

Mariposa Air Pollution Control District

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JON McMILLAN CHRISTENSON
Air Pollution Control Officer

August 15, 1991

TO : Tony Lashbrook, Planning Director
FROM : Jon Christenson, Air Pollution Control Officer
SUBJECT: Town Plan - Air Quality Impacts

The Mariposa Town Plan Project will have a significant effect on the environment if it will cause a violation of any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. also, the project will have a significant effect on air quality if it conflicts with adopted environmental plans and goals of Mariposa County.

The Clean Air Act of 1970 established air quality standards for several pollutants. These standards are divided into primary standards, designed to protect the public health, and secondary standards, intended to protect the public welfare from effects such as visibility reduction, soiling, nuisance and other forms of damage. In addition, the State of California has adopted its own standards. See attached standards.

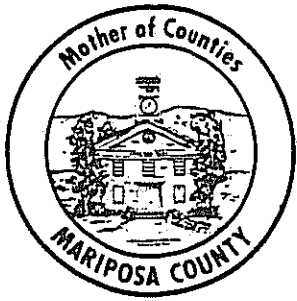
Development and land use projects include residential developments, shopping centers, and regional car staging areas. These projects may have substantial emissions due to the vehicle traffic associated with them.

EVALUATION OF AIR QUALITY IMPACTS ON MARIPOSA TOWN PLAN

1. Items to be evaluated

The following items should be taken into consideration when evaluating the air quality impacts of a proposed development or land-use project:

- a. Short-term emissions;



MARIPOSA COUNTY

P.O. Box 784
Mariposa, California 95338

May 29, 1991

To: Tony Lashbrook, Planning Director

From: Historical Sites and Records Preservation Commission *10/5/91*

Subject: Mariposa Specific Plan Update and Draft Environmental Impact Reports

This Commission is responding to your memorandum dated May 3, 1991. Historic aspects and goals in the Specific Plan are adequately stated in sections for incentives for renovation, preservation, alternate uses and even demolition of historic resources. Further, the goals, standards and requirements for design of commercial or planned developments are well prepared toward matching same with the total historic tone of the community.

The Commission recommends that it have representation on the "Design Review Committee" appointed by the Board of Supervisors (see page 109 of the Mariposa Specific Plan). It seems logical since our efforts, experience and concerns relate to the entire County, that such representation should apply to other Specific Plans as well.

In regard to the Draft Environmental Impact Report, it too is well prepared and seems to adequately address our concerns which relate to historical resources. The discussion and provisions of mitigating measures in this area answer our concerns.

Thank you for requesting our review and comments.



DONALD J. STARCHMAN

ATTORNEY AT LAW

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July 8, 1991

Charles Fall
Chairman
Mariposa County Planning Commission
P.O. Box 2039
Mariposa, CA 95338

Dear Charlie:

The following comments are in reference to the Mariposa Town Planning Area Specific Plan Draft Environmental Impact Report:

P. 6 A 1a - totally ignores uniform building code and required soils report for subdivision, Page 7 has a statement that most of the soils are 15% or greater, yet throughout this document 15% and greater are referred to as hillside standards. Hillside standards should be for 25% or greater.

A

P. 11 - Mitigation Measure b) change shall to should. This language would preclude the existing work being done by Cal Trans

B

P. 12 - Mitigation measure "d" is an over kill. The proposal is already to down zone to 20 acre minimum.

C

P. 17 - Leave well standards out of this document. The county already is addressing county wide well standards.

D

P. 39 c - Note that "... there is an overwhelming need for additional housing in the TPA." Yet development standards are being presented which make it impossible to develop much of the TPA in an environmentally and economically sound manner.

E

Unrealistic road standards must be addressed.

P. 40 - Where is the environmental impact of the construction of 54 feet of road improvements on Smith Road addressed?

F

P. 42 - By adopting an environmentally sound design, the \$600,000. figure can be greatly reduced.

G

P. 80.3 - Please note language in the last two paragraphs; this needs to be stressed throughout this process.

G

P. 81 and 82 - It is impossible to preserve the "small town flavor of the community" with the existing road standards and the lack of a Planned Residential Development Standard which allows a great deal of flexibility and creativity



H

Appendix B - We should not remove all of these areas from the TPA. We should instead look at creative ways to develop the more moderate slopes , while protecting the steeper slopes.



