MARIPOSA COUNTY GENERAL PLAN

VOLUME II - AREA PLANS AND INTERIM LAND USE PLANS

MIDPINES COMMUNITY PLAN

INSERT DATE UPON ADOPTION



MIDPINES COMMUNITY PLAN
ADOPTION AND UPDATES

DATE	RESOLUTION	DESCRIPTION	GP VOLUME AFFECTED
			II

THE COUNTY OF MARIPOSA
Midpines Community Plan
INSERT DATE UPON ADOPTION

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ACKNOWLEDGEMENTS

The Midpines Planning Advisory Committee (MPAC) would like to acknowledge the efforts of the past MPAC members, Ex-Officio Members and Planning Department staff that have participated in the Community Plan development process:

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1 Introduction and Setting

1.1 PURPOSE

The purpose of the Midpines Community Plan is to implement the General Plan Land Use Element policies. The planning process designed for this purpose invited the community to have an ongoing conversation about: 1) the community that exists; and 2) possibilities that will contribute to the viability and sustainability of the Midpines community as a distinct place among the various Mariposa County Planning Study Areas identified in the General Plan.

The Midpines Community Plan relies extensively on a careful evaluation of land use, development, circulation, natural resources and ecological character of the area contained in the Background Report (2014). This report documents the community engagement and environmental setting upon which the Plan is prepared.

The General Plan[1] currently classifies Midpines as a Community Plan Area, consistent with the current character of this area, which the General Plan Background Report describes as an area that is "Forested, modest, rural subdivision, with small scale commercial oriented to tourists". Community preferences expressed during the planning process sought to retain a strong rural character for the area as the principal means of protecting its historical character, natural beauty, the integrity of its watersheds, forest, riparian habitats, and to respond to the fire adapted landscape within which the Midpines community is located (ref. Background Report Section Section XI.).

1.2 LOCATION

Midpines, one of Mariposa County's seventeen Planning Areas shown in Figure 1-1, is located near the center of Mariposa County along Highway 140, between the town of Mariposa and Yosemite National Park. The principal access to the Midpines community is along Highway 140. The Midpines Plan encompasses approximately 22.7 square miles (14,544 acres), ensuring that the community's issues and objectives are addressed in the appropriate context and detail.

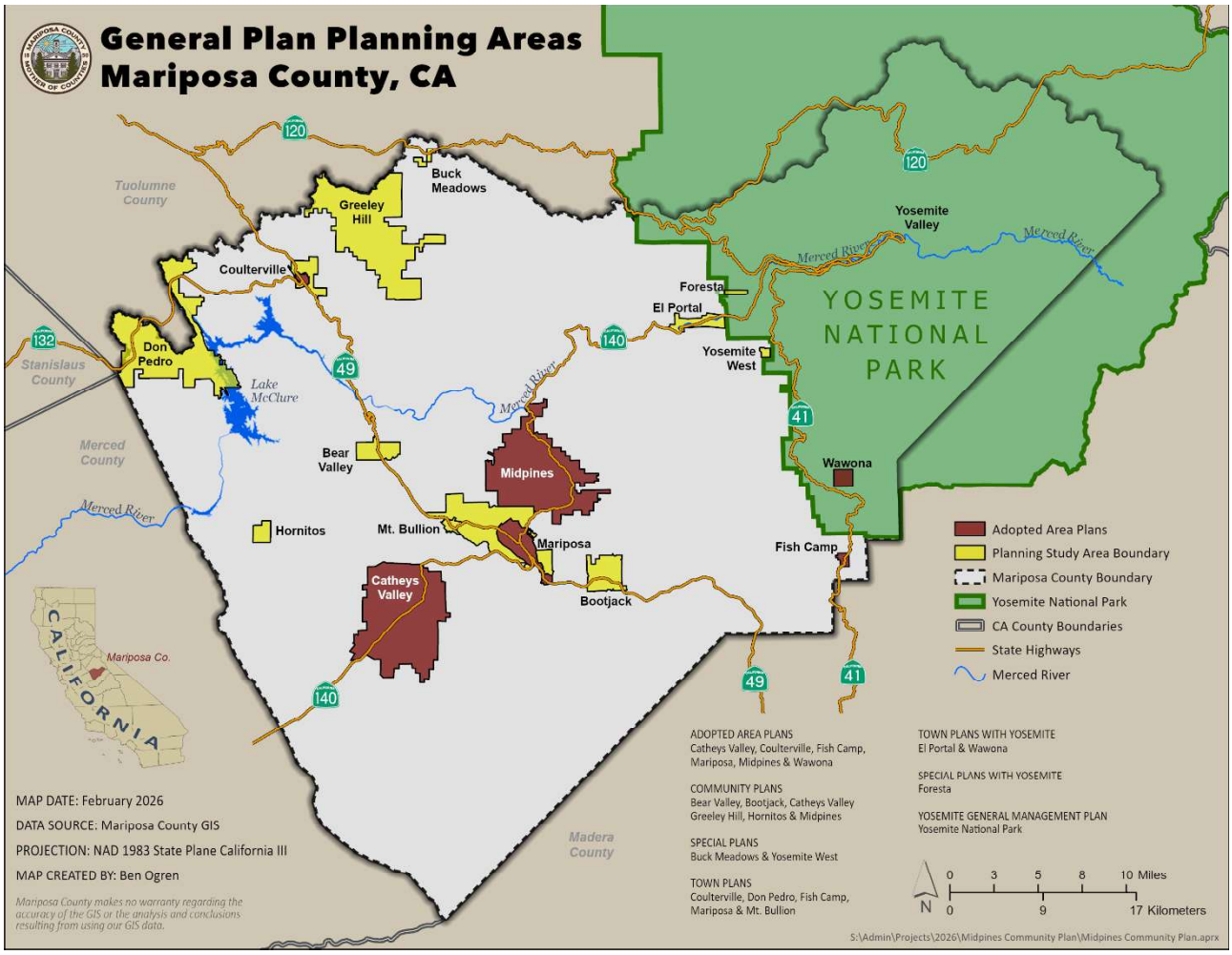
A large portion of the Midpines Community Planning Area is located within the Scenic Highway Overlay (SHO) for Highway 140, which is a state designated Scenic Highway through Midpines. The SHO protects the scenic qualities of this corridor.

1.3 POPULATION AND HOUSING

The Midpines Community Plan Area had a population of approximately 982 persons in 2020. In 2020, there were approximately 534 residential structures containing approximately 970 housing units in Midpines with approximately 54 of them being monthly rentals. Seventy-two (72) of the 970 housing units are used as vacation (transient occupancy) rental units. The housing vacancy rate is 10.5% (+- 6.6%). Housing and occupancy values are approximate because Census Tracts do not share the same boundary as the Community Plan Area. (Data sourced from US Census (2020), Bluefin TOT Data (Oct 31, 2023), and American Community Survey (2020)).

