



# Mariposa County

Mariposa County MINUTES of the Planning Commission

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ART BAGGETT, CHAIR  
WARREN GRAY  
MICK HERMAN  
DENI SMITH, VICE CHAIR  
JOHN MCCAMMAN

DISTRICT I  
DISTRICT IV  
DISTRICT II  
DISTRICT III  
DISTRICT V

## PLANNING COMMISSION FINAL ACTION SUMMARY MINUTES (APPROVED 5/2/25) APRIL 4, 2025

### A. Call to Order and Roll Call

Chair Baggett called the meeting to order at 9:00 A.M.

| 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 | Present | 9:00 AM |
| Deni Smith    | District IV  | Present | 9:00 AM |
| John McCamman | District V   | Present | 9:00 AM |

### B. Pledge of Allegiance

Commissioner Herman led the pledge.

### C. Public Comment on Non-Agenda Items

Persons wishing to speak on any item of interest within the subject matter or jurisdiction of the Commission that is not on the agenda.

Planning Director, Steve Engfer, announced that Polina Pivak, was promoted to Senior Planner for the Planning Department.

### D. Approval of Minutes

#### 1. Planning

Approve the March 21, 2025 Planning Commission Minutes

By motion of Commissioner McCamman, seconded by Commissioner Smith, the Planning Commission approved the minutes of March 21, 2025, as presented. Motion passed.

RESULTS: APPROVED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: Commissioner Herman.

EXCUSED: None.

## **E. Public Hearing**

### **1. Planning**

Adopt a resolution approving Time Extension 2024-122 with findings, including a finding that the previously adopted Mitigated Negative Declaration for MS No. 2009-052 satisfies the requirement for environmental review pursuant to the California Environmental Quality Act (CEQA) and the action is exempt from further environmental review; Applicant JCS Capital Resources LLC - William R. Stuart; APN: 016-110-049 located at 2748 Highway 140, Catheys Valley, CA

Engfer introduced William Stuart (applicant representative) who was in attendance. Engfer then presented the project with a PowerPoint presentation noting that the applicant was requesting a 6-year time extension to complete the conditions of approval required before final map recording. No project changes were proposed, and staff recommended that the commission adopt a resolution to approve the time extension application.

Public comment was received by William Stuart (applicant representative), who provided additional information in support of the project pertaining to housing needs in Catheys Valley, CA.

By motion of Commissioner Herman, seconded by Commissioner McCamman, the Planning Commission adopted a resolution approving Time Extension 2024-122 with findings, including a finding that the previously adopted Mitigated Negative Declaration for MS No. 2009-052 satisfies the requirement for environmental review pursuant to the California Environmental Quality Act (CEQA) and the action is exempt from further environmental review; Applicant JCS Capital Resources LLC - William R. Stuart: APN: 016-110-049 located at 2748 Highway 140, Catheys Valley, CA as presented. Motion passed.

RESULTS: ADOPTED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Herman, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: None.

EXCUSED: None.

### **2. Planning**

A resolution recommending that the Board of Supervisors: Adopt a resolution adopting a Mitigated Negative Declaration and approving General Plan/Area Plan Amendment Application No. 2024-100; Conditional Use Permit Application No. 2024-101 and Major Design Review Application No. 2024-102 with findings, conditions, mitigation measures, and mitigation monitoring program, and Adopt ordinances amending the Land Use Diagram in the Coulterville Town Planning Area Town Plan, to change the Single Family Residential 2.5-acre land use classification within APN 002-220-001 to the Highway Service Commercial classification; and amend the text of Section VI(A)(1) of the Coulterville Town Plan to add Special Occupancy Parks as defined in the State Health and Safety Code as a conditional uses in the Highway Service Commercial land use classification pursuant to General

Plan/Area Plan Amendment Application No. 2024-100 for applicant, Topos Ventures LLC. The project site is located at 10407 Highway 49, Coulterville, CA

Engfer introduced Nico Turek (Topos Ventures LLC – applicant representative) who was in attendance. Engfer then presented the project with a PowerPoint presentation.

Engfer noted that public comments were received from Danielle Bradshaw and The Department of Toxic Substance Control after the Planning Commission Agenda Packet was published and those comments were provided to the Commission, and copies were available at the back table.

Public comment was received from Nico Turek (Topos Ventures LLC – Applicant Representative), who provided company background information, and asked the commission if they had any questions regarding their purpose and goals for the proposed project in Coulterville, CA.

Public comment was received by Ken Melton (resident), who spoke about the State of California’s definition for Park Trailers and Park Model. Melton recommended that the term “Park Model” be corrected to “Park Trailer”.

