

MARIPOSA COUNTY

Code Compliance Advisory Committee

MEETING #15 FINAL MINUTES **(Approved 10/19/22)**

DATE: September 21, 2022

TIME: 2:00 - 4:00 PM

LOCATION: Board of Supervisors Chambers, 2nd Floor
5100 Bullion Street, Mariposa CA

1. Call to Order: 2:02 PM. Welcome by Chair Woblesky.

CCAC Members Present: Lydia Clary, Nancy Kemp, Colleen Rhodes (attending via phone), Karen Smith and Karen Woblesky

CCAC Members Excused: Eileen Collins and Robert Fox

CCAC Members Absent: Gabe Edwards

County Staff Present: Sarah Williams and Corrina Miranda (Planning Department)

Public Members Present: Jeannine Marsh, Adam McLane (Alliance for Community Transformations) and Ken Melton

2. Approve Amended Minutes of CCAC Meeting #13, 8/17/2022

Continued to next meeting, as don't have quorum to approve amended minutes.

3. Approve Minutes of CCAC Meeting #14, 9/7/2022

Continued to next meeting, as don't have quorum to approve minutes.

4. Presentation regarding Interim Urgency Ordinance 1179 Establishing Procedures and Requirements for Fire Debris and Hazard Tree Removal (Private Option)

Williams made presentation. There were no questions.

Woblesky announced that she will be changing the order of Agenda Items. Will take Agenda Item 7 next. Both Kemp and Smith stated they preferred to discuss amendments to Chapter 18.05 prior to doing anything else. Want Williams to take recommendations to Board of Supervisors as soon as possible.

6. Discussion/Possible Action re: CCAC Recommendations to Amend County Code (CC) Chapter 18.05, Post Disaster Recovery

Discussed:

- maximum number of years for people to live in RV
- what happened with code following Detwiler Fire
- what happened with Detwiler Fire victims
- what Mariposa County is doing differently with Oak Fire victims now
- having shorter time frame ensures County will continue to be accountable and keep helping victims
- Recovery Task Force is working well together for Oak Fire response
- Chapter 18.05 doesn't give any direction to county to be accountable
- Does county have liability for allowing people to occupy substandard housing?
- County will work with property owners if there is continued progress
- It takes a long time for victims to recover from experience
- County approves people permanently living in RVs if in RV park
- If RV is connected to sewer and water, what's the health and safety impact?
- County's letters traumatized victims
- Two years as stated in code starts July 26, 2022, so survivors won't be getting a full two years.
- In normal building circumstances, under the best of circumstances, 3 years is provided.
- 18.05.05 does not describe the county's obligation to help move those with temporary permits.
- It is not realistic to assume that survivors will be able to jump right into rebuilding after suffering such traumatic losses.
- The trauma of receiving letter from the County indicating survivors had no more time left on their land was extremely rough on Detweiler survivors.
- Unrealistic expectation that those without insurance or means will be able to proceed within 2 years - or actually, less than that.
- A 5 year time frame indicates that the County cares
- This is the best way to meet objective of getting as many people affected by the fire, without prejudice, to be able to proceed on a pathway to Recovery.

Motion by Rhodes to recommend that the Board of Supervisors amend Chapter 18.05 to increase the initial time period to 5 years, with an additional 2 year extension possible.

Second by Kemp.

Motion passed. 5 ayes.

Motion by Kemp to recommend that the Board of Supervisors amend Chapter 18.05 per Rhodes' recommended text relative to who is eligible for temporary replacement housing (allow those who were living in unpermitted structures or units to be eligible).

Second by Smith.

Motion passed. 5 ayes.

7. Discussion/Possible Action re: Memorandum of CCAC Priority Code Compliance Recommendations and Status Report to the Board of Supervisors

Woblesky made comments about this item. She reviewed the responsibilities of the CCAC as established by the Board of Supervisors. Purpose is to prioritize recommendations.

Priority A: Develop clear internal code compliance process (*medium priority*)

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- Affected agencies meet regularly
- Affected agencies put in writing exactly what is needed to obtain compliance
- Takes pressure off code compliance staff
- Helps property owner to understand what needs to be done to rectify violation
- Review letter templates

Priority B: Update County Ordinances, including for 15.10.260, 15.10.240, junk, abandoned vehicles, review of appeal process, review of fees (*high priority*)

- Community needs to be involved in amending the regulatory codes

Priority C: Review existing code violations. Develop clear criteria for tracking and prioritization (*low priority*)

- Would like updated list of cases
- Process for final of building permit – should be done when final inspection is completed
- All inspections should be completed prior to conducting final inspection
- County has new program software system

Priority D: Develop an amnesty program for code compliance (*high priority*)

- LIAP Rialto
- Specific period
- Use carrots to encourage compliance
- Multiple pathways, such as the conventional compliance process, the safety certificate and/or the Santa Cruz amnesty program

Priority E: Develop an abatement program. Including vehicle abatement and junk (*high priority*)

- No money in abatement fund
- Use COVID money (ARPA funds)
- CCAC to develop recommendations
- Ties with amnesty
- What is exact amount of money allocated to CCAC for compliance? Will impact program to use money.