[1] General Plan may be found here: https://www.mariposacounty.org/

Figure 1-1 Mariposa County Planning Areas



1.4 EVOLUTION OF THE MIDPINES COMMUNITY PLAN

In February 2013, the Midpines Planning Advisory Committee (MPAC) approved the program for preparation of the Midpines Community Plan. The program outlines the planning process in several different ways (roles, culture, information, and tools), and references the leadership of the MPAC and its committees in conducting the planning program.

The leadership role assigned to MPAC is based on the General Plan policy requiring that the Plan be prepared by the Midpines Planning Advisory Committee for recommendation to the Board of Supervisors. This means that while staff guides the process, assembles information, documents decisions, and writes reports, the ultimate responsibility for determining the content of the plan rests with MPAC. The initial program adopted by the Board of Supervisors and MPAC ensures that the planning activities, including those used to inform the plan, involve assigned members of the MPAC and result from specific MPAC deliberation and direction to staff.

This schedule has been significantly extended by the MPAC to accommodate an expanded community engagement program. This program has provided a variety of opportunities for residents and stakeholders to identify key community issues and concerns.

1.5 RELATIONSHIP TO THE MARIPOSA COUNTY GENERAL PLAN

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

The Midpines Plan is based upon, and is consistent with, the Mariposa County General Plan. The Midpines Plan is tiered from the General Plan and both share a uniform format. The Midpines Plan is in Volume II, Section 2 of the General Plan.

1.6 HOW TO USE THE COMMUNITY PLAN

To use this Plan, the General Plan should first be reviewed for goals,policies, and definitions applicable to issues or topics under consideration, which can be found on the Planning Department webpage of the Mariposa County websiteThe General Plan Land Use Map should also be reviewed to determine the designated type, location, and intensity of permissible development for any particular property or area. After reviewing the General Plan, this Community Plan should be reviewed for more detailed and “Midpines-specific” goals, policies and implementation programs.

2 Issues Important to Midpines Citizens

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

The Midpines area is the last large area of private land between Mariposa and Yosemite National Park, which makes it conducive to receive future growth pressure for both tourist and residential facilities. The Midpines Community wishes to balance this potential growth with the desire of the community to remain a rural community and protect its natural beauty, historical character, and the integrity of its watersheds, forest and riparian habitats, all the while, responding to the fire adapted landscape/ecosystems within which the Midpines community exists.

2.1 ISSUES OF IMPORTANCE

Through the public engagement process and work of adhoc committees, the Midpines Planning Advisory Committee has identified the following issues, which serve as the basis of the Midpines Community Plan. These issues are addressed through the goals, policies, and implementation measures of the Midpines Community Plan.

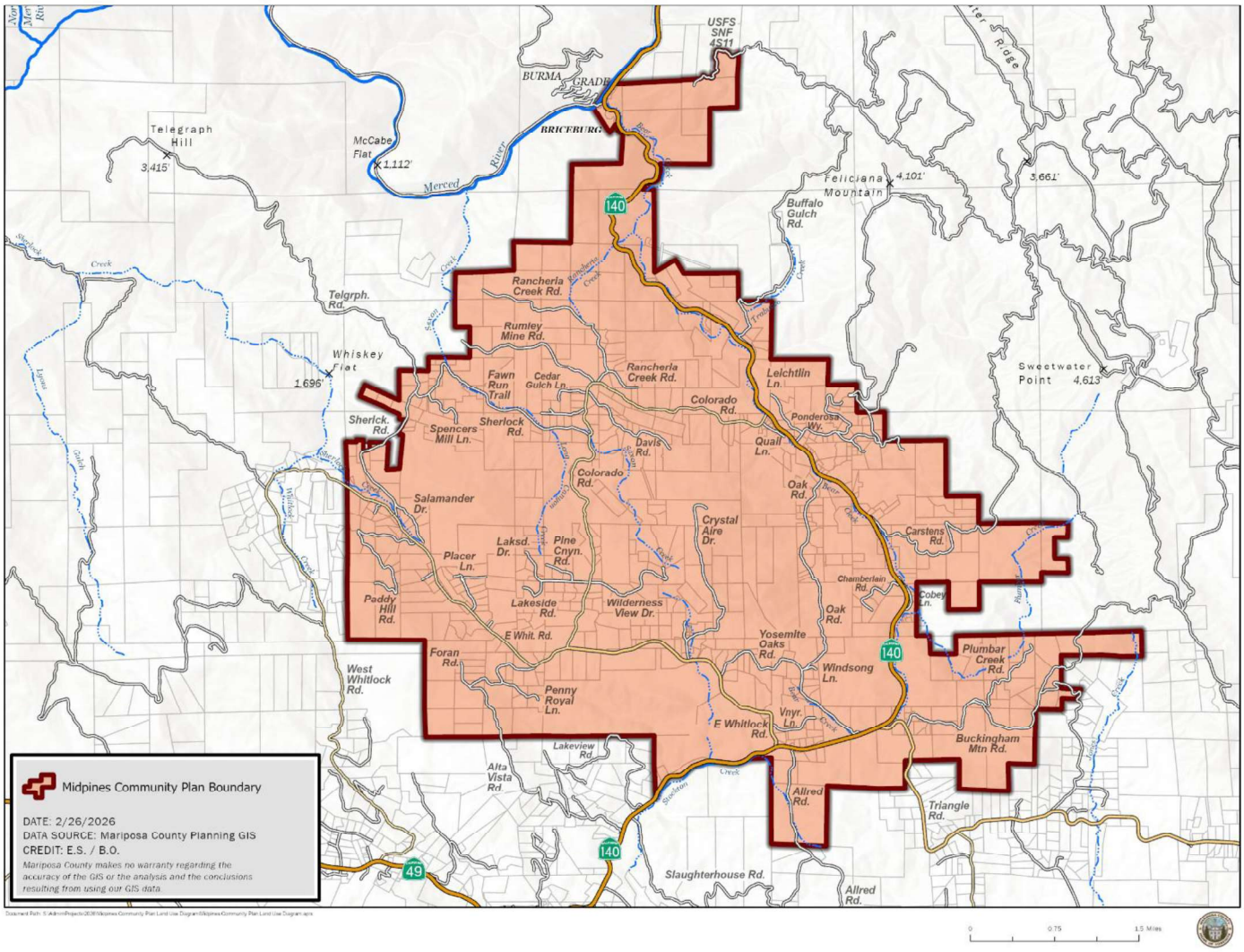
- Maintain rural character;
- Promote fire safety;
- Provide for commercial development at an appropriate scale;
- Provide areas for growing home-based business and rural home industries; and
- Ensure commercial development is compatible with existing character.

