

MARIPOSA COUNTY

Code Compliance Advisory Committee (CCAC)

MEETING #7 FINAL MINUTES

DATE: April 20, 2022

TIME: 2:00 PM

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

1. Call to Order: 2:02 p.m. Welcome.

CCAC Members Present: Karen Woblesky, Karen Smith, Nancy Kemp, Eileen Collins, Colleen Rhodes and Danette Toso. Gabe Edwards arrived at 2:12 p.m.

CCAC Member Excused: Clary

Staff Present: Sarah Williams and Corrina Miranda

Public Members Present: Ken Melton, Andre Wright, Karie Williams and Al Golub

At the request of Chair Woblesky, Williams provided updates to the CCAC:

- The County is currently advertising for a vacancy on the CCAC; issued on 4/15/22 for 3 weeks. Application deadline in 5/6/22. Acceptance of Breemer's resignation is scheduled for Board action on 4/26/22. The review process for applications will likely be similar to what occurred previously.
- The extra help employee in code compliance is resulting in progress being made regarding the current case log. Staff is researching all old cases, using information available in the office, to determine if the cases are still valid.
- County Counsel has advised that 2 CCAC members can meet outside of a meeting and discuss CCAC business without there being a violation of the Brown Act.
- Regarding the Board's General Rules for committees, there will be an amended version going to the Board for action based on input received. Staff won't bring back amended by-laws until the General Rules are updated.
- The County is advertising for a Public Information Officer; it will be an employee who works in the CAO's office and will be available to other departments and efforts, including the CCAC's work.

Woblesky reviewed the purpose of takeaways and noted anyone can submit one for inclusion. It is an idea, a fact, a question, an issue of important - anything that someone takes from the meeting.

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Woblesky reviewed housekeeping items for the meeting.

2. **A Resolution of the Code Compliance Advisory Committee proclaiming a local emergency, ratifying the proclamation of a state of emergency by the Governor of the State of California on March 4, 2020 regarding an outbreak of respiratory illness due to a novel coronavirus (a disease now known as Covid-19), and authorizing remote teleconference meetings of the legislative bodies of the Code Compliance Advisory Committee for a 30 day period as specified pursuant to Brown Act provisions.**

Williams explained the need for the resolution.

Collins identified need for amendment in the resolution.

Motion by Collins to adopt the resolution with an amendment to add word “fully” between the words “meeting” and “in-person”.

Second by Smith.

Motion passed unanimously.

3. **Approve Minutes of CCAC Meeting #6, 4/6/2022 (Included in the attached agenda packet: Minutes, Whiteboard projector notes, Handouts from #6 Meeting from Eileen Collins and Nancy Kemp, and Takeaways)**

Collins asked why the ARPA funding item was not included on today’s agenda.

Woblesky responded she’d prepared a draft memo and will be on the next agenda.

Motion by Toso to approve the minutes as submitted.

Seconded by Collins.

Motion passed unanimously.

4. **Discussion/Possible Action re: Board of Supervisors Amnesty Program (Included in attached agenda packet: Draft Civil Penalty Amnesty Program Memo (dated 3/30/2022), Current Mariposa Codes associated with this Civil Penalty Amnesty Program, Draft Board of Supervisors Resolution, number of the current code violations that would be impacted by this Civil Penalty Amnesty Program, and how many of those identified code violations are prioritized as health and safety violations.)**

Woblesky reviewed the memo from staff.

During CCAC discussion, the following points were made:

- There isn’t anything about how the fines are paid or where they are paid.
- Amnesty shouldn’t be a part time program, it should be part of the CCAC’s final plan.
- Amnesty shouldn’t be available for marijuana operations.
- Clarification and communication about duration of program is important - 6 months to get the work done vs. 6 months to contact code compliance and work out program for their violations. And 6 months may not be long enough time for some violations.

- Clarification and communication about purpose of program is important - civil penalties to be waived for duration of amnesty agreement. Purpose is to help property owners with violations.
- Concern about who and how the penalty fees will be determined. Without a written policy, staff can only apply the minimum penalties.
- Biggest concern is for old cases which have potential for health and safety impacts (147 cases total).
- Note that there should be appeals process built into the compliance agreement, should a breach be determined. Format of agreement needs to be reviewed.
- Concern about agreement text allowing staff to inspect properties. Could require that property owner schedules regular inspections.
- Concern about permit fee calculation, if someone comes in to resolve violation which occurred years ago. Are old or current fees charged?
- Permit renewal fees should be part of the amnesty program.
- Note that any kind of fee waiver should be able to be done by staff. But should be some circumstances which are automatically eligible for a fee waiver.