Priority F: Develop a communication program related to code compliance, assistance, other (*highest priority*)

- Need to be transparent
- Need FAQs
- Review presentation

Priority G: Develop a County-specific program for tiny homes and alternative/diverse/wider spectrum of housing options (*high priority*)

- Need more diverse housing stock for community

Priority H: Development Mariposa County programs that focus on community activities including additional dumpsters designated to outlying transfer stations, and remediation activities that support code compliance (*high priority*)

- Ties with ARPA and communications

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Menetrey brought up cannabis. CCAC was told to not address this.

Next steps – Woblesky will clean up memo and present at the next meeting.

7. Presentation/Possible Action re: Communication and Education Plan Recommendations by CCAC Members Karen Smith and Nancy Kemp

Kemp emphasized the need to communicate is a critical role that compliance plays in county. Need positive spin on code compliance...new point of view. Need to create voice like Sheriff's Department and Environmental Health Department. Need to have relatable social media presence and printed material. Social media – one to three times per week someone posts information. Need continued positive messaging. Need to reach out farther than posted notices.

Smith talked about an outreach and education program. Intend to utilize the County's new PIO. County contracts to prepare flyers and brochures, articles in newspaper, townhall meetings, etc. Need to have information available about what Planning does and what Building does. Employees are nice and helpful too. Pursue realtor training.

Provide any recommendations to Kemp and/or Smith for amending plan. Can reschedule for next meeting.

8. Discussion Possible Action re: Future CCAC Agenda Items. Next CCAC Meeting is scheduled for October 5, 2022 (Meeting #16)

Agenda items to include:

- Presentation on waste
- Vehicle abatement
- Communication recommendation (final)
- Melton's correspondence
- Final recommendations on CCAC prioritizations

Marijuana Roundtable is scheduled for Wednesday, October 5 from 9 a.m. to 1 p.m. in Board Chambers.

9. Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the committee. No action will be taken by the CCAC.

None

10. Adjourn

Motion by Clary to adjourn meeting at 4:06 p.m.

Second by Smith.

Motion passed. 5 ayes.

SEP 19 2022

Mariposa County Planning Department

Proposed modifications to specific sections of ordinance 18.05

by Rob Fox, CCAC member – September 15, 2022.

18.05.040 Temporary Replacement Housing On-Site

Item D2 pg2/8 - remove entire paragraph. Disaster survivors should not be burdened with the issue of whether their destroyed residence had been permitted or considered a 'legally established residence.' Disaster recovery is not the appropriate time to apply strong-armed enforcement.

Item D12 pg4/8 – remove the word “not” from the third line. In the alternative, perhaps this item calls for discussion as to why these restrictions are in place. Is there a rational argument for this or is it simply a carryover from previously established ordinance? I would be in favor of forming an argument and recommendation that such temporary shelters be allowed as “temporary replacement housing.”

18.05.050 Permanent Replacement Of Damaged Or Destroyed Housing Or Other Structures

Item B pg4/8 - Replacement or repair of affected structures should be per building code requirements in effect for the original structure where applicable. A disaster survivor should not be burdened with additional requirements put into effect after their home was built.

18.05.060 Repair Criteria

Item A pg4/8 – Specify source of “estimated value of repair” and “replacement value of the structure.” Remove third sentence starting with “Any repairs must comply...” Note: Title 24 standards are only fully effective when the entire structure adheres to the same energy conservation requirements. So, to require that repairs meet Title 24 standards when the original structure may not have, is non-sensical. Last sentence in Item A: remove all text after “... approve repairs.”

Item B pg5/8 – This requirement offers moral hazards in estimating value of repair vs replacement value. An “owner-builder” may rightly estimate a low value of repair while also trying to inflate the total replacement value (obtain a high bid from a top-rated contractor). Depending on the structure, it may take a complete rebuild to bring it up to Title 24 standards. Again, the goal should be to get these disaster survivors back into their homes and not to play “gotcha” as they try to recover from a disaster.

Item C pg5/8 – Add to the end of the sentence the verbiage: “or, in case of disaccord, a qualified, third-party mediator.”

18.05.070 Temporary Replacement Housing Off-Site

Item D pg5/8 – Re-word first sentence to read: “The permit for temporary replacement housing off-site shall be considered for any displaced resident who occupied a residence that was destroyed, or substantially or partially damaged and rendered uninhabitable as determined by the building department as a result of the disaster.”

Item G-4-b pg=6/8 – Re-word as: “Other power source shown to be safe and effective with technical documentation to be reviewed and approved by the building director.”

Item H pg6/8 – Third line in the paragraph, remove the word “not” effectively reversing the intent of this item.