2.2 MIDPINES BOUNDARIES

The 2006 Mariposa County General Plan identifies an interim Midpines Community Planning Study Area and related policies pending adoption of a Community Plan. Land uses consistent with this Planning Area are single-family residential, rural commercial, recreation/resort-oriented, small business and public facilities. Multi-family residential of more than two attached dwelling units are not consistent. Nonetheless, the Midpines Planning Advisory Committee has contemplated a more expansive boundary that encompasses both developed and undeveloped areas such that the character of the area can be recognized, protected and enhanced.

The Midpines Planning Advisory Committee identified an expanded Community Plan Study Area within which a Community Plan boundary will be established. The Study area was bounded by the Merced River to the north; Sweetwater Creek and Snow Creek to the east; Snow Creek to the south; and Fremont Peak to the west. The final Community Plan boundaries are identified in Figure 2-1.

1 Figure 2-1 – Midpines Community Planning Area Boundary



3 Guiding Principles

Guiding Principles are the overriding concepts directing development of the Midpines Community Plan. They tier from and are consistent with the Guiding Principles found in Chapter 3 of the Mariposa County General Plan. The purpose of Guiding Principles is to define the significant and long-term objectives for the Midpines Plan and a vision for the Midpines community. In 2014, the Midpines Planning Advisory Committee adopted a vision statement that synthesized all of the input obtained through the public engagement process. This vision statement serves as the guiding principle of this Community Plan.

3.1 GUIDING PRINCIPLES

The following vision statement establishes principles to guide any future plan amendments and implementation measures.

- Midpines will continue to be a rural community of diverse neighborhoods and environments. Personal, community and governmental actions will achieve a strong sense of community that honors our natural resources and our historical and cultural heritage. The Midpines community will work to achieve the following:

    - The social, natural, historical and cultural resources of Midpines, including water resources, will be proactively protected for the enjoyment of visitors and residents.

    - Midpines rural character will be maintained and reinforced through the preservation of scenic open spaces, forested areas, and the quiet, natural beauty of the area.

    - Outdoor recreational opportunities will be encouraged, developed, and promoted as important social and economic elements of the community for residents and visitors.

    - Existing and new home-grown and small businesses that are compatible with the historical and environmental context will be supported and encouraged.

    - Housing will be developed in a way that preserves open space, rural character, natural resources, and the history of Midpines.

    - Community safety and resilience, and a balance between the protection of private property rights and the needs of the community, will be achieved through strong community action and shared responsibility for hazardous fuel removal, resulting in a fire safe, forested community.

- Community well-being will be maintained by managing growth in accordance with the carrying capacity of community infrastructure and by encouraging a diverse economy and population.

- New development will provide public services as development occurs without compromising levels of service or burdening existing residents with the cost of these services.

4 Midpines Community Plan Administration

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

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

4.1 ROLE OF ADVISORY BODIES IN MIDPINES COMMUNITY PLAN IMPLEMENTATION

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

- Agricultural Advisory Committee;
- Midpines Community Planning Advisory Committee; and
- Historic Sites and Records Preservation Commission.

5 Goals and Policies of the Midpines Community Plan

This Chapter provides background information on key issues and establishes specific Midpines goals and policies that build off the Mariposa County General Plan. The Midpines Plan goals, policies, and implementation measures focus on land use (Section 5.1), infrastructure and services (Section 5.2), and safety (Section 5.3).

The General Plan includes twelve elements as follows:

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

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

The Midpines Plan provides supplemental goals, policies, and implementation measures that tier from and refine the General Plan, focusing on issues and opportunities specific to Midpines. The goals and policies presented in the Midpines Plan are organized utilizing the General Plan's numbering system and are numbered using the prefix "Midpines".

5.1 LAND USE

5.1.01 MAINTAINING RURAL CHARACTER

MIDPINES DESIGN STANDARDS

The built environment is one of the most effective and recognizable ways for a community to express its values and identity. As expressed throughout the area planning process and codified in its Vision Statement, the Midpines community embraces the cultural and ecological aspects of its rural character and identity, celebrating the historical lifestyles and aesthetic heritage that contribute to its contemporary sense of place. Appropriate design review criteria are essential and intended to ensure that all development in Midpines contributes to this vision, articulates the community's historical and cultural heritage, and celebrates its natural resources. Goals and policies are included in the plan to apply Scenic Highway Overlay (SHO) standards to all development within the SHO.[1]

[1] Scenic Highway Overlay Standards are held within the Mariposa County Zoning Code.

5.1.02 LAND USE CLASSIFICATIONS

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

The Midpines Community Plan includes six land use classifications, as shown in Figure 5-1:

- Midpines Residential;
- Midpines Rural Economic;
- Planned Development Area;
- Agriculture/Working Landscape;
- Natural Resources; and
- Public Sites.

The Midpines Community Plan land use classifications are different from zoning districts established in the County Zoning Ordinance. The purpose of a land use classification is to paint a picture of the land use patterns of Midpines. The land use classifications generally follow the existing zoning in Midpines, with some changes involving a commercial area along the Highway 140 corridor. Existing residential areas remain unchanged from existing patterns, with the exception of the aforementioned commercial area.

California General Plan law requires land use classifications to describe an extent of uses, population density, and building intensity. These requirements form the basis for the later development of zoning that implements the Community Plan. Therefore, while the Community Plan develops broad policies for development in different areas of Midpines, only Title 17 of Mariposa County Code has the authority to implement land use policies with enforceable development standards and requirements for different zones that are consistent with the established land uses of the Community Plan.

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

The Midpines Community Plan land use classifications are organized following the format of the General Plan as follows:

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

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

- The purpose defines the need for the classification and the reasons for its inclusion in the Midpines Plan.
- The extent of uses defines the general characteristics of the use of land within the classification. The extent of uses is not intended to serve as a supplement to override the prescribed administrative uses, permitted uses, and conditional uses implemented through zoning.
- Zoning consistency defines which of the County's zoning districts are permitted within a land use classification. Some may need the development of new zones not yet found within the current County regulations.
- Population density is the maximum number of projected persons per acre of gross land area based on the number of dwelling units and the Year 2020 Census number of persons per dwelling unit. Population density is a numeric calculation and does not create an actual regulation or limit on occupancy.
- Building intensity represents different characteristics for different types of uses. For residential development, building intensity is the number of dwelling units per 5 acres of gross land area. For non-residential development, building intensity is the employee/user capacity of a facility. This may be determined in square footage, lot coverage, traffic generation, or other defined factors in the explanation under a land use classification.
- Criteria for inclusion are policy specifics applicable to the review of any application that proposes to change the land use classification of land from one classification to another.

A. MIDPINES RESIDENTIAL

The Midpines Community Plan applies the Residential land use classification, General Plan Section 5.3.02, except as modified herein.

A(1) Site Development and Supplementary Standards

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

Access

Adequate access shall be provided to all development. All driveways shall be constructed in accordance with Fire Safe regulations applicable at the time of development. New subdivisions shall be served by roads meeting minimum county and Fire Safe standards.