PUBLIC INPUT – ANDRE WRIGHT

- Concerns about what County is trying to do with this program, if it is limiting ability for people to go to court.
- Concern about property rights and definition of junk and people trying to make a living off of vehicles.
- Concern about limiting people from living in RVs.
- Concern about trying to force people out of their homes and take properties when people don't have money to clean up property.
- Concern about pursuing violations when the economy is bad.
- Okay to pursue people pouring chemicals into ground.

CCAC INPUT to WRIGHT

- CCAC is trying to preserve due process rights.
- CCAC is very concerned about people being able to keep their homes if they are unable to do the improvements; there is interest in pursuing resources to help people.
- CCAC is group of private citizens concerned about new code and county's use of outside legal firms.
- CCAC is trying to understand what the problem is.
- Recognize county won't get 100% compliance ever. Need mechanism to try to get the non-complying 20% into compliance.
- Look at current code compliance case list - county has been unable to get these cases resolved. CCAC trying to help county to get these old cases resolved.
- The reason that one individual lost his property is that he didn't go through any mechanisms available to him to fix issues. Could've avoided fines and results.
- Want to give opportunity for citizens to have clarity for entire process.

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- Want to allow people to be able to live in RV, if possible. City of Oakland has alternative policies and regulations; people allowed to live in RVs.
- CCAC is a layer of citizen oversight – so don't have to go to court right off and hire lawyer.

PUBLIC INPUT – KEN MELTON

- Wright has valid input regarding definition of junk and nuisance.
- When government is regulating people – should ask:
 - Is this a public health issue or a public safety issue or a public welfare issue? If can't answer yes to these, then there should be no regulation.
 - Staying in RV there is no public health issue and no public nuisance issue.
- Santa Cruz did amnesty program. Limited Immunity and Safety program – middle ground. Government didn't apply all building codes to "legalize" structure built without permit. Required hiring of qualified building person.

PUBLIC INPUT – LORRAINE FREEMAN

- Where all the fees going? Fees quintupled. She understood that was so departments could be self-sufficient. Now being told that isn't the case
- Why are we basing our code on Santa Clara county? Is much more rich and metropolitan than Mariposa County.
- Use review requirements used by other poor rural counties.

Public input portion closed.

Williams clarified the fee issue:

- Permitting fees must cover actual costs
- Penalties not intended or required to cover costs; they are penalty for not complying with code.
- There is discretion in how local government spends penalty funds.

Miranda responded to question about what constitutes a health and safety hazard, in the current list of open cases.

Edwards suggested an assignment for the CCAC – each member should come up with 2 or 3 or 4 points for what they'd like to see in amnesty program. Specifically looking at the current code cases.

Woblesky said focus should be on health and safety issues, as they are most egregious.

Rhodes said if 58 cases are marijuana cases that wouldn't be eligible for amnesty, then health and safety list is down to 66 cases.

Motion by Edwards to continue this item to next meeting. Include targeted additions from members.

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Seconded by Rhodes.

Motion passed unanimously.

- 5. White Board Discussion. Topics to include: What are the issues/problems of the current Code Compliance program? What should be included in future Code Compliance program recommendations?**

Item continued to next meeting

- 6. Discussion/Possible Action re: Junkyards, Health and Safety (Included in attached agenda packet: Number of existing code violations that are prioritized as health and safety violations, and existing County Codes/Ordinances that relate to junk code violations)**

Item continued to next meeting

7. Correspondence

Emails regarding cost of tipping fees at landfill or fees at transfer stations. Want to pass out correct information for next meeting (but won't be on agenda).

8. Discussion/Possible Action re: Future CCAC Agenda Items

- County Counsel – discuss abatement and junk
- Draft memo about ARPA funds (will include Woblesky's draft)
- Amnesty program

- 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 Edwards to adjourn meeting at 4:07 p.m.

Seconded by Collins

Motion passed unanimously.