I

Sincerely,

Donald J Starchman

TO: THE PLANNING COMMISSION
THE PLANNING DEPARTMENT
THE BOARD OF SUPERVISORS

Re:

THE DRAFT T.P.A. SPECIFIC PLAN

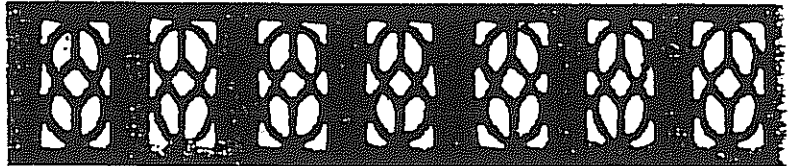
and

ENVIRONMENTAL IMPACT REPORT

1985-1991

from

Michael Czaja



THE T.P.A. SPECIFIC PLAN 1985-1991

Back in 1985 the Board of Supervisors formed the Mariposa Community Planning Advisory Council to update the 1981 Specific Plan that had never come into being operative.

The Council finished its work in 18 months. Meetings were open to the public and considerable input was obtained in this manner. Issues were openly debated and written proposals voted on only after 3 or 4 drafts. As the study progressed full presentations were made in open discussion, first with Supervisors Leroy Radanovich and Eric Erickson, and a second time to the Chamber of Commerce and the business sector. There were two additional structured meetings with residents and business people from the north Hwy 49 area. The Council acted with unusual diligence in putting their work before all sectors of the community. The final recommendations for the modification of the Specific Plan were published in the Spring of 1987.

The process of moving the Council's Report through review stages and on to adoption has taken four years. The reasons are many. First, the Planning Dept. was understaffed and occupied with the Golden Bell Mining Project. Secondly, the Board prioritized the adoption of Title 17 although the Specific Plan Report was in line ahead of it. The Planning Commission took its time with reviewing the Report, scheduling it only at regular meetings as the work load permitted. The attitude of the Commission was expressed by Kathleen Bagwell at a meeting at which I was present - that there was no hurry in processing the Specific Plan since the 1981 Specific Plan had come into force with the adoption of Title 17, and a year's trial run would show whether it would do the job. The implication was that maybe it didn't need updating.

Putting that incident aside, the Planning Commission was deliberate as it examined and cross-examined every line of the "recommendations" and made constructive input of their own - they did a very thorough job. In following months the Board of Supervisors approved the 1987 Report and instructed the Planning Dept. to produce a new Draft Specific Plan and E.I.R. The new documents were published in the Spring of 1991.

After 6 years of hard work by so many honest and dedicated people who were involved in producing this Plan it is most unkind to have Don Starchman and others label the efforts of the Council, the Planning Department, and the Planning Commission as "cavalier. The proposal that final action by the Commission

be delayed three or four months is badly motivated. The request for spot rezoning of lands to accomodate projects in the embryonic stage of design and to grandfather these projects violates the integrity of the planning process. It is shameful. The events that occurred in the Commission meeting on June 21, 1991, can be viewed only as efforts to thwart reasonable, sound planning in this community. The Commission should dismiss these overtures, outright and with prejudice.

EVALUATION OF THE SPECIFIC PLAN

What should the Community expect of the new Specific Plan? Does it improve on the old one? Are goals and policies for a better quality of life clearly stated, and are they workable and realistic? Is the proposed land use structure designed to protect human values as well as providing for future growth? Is it fair to all segments of the community, or is it biased in favor of one sector or another? Does it provide for participation by its citizens and allow for a responsible leadership by elected officials at the same time? Does it have a vision for the future of the community? How does the Plan measure up against probing questions of this kind?

THE CONCEPTS, GOALS, OBJECTIVES AND POLICIES OF THE SPECIFIC PLAN ARE CLEARLY SET OUT IN SECTION II ON PAGES 50 TO 82. THESE PAGES ARE THE KEY TO UNDERSTANDING THE WHOLE DOCUMENT.

This Specific Plan is systematically concerned with being responsive to the goals and objectives of the County's General Plan as required by State law. The specific elements/^{which}the Plan deals with start with Land Use, Open Space and Conservation Elements, and go on through Circulation, Housing, Noise, Safety, Seismic Safety, Recreation, Historic Preservation, etc. In the body of the pages that follow the listed elements, and more, are discussed in detail with performance standards set up for their implementation. The Draft E.I.R. that is partner to the Plan is a critical examination of the Draft Specific Plan with mitigation measures planned to reduce impacts to insignificant levels. This volume is exceptionally well done. In these two volumes the Planning Dept. has done an exemplary job of creating a mechanism to deal with the growth and management of the community on a long term basis.

