Town Road and Rural Class Road, with each having their own design standards. Density is what determines the application of the definition.

Skyrud inquired whether or not zoning plays a part in the designations and gave examples of property with multiple zoning and inquired what type of road would be appropriate for those zoning designations.

Hertfelder replied that subdivision roads designations would be applied based on Average Daily Trips (ADT), not on the zoning.

Skyrud referred to circle page 6, stating that these standards shall also apply to publicly maintained roads and questioned roads that don’t meet residential development standards.

Schenk stated that this is not to limit, but to be descriptive.

Skyrud stated that we might put the word residential in there.

Rudzik stated that the driving factor is ADT for potential development and that as the density increases the road then needs to meet that specific chart.

Skyrud expressed concern of not knowing what the ultimate uses (of property) may be.

Rudzik replied that the Commission will look at the potential and that the Planning Department will define the road to meet the specifications of the parcels for development at the time of development.
Skyrud inquired about standards for non residential roads.

Strathearn replied that this applies only to residential development and if the example was in a commercial industrial zone, then those appropriate conditions would apply in that zone.

Skyrud posed the example of subdividing Agricultural Exclusive zoned property and which standard would apply.

Hertfelder replied, residential.

Skyrud referred again to circle page 6, stating that these standards would also apply to publicly maintained roads.  Skyrud then read from a generic road condition from a Land Division regarding grading and roads.  He then asked if this meant that the County has to comply with the requirements such as re vegetation and erosion control when working on County Roads or are they exempt.

Hertfelder replied, yes.

Skyrud asked that if this were re written this way, does this exempt the County?

Hertfelder stated that there is a clear difference in road maintenance and new road construction. Hertfelder gave examples of new construction on Ashworth wherein they did have erosion control.

Skyrud stated that for the County to require these conditions and not comply with them is unfair.

Rudzik stated that we should save changes like this for the Title 17 updates.

Skyrud commented that Title 17 is a black hole, something that we always talk about but nothing gets done.

Skyrud inquired about two emails received by Anita Starchman Bryant and asked her to clarify as one is dated Sunday and the other is dated Monday and they appear to be identical.

Public Portion of the Hearing: Opened.

Anita Starchman Bryant, Starchman & Bryant Attorneys at Law. Bryant stated that her email was sent on Sunday, and perhaps the Planning Department forwarded the same email on Monday. Bryan stated that she would like some time to speak at the end if there are public issues that she had not addressed. Bryant did note a correction to the email in that at the bottom of the chart it was stated “Planning Director” and it was meant to state “Public Works Director” could make the mitigation measures. Bryant stated that the Public Works Director is better suited to make such recommendations. She then passed out a corrected version. Bryant stated that this mitigation measure is if the width can not be met and this was the direction that was given at the July 10th Board of Supervisors hearing by Supervisors Pickard and Turpin. Pickard had spoken about turn outs and impact fees if minimum road standards could not be met and Turpin stated that he wanted the Public Works department to be able to make a judgment call. Bryant stated that leads into what Schenk was speaking about in step #3 of this process, a capital improvement program. Bryant is concerned that if
that mitigation measure is not included in this chart then someone would not be able to pay impact fees in lieu of meeting the minimum road standards.

Bryant stated that in column three of the chart, the ADT of 250-699 for a 2.5 to 160 + acres we are proposing Rural Class 1 paved, which is 2 nine foot lanes instead of 2 ten foot lanes. Bryant stated that the Public Works Director had stated twice in two different hearings that the safety of roads decreases as you go from a 1 to a 2 and he stated that when you go up to a 3 that the safety is back to what it was at a 1. As the width of the lanes increase so does speed and accident rates. Bryant questioned how that will meet the standards of safe and adequate access of the General Plan. The increasing of roads to 10 feet increases environmental impacts and decreasing safety and affecting the rural character which is the basis of our General Plan. If that standard is applied this will put a halt to development on these roads simply because there are a lot of roads that will not meet this ten foot standard, but that will meet the nine foot standard. Bryant reminded the Commission that the purpose of revising these standards was to bring the County roads into compliance.

Bryant also stated that they were proposing to add a final column which would address those ADT above 3000. She stated that the Board of Supervisors gave direction at the July 10, 2007 hearing, that minimum road standards would be determined on a case by case basis for traffic volume greater than 3000.

Bryant stated that the amendment failed to address roads such as Harris Road that contain a one lane bridge. She stated that Hertfelder had previously explained that they do not count the one lane bridge as part of the travel width; instead they look at site distance and turn out areas. Currently there is no allowance for this under the standard and having the ability to have a mitigation measure would solve that. Bryan expressed concern about how the standards do not specify how ADT is determined and requested clarity on this issue.

Lastly Bryant requested clarity on the application of standards and ADT and if this is to be on the full development potential for the entire area or the specific project? Bryant gave an example of the problems that would be faced if a simple two split had to meet the road requirements of all potential development on surrounding parcels which may never come to fruition.

Rudzik stated that they will accumulate concerns and areas for discussions and then go back over them at the end.

Skyrud inquired to Bryant as to who prepared the chart, Planning Staff or herself.

Bryant stated that the handwritten notes are her notes.

Ken Melton. Melton stated that he agreed with Bryant and that the review that was proposed by Public Works was excellent but it did miss one important point, in that it did not review Class 1 Roads from 2 – 5 parcels. Melton stated that this is not about changing the road standard, but changing the number of parcels. Melton stated that the history of this was originally done on the number of parcels with the ADT plugged in after the fact. They then came up with a 12 foot travel lane for 2-5 parcels. Which was in existence for quite some time, until CDF started implementing and in the 90’s when Williams was the acting director, she required 18 feet instead of 12, then later on the Board adopted the 18 feet for a Class 1, which is 2 9 foot travel lanes. Melton stated that the sole reason for this was to bring the recommendation of CDF to meet the County standards, but what they didn’t take into
consideration was that when they increased the travel by 50% they didn’t change the number of parcels accessed. Melton stated the result is like putting in a super highway to three parcels, which is absurd. He went on to say that basically you have a 20 foot travel lane road limited to 5 parcels. Melton suggests that the Commission go back and look. He said that since the width of the road has already been reviewed and changed back in the 90’s, now the ADT needs to be reviewed. Melton mentioned that 80-100 ADT might be a possibility for a Class 1 Road. He then gave examples of road building practices and potential road break down issues such as trees and brush overgrowth because of people traveling in a 12 foot wide area on a road that was too wide to accommodate the traffic at the time.