April 24, 2022

FROM: Eileen Collins

TO: Sarah Williams

SUBJECT: Take-aways from April 20, 2022 CCAC meeting

1. Need to clarify if Building Department renewal fees will also be waived under the amnesty agreement.
2. Ensure that the definition of amnesty is clearly communicated.
3. Although I agree that Health and Safety issues should be dealt with first, I do not believe that having an amnesty program directed just at that group of violators is wise as there could very well be some unintended consequences such as:
 - a. Citizen's confusion as to whether or not their property is included in the amnesty
 - b. Any time you single out or segregate an individual or group of individuals you are potentially pitting one group of citizens against the other, i.e. "At least my violation isn't as bad as their violation." Since many in the community are watching what this committee is doing, those violators that are singled out would be known.
 - c. Since we have the community's attention all should have access to amnesty.
 - d. Health and Safety violations can be dealt without singling out those citizens to the community.
4. It was mentioned that the city of Oakland permits both Tiny Homes and RV's to be lived in legally. As the attached handouts state, Oakland has grouped Tiny Homes and RV's into one residential group. I would like this committee to evaluate and potentially recommend that due to the current housing crisis, Mariposa County should also consider this as a potential solution for our community.

Oakland is a large city with resources, i.e. staff and legal department that are commensurate with their size. Given that permitting RV's and Tiny Homes as legal residences is a relatively new concept, it gives me a level of confidence that it has been well researched and potentially a good solution for our underserved citizens.



Planning & Building → **Resources** → Vehicular Residential Facilities: Occupied Recreational Vehicles (RVs) and Tiny Homes on Wheels

Vehicular Residential Facilities: Occupied Recreational Vehicles (RVs) and Tiny Homes on Wheels

On November 16, 2021, the Oakland City Council adopted the "Construction Innovation and Expanded Housing Options Ordinance" to promote cost-effective construction methods and housing types. Among other things, the Ordinance updated the City's zoning regulations to authorize residential occupancy of recreational vehicles (RVs) and tiny homes on wheels by creating a new residential facility type in the Oakland Planning Code called "Vehicular Residential Facilities."

Date Posted: **January 12th, 2022 @ 5:00 PM**

Last Updated: **March 25th, 2022 @ 10:13 AM**

What Are "Vehicular Residential Facilities"?

Vehicular Residential Facilities (VRFs) are residential dwelling units constructed on a vehicle chassis and are defined in Oakland Planning Code Section 17.10.700 as RVs under State law (Health and Safety Code Section 18010). VRFs include motorhomes, trailers, and tiny homes on wheels. They contain less than 320 square feet of internal living area and 400 square feet or less of gross horizontal area.

When Is a Permit Required?

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VRFs require Zoning approval before they are placed on a site. For projects with 1-4 VRFs, a Design Review Exemption (DRX) is required. Projects with 5 or more VRFs will require regular Design Review (DR).

Building Permits are required to prepare the site (e.g., Grading Permit) and install utilities (e.g., Plumbing Permit, Electrical Permit).

See below for instructions on how to apply for your VRF or review our [Guide to Vehicular Residential Facilities](#).

Who Can Be Issued a Permit?

If no Building-related permits are required for the project, only Zoning [Skip to content](#) ed, in which case either the property owner or authorized

representative can apply. However, ONLY the following persons may apply for a Building Permit:

1. Contractors who are licensed by the State of California with a classification appropriate for the work that will be performed and have a current Business Tax Certificate.
2. Owners of a building or their legal representative.

How to Apply

APPLY ONLINE:

Ready to get started? First, make sure you are registered and activated at our [Online Permit Center](#). For instructions, please visit our [Planning & Building Video Tutorials](#) webpage.