By motion of Commissioner Gray, seconded by Commissioner Smith, the commission adopted a resolution recommending that the Board of Supervisors adopt a Mitigated Negative Declaration and approving General Plan/Area Plan Amendment Application No. 2024-100; Conditional Use Permit Application No. 2024-101 and Major Design Review Application No. 2024-102 with findings, conditions, mitigation measures, and mitigation monitoring program, and Adopt ordinances amending the Land Use Diagram in the Coulterville Town Planning Area Town Plan, to change the Single Family Residential 2.5-acre land use classification within APN 002-220-001 to the Highway Service Commercial classification; and amend the text of Section VI(A)(1) of the Coulterville Town Plan to add Special Occupancy Parks as defined in the State Health and Safety Code as a conditional uses in the Highway Service Commercial land use classification pursuant to General Plan/Area Plan Amendment Application No. 2024-100 for applicant, Topos Ventures LLC. The project site is located at 10407 Highway 49, Coulterville, CA as presented. Motion passed.

RESULTS: ADOPTED

AYES: Commissioner Baggett, Commissioner Gray, Commissioner Herman, Commissioner Smith, Commissioner McCamman.

NOES: None.

ABSTAIN: None.

EXCUSED: None.

Baggett called for recess at 9:52 A.M. and reconvened at 10:02 A.M.

## **F. Discussion and Actions**

### **1. Planning**

Continued Discussion and Preliminary Action on the Draft Development Code Update, Articles 2, 3 & 9

The Commission continued the Article 2 (Zones, Allowable Uses, and Development Standards) discussion from the March 21, 2025 meeting:

The following public comments were received by Ken Melton (resident):

- Melton noted that after reviewing the March 21, 2025 minutes he did not see where his recommendations were approved by the Commission regarding the Residential Zones development Standards on the septic systems requirements for 2.5 acres for Rural Residential parcels on page 296. Also, his recommendation for the non-residential setbacks requirements to be 35 feet were not addressed and asked for clarification.

**The Commission concurred to keep the non-residential structure setbacks requirements as 25 feet.**

- Page 306, Commercial Zones Development Standards: Item A, Frontage on Maintained Road – Melton questioned the definition of what the county road standards are and noted that the current county road standards do not meet current applicable standards, and the statement should be revised.

Russ Marks (Public Works) stated that because of the streets and highways codes and the current county improvement standards there's a Road Commissioner Policy for Development, and that the county road must be deemed to meet the capacity of the project. Therefore, any county road that has inadequate capacity will keep development from happening, but it can be mitigated through the County Road Augmentation Plan. He then noted that the current dead-end road lengths standard prevents development on substandard county roads and agreed with Melton that the statement could be modified.

**The consensus from the Commission was to include the term “current” to county road standards.**

- Melton then spoke about Item B - Viewsheds/Open Space and Item C - Structure Design, Landscaping and Scenic Environment on page 306. Melton compared the two processes to a conditional use permit and noted that there's not a set of rules in place for an applicant to refer to prior to applying for an application.
- Page 306, 17.14.050 – Additional Regulations, A. Additional Development Standards Regulations, a. Setback from Residential Zones, Melton suggested that 1. Vehicle Parking should be removed because he did not agree that vehicle parking should be prohibited within the setback areas of a residential zone parcel.

**The consensus from the Commission was to incorporate a variance language into 1. Vehicle Parking.**

The following directions were provided by the commission to Article 3 – Regulations Applicable to All Zones:

Page 340, Section F, Uses Prohibited in Setback Areas.

**The consensus from the Commission was to remove F2, Stables or pens used for raising or keeping animals on parcels smaller than two and a half (2.5) acres from Section F.**

Page 345, Accessory Structures in Residential General Plan Land Use Designations, Item B3 – Storage Structures, including cargo containers, located on parcels larger than two and a half (2.5) acres shall be screened from view from public rights-of-way. **Gray directed staff to eliminate the parcel size requirements to Item B3.**

Sarah Williams (Former Planning Director) noted that the direction from Gray will need to be amended in the General Plan as well.

Public comment received by Ken Melton (resident), reminded the commission to consider public health and safety when discussing codes and regulating public pertaining to storage containers. He then noted that

there are no building codes for storage containers and suggested that the Commission proposed a recommendation to the State to amend the limit size in building codes.

**The consensus from the Commission was to eliminate Item B2 – Mobile homes, recreational vehicles, truck trailers, or cargo containers may not be used as storage structures on parcels less than two and half(2.5) acres in size. Keep Item B3 – Storage structures, including cargo containers, located on parcels larger than two and a half (2.5) acres shall be screened from view from public rights-of-way, but eliminate the 2.5 acre requirement from Item B3, and amend the General Plan.**

Gray mentioned that he would like to see a change made to increase the size limit for storage buildings for agricultural purposes.