Skyrud asked Melton about his experience in grading roads and whether or not extensive cutting for a short distance and if those cuts includes the shoulder, or is there something in the ordinance that allows you to minimize the cut? Skyrud explained going around a curve and how is that handled.

Melton replied that the Road Department inspects from ditch to shoulder. Melton remarked that in some areas a two foot cut and fill is a lot of cut which can cause exposure for erosion. Melton stated that we are not speaking today on road standards widths, but when the standards do get brought up and Bryant had brought up Class 1 and Class 2, she is right. When you move up two feet you can expect to cut 15-20 feet up the bank in some areas.

Skyrud made a reference to Highway 49 to Coulterville where there is no shoulder.

Tolley Gorham. Gorham comments that should the Planning Commission not recommend and the Board of Supervisors not adopt the proposed changes to the standards that we will have a lot of roads in the County that are a safety hazard. If we elect to say that all of those roads are unsafe, does the County have a program to address those safety issues and if not then what is the liability to the County?

Theresa Castaldi. Castaldi agreed with Bryant and recommended that the Planning Commission accept her proposed changes.

Jim Brannan, agent for John Boggs on a parcel that is at Yosemite Oaks Road and Oaks Road in Midpines. Brannan explained the process that they have been undergoing with Planning, Public Works and CDF on a Land Division that has narrow road issues. Brannan explained that the process is frustrating as every time they think they have a target it gets moved. Brannan agrees with Bryant and concluded that in the situation they are in with this land division, that Public Works needs to be able to have some mitigation measures as it is unrealistic to think that the developers have to rebuild a mile of road just to make it to the minimum current standards.


Ken Baker, representing several property owners in Mariposa County. Baker commented on a prior statement that it took 6 years and over 1 million dollars to establish the General Plan. Baker stated that the old General Plan was a good one but that the housing element was non conforming from a standpoint that we had not reached but had proposed in the General Plan. Baker suggested that on circle page 6 that if we leave that item in there where it says these standards shall also apply to publicly maintained roads including county development that the 1 million dollar, 6 year General Plan will be out of conformity very quickly as this will eliminate a large portion of the area that was set aside as

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residential areas. Baker suggested that in the rush to solve a problem, it wasn’t intended to create the kind of situation that we have today.

Rudzik stated that the General Plan was adopted in 2006 and Rudzik doesn’t see a reason to revisit that topic and suggested that we solve the problem at hand.

Baker stated that he was laying a basis as to how to do that.

Rudzik then asked Baker to get to it.

Baker stated that by installing a new road plan it is impossible to set minimum standards without giving Public Works the authority to handle each situation differently as it presents itself. Baker agreed with the Bryant and her suggested chart. Baker urged the Commission to review, clarify and refine these standards so that they will be effective. Baker concluded that to create a document which makes all County roads nonconforming or to require those with new parcels to build the County roads and not to have the County follow the same rules as the private residences is improper, unfair and inconsistent to the General Plan. Baker felt that the standards for establishing the ADT need refinement and to establish a blanket program to cover the entire county is almost impossible.

Public Portion of the Hearing: Closed.

Deliberations:

Hertfelder stated that we need to take a step back and discuss what brought us here today. When the General Plan was adopted there was an idea of adequate capacity. He explained the definition of adequate capacity and how to determine what road width would be required and gave examples. There was also an issue with CDF standards and their applicability. Once you are over 500 cars a day, the minimum requirement is a Class IV Paved Road which is two twelve foot lanes with three foot paved shoulders. This stalled the subdivision process and prompted us to try and come up with a reasonable set of standards that would fit more closely with what the County road system currently is and in addition that when we do construct new roads that the County could meet that standard. Standards for new construction are more stringent than those for existing roads. We are not determining that all County roads are unsafe; it is not practical to think that the County is going update all the roads in order to meet the new standards.

Hertfelder went on to explain the lane safety issues that he keeps getting quoted on. Hertfelder has not found a guideline that says if you have this many cars a day your minimum lane width should be “X”. Hertfelder looked studies for what is considered to be a low volume road with 2000 cars or less per day and very low volume roads with less than 400 cars per day. Hertfelder read information from the study that stated overall nine foot lane widths had lower accident rates than ten foot lanes with narrow shoulders; this was believed by the authors of the study due to the reduced speed on the nine foot lanes as compared to the ten foot lanes. Hertfelder went over how they measured this information in the study, stating that wider shoulders decreased the accident rates in this study. This study did not factor in the geometry of the road.

After looking at this study and others, Hertfelder decided to change the original chart on anything that had 200 cars or more per day to be a paved road. He then looked at the very low volume road study and that study came up with a series of recommendations, one of which was ten foot lanes with two foot
shoulders. Eleven and twelve foot lanes were preferred on the roads with a design speed of 60 miles per hour. This information was the basis for Hertfelder to come up with the recommended changes.

Hertfelder stated that the County does ADT counts. Using Darrah Road as an example Hertfelder explained that it has around 1000 cars per day and the section above Cole Road they would look at the traffic count, what condition the lanes are what the road section looks like and if it meets the standard in that section then it would be ok. They would then move on to look at the section below Cole Road, finally ending up at the intersection at Darrah Road and Highway 49 where the count is about 3600 cars per day. The count would be progressively done, at intersections, but they will adjust for high count areas especially if there is a store that would increase the counts.