Download the [Vehicular Residential Facility \(VRF\) Application](#) and follow these steps:

STEP ONE: Planning/Zoning Review

- Complete all required information, checklist, documents, and plans as outlined in the "Zoning Approval Submittal Requirements" section on page 3 of the VRF Application
- [Submit a Zoning Worksheet](#) through our Online Permit Center*
*** NOTE:** You will be taken to our login page first *before* you can submit a Zoning Worksheet
- In the Worksheet, upload your completed VRF Application and all required plans and documents
- A planner will review your submission
- Once approved, you will receive a decision letter from the Bureau of Planning

STEP TWO: Building Permits

Mechanical, Electrical and Plumbing (MEP) Permits:

Once you receive Zoning approval, you may apply for building permits

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through our Online Permit Center (must be a fully registered and activated user):

- Apply for **Mechanical Permits:** [Residential](#) (1-2 units) | [Commercial](#) (3+ units)
- Apply for **Electrical Permits:** [Residential](#) (1-2 units) | [Commercial](#) (3+ units)
- Apply for **Plumbing Permits:** [Residential](#) (1-2 units) | [Commercial](#) (3+ units)

Grading Permits:

If required for your project, you may also apply for a Grading Permit through our Online Permit Center. Please refer to the requirements for grading permits in the [Oakland Municipal Code – Grading, Excavation, and Fills](#).

- [Submit a Building Worksheet](#) through our Online Permit Center
- In the Worksheet, upload any required application form(s) and associated plans and documents, including a completed [Grading Permit Application](#) and [Initial Statement of the Engineer for Grading](#).

Curbs, Gutters, Sidewalks & Driveways:

If your project involves installation, widening, elimination, or repair to a curb, gutter or sidewalk (CGS), you will need to obtain approval from the Department of Transportation (DOT).

- A CGS Permit is issued by DOT
- After Zoning approval, a CGS application may be submitted to DOT
- Submit the plans that have been reviewed/approved by Zoning to DOTOnlinePermits@oaklandca.gov with a copy of your approval email from Planning & Building

WHAT'S NEXT?

Once we receive your application, staff will review your documents for completeness. If further information is needed, a planner will contact you at the email address provided. For the latest processing estimates, please see our [Average Permit Processing Turnaround Times](#) webpage.

QUESTIONS?

[Skip to content](#)

Call (510) 238-3891 or find quick answers through our [Permit Questions Portal](#). You may also [schedule an appointment](#) with Permit Counter staff during open hours.

Additional Resources

- [Guide to Vehicular Residential Facilities \(VRFs\)](#)
- [City of Oakland Municipal Code - Title 17 Planning](#)
- [City of Oakland Interactive Zoning Map](#)
- [Building Permits](#)
- [City of Oakland Municipal Code - Buildings and Construction](#)
- [Standard Design Detail for Sidewalks and Driveways](#)
- [City of Oakland Municipal Code – Grading, Excavation, and Fills](#)

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Guide to Vehicular Residential Facilities (VRFs) (Recreational Vehicles [RVs] and Tiny Homes on Wheels)

Overview

On November 16, 2021, the Oakland City Council adopted the Construction Innovation and Expanded Housing Options Ordinance to promote cost-effective construction methods and housing types. Among other things, the Ordinance updated the City's zoning regulations to authorize residential occupancy of recreational vehicles (RVs) and tiny homes on wheels by creating a new residential facility type in the Oakland Planning Code called "Vehicular Residential Facilities."

What is a Vehicular Residential Facility?

Vehicular Residential Facilities (VRFs) are residential dwelling units constructed on a vehicle chassis and are defined in Oakland Planning Code Section 17.10.700 as RVs under State law (Health and Safety Code Section 18010). VRFs include motorhomes, trailers, and tiny homes on wheels. They contain less than 320 square feet of internal living area and 400 square feet or less of gross horizontal area.



Design and Development Standards

The following design and development standards apply to VRFs:

Setbacks and Separation

Front, side, or rear setbacks are not required.

When located in a normally required front yard setback, VRFs must be located on an existing driveway and not extend over the property line or adjacent sidewalk.

Six feet minimum separation is required between multiple VRFs and between a VRF and a building on the same or adjacent lot.

In certain commercial zones and special districts, VRFs must be set back 30 feet from the street or located behind a building, in addition to the separation requirement above.

Ground surface

An all-weather ground surface (e.g., asphalt, concrete, pavers, decomposed granite, gravel) is required under each VRF and pedestrian pathways.

