



Mariposa County

Planning Department

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Art Baggett, Chair
Deni Smith, Vice-Chair
Warren Gray
Mick Herman
John McCamman

DISTRICT I
DISTRICT IV
DISTRICT II
DISTRICT III
DISTRICT V

JOINT MEETING – BOARD OF SUPERVISORS AND PLANNING COMMISSION SUMMARY MINUTES SEPTEMBER 23, 2024

A. Call to Order and Roll Call

Chair Baggett called the meeting to order at 9:02 AM.

Attendee Name	Title	Status	Arrived
Art Baggett	District I	Present	9:00 AM
Warren Gray	District II	Present	9:00 AM
Mick Herman	District III	Excused	0:00 AM
Deni Smith	District IV	Present	9:00 AM
John McCamman	District V	Present	9:00 AM

Recess into the Joint Study Session

Baggett called the Planning Commission to recess to join the Joint Study Session with the Board of Supervisors at 9:03 AM.

B. Joint Study Session with the Board of Supervisors

Planning Commissioners joined the joint study session with the Board of Supervisors at 9:03 AM.

1. Planning

Mariposa County Development Code Update (Zoning and Subdivision Ordinance), Joint Workshop - Board of Supervisors and Planning Commission

District 5 Supervisor, Chair Miles welcomed the Planning Commission into the joint study session. Baggett expressed the Commission's eagerness to move forward with the Development Code update for the General Plan and introduced Planning Director, Steve Engfer.

Engfer provided a brief introduction of the Development Code Update, along with the following people in attendance who had contributed to the Development Code Update: Mintier Harnish Project Manager, Michael Gibbons, Mintier Harnish Project Director, Brent Gibbons, Previous Planning Director, Sarah Williams,

Senior Planner, Ben Goger and Public Works County Surveyor, Russ Marks. Engfer then provided a brief recap of the flow and intent of the meeting. He noted that this is a working draft and stressed the importance of the updated codes within the categories and gave the floor to Michael Gibbons.

Gibbons presented the project with a PowerPoint presentation and emphasized that the presentation is to provide a high-level overview of the Development Code changes.

Gibbons noted the following reasons for the Development Code Changes:

1. To achieve a General Plan consistency.
2. Create a contemporary zoning (Title 17) and subdivision ordinance (Title 16) that is easier to use and implement.
3. To reflect the changes in state law and meet the minimal Requirements.
4. Planning Staff “Fix- it- List” Items. A guiding document that contained a list of items gathered from a series of study sessions for Mintier Harnish to work off of.
 - Clarify procedures and codify policies.
 - Improved organization and cross referencing.
 - Implement direction from the Board and Commission.

Gibbons then provided a brief history and timeline based on the phases and project schedule. He noted that the project initiated the summer of 2019 where they had the kick- off meeting and study sessions. Currently they are at phase 4 (Subdivision Ordinance) and phase 5 (Public Review Draft), Phase 6 is the CEQA Compliance and Environmental Review and Phase 7 Early Adoption in early winter 2025.

Clarifying questions were asked by the Supervisors Smallcombe, Forsythe and Poe regarding the work flow process, extended timeframe needed and if Mintier Harnish’s schedule is realist. Gibbons explained the process of their early stages of drafting to create their “To Do” list and using specific performance standards throughout their process. Also, he explained that this process typically took 3 years to complete and they tried to complete in the timeframe initially set up; however, Mariposa is complex with the development regulations that interplay or overlaps with the general plan, zoning and subdivision regulations.

Engfer explained the CEQA process and provided the schedule that are in place to move forward the Development Code Update to achieve the early adoption in winter 2025.

Gibbons spoke about the initial direction from the Board and the Commission and the Title 17 regulations called a Series of Articles that contains the below 9 parts:

1. Enactment and Applicability – composition of zoning ordinance, relationship between the code and General Plan, rules for interpretation, conflicting uses, and severability.
2. Zones, Allowable Uses, and Standards – establishment of districts (base zones, overlay zones, planning areas), allowed uses and permit requirements, and zone district specific development standards.
3. Regulations Applicable to all zones – site planning and development, accessory structures, fences and walls, signs, parking standards, landscaping, surface mining, and performances standards.
4. Regulations for Specific Land Uses – adult oriented uses, accessory dwelling units (ADUs), agritourism, vacation rentals, mobile food vendors, special event facility, temporary camping, and

home-based businesses.