Average slope of subject property

The Planning Commission will review subdivisions on parcels with slopes in excess of 15%, in compliance with Section 5.3.02 E(2) of the General Plan. Parcels within the Scenic

Highway Overlay (SHO) Zoning Designation shall have building sites that are setback from ridge tops. Buildings constructed on hillsides in excess of 20% slope shall have stepped foundations to follow the natural terrain. Driveways and roads shall be designed to follow natural contours to minimize grading.

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

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

Potable water supply related to the residential land use classification

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

Fire protection and fire management

New construction shall conform to the regulations of the County Building Department, County Fire Department, and California Department of Forestry and Fire Protection (CAL FIRE) for purposes of fire management and fire safety. All applicable standards of the Fire Safety Overlay shall be required (Implementation Measure *5.4-1a (2))*.

Design

Design Review required: Proposed residential development within the existing Scenic Highway Overlay (SHO) boundaries, including modifications to existing development, shall be subject to SHO standards.

Viewshed: The height, mass, and bulk of a structure shall be in conformance with the SHO standards.

Structure design, landscaping and scenic environment: The colors, materials, texture, and style of a structure shall be consistent with the SHO standards.

Site development: Site development shall be consistent with the SHO standards.

A(2) Intensity of Use Standards

Intensity of use shall be consistent with rural character:

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

Storage – Storage standards in the Residential land use classification are provided in General Plan Section 5.3.02.F(3). Self-storage units shall not be classified as a home enterprise or rural home industry in Midpines.

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

Backup generators – Backup generators shall be required to meet the same setbacks as the structure/use they are intended to serve. Noise related issues with backup generators shall be periodically reviewed to determine if additional standards or requirements are necessary.

Outdoor lighting – All outdoor lighting shall be comply with International Dark-Sky Association standards, per the Mariposa County General Plan Policy 11-1d on Page 11-7.

A(3) Criteria for New Lands to be Included

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

A(4) Zoning Consistency

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

Agriculture Exclusive
Mountain General
Mountain Home
Mountain Transition
Public Domain
Public Sites

B. MIDPINES RURAL ECONOMIC

B(1) Purpose

The Midpines Rural Economic Land Use identifies sites and areas wherein existing and historical uses warrant designation as resort commercial or community commercial subclassifications. It also identifies sites that expand the area for potential new commercial land uses to serve the community or visitors travelling along Highway 140. The Midpines Rural Economic land use is divided into two subclassifications; community commercial and resort commercial.

B(2) Extent of Uses

Community Commercial Subclassification

Primary uses are residential, retail, commercial, and service businesses supporting the needs of local residents, as well as tourists passing through or staying in the area. Regional shopping centers or businesses that rely on a regional population are not compatible with the Community Commercial subclassification. Gunsmithing businesses and firearm sales are also not compatible within the Community Commercial subclassification. The use shall be consistent with the rural character of Midpines.

Accessory uses may be developed after the primary use is in place if the uses enhance or support the primary use.

Resort Commercial Subclassification

Primary uses are those that support regional tourism such as hotels and motels and other similar tourist service facilities and that can be developed compatibly with adjoining land uses. Primary uses need not provide on-site recreation or entertainment activities.

Accessory uses that may be developed after the primary use is in place and do not conflict with adjoining land use classifications, uses, or the character of Midpines are those that provide enhancements to the primary use. Residential uses on lands within the Rural Economic land use classification will be accessory to the primary use, such as employee housing or caretaker's quarters.

B(3) Zoning Consistency

Community Commercial Subclassification

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

Neighborhood Commercial Zone

Public Sites

Resort Commercial Subclassification

The following zoning districts are consistent with the purpose of the Resort Commercial land use subclassification:

Resort Commercial

B(4) Population Density and Building Intensity

Community Commercial Subclassification

Minimum parcel size for new subdivisions:	Two and one-half (2.5) acres of gross land area.
Maximum dwelling units:	A maximum of two (2) residential units per parcel [one primary and an Accessory Dwelling Unit (ADU] if all development standards can be met.
Maximum building intensity:	Thirty-five (35) percent lot coverage. The maximum gross square footage of a single building shall be five thousand (5,000) square feet.
Maximum population density:	One hundred percent of the number of employees of the primary use.

Resort Commercial Subclassification

Minimum parcel size for new subdivisions:	Minimum of 10 acres of gross land area.
Maximum dwelling units:	Applications to site a Resort Commercial subclassification or develop a project within the Resort Commercial subclassification will incorporate an analysis of the housing market by a qualified professional to ensure there is adequate housing for the total number of employees. The housing market analysis is required to utilize a methodology that seeks to analyze local housing market as a primary source. The total number of housing units needed to provide for employee housing may be developed as a part of the development. The housing is not required to be located on-site and new housing is not required to be created if the housing analysis indicates that there is sufficient housing stock available.
Maximum building intensity:	Thirty-five (35) percent lot coverage. The maximum gross square footage of a single building shall be ten thousand (10,000) square feet.
Maximum population density:	One hundred percent of the number of employees of the primary use.

B(5) Development Standards

Frontage on maintained road

Development within the Rural Economic land use classification shall be required to front on a paved, maintained road meeting County Road standards. Direct access to State Highways or County arterials should be limited, as appropriate to reduce multiple driveway encroachments, through the use of shared driveways or frontage roads.

Parking and access

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

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

Site designs in which structures are designed with parking areas containing 20 parking spaces or more between buildings and the access roads shall be avoided. Appropriate and desirable transition shall be required between the street and the buildings including landscaping and parking.

Design

Design Review required: Proposed commercial and institutional development, including modifications to existing development, shall be subject to Scenic Highway Overlay (SHO) standards.

Viewshed: The height, mass, and bulk of a structure shall be in conformance with the SHO standards.

Structure design, landscaping and scenic environment: The colors, materials, texture, and style of a structure shall be consistent with the SHO standards.

Site development: Site development shall be consistent with the SHO standards.

Slope

Development sites with slopes over ten percent (10%) shall be engineered for stability and designed to match the natural contours and topography in order to blend with the natural environment. The use of cuts and fills shall be minimized. Use of retaining walls and stepped foundations are encouraged to minimize visual impacts of grading. Rather than one tall wall, retaining walls are encouraged to be broken up into several walls not more than 4 foot high.

Landscaping

Existing mature native landscaping and rock outcroppings shall be retained to the greatest extent possible, with considerations made for fire resistive design. Native species suitable to site characteristics shall be encouraged, if suitable. Invasive species[1] shall be prohibited.

Water supply and wastewater disposal

New development will be served by an approved potable water supply system adequate to serve the intended structure and its range of uses. New development must have an adequate supply of water for fire protection as determined by the applicable fire agency. New development must also have approval of the Environmental Health Unit for an onsite or shared wastewater disposal system to serve the intended structure and its range of uses.