Guide to Vehicular Residential Facilities (VRFs)

Parking	VRFs must provide the amount of off-street parking required by the zone in which they are located. Off-street parking is not required for: (1) Self-propelled VRFs (e.g., motorhomes); or (2) Sites located within (a) ½ mile of a public transit stop, (b) an Area of Primary Importance (API) or Area of Secondary Importance (ASI) as defined by the Historic Preservation Element of the General Plan, or (c) one block of a car share parking space. Bicycle parking is not required.
Habitability	VRFs must comply with all applicable State and local habitability and tenantability standards including, but not limited to, standards contained in California Civil Code Section 1941.1 and the Oakland Building Maintenance Code. VRFs must include provisions for living and sleeping within the unit including adequate heating and lighting. All occupants must have 24-hour on-site access to hot and cold potable water, a kitchen, a toilet, bathing facilities, and a lavatory sink under the occupants' control. For VRFs subject to the State RV park rules (see below), potable water, kitchens, toilets, bathing facilities, and lavatory sinks must be provided <u>within</u> each unit. For VRFs not subject to the State RV park rules, potable water, kitchens, toilets, bathing facilities, and lavatory sinks may be provided <u>within the unit or elsewhere on the property</u> (e.g., shared kitchen and bathroom within a separate building). If not provided within the unit, a minimum of one toilet, one bathing facility, and one lavatory sink is required for every five VRFs.
Potable water	All plumbing facilities – both located within the VRF and outside of the VRF – must be connected to the public water system.
Wastewater disposal	All plumbing facilities – both located within the VRF and outside of the VRF – must be connected to the public sewer system. Graywater discharge for landscape irrigation is allowed in accordance with State and City regulations. This only applies to bathtubs, showers, bathroom sinks, and laundry washing machines, not to toilets, kitchen sinks, or dishwashers.
Power supply	VRFs must be connected to the electrical or gas grid, or to an on-site, off-grid, alternative system such as solar power, wind power, or propane fuel that supplies sufficient energy to meet the demand

Guide to Vehicular Residential Facilities (VRFs)

	of the unit and all connected loads at all times. Fuel-powered generators are not allowed.
Health and safety standards	VRFs must comply with health and safety standards contained in State law (Health and Safety Code Section 18027.3). RVs manufactured before July 14, 2005, must comply with American National Standards Institute (ANSI) A119.2 standards. RVs manufactured on or after July 14, 2005, must comply with National Fire Protection Association (NFPA) 1192 standards. RVs manufactured as “park trailers” must comply with ANSI A119.5 standards. VRFs must bear a label or insignia certifying compliance with the applicable standards. VRFs may be built in a certified factory or certified by a third-party inspector. All heating and liquid propane gas storage and delivery systems must be maintained in accordance with the manufacturer’s requirements. Sleeping areas and hallways providing access to sleeping areas must contain smoke detectors. Street address number(s) visible from the street must be posted to identify the property address.
Solid waste	Refuse collection service is required.

Approval Process

Step 1: Zoning approval

- 1-4 VRFs: Design Review Exemption required.
 - Application form, plans, and materials required.
 - No public notice.
 - Decision by Zoning staff; not appealable.
- 5+ VRFs: Regular Design Review required.
 - Application form, plans, and materials required.
 - Public notice required.
 - Decision by Zoning Manager; appealable to Planning Commission.

Guide to Vehicular Residential Facilities (VRFs)

Step 2: Site permits

- Apply for site permits to prepare the site (e.g., grading permit) and install utilities (e.g., plumbing permit, electrical permit) if required. If State RV park rules apply (see below), these permits are issued by the State. Also, apply for any required utility service permits from other agencies (e.g., PG&E, EBMUD).

Step 3: Install VRF(s)

- Install the VRF(s) per the approved plans and permits.
- The City will conduct a zoning compliance inspection and utility connection inspections, if required.

State RV Park Rules

Two or more VRFs on a site are considered a “Special Occupancy Park” under State law and must comply with the State RV park rules contained in the Special Occupancy Parks Act and the Special Occupancy Park Regulations. New parks must obtain a permit from the State to construct and operate after obtaining zoning approval from the City of Oakland.

The following are exempt from State RV park rules:

- Sites with only one VRF;
- Sites with two or more VRFs if the VRFs will not be held out for rent or lease (including monetary or other consideration in exchange for the use and/or occupancy of the facility); and
- Sites with two or more VRFs if the park is owned, operated, and maintained by a nonprofit entity. This exemption only applies if the nonprofit entity is a registered 501(c)(3) organization based in Alameda County and the park is not owned, operated, or managed by a limited liability corporation with a for-profit partner.