I therefore recommend with strongest conviction that the Planning Commission support the Draft Specific Plan and E.I.R. by encouraging its adoption by the Board of Supervisors.



I would like to add a caution that the Commission not be sidetracked from taking this action by nitty-gritty concerns such as the numbers of animals that may be kept on small lots, etc., nor by self-serving requests to change land uses to accommodate anticipated projects. The normal planning process includes opportunities for accomplishing variances, for rezoning, for Planned Unit Development projects and dealing with non-typical problems. This new 1991 Specific Plan will be seen in years to come as a milestone in the development of planning awareness in this community.

CRITICAL COMMENTS

The following comments may be useful in reconsidering specific items for modification:

120 BUILDING HEIGHT, 2 stories or 35'

A 35' height could accommodate a 4 story structure on a 15% slope with a 4/12 roof pitch. Recommend checking such regulations by drawing them to scale.

94 PLANNED DEVELOPMENT

Paragraph b,3 and b,4 should be illustrated with examples such as: a small park, club house, swimming pool, pond, vegetable garden, golf course, etc. The Mariposa Vista Estates project does not comply with the requirements, and yet was accepted as doing so by the Planning Dept.

142 SLOPE DENSITY

The chart on the following page suggests development on slopes up to 60% and beyond. If there is to be a bona-fide Preservation District, building on slopes above 20% (or 30%) should not be allowed at all.

-201 PUBLIC IMPROVEMENT PROGRAM

How does the (a) Redevelopment Program sponsored by Jim Evans mesh in with the extensive P.I.P. outlined in these pages? These seem to be two similar but separate programs that need coordinating.

Neither P.I.P. nor R.P. recognize that the improvement and extension of Jessie Street southwardly, to connect the two public parking lots below 5th and 6th Streets, and connecting to Hwy 140, would solve circulation and parking

problems as well as creating considerable commercial acreage for development in the most central location of our commercial district. Circulation via Jessie St., Coakley Circle & Joe Howard St. to 49N should be part of this study.

201 + LAND USE MAP

The Professional Office-Commercial zoning along Hwy 49 extends the Commercial District from Hwys 140/49 south to the USFS property - more than a mile in length. This will result in a decentralization of the downtown commercial district, decrease the drawing power of "old downtown," increase traffic on Hwy 49 north, and replicate Oakhurst in Mariposa. If I have heard this once, I have heard it a thousand times - "Keep Mariposa beautiful; we don't want another Oakhurst." Facing commercial development on Hwy 49 north and on Miller Road (south end) will do exactly that - replicate Oakhurst.

The solution at Hwy 49 N is to develop two interior roads, one on each side of and parallel to Hwy 49 and face development on these. This will eliminate multiple driveways and parking lot entrances from the Highway while doubling commercial frontage.

The new Specific Plan has not included this concept although it was thoroughly discussed by the Planning Council. There is a great need for the Planning Dept. to do prototype land planning (layout) in anticipation of developers' proposals. Private developers cannot assume this kind of design responsibility.

The Miller Road or "Little Hollywood" area is not suitable for commercial land uses because of bad access and circulation, steep terrain for parking and for structures. It is not the best environment for residential use but it is worse for commercial uses.

157 + GOVERNMENT CENTER

Section 4.1 outlines the background of the current piecemeal approach to dealing with County space needs. Section 4.1 does recognize that the Court-house has been the center of government activity since 1855 and should be the core of future development. However, what follows does not offer a VISION of a County Seat of the Future. There is no POLICY, no MASTER PLAN, and no Departmental organization to deal with research, design and construction of buildings, and open spaces. A concept for a Civic Center should include cultural facilities as well as government and legal administrative facilities. County administrators should recognize that "space needs" are infrastructure that needs to be dealt with in an organized, professional manner as are water

supply, sewerage systems, and roads. "Space Needs" needs a Department or at least a separate full time administrator.