Hertfelder addresses narrow restrictions and how those are dealt with. In the proposed chart they plan to take the travel width to determine capacity. That is done by three measurements from the location of the subdivision to the nearest intersection or major County road, excluding bridges.

Rudzik asked how shoulders are addressed.

Hertfelder replied that they do not look at shoulder widths when determining road capacity. He said that most of our County roads do not meet shoulder width because of the mountainous terrain and that shoulders are dealt with on a case by case basis. When looking at these standards for the definition of capacity we only look at the lane or travel way width. Hertfelder stated that they would like to come back later and do something similar to what Contra Costa County did in that they have a preferred road section such as Rural Class 1 which is nine foot lanes with two foot shoulders, allowing some variation due to terrain.

Hertfelder stated that when they have a developer construct a road if there is some reason where it is too difficult for them to achieve the full two feet of shoulder then we will work with them. Hertfelder stated his concern is reducing shoulder width requirements is that everyone will find it impractical to meet shoulder width requirements. A difficulty that we had is because the General Plan definition refers to this particular chart, not only are we applying this chart to new construction but it also applies to the definition of adequate capacity and those are not necessary the same issue.

Rudzik stated that there was a question on Rural Class 1 verses Rural Class 2 roads. Rudzik stated that in the third column you recommended Rural Class 2 and yet your safety issues now override that initial statement. Rudzik asked Hertfelder to reiterate that.

Hertfelder replied that the study discussed safety and that two nine foot lanes where in general safer than the ten foot lanes in the two states that were studied. The study compared lane widths. Hertfelder stated that on two ten foot travel lanes with five foot shoulders the accident history drops. Hertfelder agreed with the authors opinion, however stated that the study did not take into account the terrain and geometry. He stated that the recommendation of this study was on very low volume roads for new construction should be a minimum of two ten foot lanes with two foot shoulders, which is what our Rural Class II is. In our existing chart that would be a Rural Class III requirement and we are reducing that standard from two eleven foot lanes with three foot shoulders to two ten foot lanes with two foot shoulders. Hertfelder stated as the County Engineer he would be uncomfortable to reduce this further.

Rudzik inquired about the above 3000 ADT; it was recommended that we add a note that it be determined on a case by case basis.

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Hertfelder replied that it was the Board’s direction to remove that and he is fine not having a specific class listed. Hertfelder also stated that the Board had asked that we add a foot note that the standard would be determined for ADTs greater than 3000.

Rudzik asked Hertfelder if the footnote that has been suggested or one similar is agreeable.

Hertfelder, agreed.

Skyrud inquired to Hertfelder about developers using their own traffic counts or do they have to use the County counts. Skyrud wanted clarification on this because the County counts may be in higher volume areas and may not be an accurate count on the particular area that is to be developed, which may have a much lower count.

Hertfelder stated that the County counts would be at intersections, but now we do a count up near were the subdivision is. The example is if they don’t have the counts were a subdivision is, they would take their historic counts and do new counts.

Skyrud concerned that Public Works has to fund these traffic counts for developers and that the developer should be paying for that.

Hertfelder stated that they do the counts as necessary.

Break at 10:40 a.m. Reconvened at 10:55 a.m.

Rudzik inquired about one lane bridges and suggested that we leave these alone as they keep our rural character intact.

Hertfelder replied that narrow bridges are not part of their review of road width. The roads are signed appropriately and these bridges are features of our county. If there is a site distant issue, we may need to mitigate.

Skyrud inquired about a narrow bridge issue on Dogtown Road in Greeley Hill and expressed concern about if development happened in that area how would it be addressed and whether or not bridges are exempt?

Hertfelder’s initial thoughts were that the bridge would not have to be addressed unless they felt that it was inadequate structurally (by weight).

Skyrud commented that the bridge was re planked several years ago.

Hertfelder concurred and stated that Public Works continues to maintain it.

Skyrud inquired if someone was to subdivide and these new standards are in place would we allow a new narrow bridge to be built or would a new bridge have to comply with the new width standards? Skyrud gave an example of a small stream crossing wherein a new bridge would need to be built.
Hertfelder replied that this issue has not come up yet, but that they would need to go the same width as the travel lane and stated that he believed CDF standards to be minimum eighteen foot wide travel lane on that bridge. If the County was going in and building a new road and a bridge, it would be as wide as the travel way. In a lot of ways our roads will not meet these requirements, what we are doing is reducing the standards for new construction, we will have more County roads that will comply with this and we will also have some roads that do not. Hertfelder stated that we can not continue to keep reducing the standards until they are meaningless and concluded that on new bridge construction we would want to allow two way traffic.

Rudzik asked staff regarding building to potential and gave an example on a thirty acre development doing a four split and a remainder. What if behind that development there was an eighty acre undeveloped parcel that was zoned residential and that had the potential to be subdivided, would that be taken into consideration?

Hertfelder replied that currently on a thirty acre parcel, four split, regardless of what or who is behind that parcel, the road is developed to that initial thirty acre parcel. If the remainder of that development is then split, they would have to upgrade the road to meet the standards at that time. If the parcel behind that initial parcel is submitted for development then that would be dealt with at that time.

Skryrud asked if they would have to upgrade the bridge.

Hertfelder stated that he can’t answer that question.

Skryrud stated that he felt that these are the type of questions that may come up and wanted Hertfelder to have time to be able to answer them once this gets to the Board level.

Public Portion of the Hearing: Open.

Cord Parker. Parker sought clarification on ADT and the potential for future development and how that would work. Parker gave Rudzik’s example of a thirty acre parcel and an eighty acre parcel behind and whether or not the eighty acre parcel would be factored in for potential development.