Fire protection and fire management

Rural commercial and institutional development will meet fire protection regulations.

B(6) Criteria for New Lands to be Included

Community Commercial Subclassification:

There is a sufficient amount of land identified in the community commercial area to meet the long term needs of the Midpines Community planning area. The following criteria

[1] https://www.cal-ipc.org/plants/profiles/

shall apply for changes of land use classification into the Community Commercial Subclassification:

1. The subject property has frontage on a paved, maintained road with adequate capacity.
2. The subject property adjoins existing commercial lands.
3. The properties included in the Community Commercial subclassification are more than 75% developed. If a specific development application is based on a rural home industry or home enterprise expanding the number of jobs so that relocation from home to a business location is required, this finding is not required.
4. A specific development proposal accompanies the application.

Resort Commercial Subclassification:

The following criteria shall apply for changes of land use classification into the Resort Commercial Subclassification:

1. The subject property has frontage on a paved, maintained road with adequate capacity.
2. A specific development proposal accompanies the application.
3. The specific development proposal meets all of the required development standards.
4. The subject property has a minimum parcel size of 10 acres.

C. PLANNED DEVELOPMENT AREA

C(1) Purpose

The Planned Development Area Land Use identifies sites and areas that warrant flexible development standards due to their suitability for a variety of uses. They also provide an opportunity for comprehensively planned uses due to location and suitability for development of these properties. The area consists of seven contiguous parcels formerly owned by Yosemite Oaks Inc. totaling approximately 1,080 acres. The land is largely undeveloped and is strategically located as a gateway location to the Midpines Community and, to a further extent, Yosemite National Park. For these reasons, future development within this area has the potential to significantly influence the rural character, the protection of natural and scenic resources, and fire safety for Midpines. The intent of defining the Planned Development Area is to establish guidance for land use consistent with the Guiding Principles of the Midpines Community Plan. The objectives are to allow for a compatible low density mixed use for limited residential, resort commercial, recreational development, and agricultural/open space preservation.

C(2) Extent of Uses

Due to the suitability for a wide variety of uses, the extent of uses is broken down into different categories to guide future development within the Planned Development Area.

RESIDENTIAL:

Future residential development should be low density and may include single-family residences, equestrian estates, and employee housing appurtenant to resort commercial

development. Future residential development may be used for Bed and Breakfasts or Vacation Rentals in compliance with County Code. Residential development, not to exceed the density of one (1) dwelling unit per five (5) acres, may be permitted through the approval of a Planned Development permit, if it is found to be subordinate to the rural character of the area and protects and preserves the intact scenic quality of Highway 140 views and vistas. Residential development projects are subject to approval of a Planned Development Permit.

RESORT COMMERCIAL:

Future resort commercial development shall be limited to self-contained destination uses with complete on-site services and compatible, supporting amenities including food service, laundry, recreation facilities, etc. Land uses in this category could include: resort spa, dude ranch, educational or social/non-governmental institutes, learning centers, and convention centers. Restaurants; retail sales of groceries, supplies, and souvenirs related to tourist accommodations; health retreat/spa facilities; and other similar may be developed to support the tourist accommodations. Regional shopping centers; automotive/recreational vehicle parts and repair sales; firearms sales; industrial manufacturing; for rent storage; outdoor concert venues, recycling/salvage center and other similar uses shall be prohibited. Development shall be subordinate to the rural character of the setting and shall protect and preserve the intact scenic quality of Highway 140 views and vistas. All development projects are subject to the approval of a Planned Development Permit.

RECREATIONAL:

The Planned Development Area is well suited for a variety of recreational opportunities that may be developed as a stand-alone use or as part of a residential or resort commercial development. Uses such as church camps; hiking and nature trails; frisbee-golf courses; equestrian riding trails/stables; non-motorized vehicle trails; and art camps may be proposed through the Planned Development Permit process. Uses such as water-parks, amusement parks; and motorized vehicle trails/parks/tracks are not consistent with the rural character of the area. Development shall be subordinate to the rural character of the setting and shall protect and preserve the intact scenic quality of Highway 140 views and vistas.

AGRICULTURAL/OPEN SPACE:

The Planned Development Area encourages proposed development to maximize open space and take measures to protect the quality and supply of water resources, as well as other natural resources. Land uses for agricultural/open space areas could include nature study/research facilities; vineyards, orchards, tree nurseries; wildfire understory fuel management; and nature preserve/conservation study areas. The areas located within the Open Watershed Overlay are best suited for open space and minimal development to protect the Stockton Creek Watershed.

The primary use pending submittal and approval of Planned Development permit shall be residential (one (1) residence per parcel).

A Planned Development permit application shall be reviewed by the Planning Commission and approved by the Board of Supervisors. The Planned Development permit application shall be a complete conceptual plan showing the type and intensity of principal uses, the

intended mix and location of accessory uses, planned on-site activities and amenities, overall footprint and principal means of access and circulation, and the scale, character, and profile of development as seen from all four sides via renderings or other graphics and models.

C(3) Zoning Consistency

The following zoning districts are consistent with the purpose of the Planned Development Area land use subclassification:

Resort Commercial
Planned Development Zone

C(4) Population Density and Building Intensity

Minimum parcel size for new subdivisions:	Minimum of thirty (30) acres of gross land area. Applications for a Planned Development Permit to develop a residential project within the Planned Development Area may propose varying parcel sizes, but in no case can parcels smaller than five (5) acres be created.
Maximum dwelling units:	Applications to develop a resort commercial or recreational project within the Midpines Planned Development Area will incorporate an analysis of the local housing market by a qualified professional to ensure there is adequate housing for the total number of employees. The total number of housing units needed to provide for employee housing may be developed as an integral part of the development. The housing is not required to be located on-site and new housing is not required to be created if the housing analysis indicates that there is sufficient housing stock available. *For applications to develop a residential project within the Midpines Planned Development area if not a part of a Resort Commercial project, the maximum number of dwelling units shall be one (1) per parcel. The overall density of any new residential project shall be one (1) per five (5) acres of gross land area.*
Maximum building intensity:	Thirty-five (35) percent lot coverage. Planned Development Permit applications to develop a project within the Planned Development Area may propose varying building intensity standards. Emphasis will be placed on clustering intensive land uses to minimize impact on natural resources, minimize public health concerns, and maintain rural character.

Maximum population density: One hundred (100) percent of the number of employees of the primary use. Visitors and guests are not factored when calculating density.

C(5) Development Standards

Frontage on maintained road

Development within the Planned Development Area land use classification shall be required to front on a paved, maintained road meeting County Road standards. Direct access to State Highways or County arterials should be limited, as appropriate to reduce multiple driveway encroachments, through the use of shared driveways or frontage roads.

Parking

Buildings shall be sited so that parking areas may be shared between uses on one parcel. Buildings shall be sited to facilitate pedestrian access between structures using accepted design principles for safety and attractiveness. Appropriate and desirable transition shall be required between the street and buildings, including landscaping and parking.