Projects with two or more VRFs exempt from State RV park rules will be required to record a Notice of Limitation with the Alameda County Recorder after approval stating that State law requirements will apply in the event rent is later charged or the park is no longer owned, operated, and maintained by a nonprofit entity.

More information about State RV park rules can be found at: <https://www.hcd.ca.gov/manufactured-mobile-home/mobile-home-parks/laws-and-regulations.shtml>.

Frequently Asked Questions

1. Where are VRFs allowed?

VRFs are allowed in all zoning districts where residential facilities are allowed.

2. How many VRFs are allowed on a property?

Each VRF counts as one dwelling unit and the maximum number of dwelling units allowed is specified by the zoning district where the property is located.

3. Are VRFs the same as manufactured homes or mobile homes?

VRFs are not the same as manufactured homes or mobile homes. “Manufactured homes” (previously called “mobile homes” prior to 1976) are homes constructed on a chassis that contain 320 square feet or more of living area and comply with the U.S. Department of Housing and Urban Development standards. In Oakland they are regulated as single-family homes.

4. Do VRFs require a building permit?

VRFs are considered vehicles, not buildings. They are not regulated under the Building Code so no building permit is required to construct or install them. However, buildings associated with VRFs (e.g., kitchen and bathroom buildings) may require a building permit. Also, building-related permits to prepare the site (e.g., grading permit) and install utilities (e.g., plumbing permit, electrical permit) may be required. If State RV park rules apply (see above), these building-related permits are issued by the State.

5. Can VRFs be considered Accessory Dwelling Units (ADUs)?

VRFs are not considered ADUs under State law because they are not permanent buildings, but they can be considered ADUs under Oakland’s laws if they meet the definition of an ADU in the Oakland Planning Code. To be considered an ADU, a VRF must provide potable water, a kitchen, a toilet, bathing facilities, and a lavatory sink within the unit. The development standards that normally apply to ADUs don’t apply to VRFs because VRFs have their own development standards, except that the restriction on ADUs in certain locations for life safety reasons and the maximum density allowed for ADUs do apply to VRFs.

6. After a VRF is installed and successfully passes the installation inspection, are there any future inspections?

Every year the City will inspect a subset of previously installed VRFs to verify ongoing compliance with operation and maintenance requirements.

Guide to Vehicular Residential Facilities (VRFs)

7. Do the City's development impact fees apply to VRFs?

VRFs are exempt from the City's Affordable Housing Impact Fee, Transportation Impact Fee, and Capital Improvements Impact Fee.

8. Do tenant protection laws apply to VRFs?

The City's Rent Adjustment Ordinance (i.e., rent control) applies to VRFs, both the rental of a VRF to a tenant and the rental of land to a VRF owner upon which the VRF is located. The City's Just Cause for Eviction Ordinance and Tenant Protection Ordinance apply to the rental of a VRF to a tenant but not to the rental of land to a VRF owner. When a VRF is rented to a tenant or land is rented to a VRF owner, the landlord must register the rental unit with the City, pay the annual Rent Adjustment Program fee, and provide the tenant with the Rent Adjustment Program notice. For more information about Oakland's tenant protection laws, please visit:

<https://www.oaklandca.gov/topics/rent-adjustment-program>.

9. Do the VRF rules apply when parking an unoccupied RV on private property?

The VRF rules only apply to RVs used for residential purposes. They do not apply to parked, unoccupied RVs. RV parking on private property is regulated by the City's Blight Ordinance which prohibits parking of RVs in areas zoned for residential use in the front or side yard areas for more than 72 hours.

10. Do the VRF rules apply to RVs occupied as temporary guest quarters on private property?

Pursuant to the City's Blight Ordinance, RVs parked on private property may be occupied by guests of a City resident for up to 72 hours, and do not need to comply with the VRF rules. RVs occupied for more than 72 hours must comply with the VRF rules. (See question 12 below for guidance on short term rentals.)

11. Are VRFs allowed on city streets?

The VRF regulations pertain to parcels of land (i.e., private property); they do not apply to RVs parked on the street or in the public right-of-way.