Hertfelder stated that they would only look at the parcel that is being developed for the ADT. If there is a parcel behind that is not being developed then it would only factor into the ADT as one parcel, not the potential of what could be. Hertfelder used the example if the eighty acre parcel came in later to subdivide then we would look at the ADT based on the amount of parcels that they are creating.

Hertfelder then gave examples of upgrades on the County road, and what the internal road would need to be for subdivisions.

Parker asked if the ADTs are an incremental process and are they averaged.

Hertfelder replied yes and gave Ashworth as an example, stating that at the beginning of Ashworth the ADTs are higher and towards the end of the road they are lower, making a different standard.

Rudzik inquired if it was over ½ mile long would it need a connector?
Skyrud inquired if the requirements were to do a Rural Class I Road and the parcel behind is required to be a Rural Class II Road would they have to redo to make the whole thing a Rural Class II?

Hertfelder replied that if it is a private road the improvements would be all the way to the nearest County maintained road.

Bryant requested clarification on the developmental potential for determining ADT, and that they will not look to the parcels beyond the parcel that is intended for development.

Hertfelder replied that if it is a separate parcel, not part of the subdivision we would not look at the potential development, and we would treat is as one parcel for the ADT counts. If it were on a through road we would look at each parcel beyond the initial parcel being developed for the ADT count. We would not look at the potential for future subdivision on those parcels until that time came.

Bryant's concern is that it doesn't seem clear, and that although this may be Hertfelders' intent what if we get a new Public Works director, will that still be the intent of the department and how can we be assured of this. Bryant would like this clearly stated.

Rudzik asked if Bryant had wording that she could suggest to alleviate her concern.

Bryant stated that it should be in writing, exactly what the determination is on ADT that he will look at it incrementally and that potential development is only for the current project that is being considered and not for the project(s) that could be considered in the future. Bryant also wanted to address mitigation.

Skyrud stated that when the Public Works director takes this to the Board he will have that clarified.

Hertfelder stated that the Planning Director will, and stated that this will be clarified. In the terms of the one lane bridge obstructions that a simple foot note could be added as to how we calculate travel way that we will not include limited obstructions such as a one lane bridge in the calculations.

Rudzik stated that we need consistency.

Skyrud stated that Bryant has suggested that we replace Planning Director with Public Works Director in the chart and asked if that was acceptable.

Rudzik stated that he believes it takes both.

Hertfelder replied that if it is a road issue it should be Public Works as they are the ones to look at what adequate mitigation would be for a County Road.

Schenk reminded the Commission and the Public that this is a quick fix, not intended to solve all road problems in Mariposa County. Contribution to impact fees needs to be developed in a separate study. Schenk explained that this is intended to be a set of minimum standards in our ordinance for clear reference
as to what we expect when someone is building a road. Schenk disagreed with putting notes on the chart about negotiating mitigations.

Discussion between Skyrud and Bryant about whose notes were on the chart.

Rudzik commented that this has already been discussed several times.

Melton stated that he is appreciative of the opportunity to bring up something that was previously discussed that he felt didn’t get addressed yet. ADT needs to be brought into some type of alignment with road widths. Can ADT be brought into consistency with the new road widths that are being established?

Rudzik stated that the chart addresses some of the ADT issues and with Bryant’s comments on the chart this will go to the Board.

Melton stated that there is no change proposed to bring the ADT with Class I. Melton is prosing as has been done with the Class II and others. The Class I road has been left out of this process. Melton urged the Commission to get the ADT in line with the increased road width.

Skyrud stated that he is unclear with what Melton is requesting. Is Melton asking if there should be a different standard for something from 0-5?

Melton replied, no, that is not what he is asking, although he would like to see that because we used to have it and a twelve foot road was adequate. Melton’s concern today is that the eighteen foot design standard is not changing; just the ADT from 40 to 100 is changing or have something realistic that would match the ½ mile dead end road issue. You will not have enough parcels on a ½ mile dead end road with 6-7 acre minimums that you would need anything more than eighteen feet and as long as it is a gravel road you build a 20 foot wide travel road when you meet the eighteen foot standard.

Hertfelder stated that when this chart was prepared, ADT was from 0-40 and was calculated the Class I Rural Road was twelve foot way with three foot shoulders which was a full width of eighteen feet. In 1999 when the County upgraded the improvement standards, the Rural Class I was changed to eighteen foot travel way with two foot shoulders, for a total width of twenty two feet. What Melton is saying is that we basically increased the standard by four more feet but we have not increased the allowable ADT on the road. There really isn’t much in guidelines, which is the difficulty here. Hertfelder couldn’t come up with a good justification to change it. Melton is after us to look at a higher ADT. Hertfelder can’t come up with a recommendation to change it and he can’t come up with the justification as to how it was set originally.

Skyrud stated that with the ADT we are simply drawing a line and we have to cut it off somewhere.

Schenk stated that eight trips per day the 40 ADT correspond to five parcels and that is probably what people had in mind as far as a minor land division and a major land division. As a practical matter, if we start trying to change ADT then we may need to look at implications on air quality.

Rudzik urged that we keep this without getting a CEQA re write and do it on our Title 17 revisions.

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Skryud asked Hertfelder to elaborate on his thoughts regarding Bryant's recommendation for 250-699 that it be a Rural Class I paved and staff says Rural Class II paved.

Rudzik commented that this has already been discussed.

Hertfelder stated that based on his recommendation on 250-699 ADT on three things: 1) dust mitigation/air quality problem 2) paved road safer when compared to gravel road 3) difficult to find recommendation on very low volume road study they recommended two ten foot lanes and two foot shoulders. Under CEQA this was a good trade off as we went from a Rural Class III gravel road and went to a Rural Class II paved, concluding that the lane width requirement has been reduced.

Skryud stated that both the recommendations are for paved, one is Class II the other Class I.