Design

Design Review required: Proposed commercial and institutional development, including modifications to existing development, shall be consistent with the Scenic Highway Overlay (SHO) standards.

Viewshed: The height, mass, and bulk of a structure shall be in conformance with the SHO standards.

Structure design, landscaping and scenic environment: The colors, materials, texture, and style of a structure shall be consistent with the SHO standards.

Site development: Site development shall be consistent with the SHO standards.

Slope

Development sites with slopes over ten percent (10%) shall be engineered for stability and designed to match the natural contours and topography in order to blend with the natural environment. The use of cuts and fills shall be minimized. Use of retaining walls and stepped foundations is encouraged to minimize visual impacts of grading. Rather than one tall wall, retaining walls are encouraged to be broken up into several walls not more than 4 foot high.

Landscaping

Existing mature native landscaping and rock outcroppings shall be retained to the greatest extent possible, with considerations made for fire resistive design. Native species suitable to site characteristics shall be encouraged, if suitable. Invasive species[1] shall be prohibited.

Water supply and wastewater disposal

New development will be served by an approved potable water supply system adequate to serve the intended structure and its range of uses. New development must have an adequate supply of water for fire protection as determined by the applicable fire agency. New development must also have approval of the Environmental Health Unit for an onsite or shared wastewater disposal system to serve the intended structure and its range of uses.

Fire protection and fire management

Development is required to meet fire protection regulations.

C(6) Criteria for New Lands to be Included

The lands designated as Midpines Planned Development Area are unique in their locations, size, and development potential. No further lands are to be designated within this land use.

D. AGRICULTURE/WORKING LANDSCAPE

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

E. NATURAL RESOURCES

The Midpines Plan applies the Natural Resources land use classification, General Plan Section 5.3.05.

F. PUBLIC SITES

F(1) Purpose

The Public Facilities and Services land use classification defines lands identified for the location of or expansion to public and private uses serving the general public's health, safety, and welfare.

F(2) Extent of Uses

Schools; parks; post offices; public transit park and rides, and public facilities. While lands in the Public Facilities and Services land use classification can support a wide variety of public uses, compatibility between different uses occurring on one site should be reviewed to ensure conflicts are avoided or minimized.

[1] https://www.cal-ipc.org/plants/profiles/

F(3) Zoning Consistency

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

Public Sites

F(4) Population Density and Building Intensity

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

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

Maximum building intensity: Per approved project.

Maximum population density: 2.45 persons per onsite security dwelling

F(5) Development Standards

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

F(6) Criteria for New Lands to be Included

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

G. Legal Existing Uses of Land

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

H. Home Businesses

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

5.1.03 Land Use Goals and Policies

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

Goal MIDPINES 5.1-1: Maintain rural densities for residential development in the Midpines Residential land use classification.

[1] For example, a mobile home in which a caretaker and family reside on the grounds of a public park.

(Goal MIDPINES 5.1-1, Policy MIDPINES 5.1-1a, and Implementation Measures MIDPINES 5.1-1a(1) are tiered from General Plan Goal 5-9. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

Policy MIDPINES 5.1-1a: One house per five acres is Midpines's rural average density.

Implementation Measure MIDPINES 5.1-1a(1): In the Midpines Residential land use classification, the maximum allowable density for residential development shall be one dwelling unit per five acres.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

Fiscal Impact: None.

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

Goal MIDPINES 5.1-2: Parcel sizes for commercial and institutional uses shall be based on maintaining rural character.

Policy MIDPINES 5.1-2a: Commercial and institutional development shall be sited on parcels designed and sized to maintain rural character.

Implementation Measure MIDPINES 5.1-2a(1): The County shall modify the County Zoning Ordinance to establish the Neighborhood Commercial Zone which incorporates a minimum parcel size of two and one-half (2.5) acres of gross land area and standards for commercial and institutional development to maintain rural character.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal impact: One-Time Impact – Cost is included in Implementation Measure MIDPINES 5.1-1a(1).

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

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

Goal MIDPINES 5.1-3: New development emphasizes rural character qualities.

Policy MIDPINES 5.1-3a: Apply the Scenic Highway Overlay (SHO) development standards to new development in the SHO.

Implementation Measure MIDPINES 5.1-3a(1): The County Zoning Ordinance shall be reviewed and amended as necessary to ensure the Scenic Highway Overlay (SHO) development standards are adequate.

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department

Fiscal Impact: One-Time Impact – Cost is included in Implementation Measure MIDPINES 5.1-3a(1).

Consequences: Development within the SHO zone will be evaluated.

Goal MIDPINES 5.1-4: Integrate transportation and land use decisions to achieve the Community's managed growth objectives.

(Goal MIDPINES 5.1-4, Policies MIDPINES 5.1-4a and MIDPINES 5.1-4b, and Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-5b(1) are tiered from General Plan Policy 5-3a. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

Policy MIDPINES 5.1-4a: Subdivision activity is only permitted on maintained roads with adequate capacity to serve the potential new lots.

Implementation Measure MIDPINES 5.1-4a(1): To qualify for subdivision, access to the subject property shall be from a road that is:

(1) maintained[1]; and

(2) has adequate capacity for the potential traffic volume generated by the total number of existing lots and those which can be created within the road system.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

[1] "Maintained road" means a road that receives scheduled maintenance from the State Department of Transportation, County of Mariposa, special district, or mandatory private road maintenance association created as part of the project approval.

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

Consequences: This establishes a minimum standard linking circulation with land use. A public or private road must have adequate capacity to accommodate the traffic generated by the proposed and potential subdivisions within the same road system to be approved.

Implementation Measure

MIDPINES 5.1-4a(2): Prior to the submittal of a final subdivision map, roads serving the proposed subdivision shall be improved, or appropriate surety submitted to the County of Mariposa to cover the cost of improving such roads, to the standards required for subdivision capacity as identified in the General Plan Circulation, Infrastructure, and Services element.

Timing: Ongoing review standard

Responsibility: Mariposa County Planning Department

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

Consequences: Road improvements must be completed, or surety for completion posted, prior to the submittal of the final subdivision maps.

Goal MIDPINES 5.1-5: Development minimizes impacts on and/or improves air quality.

(Goal MIDPINES 5.1-5, Policy MIDPINES5.1-5a, and Implementation Measures MIDPINES 5.1-5a(1) and MIDPINES 5.1-5a(2) are tiered from General Plan Policy 11-1c. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

Policy MIDPINES 5.1-5a: Implement standards that minimize impacts on and/or improve air quality.

Implementation Measure

MIDPINES 5.1-5a(1): For new commercial and institutional building permits and all subdivision applications, including new residential subdivision applications in Midpines, the County shall require energy conservation and the reduction of greenhouse gas emissions in conformance with California Code of Regulation Title 24, Parts 6 and 11. Additional measures shall include one or more of the following:

- Limited hours of operation of outdoor lighting.
- The use of solar heating, automatic covers, and efficient pumps and motors for pools and spas.

