

FISH CAMP PLANNING ADVISORY COUNCIL

MEETING INSTRUCTIONS - SATURDAY July 17, 2021

The following public comment options continue to be offered during the pandemic pursuant to the Governor's Executive Order N-29-20, which relaxed certain provisions of the Brown Act to allow public meetings accessible telephonically to all public members seeking to observe and address that committee/council/commission and or working group.

Members of the public who wish to participate in the meeting are invited to do so by submitting written comments (instructions follow) or by joining the teleconference by:

CONFERENCE CALL IN NUMBER:

To join meeting—DIAL in on phone, call this number:

United States: +1 (786) 535-3211 **Access Code:** 135-062-653

****Please note that all callers will be limited on their speaking time, and will be muted before and after public comment periods****

Planning Advisory Committee written commenting processes are as follows

WRITTEN COMMENTS: Written comments may be submitted via U.S. Postal Service, email or may be dropped off at the Planning Department. In your written communication please note in the subject line: Which Planning Advisory Committee you are commenting to and indicate which "PUBLIC COMMENT ITEM #" (insert the item number relevant to your comment) or "PUBLIC COMMENT NON-AGENDA ITEM" that you are commenting on.

1) Mail • Send written communication to:

Mariposa County Planning Department PO Box 2039
Mariposa CA95338

2) Email • Send an email to theplanningdept@mariposacounty.org

3) Drop Off: • Written communication can be dropped off at:

Mariposa County Planning Department 5100 Bullion Street, 1st Floor Mariposa,
CA95338

No matter which of these formats you choose to use for written communication (Mail, Email or Drop Off) please know that in order to ensure distribution to the committee prior to their consideration of the agenda, and in order for your written comments to be placed into the record it must be received no later than 8:00 a.m. on the day of the meeting.

FISH CAMP PLANNING ADVISORY COUNCIL

MEETING AGENDA

DATE: Saturday, July 17, 2021
TIME: 9:30 A.M.
LOCATION: Tenaya Lodge 1122 Highway 41, Fish Camp

1. Roll Call: Bassett, Baxter, Cerioni, Christian, Harter, Luther, Lyle, Rolfe and Royse
Excused: Rolfe
2. Welcome Guests Harter
3. Approval of the draft minutes of April 17, 2021.
4. Persons wishing to speak on a matter not on the agenda, but within the jurisdiction of the council.
No action will be taken by the Council.
5. Ex Officio Reports:
 - a. USFS Cori Hayth
 - b. CAL FIRE & Engine Co. 33
 - c. Sheriff's Department, Sheriff Jeremy Brieser
 - a. NPS District Ranger Eric Scott
 - b. Caltrans-Hwy 41 Supervisor Adam Wimberley
 - c. Planning Department Steve Engfer
 - d. District V Supervisor Miles Menetrey
Redistricting
 - e. District V Planning Commissioner John McCamman
 - f. Department of Public Works, Director Mike Healy
 - g. FC Fire Assn.(hydrants & chipping) Donn Harter
6. Future of Fish Camp Post office
7. Future agenda items
8. Next scheduled meetings:
October 16, 2021 & January 22, 2022
9. **Adjournment**

Note: The Council may only take action for items that appear on the agenda, however, members may briefly respond to questions or statements made by the public, other members, or County staff.

Incompliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please
[Contact the Planning Department at 209-966-5151.](tel:209-966-5151)

The **Fish Camp Volunteer Fire Association** meeting will meet at the conclusion of the Council meeting.

Fish Camp Planning Advisory Council
Draft Minutes
9:30 a.m., Saturday, April 17, 2021, Tenaya Lodge

Call to Order at 9:32 a.m.

Chair Harter

1. Roll Call

Secretary Rolfe

Members Present: Baxter, Cerioni, Christian, Harter, Luther, Rolfe and Royse. Members Absent: Bassett and Lyle.

2. Welcome Guests

Chair Harter

Tim McGinty, Donn Ross, Betty Young, Barry Green, Bob Keller, Bill Keller, Will Reinhart, Teresa and Cecil Boyd, Karen Woleski, Shelley and Marsha Huntsman, Jane O'Brien, Robert Ambrosini, Denine Gould. On phone, Karen Glendenning, Steve Engfer (County Planning).