Hertfelder stated that one of the studies he looked at for low volume roads showed the nine foot travel lanes had a lower accident history than the ten foot travel lanes. Hertfelder again reiterated that the study didn't look at geometry or terrain. Hertfelder stated that if Public Works is to build any new road they want a minimum of a ten foot lane for a 250 ADT.

Melton stated that Schenk's comment about dust is correct; however it doesn't have anything to do with the width of the road. When you go two feet wider or more, it is an environmental impact.

Skryud inquired to Hertfelder as to who makes the decision whether it would be a Rural Class I paved or Rural Class II gravel.

Hertfelder replied that it is generally the developer. He stated that this is a key area, wherein you run into the most difficulty in applying this chart to existing County roads. If we were originally 41-249 ADT our initial requirement was a Rural Class II gravel road, when we apply that standard to County roads if you had a County road that was eighteen foot paved width and had over 40 cars per day, it had to have two ten foot lanes. Hertfelder felt that given that traffic volume that a Rural Class I paved road will provide as much safety as Rural Class II gravel and why he put the option in there. It will mostly apply when we look at capacity on County roads. There are a lot of County roads that have eighteen foot travel way and under the way our current standards read, anything from form 40-250 ADT we would have to be two ten foot travel ways and Hertfelder felt this was a little too restrictive.

Skryud inquired if a developer is required to build a Rural Class I gravel road and later the parcel beyond him develops and it kicks the ADT up, that future developer could put in a Rural Class II gravel road down to the first developers Rural Class I gravel road.

Hertfelder replied, yes.

Baker gave an example of 50 acres on Indian Gulch Road, would the applicant be required to pave that whole road (parcel is 2 ½ miles in).

Hertfelder stated that you would look at the traffic count and what the existing width was. Hertfelder felt that the ADT was under 250 for that road so the developer would have the option of gravel or paving. Hertfelder stated that this is also one of the issues that we had with Parker Drive. The

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recommendation will always be that the travel way width increases of similar surface. It could be paved as far as required to meet the capacity definition or wait until the County or someone else paves it.

  Baker asked if it is going to be developed, then it needs to meet these standards? It is a Rural Class I.

  Hertfelder replied, yes, but if it is a Rural Class I it would not need to be paved.

  Baker inquired about ingress and egress.

  Rudzik stated that Baker is getting into design and that is not a discussion point.

  Hertfelder referred to section 9 in the General Plan that it states from the subdivision the nearest route to the major county collector or state highway.

Public Portion of the Hearing: Closed

  Rudzik proposed that they go over the chart and the footnote and suggestions that were made today and get a sense of where we are at.

  Rudzik then referred to the chart and inquired if there was consensus over the footnote in the chart to change Planning Director to Public Works Director and stated that he believe there was consensus to make that change. Rudzik then attempted to poll the Commissioners.

  Skyrud stated that on circle page 41 the note says “The Planning Commission will consider amendments to the table as recommended by staff.” Skyrud stated that it doesn’t say anything about Public Works or Planning Director.

  Rudzik then asked if the chart as written is adequate to cover the concerns addressed today by the Public and if so that is fine.

  Rudzik stated that another area that was brought up was on the 250-699 ADT. Rudzik stated that he was satisfied with Hertfelder’s explanation to keep the chart as presented.

  Skyrud stated that on circle page 5 and 41 they are the same chart with different notes...which note does staff want us to use?

  Strathearn clarified that on circle page 5 this was simply a note regarding travel width; the one that they should be looking at is circle page 41 which is part of the draft resolution and explained that the resolution is draft text and if the Planning Commission wishes to make amendments to that they can.

  Strathearn then went over each staff recommendation.

  Rudzik asked on circle 41 should where they to keep it as is?

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Strathearn on circle page 4 chart of the existing standards, wherein it talks about above 3000 ADT, developed and applied as the need arises. Something similar can be added.

Hertfelder stated that the Board had requested that language be included and that accomplishes the same as what Bryant wanted.

Public Portion of the Hearing: Open.

Bryant stated that this is confusing on the mitigation measure as it has not been addressed. Public Works needs to have the ability to have mitigation measures if minimum standards can not be met.

Schenk replied that this is not the place to have a policy item; he has no problem with Bryant's language but that it needs to go into the next road study, not this one.

Bryant stated that if it doesn’t go into this document then it ties Public Works hands.

Public Portion of the Hearing: Closed.

Schenk stated that we are looking to set minimum standards; we are not looking to do case by case negotiations.

Hertfelder responded that the General Plan says you can have mitigation and allowing for mitigation measures needs to be referred to Planning. Hertfelder stated that he doesn’t have issue with the language, but we would need to come up with what the mitigation measures would be and then we are back to dealing with the case by case basis again.

Skyrud stated that Bryant had also proposed impact fees.

Schenk replied that we don’t have a process in place for that yet. First we need to have standards set for the fee consulted to review.

Skyrud questions that there is not a standard for impact fees.

Schenk replied that the Board has hired a consultant for this, but they need road standards to review and this is the first step to getting that.

Skyrud requested that the minutes of today’s hearing be sent to the consultant.

Ross inquired that relative to mitigation two issues concerning road width have been brought up. Road width as it relates to day lighting and erosion concerns and road width as it relates to geography. Both are valid and Ross sees the utility for that ten foot lane, as Ross looks around there has been a lot cheating on the roads because of the terrain, you can’t see. Ross prefers narrower roads and feels that they are safer but there is a place where that ten foot is prudent. Ross remarked that taking out a bank to maintain a width at the expense of landslide…do we have adequate mitigation in place in the General Plan to make decisions instead of saying no?

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Schenk replied those are all good points. We are in the process of putting those standards together. Schenk stated that we will have some wiggle room.

Rudzik stated that is what we are trying to do with this document.

Hertfelder stated that there is wiggle room to make the call for a Rural Class I road, with eighteen foot travel way with two foot shoulders. These standards do not give Public Works the authority to change that. The Planning Commission has the authority to lower standards, not the Public Works department.