5. Subdivision Regulations – general provisions, map filing and application procedures, subdivision design and development standards, dedications and improvements.
6. Nonconforming Provisions – continuation and maintenance allowed, establishment of nonconforming status, standards for nonconforming.
7. Permit Processing Procedures – application processing, conditional and administrative permits, planned developments, design review variances, permit time limits and extensions, and review authority.
8. Development Code Administration – amendments, appeals, noticing requirements, development agreements, permit modifications and revocations, and enforcement.
9. Definitions – land use classification definitions, and general phrases and terms used in code.

Clarifying questions were asked by Supervisors Smallcombe and Poe regarding Article 8 not being included in the table of contents and how does the enforcement aspect protect the community who are unable to rectify the situation before it becomes a code violation. Gibbons explained that the code is intended to enforce code based on the existing procedures in Title 1. Engfer noted that Article 8 will get rectified and will be on the table of contents.

Williams shared the history of the directions of the consultant and explained that the consultation was advised to complete what we have regarding the code compliance procedure. There should be no difference to Title 17 and Title 18 for Code Compliance. Engfer announced that the CCAC is working on submitting the Amnesty Policy to the Board. He noted that this is one of the category in the Development Code.

Baggett called for recess at 10:01 AM and reconvene at 10:12 AM.

Gibbons highlighted the following overview changes to the 9 Articles in Title 17:

- Articles 1 - Introduction Provision – There were few changes made to the language. Instead they ensured consistency with the General Plan and clarified the conflict in the procedures; especially related to the Town Planning Area procedures.
- Article 2 - Zoning Districts – The changes were made to the land uses and type of land uses specified that are required by the State to include the ADUs, the type of permits required and incorporated the community plan, zoning, subdivision regulations into the Development Code.
- Article 3 - General Development Standards – The changes were based on state and federal law to protect signs and freedom of speech, recycling enclosure standards, parking, updated performance standards and the consistency of use of language.
- Article 4: Standards for Specific Land Uses - The changes were based on state law regarding ADUs and ensuring that the minimal of state standards were complied with. Also, the home base business process to be retained, but not as a commercial scale. The other large change was to the density bonus for affordable housing.
Also, state mandated for the First Amendment, emergency shelters from single to multiple, telecommunication and code location. The state wants to see the code in compliance with their

minimal legislation.

- Article 5: Subdivisions – They are currently finalizing the draft, which was not included in the agenda packet.
- Article 6: Nonconforming Uses, Structures, and Parcels - Three changes were made to the language for a more specific and clarification to avoid any confusion.
- Article 7 & 8: Administrative and Permit Processing articles – The biggest changes were made to the permit processing procedures, site plan and design review, amendments and appeals, development agreements, variances and modifications, enforcement procedures, and public notices and hearings.
- Article 9: Definitions – The terms was consolidated into one location.

Clarifying questions were asked by the Supervisors and the Commissioners regarding the process for future changes and current updates to the Development code, the inconsistency and errors in the draft, and the cost of the consultant contract.

Engfer explained that the goal is to have it annually reviewed and staff will provide the updates by bringing the specific changes to the Commission and the Board. Then explained that part of the funding was from a grant.

Gibbons noted that they are working on finalizing the draft for Article 5 and requested for anyone with any input to this process to please provide it during the community meeting.

Public comments was received by the following with an interest in the Development Code Update:

Floyd Davis (resident), Ken Melton (CCAC member/resident), Mike (Bear Valley resident), Colleen Rhodes (CCAC member/resident) and Christian Zagorski (HPAC member/resident).

Reconvene the Planning Commission Meeting

The Planning Commission reconvened at 11:39 AM.

C. Adjournment

There being no further business, the meeting was adjourned at 11:39 AM.

Respectfully submitted,

Art Baggett, Chair
The Planning Commission

Sophea Craighead, Secretary
The Planning Commission

Note: Full audio recordings of the minutes are available from the Planning Department by request or online: [Agendas & Minutes | Mariposa County, CA - Official Website](#)