3. Approve Minutes October 10, 2020 Meeting

Chair Harter

(January 2021 meeting cancelled Mono winds)
Baxter moved, Luther seconded, approved.

4. Non Agenda Items

Chair Harter

a. Tenaya Lodge

Dan Lyle, general manager

(1) Tenaya is concerned about occupancy impact. People are booking at the last minute due to various issues. Very hard to plan the hotel. Lots of fraud with the park booking system. Advising all guests to plan ahead and book the park entry. But if people can't book park, they won't book hotel.

5. Ex Officio Reports

a. USFS Supervisor

**Cori Hayth
(Not Present)**

(1) Snow Play area at Goat Meadow. No updates from either Miles Menetrey or Mike Healy, other than port a potties have been removed. Dean Gould is the person to reach out to, but calls are not being returned.

(2) Needle Burning Site. Bill Keller spoke asking about a designated burning site for the property owners. Donn Harter stated that he had heard back from the forest service, they will not allow private homeowners to use forest land to burn. Bob Keller asked the County what they could do. Mike Healy discussed what Wawona does as part of their community plan, i.e., pine needle and bulk item pick up. The property owners pay for the service via an annual fee, which will be increased shortly. Forest Service allows the County to use their burn site for this purpose for \$15k per year. Fuel reduction benefits the County in Wawona because the County owns quite a bit of parcels/housing. However, in Fish Camp, there is no community plan for burning. Additionally, there are no private properties that will allow mass burning.

b. CAL FIRE & Engine Co. 33

**John Morgan
(Arrived later)**

c. Sheriff's Department

Jeremy Briece
(Not present)

d. NPS District Ranger

Eric Scott
(Not present)

e. Caltrans-Hwy 41 Supervisor

Adam Wimberley

(1) Working on getting a contract to clean up the debris from the Mono winds. Caltrans working with their smaller equipment as they can, most trees are forest service trees and Caltrans can only do so much.

(2) Caltrans would like to find a spot for burning; one possibility is the big flat spot on Highway 41. Retired forest service employees would be able to help burn. Adam has names of a few persons who would burn for pay.

(3) Caltrans is re-paving three sections of Highway 41. Deadwood top to bridge in town; bottom of Parker Grade by Mecca Road for 1.5-2 miles; section above passing lane at Rocky Cut, around Mile 22 House. There's always an accident when Caltrans is working on the section around Mile 22 House, regardless of signs or advance warnings. Caltrans is also working on replacing 52 culverts along Highway 49.

(4) Bill Keller asked the question: Can signs be placed for passing and turnout lanes?
Response: Caltrans will work on "slower traffic keep right." Above 222.

f. Planning Department

Steve Engfer (telephonic)

(1) Variance application for project in Fish Camp. Karen Ziebarth, address 1233 Cedar. The lot is 50 foot wide. The issue is Big Creek and the set back requirements for sewage disposal. They need adequate disposal so front yard is necessary to utilize for septic system and push house towards the rear of the property. Instead of 20-foot rear yard, applicant requests 13 feet and 5 on side, not the (10 or 20) required. Planning Department has fully analyzed the request and a strict application of rules would eliminate the development of the lot; however, it's a half acre and the Planning Department made the necessary findings to allow the variance so as not to deprive the property owner from utilizing their lot.

(2) Would like Advisory Council to consider and make recommendation to the Planning Department. Donn read a letter from a nearby Cedar property owner, Lynne Morrison. Neighbor is requesting the cold storage kept; an ecological study due to past septic issues (floating to top of property) and runoff from Highway 41. Also doesn't want precedence to allow building closer to creek. No other public comments were made.

(3) Planning Department responded to Ms. Morrison's letter. Variance applications are exempt from environmental review. Applicant is proposing to remove and replace current system to meet current requirements and will have to pass all county and state health requirements. Will come into review further along the process. Septic is evaluated in detail by Health Department. Not part of variance application.

Motion: Support application for variance Lyle moved, second by Christian. Motion carried.

(4) Further update by Planning Department:

Recreation and Resiliency Master Plan adopted, available online.

Number of transient rental applications and CUP approved.

Brown Bear Hotel project approved; 180 room hotel and conference center in town of Mariposa.

42-unit project for multi-family low income housing, now in building permitting.

Movement on County wide zoning and subdivision code updates in progress and new development codes to be in line with general plan.