Schenk stated that this is intended to be a quick fix. There are a lot of development concerns and issues road access, which we will continue to work on.

Strathearn stated that it was the consensus of the Board to add a note onto the new chart to address 3000 and above ADT, adding some text to be developed and applied as the need arises. Strathearn stated that the two suggestions the Planning made was that they apply to County roads and to add a legend to define road width.

Skyrud wants this Commission to send to the Board something that has a deviation.

Strathearn stated that we are dealing with a new General Plan with goals, policies and implementation measures that are tightly worded. A review does need to be done with new subdivisions in dealing with the General Plan and this has to be consistent with the General Plan.

Hertfelder stated that as the Public Works Director he doesn’t have a problem with recommending a mitigation measure when the standards don’t make sense, however the implementation of that measure should be at Planning Commission or at the Board level.

On motion of Commissioner Ross seconded by Commissioner Francisco, the Planning Commission adopted a resolution recommending that the Board of Supervisors adopt a Negative Declaration and approve Amendment to the Mariposa County Road Improvement and Circulation Policy, No. 2007-124 with the recommended additions.

Skyrud requested an amendment to the motion that the chart notes be changed to reflect that the Planning Commission can approve deviations to the standards on a case by case basis.

Rudzik asked Ross if he wanted to amend his motion to reflect Skyrud’s request or if he was comfortable with the way that he originally stated it.

Ross replied that he was comfortable with the motion as he had originally stated it.

Motion carried by the following vote:
AYES:  5 (Ross, Francisco, Rudzik, Skyrud, DeSanta)
NOES:  0

4A. Informational Items

Planning Commission Meeting 8/17/07
STATE OF CALIFORNIA  
COUNTY OF MARIPOSA  
BOARD OF SUPERVISORS  

Resolution No. 2007-  

A resolution adopting a Negative Declaration and approving the amendment to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124; Mariposa County, proponent.

WHEREAS the Mariposa County Board of Supervisors adopted the Mariposa County General Plan, which included goals, policies and implementation measures to ensure that residential development has safe and adequate access; and

WHEREAS those specific goals are 5-3 in the Land Use Element of the General Plan which states:

*Integrate transportation and land use decisions to achieve the County’s managed growth objectives.*

and Goal 9-1 in the Circulation, Infrastructure, and Services Element of the General Plan which states:

*All development shall have safe and adequate access.*

WHEREAS the General Plan states policies and implementation measures to implement these goals; and

WHEREAS Subsection 5.3.02.E(1) in the Residential land use classification section in the General Plan states:

*All newly created subdivision parcels will have safe and maintained access roads. To qualify for subdivision, access to the subject property will be derived 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.*

WHEREAS the Board of Supervisors deems it necessary to amend the residential road standards contained in the Mariposa County Road Improvement and Circulation Policy under Chart A – Minimum Road Standards, Residential in order to bring these standards into consistency with and to implement the applicable goals, policies, implementation measures and standards of the General Plan, and

WHEREAS a Staff Report and Initial Study were prepared pursuant to the California Government Code, Mariposa County Code, California Environmental Quality Act, and local administrative procedures; and
WHEREAS the Mariposa County Planning Commission did hold a public hearing on the noticed date and considered all of the information in the public record, including the Initial Study, Staff Report, and testimony presented by the public concerning the project; and

WHEREAS the Planning Commission has recommended that the Board of Supervisors adopt a Negative Declaration for the project and approve the amendment to the Road Improvement and Circulation as amended, and

WHEREAS the Board of Supervisors has considered the Planning Commission resolution and all of the information in the public record and has held a duly noticed public hearing on the project.

NOW THEREFORE, BE IT RESOLVED THAT the Board of Supervisors of the County of Mariposa does hereby approve of the proposed amendment as amended to the minimum residential road standards in the Mariposa County Road Improvement and Circulation Policy, the text of which is shown in Exhibit 1 of this resolution; and

BE IT THEREFORE FURTHER RESOLVED THAT this action is based on the findings that are stated in Exhibit 2; and

BE IT THEREFORE FURTHER RESOLVED THAT the Board of Supervisors adopt a Negative Declaration for the stated amendment; project no. 2007-124 as shown in Exhibit 3.

ON MOTION BY Supervisor , seconded by Supervisor , this resolution is duly passed and adopted on September 11, 2007 by the following vote:

AYES:

NOES:

EXCUSED:

ABSTAIN:

Janet Bibby, Chair
Mariposa County Board of Supervisors

Attest:

Margie Williams, Clerk of the Board
Mariposa County Board of Supervisors

Approved as to Form and Legal Sufficiency

Thomas Guarino
Mariposa County Counsel
Exhibit 1

CHART A
Minimum Road Standards
Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer’s option.

Adequate capacity for existing roads will be evaluated based on travel way width only. Lane width for an existing road will be determined by using the average of three locations equidistance from the proposed development to the nearest intersection with a state or county road. Shoulder width will not be evaluated to determine road capacity for existing roads.

These standards shall also apply to publicly maintained roads, including county roads, which must meet these standards if they serve new residential development. Measurements to determine road width for publicly maintained roads, including county roads, shall be as stated in paragraph two.

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<th>Parcel Size</th>
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</tr>
</tbody>
</table>

* Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises

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<th>Minimum Width</th>
</tr>
</thead>
<tbody>
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</tr>
<tr>
<td>Rural Class II</td>
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</tr>
<tr>
<td>Rural Class III</td>
<td>22 feet</td>
</tr>
<tr>
<td>Town Class II</td>
<td>20 feet*</td>
</tr>
<tr>
<td>Town Class III</td>
<td>22 feet*</td>
</tr>
</tbody>
</table>

*Without parking and sidewalk
Exhibit 2

1. The Mariposa County General Plan recognizes the need for new residential projects to be served by roadways that provide safe and adequate access. The general plan’s goals, policies, and implementation measures, as well as the standards for the Residential land use classification, are designed to ensure that access to each newly created parcel meets general plan requirements.