12. What types of activities can VRFs be used for?

VRFs are restricted to Residential Activities, including Permanent Residential Activities, Transitional Housing, and Emergency Shelters for people experiencing homelessness. They are not authorized to be used for commercial activities, hotels/motels, or short-term residential rentals of less than 30 days (e.g., Airbnb, VRBO). RVs and tiny homes on wheels located on land owned or leased by the City of Oakland and used as emergency housing to shelter people experiencing homelessness are exempt from zoning and building regulations, including VRF rules, in accordance with the City's shelter crisis declaration under State law. In those cases, Emergency Housing Standards apply.

From: [Colleen Rhodes](#)
To: [Sarah Williams](#)
Subject: Re: Meeting 7 Takeaways
Date: Monday, April 25, 2022 2:37:47 PM

I have one BIG TAKEAWAY from the April 20th meeting: we are NOT communicating effectively with the people of Mariposa County. We need to remedy that ASAP.

Karen Smith – CCAC committee member
4/24/2022

Re: Take Aways from April 20, 2022 Meeting

Amnesty Program

1. The first step in the amnesty program is to verify the violation is in fact, a valid code violation. If the CCAC is to help 'qualify' property owners and their code violation, we need to look at the case and determine if it is in fact a violation under the assigned code. Since Code Compliance is complaint-driven, it is imperative to determine if the property owner is in fact out of compliance for health and safety, or is a neighbor angry.
2. I believe the director of the Building Department should not have the sole and exclusive imposition of penalties. Setting up a committee to assess fines and penalties may result in taking more time to evaluate each case, but it will make property owners feel they are not being singled out by one person. All violations should be evaluated equality, except for immediate health and safety violations.
3. Does there have to be a fee to apply to the Amnesty Program?
4. I think a six-month **window to apply** for the amnesty program is enough. Property owners are going to apply or not. Owners out of the area will have to apply online. In the case of bank owner properties, it may be hard to reach the right person to communicate with.
5. The base length of time a property owner has to complete the task should be six months. The building inspector will determine if six months is long enough.
6. Depending on the violation, If the work that needs to be done will take more than 6 months, a longer contract may be granted without penalty.
7. If the property owner does not have the resources to complete the violation correction, whether it is because of a financial situation or not having the physical capability, the owner may work with the County to take advantage of opportunities such as for 'Free Landfill Days, grant money if the Covid 1.5 million dollars is awarded for Code Compliance or other funding sources that may be developed in the future.
8. Exhibit 1: Rewrite 13. To say it is the property owner's responsibility to contact staff at the building department for property inspections. Staff will not access a property without specific instruction from owner as to date and time.

General Take Aways

Outreach of Compliance rather than Enforcement. Health and Safety for all of Mariposa.

1. With the general mistrust by many citizens of Mariposa County government, I believe a strong educational outreach needs to be developed and implemented. We need to work for trust through communication. Assurance needs to be conveyed that the county is not trying to confiscate property.
2. Define the types of violations that are available under an amnesty program and develop an information/education program with FAQs, brochures, handouts, FB posts, possibly a Town Hall for property owners on the violation list, but not for the general public. We can follow examples of several counties and cities that have this in place.
3. Select the types of violations other than marijuana and concentrate on each category. Start with one category and address each case and how to solve the situation.

What is Amnesty?

After much soul searching, countless sleepless nights, and endless guilt-ridden days, you have decided you can no longer live with the fact that you remodeled your house without benefit of a County building permit.

Okay, so you don't feel that bad about it, but in any case, you have decided to make it right. What do you do now?

You have a few choices. You can continue to live with the guilt of breaking the law, hoping the County never finds out what you did. Or you can voluntarily come down to the Mariposa County Building Department and enroll in the "Amnesty Program for the Legalization of Undocumented Construction."

Why would you want to put yourself through the ordeal of a County review process?

Promote Public Health and Safety, Protect Our Natural Environment, and Sustain a High Quality of Life in Our Community.

Obtaining a permit is the law, and it is also a good idea. Planning and Building staff are ready to assist you as you navigate through the amnesty process.



Mariposa County Building Department
5100 Bullion Street
P.O. Box 1268 - Mariposa, CA 95338
<http://www.mariposacounty.org>

Phone: 209-966-3934
Fax: 209-742-5024
Hours Monday - Friday
(Except legal holidays)
7 a.m. - 4 pm

I Didn't Get A Permit.



Now What?