Number of grant projects underway.

Assisted in updating Wildfire Protection Plan, adopted by board in February.

Mariposa Creek Parkway - received funding for construction of Phase III.

Provided update on green house agricultural plan.

Silvertip project update: Adjustments with Caltrans permit, hired engineer to encroachment permit details with Caltrans; and some improvements along Fish Camp Lane. Mr. Christian asked if offsite improvements occur before onsite improvements due to traffic. Response: Not required to go in any specific order.

Mr. Luther asked about MPUD LAFCO Project for municipal services review (MSR), expansion of service area boundary and amendment to sphere of influence (SOI). Board funded project through LAFCO budget.

g. District V Supervisor

Miles Menetrey

Eric is retiring in September.

(1) The County is working on continuation of the parking ordinance that the County has been pursuing for the Highway here. They've had issues with enforcement of the ordinance. It was discovered that the State of CA had substantially changed the way parking citations were enforced and County wasn't in line with State. No longer are parking violations treated as infractions, instead they were civil offences, so will change to a civil penalty in the County with substantial fine. \$100 fine. Will grow in fines if not paid, will ultimately attach to registration or license.

(2) County Counsel said ticket was prima facie guilty so not concerned with people throwing ticket away.

(3) Bill Keller asked: Who enforces no parking? Response: CHP has jurisdiction, but they have deputy during snow season. Mr. Menetrey also stated that officer Brian Lunquist is an excellent deputy for enforcement. Please thank him for his efforts.

(4) Barry Green asked: What is the method for tickets, will the ordinance cover county roads? Answer: The roads that received the signs were based upon this council's input (6 or 7 named roads). No parking with ordinance number. Also asked what happened to the \$500 million by Newsom to "fire harden" some homes. What is county doing to get any of these funds? Answer: Fish Camp is not included in the funds.

(5) Steve at planning: They received notification on this significant budget allocation in the last week or so. They will see where the funds are going in relation to CALFIRE. Resource Conservation District is looking at this. They are still trying to determine how to access the funds.

(6) John Morgan: FC is in Federal area but does qualify for State resources. Budget action just approved, but check's not in the mail, programs are still in development stage, look for coming years not months.

(7) Mike Healy: At least 6 months out for funding applications.

(8) Donn Harter asked: Please add all county roads for no parking signs.

(9) Jane O'Brien asked: Did County apply for disaster from Mono winds? Answer: They never heard from the Governor, but County did apply. Mike said still under consideration. What are the benefits if the disaster is called? The benefits only protect public infrastructure (75%) of cost, 100% of overtime. No private property owner benefits.

(10) Mrs. Reinhart asked: What is County's budget? Answer: Collected 50% of their budget. TOT is big contributor to the County fund. All things staying the same, the TOT was budgeted at 50%. The State is looking good, Governor opening State up on the 15th, but the Park's implementation of reservation system is causing an issue for turning the corner.

(11) Park reservation system is problematic for lodging outside of the Park. Park representatives state that they are having difficulty with their housing, no shuttle, etc., which does not allow them to fully staff for visitor needs.

(12) All departments are on a hiring freeze. Computers systems are being updated due to old systems.

(13) New budget comes out in June.

(14) Betty Young stated: The reservation system is "unconscionable." The idling cars are cutting off the oxygen supply here. Response: The reservation system decision comes from Washington, DC, not wholly from the park. At least they changed the pass from 7 days to 3, so potential of more reservations.

(15) Bob Keller asked: Is there a number of vacation rentals allowed in Fish Camp? He thinks there's a problem with the numbers in FC. He doesn't want FC to become another Wawona or Yosemite West. McGinty: His area was family vacation homes, seeing turn around to vacation rentals. Petition put up on cardinal's house don't turn into vacation rental. Stated that there are 175 homes in FC. Bob Keller wants a per capita limit. Mike Healy responded: Anytime a homeowner seeks a permit to allow vacation

rental, all items are under consideration for the permit process, i.e., parking, septic, occupancy levels, etc. Currently, there are no restrictions on number of permits. Don Ross from San Jose Ski Club mentioned that it is a private member ski club and have owned the cabin at the end of Laurel since the 40's. (Informational comment only).

(16) Bob Keller wants the per capita issue be placed on agenda, sub-committee of advisory council. No action taken.