2. The existing standards contained in Chart A – Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy are not consistent with the goals, policies, implementation measures and standards contained in the Mariposa County General Plan. Implementation of the revised standards will make the Road Improvement and Circulation Policy consistent with and will implement the Mariposa County General Plan.

3. At their hearing on August 17, 2007 the Planning Commission recommended that the Board of Supervisors approve the revised standards as amended and adopt a Negative Declaration for the project.

4. The adoption and implementation of these revised standards will not have a significant impact on the environment and adoption of a Negative Declaration is warranted for this project.
Exhibit 3

MARIPOSA COUNTY
NEGATIVE DECLARATION

(Pursuant to California Administrative Code, Section 15070)

PROONENT/APPLICATION: Amendment to the Minimum Residential Road Standards contained in the Mariposa County Road Improvement and Circulation Policy; Project No. 2007-124

Mariposa County, Proponent

PROJECT DESCRIPTION: The revised residential road standards apply countywide. The proposed standards replace Chart A – Minimum Road Standards, Residential contained in the Mariposa County Road Improvement and Circulation Policy. The revised standards are designed to bring standards into consistency with and to implement the applicable goals, policies, implementation measures and standards of the Land Use and the Circulation, Infrastructure, and Services elements of the Mariposa County General Plan that address safe and adequate access for new residential development.

No significant effect is based on the following findings:

(Findings as shown in Staff Report)

No significant effect is based on review procedures of the following County Departments or Divisions:

☐ Building Division ☒ County Health Department
☒ Planning Commission ☒ Public Works Department

Other: Mariposa County Fire, California Department of Forestry, Board of Supervisors

An Initial Study was prepared by Skip Strathearn, Senior Planner and is on file at Mariposa County Planning Department, 5100 Bullion Street, Mariposa, California 95338

Kris Schenk, Director
Mariposa Planning
NOTICE OF PUBLIC HEARINGS
NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

Project case name and number: Amendment to Residential Road Standards: 2007·124
Proponent: Mariposa County

On Friday, August 17, 2007 in the Board chambers at the Mariposa County Government Center (upper floor), 5100 Bullion Street, Mariposa, California, the Mariposa County Planning Commission will hold a public hearing on the proposed amendment to the residential road standards contained in the Mariposa County Road Improvement and Circulation Policy.

Hearing Time: 9:00 a.m. or as soon thereafter as possible. (The order in which projects will be heard on August 17, 2007 will be available from this office one week prior to the hearing.)

On Tuesday, September 11, 2007 in the Board chambers at the Mariposa County Government Center (upper floor), 5100 Bullion Street, Mariposa, California, the Mariposa County Board of Supervisors will hold a public hearing on the same project.

Hearing Time: 10:30 a.m.

These revised residential road standards would apply countywide. The proposed standards replace Chart A – Minimum Road Standards, Residential contained in the Mariposa County Road Improvement and Circulation Policy. The existing standards and the proposed revised standards are shown on pages 3 and 4. The revised standards are designed to implement the applicable goals, policies and implementation measures of the Land Use and the Circulation, Infrastructure, and Services elements of the Mariposa County General Plan that address safe and adequate access for new residential development.

Roadways serving new residential development, including existing off-site public roads such as county roads, will be required to meet these revised standards in order for the development to be approved. Implementation of these standards has the potential to prohibit or restrict the density of new residential development in areas served by inadequate roads as defined in the standards. The requirement that off-site county roads or other public roadways must meet these minimum standards is a significant change from the existing standards, which only applied the standards to roadways within a residential development.

Please leave posted until September 12, 2007
and other easement roads connecting the project to a public road as described in Section 16.12.160 of Title 16, Subdivisions.

Other significant changes in the revised standards from the existing standards are the requirements that parcels ranging in size from 40 to 160+ acres must adhere to higher standards in higher traffic volume areas and that Rural Class II roadways in areas with parcels ranging in size from 2.5 to 160+ acres, and which have potential traffic volumes (existing plus project traffic) of 250-699 average daily traffic, must be paved.

The existing standards break parcel sizes of 2.5 to 160+ into four categories to determine applicable road standards. The revised standards include 2.5 to 160+ parcel sizes in one group with a common standard.

An additional change is the replacement of the requirement for Town Class IV roadways with the Town Class III standard for higher density residential development served by high-traffic volume roadways.

Minimum road widths would remain consistent with Public Resources Code 4290.

Please contact Skip Strathearn at Mariposa Planning, (209) 742-1219, for more information on the project. You may also write us at P.O. Box 2039 Mariposa CA 95338, or drop by the office at 5100 Bullion Street (lower floor), Mariposa to review available project information including the initial study and proposed Negative Declaration. The County intends to adopt a Negative Declaration for the project.

Written comments may be received up to the close of the public input portion of the public hearings. Comments can be hand delivered, mailed or faxed to the Mariposa County Planning Department at the addresses and numbers shown on the letterhead. Email may be sent to sstrathearn@mariposacounty.org.

The Planning Commission will make a recommendation for action to the Board of Supervisors on the proposed Negative Declaration and the proposed revised standards.

Thank you for your interest in the planning of Mariposa County.

Sincerely,

Skip Strathearn
Senior Planner

Posting Locations: Mariposa County Planning Dept.
                        Mariposa County Clerk's Office
                        Mariposa County Courthouse
                        http://www.mariposacounty.org/planning
                        Countywide Posting Locations
**FIGURE 1**

**EXISTING RESIDENTIAL ROAD STANDARDS**

****** MARIPOSA COUNTY ROAD POLICY 1991 ******

**CHART A--MINIMUM ROAD STANDARDS**

**1) RESIDENTIAL**

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer's option. Standards for traffic volumes over 3000 ADT will be developed and applied as the need arises.