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

Timing: Short-Term Planning Period

Responsibility: Mariposa County Planning Department.

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

Consequences: Reduces emissions of air pollutants and greenhouse gases.

Implementation Measure

MIDPINES 5.1-5a(2): The County supports the availability of the following educational programs for Midpines residents as time and resources permit:

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

Timing: Short-Term Planning Period

Responsibility: Mariposa County Public Works Department.

Fiscal impact: Ongoing Impact – Staff time during the work day to answer questions and provide available information.

Consequences: Reduces emissions of air pollutants and green-house gases.

5.2 INFRASTRUCTURE AND SERVICES

DISTINCTIVE ASPECTS OF MIDPINES INFRASTRUCTURE AND SERVICES

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

5.3 NOISE

DISTINCTIVE ASPECTS OF MIDPINES NOISE

Chapter 15 of the General Plan, the Noise Element, addresses noise issues in the county. Within the Midpines Community Plan Area, ambient noise sources originate primarily from the Highway 140 corridor which traverses the planning area. The natural wooded topography of the area helps to buffer and mitigate traffic associated noise levels. Nuisance noise sources are random and include the use off-road vehicles such as motorcycles in unimproved areas of Midpines, use of power tools such as chainsaws, chippers, and log splitters, and barking dogs. Other sources include gun shots from target shooting on private and Federal lands. The plan relies on and supports the implementation measures contained in the General Plan regarding noise.

Goal MIDPINES 5.3-1:Control and minimize noise impacts within the Midpines Community Planning Area.

(Goal MIDPINES 5.3-1, Policy MIDPINES 5.3-1a, and Implementation Measures MIDPINES 5.3-1a(1) and MIDPINES 5.3-1a(2) are tiered from General Plan Goal 15-1. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

Policy MIDPINES 5.3-1a: Support the development of a County noise ordinance that contains standards for limiting noise impacts such as from high-noise equipment such as generators and off-road vehicles.

Implementation Measure

MIDPINES 5.3-1a(1): Development standards should be explored and implemented, if feasible, that provide a method of controlling noise at its source for high-noise equipment such as generators and off-road vehicles.

Timing:	Intermediate-Term Planning Period
Responsibility:	Public Safety Officer and Planning Department.
Fiscal impact:	Unknown.
Consequences:	Noise reduction.

(Goal MIDPINES 5.3-1, Policy MIDPINES 5.3-1a, and Implementation Measures MIDPINES 5.1-1a(1) and MIDPINES 5.1-

1a(2) are tiered from General Plan Goal 16-1. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

5.4 SAFETY

DISTINCTIVE ASPECTS OF MIDPINES SAFETY

The General Plan addresses safety issues in Chapter 16, the Safety Element. Within the Midpines Community Plan area, fire protection and emergency services are at the top of the list in regards to community needs and concerns. The majority of the Midpines Community Plan area is located within the Very High and High Fire Hazard Severity Zones in the Fire Hazard Severity Zones SRA map adopted by CAL FIRE. This mountain region includes a combination of factors that expose development and resources to wildland fires and the after effects of these fires, which include flooding and erosion, due to topography, climate, vegetation, and the human environment. The Midpines Community Plan recognizes the importance of fire adapted landscapes and their relationship to potential development and existing improvements. The plan relies on and supports the other planning efforts underway and those that have been completed regarding fire management mitigation activities and fire resiliency.

Goal MIDPINES 5.4-1: Provide adequate fire safety measures to protect residents within the Midpines Community Plan Area.

(Goal MIDPINES 5.4-1, Policy MIDPINES 5.4-1a, and Implementation Measures MIDPINES 5.4-1a(1) and MIDPINES 5.4-1a(2) are tiered from General Plan Goal 16-1. General Plan text will be reviewed in conjunction with MIDPINES Plan policies and implementation measures.)

Policy MIDPINES 5.4-1a: Explore and develop, if necessary, a Fire Protection Overlay that contains additional standards for development within the Midpines Community Plan area.

Implementation Measure

MIDPINES 5.4-1a(1): County Code and existing fire regulations shall be reviewed to determine the need to establish a Fire Protection Overlay zone with additional fire protection development standards or the need for additional regulations related to fire safety for the Midpines Community Planning Area. The standards shall address issues such as:

- Slopes and fire risk.
- Driveway and access roadway standards.
- Fuel modification plan.
- Access to water supplies.
- Standards for fencing and landscaping.

- Structure ignition zone.

- Maintenance mechanisms for fire safety related improvements.

Timing:	Short-Term Planning Period
Responsibility:	Mariposa County Planning Department.
Fiscal impact:	Ongoing Impact - Staff project review costs will vary depending on the project and are paid by an applicant through project review reimbursement.
Consequences:	Increases public safety by developing standards that assist in protecting facilities from wildfire.

Implementation Measure

MIDPINES 5.4-1a(2): Work with the Public Works Department, Cal Fire, the Mariposa Fire Safe Council, the Mariposa County Fire Advisory Committee (MCFAC), Office of Emergency Services and Mariposa County Sheriff to identify safe and efficient evacuation routes for residents and tourists in the event of an emergency.

Timing:	Short-Term Planning Period
Responsibility:	Office of Emergency Services.
Fiscal impact:	Ongoing Impact

Implementation Measure

MIDPINES 5.4-1a(3): Provide informational materials to potential building permit applicants regarding the structure ignition zone. The material shall include information on how to fire harden homes.

Timing:	Short-Term Planning Period
Responsibility:	Mariposa County Planning Department.
Fiscal impact:	Ongoing Impact