(17) Margaret Rolfe provide a Proposition 19 summary and the impact of the parent/child reassessment exclusion. Exclusion eliminated entirely for all properties except primary residence. The exclusions remains for primary residences, but with significant limitations (must become primary residence of transferee within 1 year of transfer, must permanently remain the transferee's primary residence or will be reassessed; and the fair market value will be taken into consideration and anything over \$1million FMV will be added to the current assessment). Prop 19 was a constitutional amendment. The only way to repeal the negative effects of Prop 19 is another constitutional amendment, which must be through the vote of the people. The government cannot undue Prop 19.

(18) Discussion was held regarding the growing number of TOT properties in County. Increase county wide of licensees. The County did have discussion about limiting number of TOT properties, but discussion of limiting went nowhere. Mike Healy: Regardless of where within the County, the discussion of the "right number of TOT" licenses always comes up. Years ago, a robust conversation about affordable housing, and what a property owner can do with their property. Yosemite West always at odds 40% owner 60% TOT, eroded the web of a neighborhood. On the other hand, property values are actually driven up by TOT so private owners actually like that too.

(19) Steve at planning hears that future agenda item re: vacation program in FC town planning. Steve can prepare some information on that for the next agenda. Statistics, he'll provide.

(20) YARTS update: Fresno Council of Governments has notified YARTS that they are pulling out next season. Trying to get other counties to join YARTS for funding, or will be an issue on Hwy 41 route. Free days: \$20k annually given to them from county for 5 years; in exchange, YARTS picked 2 weeks per year for free transportation. The 5-year time period has ended. YARTS will come to FC for season, ends in September, but ridership affected by Covid guidelines.

(21) Mike Healy noted: The County collects an average of \$15.5 million in TOT annually, and \$3.5 million in property taxes.

(22) John Morgan also on the line and provided input.

h. District V Planning Commissioner

John McCamman

(1) There are two new members, Jack Wilmeth, District 2 and Denny Smith, District 4. First meeting with full commission last week. Next week, they will be considering the action on the variance and make a decision.

I. Department of Public Works, Director

Mike Healy

(1) Mike provided most of his updates as part of the other member's reports, as noted.

(2) Transfer station operation. They are looking at cutting expenses and providing services. Will propose a pilot program to have a person man the station, install dumpster and then bill the persons using the dumpster. Take name and number for bill. This will not include needle pickup.

(3) Bill Keller asked: Goat Meadow Road (Mt. Raymond Road) needs assistance re: condition of road and width of road. Answer: It's a Forest Service road. County had maintained part due to transfer station. Mike Healy will look into what exactly he can do with the road.

j. FC Fire Association

Donn Harter

(1) The Fire Association meeting will take place after this meeting. The Fire Association's chipping program in effect, nearly 30 owners have signed up already. Dates are May 23 and 24 and June 13 and 14. Fire Safe Council actually pays for the chipping.

(2) Potluck fundraiser is set for July 3, 2021.

(3) Installation of 2 fire hydrants on White Chief Mountain road, will be completed this summer. Near Cerioni and Franklin.

(4) Block D has poor water system and no hydrants. Private development road maintained by the property owners. Hydrant placement needs to be undertaken by the property owners.

6. **Badger Pass. How do we return it to the number one family ski area?** Major concerns that the concessionaire doesn't like BP, costs them money. Also Park Service doesn't care for it. Donn's suggestion divorce it from the concessionaire and give it to a single operation operator. What can community do to get action: Make the public aware of the problem.

Bob Keller asked Dan Lyle: What can Delaware North do? They don't have park contract, but it would benefit Tenaya if Badger Pass returned to its glory. It would have to be separated from the entire park concession; Delaware North wouldn't take steps to divorce the project; Lyle will mention it to Delaware North.

7. **Mono winds clean up.** Update provided as part of Mike Healy's presentation. Dan Lyle was thanked for the Tenaya's hospitality. Thanked everyone for their efforts during the Mono winds, and great snowstorm. Cal OES disaster declaration and atmospheric river declaration; could have helped with "project pick up sticks" but money would come too late. See update provided above.

8. **Future agenda items: None**

9. **Next scheduled meetings:**
July 17, October 16, and January 22, 2022

10. **Adjournment: 11:15 a.m.**

Respectfully Submitted, Margaret Rolf, Secretary