<table>
<thead>
<tr>
<th>POTENTIAL TRAFFIC VOLUME (ADT) FOR EACH ROAD</th>
<th>See p. 7, Traffic volume rates.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0-40</td>
<td>41-249</td>
</tr>
<tr>
<td>40-499</td>
<td>500-3000</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>DENSITY OF PARCEL SITE</th>
<th>180+ acre or (\frac{1}{4}) section</th>
<th>40-159.9 acre or (\frac{1}{4}) (\frac{3}{4}) section</th>
<th>5-39.9 acre parcels</th>
<th>2.5-4.9 acre parcels</th>
<th>over 1/2 to under 2.5 acres</th>
<th>1/2 acre &amp; less parcels</th>
<th>more than 5, and up to 10 dwelling units per acre</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>12' gravel</td>
<td>18'</td>
<td></td>
<td></td>
<td></td>
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<td></td>
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<td>10'     ...........................</td>
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**LEGEND**

- Path ——— Path on one side of the road.
- Path ——— Path on both sides.
- P-1 ——— Parking—one side, or both sides.
- C, G, S ——— Curb, gutter and sidewalks both sides.
- R ——— Road classes—see the Improvement Standards.
- R ——— Rural, Town—see the Improvement Standards.
- T ——— Travel widths of roads. Shoulders, turn lanes, parking lanes will be in addition to these.

Sidewalk & path location in relation to travel lanes will be determined based on project design.
FIGURE 2
PROPOSED RESIDENTIAL ROAD STANDARDS

CHART A
Minimum Road Standards
Residential

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- 4 -
Dear Board of Supervisors:

We respectfully request that the Mariposa County Board of Supervisors consider the following recommended changes to the Proposed Residential Road Standards presented in Mariposa Planning Staff Report, Project No. 2007-124 to be considered at the September 11, 2007 Board of Supervisors hearing (Agenda Item No. 5). These recommended changes are incorporated in the attached document, reflected by our hand-written additions to page 66 of your Board packet for Agenda Item No. 5.

The justifications for our proposed recommended changes are as follows:

1.) An additional note should be inserted under the Minimum Road Standards chart that would allow for mitigation measures to be recommended by the Public Works Director, subject to denial or approval by the Planning Commission for those existing County roads which cannot meet minimum width standards, but are deemed safe travel ways. Such mitigation measures have been successfully utilized in the past. At the July 10, 2007 Board hearing both Supervisors Pickard and Turpin stated that they wanted mitigation measures as a possibility in lieu of meeting the minimum width standards.

Supervisor Pickard suggested the following mitigation measures as examples: turnouts and impact fees. Supervisor Turpin stated that he wanted the revised Minimum Road Standards to provide the ability for the Public Works Department to make a “judgment call” in those instances where minimum width standards could not be met. Based on these comments it is our understanding that the Board inadvertently omitted consideration of mitigation measures in its direction to the Public Works Department and Planning Department.

Absent some language allowing for the consideration of mitigation measures, the Public Works Department and the Planning Commission will not have any discretion in those instances where minimum road standards cannot be met for existing County roads.

2.) For parcel size 2.5 to 160+ acres and potential traffic volume of 250-699 ADT, we recommend that the minimum road standard be Rural Class I Paved (two 9 foot lanes). We object to the proposal that the minimum road standard be Rural Class II Paved (two 10 foot lanes).

This proposed minimum road standard will decrease safety on our County roads, negatively impact the environment, degrade our rural character and preclude residential development. Yet, the Staff Report fails to provide any justification for a 10 foot lane standard versus a 9 foot lane standard. Director Hertfelder testified before the Board, at two separate hearings, that studies show that an increase of lane width from 9 feet to 10 feet enables the public to drive faster and that the accident rate increases. Given this information, we ask how the Rural Class II Paved standard meets the goals and policies of the General Plan that “All development shall have safe and adequate access.” Why support a policy that will increase accident rates on County roads that currently have a record of safety? Requiring greater width necessitates cut, fill, removal of trees and the creation of impermeable surfaces – in turn, these improvements create additional run-off, erosion, and degradation of surface water. Again, while the Staff Report recognizes these probable impacts, there is no justification given for adopting a 10 foot standard in lieu of a 9
Foot standard. At the same time, higher speeds, which are likely when roads are widened, decreases fuel efficiency and increases air pollution. Rural character, the guiding policy of the General Plan, and scenic vistas would be adversely affected by widening our County lanes. Finally, requiring that County roads with an ADT of 250-699 be 20 feet wide will result in more determinations by Public Works that existing County roads have inadequate capacity than if an 18 foot standard is adopted. In effect, the 20 foot standard will preclude more residential development than if an 18 foot standard is adopted.

Any instance in which the Planning Commission or Board of Supervisors considers a policy that will endanger the general public, create environmental problems, degrade our rural character and preclude residential development, there MUST be a benefit demonstrated for adopting such a policy. No benefit has been identified for the 10 foot lane width standard.

Thank you for your attention and consideration.

Anita Starchman Bryant
Starchman & Bryant
Attorneys at Law
4750 Highway 49 South, Suite 1
Mariposa, CA 95338
(209) 966-6111
Telefax (209) 966-2320

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Thank you very much.
Exhibit 1

CHART A
Minimum Road Standards
Residential

These road standards shall be applied separately to each road section in a development, according to the traffic volume to be served by that particular road. Standards above the minimum required may be applied at the developer’s option.

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</tbody>
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*Without parking and sidewalk.

NOTE: Public Works Director can recommend (subject to the approval of the Planning Commission) alternative mitigation measures for County maintained roads that do not meet minimum standards, including but not limited to, turnouts, shoulder improvements, site distance improvements, posted speed limits, and impact fees.