1 Figure 5-1: Midpines Community Plan Land Use Diagram..... 5-22

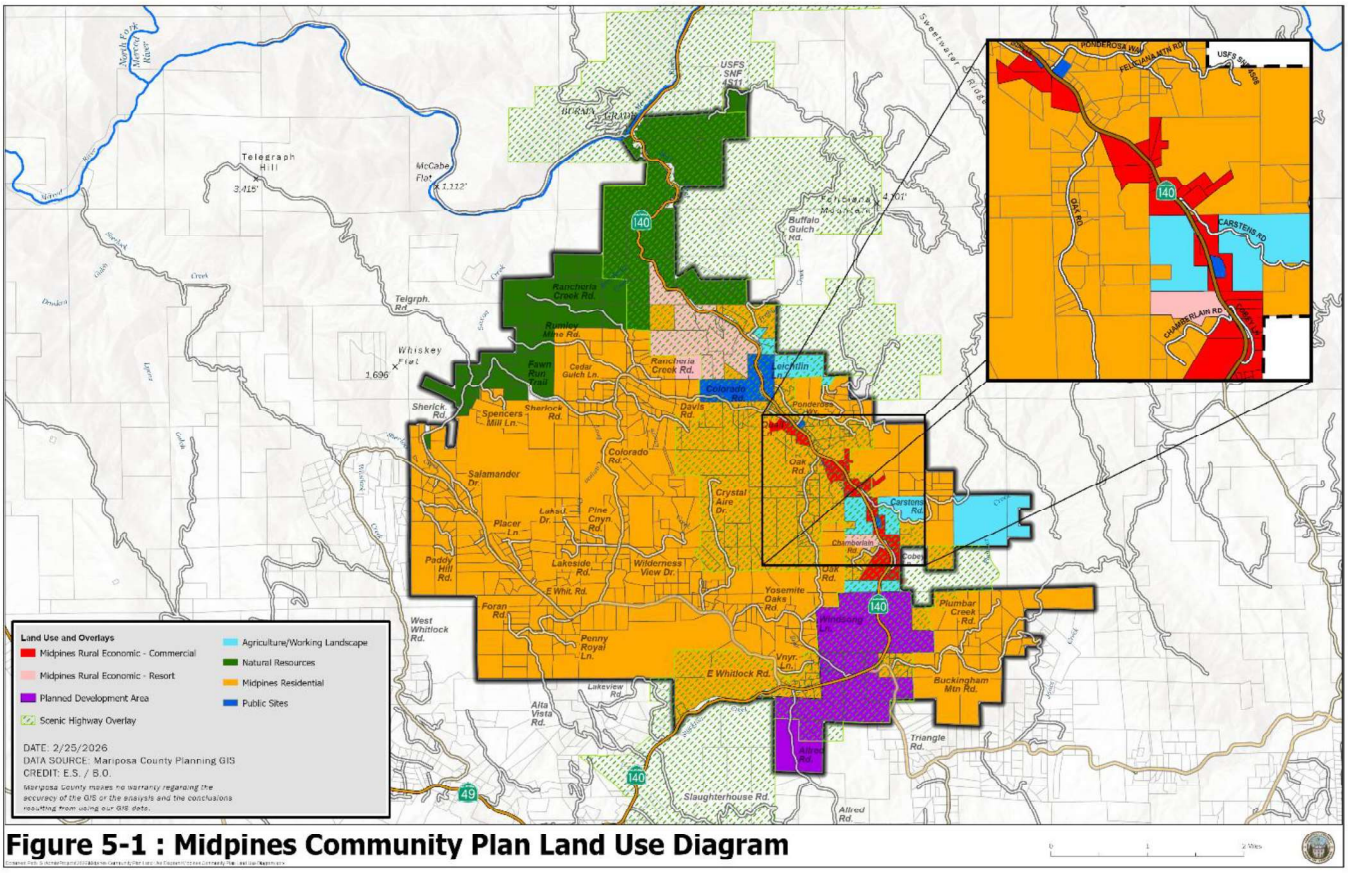


Figure 5-1 : Midpines Community Plan Land Use Diagram

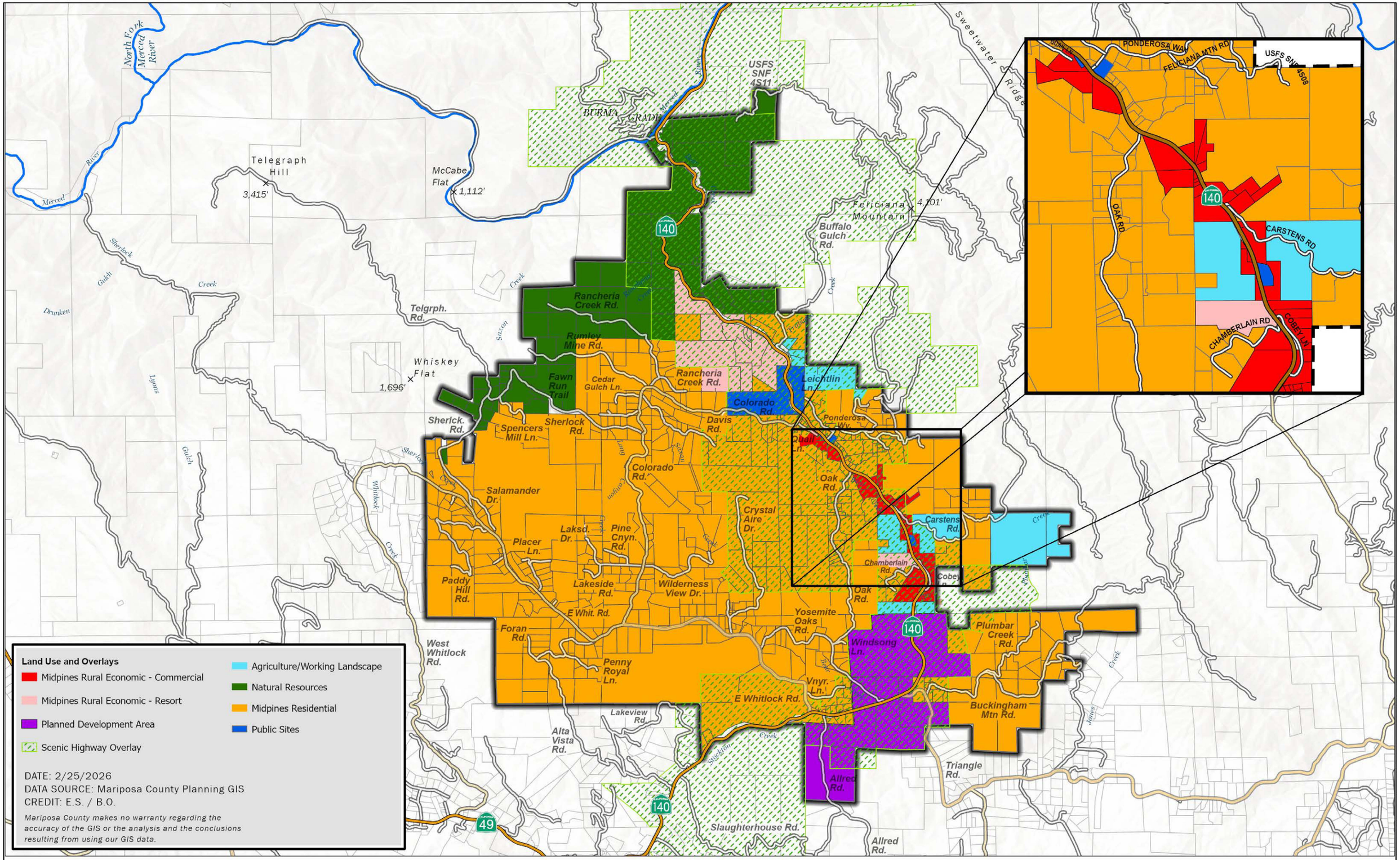


Figure 5-1 : Midpines Community Plan Land Use Diagram

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