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There are Four Reasons to Enter the Amnesty Program

1. Legalization of undocumented construction will give you the assurance that the work was done safely and meets minimum life safety codes.
2. The Amnesty Program may also allow you to legalize work that would not be allowed today. For instance, an undocumented third or fourth unit built prior (PDF, 475KB) to the enactment of Measure A could be legalized. Failure to enroll in the Amnesty Program would mean these units would have to be removed.
3. Additionally, once you enroll in the Amnesty Program, whether you are eventually approved or not, you are exempt from all investigation fees. Investigation fees, equal to four times the normal permit fees, are charged on all code enforcement cases.
4. You will sleep better.



How Do I Apply?

The County of Mariposa is offering an amnesty program to property owners who have undocumented construction. The Amnesty Program allows property owners who voluntarily come forward to obtain permits for undocumented construction. Coming forward voluntarily is the critically important first step.

The rules for entering the Amnesty Program are pretty simple. You must come forward voluntarily, the undocumented construction is required to have been legal at the time the work was originally done and the work and materials must comply with all minimum Code requirements. The Amnesty Program can be used to legalize undocumented construction projects regardless of their size. This includes the ability to legalize undocumented dwelling units.

To participate in the Amnesty Program, you first complete an application for amnesty. This is available by downloading from the Mariposa County web site or you may get a printed form at the Building Department, and provide all applicable information and pay the \$XX application fee.

The next step is for the Building Official is to determine the date of the undocumented construction. Through a combination of physical inspection and review of available evidence, the Official will establish the presumed date of construction.

Once the date of construction is established, the County can make a determination about whether or not the work was legal at the time of construction. Projects will either be approved or denied for amnesty; either way, at this point, the investigation fees are waived. Applicants with projects accepted for amnesty will pay an additional inspection fee.

A County Building Inspector will then conduct an inspection of the undocumented construction and will provide you with a report identifying any health and life safety issues that must be resolved. The inspector will also identify the necessary permits and zoning approvals you will need in order to have the County legalize your undocumented construction. After this step, all that is left to do is pull permits and have the work inspected.

The highly qualified and dedicated Mariposa County Building Inspectors will patiently walk you through the inspection process.

It is in the best interest of property owners to have buildings that are safe, habitable and in compliance with all County ordinances. We encourage anyone who has undocumented construction to review the Amnesty Program package and call the Mariposa County Building Department with your questions.

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Permits Exist for Safety's Sake.

Though obtaining a permit may seem like a hassle, it serves an important safety purpose. Building codes exist for our own safety. By adhering to building standards, you can have confidence that your home is safe.

Current state mandated building codes have created a maze of requirements and standards. Our building permit professionals can explain and simplify the process. Our goal is to help make this seemingly cumbersome process as painless and enjoyable as possible.



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When Do You Need A Permit?

Do I Need A Permit?

Always Check with the Mariposa County Building Department to see if you need a Permit.



Whether you have plans for a deck, backup generator or a new roof, your first step before undertaking any installation or construction should be checking with the building department for compliance and permits. In addition to the frustration of having a project come to a screeching halt, you may also face hefty fines for building without a permit. In the end, the permitting process is to ensure safety and compliance with the International Building Code (IBC).

Don't listen to what a neighbor or friend tells you, check with the building department. It's also possible that building codes have changed, so take the time to call and know for sure before you begin.

Do I Need a Building Permit for My Project?

As a general rule of thumb, projects that include structural modification to your home require a permit. This means that home additions and structural renovations where you are removing load-bearing walls definitely require a permit. Altering your roof line, adding fireplaces/chimneys, adding mechanical components, and enlarging windows also typically require permits.

What doesn't need a permit? Cosmetic changes like paint and flooring as well as changes like countertops and crown-molding don't require permits.

Additionally, adding something like a privacy wall in your yard or pouring a slab patio may not require a permit, **but it's always important to check the Building Department to make sure.**

From: [Karen W](#)
To: [Sarah Williams](#)
Subject: #7 Takeaway
Date: Monday, April 25, 2022 4:45:50 PM

Hi Sarah,

Here is my takeaway from CCAC #7:

The CCAC - and the County - needs to have a better, more proactive method of communicating with Mariposa County residents. We need to come up with a way of having up-to-date information on the County's website where residents can easily look at/review accurate information.

Thanks.
Karen.