The objection to this proposal, that of cost, does not stand up. Currently with every response to space needs crises consultants are hired to make special studies such as: Jail @ \$30K, Industrial Zoning @ \$30K, Circulation and Roads @ \$20K, Transit Study, Yosemite @ (), History Center Parking Lot @ (), Parks & Recreation Open Space @ (). These monies would be better spent to retain a competent architectural and planning engineering firm in Fresno (on-going basis) to solve Space Needs problems. The alternative would be to add a civil engineer to the Public Works staff and an experienced senior architect to the Planning Department staff.

These two alternatives should be studied thoroughly before a choice is made since each has different advantages.

IN CLOSING

The Specific Plan and E.I.R. can be a most constructive instrument in guiding the future development of our community toward a healthy, safe, and prosperous environment for good living. The Community Planning Council, the Planning Commission, and the Planning Department deserve our hearty congratulations. Thank you for this opportunity.

Sincerely,



Michael Czaja
Mariposa, CA



11

Submitted at P.C. Meeting

MOTHER LODE
PROPERTIES, INC.

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Mr. Tony Lashbrook
Planning Director
Mariposa County Planning Department
P.O. Box 2039
Mariposa, CA 95338

Re: Draft EIR for Mariposa TPA Specific Plan

Dear Mr. Lashbrook,

We had reviewed the Draft EIR of the Mariposa TPA Specific Plan and have comments to offer on several issues that we would like incorporated into the document, specifically as follows:

Water- Hydrology and Drainage

The mitigation measure indicated to prohibit new private wells within the MPUD district constitutes a virtual building moratorium in the Townsite.

The finding is not conclusive to justify this mitigation measure. We understand a typical water table does not exist and no hydrological studies have been conducted to determine the amount of available underground water within the Townsite.

The MPUD has a moratorium on new water hook-ups and does not plan any significant modifications to this plan until the Saxon Creek Water Project is on line. The goals and objectives of the Specific Plan cannot therefore be implemented.

There is no evidence that new wells drilled by the private sector will diminish the quality and quantity of wells drilled by the MPUD. To allow the drilling of new wells by the MPUD district while at the same time prohibiting the drilling of new wells by the private sector is an infringement upon property rights.



A

Earth - Geology and Soils

The land use plan relative to the location of "light Industrial" and "~~general commercial~~" uses within and adjacent to the Mariposa Creek Flood Plain is inconsistent with the mitigation measures as outlined in the section.

Industrial research



B

11

A Light Industrial and General Commercial zone is appropriate within the Town Planning Area but cannot logically be located in the indicated area. Only a very few acres of the large parcel designated ~~Commercial~~, formerly the site of the "sand and gravel" plant on Highway 49 South is usable. The remainder is in the creek and the flood plain. To be developed as General Commercial would require major modifications to Mariposa Creek.

The opening up of an Industrial Research designation, although exciting in terms of diversification of the economy and certainly justified, cannot reasonably be located in the Mariposa Creek bed and floodplain West of Highway 49 North. This area is identified on the FEMA Flood Plain Map and a recent private Flood Plain Study confirms this location as flood plain. Buildings here would cause unacceptable alterations of the drainage patterns and water courses of the Creek and could not be meet the requirements of the grading plan ordinances.

Seeing there is only so much land available within the Mariposa Townsite, we are suggesting the Mariposa Townsite be expanded in order to provide for Industrial Research to be located in a more appropriate area in terms of topography, impact on commuter traffic and utilities. The expansion of the TPA to include more land in the Fairgrounds/Ben Hur area may be appropriate.

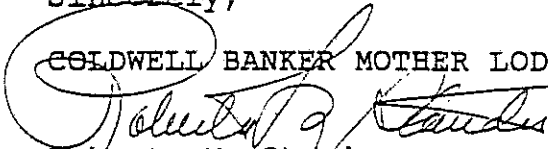
Traffic Impact - Smith Road Impact Fee Program

Smith Road impact fee: Agree with the idea of a special assessment district and developer impact fee on new construction as way to accumulate the necessary funds for street improvements however; question the validity of the assumptions and methodology used to gather, compile and evaluate the statistics. We suggest a indepth professional study be conducted to determine the development potential based on the adopted plan using assumptions and generally accepted methods used in the field of traffic engineering and that a verifiable "Cost of Road Improvements" be incorporated into the study, prior to this plan being adopted by the County Board of Supervisors.

Thank you for the opportunity to provide input to the Draft Impact Report.

Sincerely,

COLDWELL BANKER MOTHER LODE PROEPRTIES INC.,


Roberta M. Standen