Staff will review building codes for allowances, what the requirements are for zoning and setbacks, and if it's State or County requirements to bring back to the commission for consideration.

Page 346, 17.34.030, Fences and Walls Standards, Item C – Prohibited Fence and Wall Materials.

**The consensus from the commission was to eliminate number 3, Roofing Materials.**

Page 352, Parking Standards, Item J3, Stacked Parking Spaces. Baggett suggested making stacked parking spaces as permitted and not limited, especially for bed and breakfast that should be treated the same as a vacation rental.

**The consensus from the Commission was to strike out “for individual vacation rental facilities but are not appropriate for bed and breakfast inns” to state “Stacked or tandem parking spaces may be allowed.**

Page 351, Item C, Calculation of Space Required, Herman noted that “not including restrooms” should be removed and that restrooms should be included in the Gross Floor Area.

Baggett called for recess at 11:24 A.M. and reconvened at 11:30 A.M.

Page 356, Paving and Surface Areas, Item A and B, Baggett suggested amending the language to something more modern as the State's preference was to have pervious, not pavement or concrete surfaces.

Gray noted that there may be an issue with ADA requirements.

Engfer acknowledged that staff heard Baggett's comment on updating the language pertinent to available services that might be in existence and utilized in the industry, such as permeable pavers.

The following public comment was received by Ken Melton (resident):

- Page 351, Item D, Parking Space Reduction, he questioned if it's necessary to put a limit of three spaces depending on the project in the statement, as the 10% should be adequate.

The Commission concurred with Melton that 10 percent was adequate.

**The consensus from the Commission was to eliminate “but not to exceed three spaces” from the statement. The revised statement should state “to reduce the number of parking spaces required up to 10 percent”.**

- Page 356, Paving and Surface Access, Item A, Melton asked for confirmation that the commission directed that the statement “Any portion of the parking area not paved shall be landscaped” be removed.

**The consensus from the commission was to remove the statement suggested by Melton, “Any portion of the parking area not paved shall be landscaped”.**

Public comment received by Russ Marks (Public Works), responded to Political Signs on page 371, he noted that political signs cannot be on county property and must be removed from public roadways within a certain timeframe under county code Title 10 or Title 12.

**Baggett directed staff to include language from Title 10 or Title 12 to Item 5 pertaining to the removal of Political Signs timeframe and to include whether this is State or County Code requirement.**

A discussion occurred regarding Page 372, 17.40.0100, Public Nuisance Abatement, and Violation.

Public comment received by Russ Marks (Public Works), disagreed with the statement in Item 1 “Any signs located must be removed” and suggested that “For public safety, a vacant building address sign should stay in place” should be included in the Item 1 statement.

**Baggett concurred with Marks and directed staff to include an exception to address sign.**

Public comment received by Ken Melton (residents), spoke about Abatement or Conformance When Required, Item B1, expressed that if the sign was legally approved then the sign should stay. Melton provided different scenarios that could have caused damages to a sign and expressed that the sign should not be required to meet current standards if replaced.

The Commission concurred with Melton regarding an existing sign that can be repaired or restored to the standards of the provisions that were legally established.

**The consensus from the Commission was to eliminate Item B2 – The sign is damaged by any cause resulting in replacement or repair costs equal to or greater than fifty (50) percent of its replacement value at the time the damage occurs, as determined by the Building Official.**

Williams provided an update regarding the discussion during public comment received at the March 21, 2025 meeting about the county implementing reclamation requirements for permits that are issued for mining on Bureau of Land Management (BLM). Williams noted that the only provision would be the Mariposa County’s MOU with the Bureau of Land Management. She further explained that if a request came from BLM then the county can process a reclamation plan and highlighted that it’s not the permit itself to allow the mining but the reclamation plan.

Page 389, 17.46. 030 - Outdoor Light and Glare, Baggett directed staff to remove the second sentence “The standards shall also apply to all existing and proposed vacation rental applications and bed and breakfast uses and application” from Item A, Applicability.

Baggett noted to flag outdoor lighting inspections pertaining to Vacation Rentals and Bed & Breakfast to combine with the Housing Section.

Baggett proposed that a Lighting Plan should be submitted as part of a new commercial or resort commercial development that requires a site plan.

The following public comment was received by Ken Melton:

- Page 374, 17.42.010, expressed that there's a conflict regarding the statement in Item A and Item B2. Melton noted that Item A was referring to residents of Mariposa County but Item B2 referred to the Conditional Use Permit for commercial developments. Williams made the change on the spot.
- Page 336, 17.30.30, Item B – Minimum Parcel Size, Melton noted that the General Plan is not regulatory and is being used often referring to the General Plan Standards and noted that "Other standards contained in the General Plan" should be removed from the sentence.
- Page 336, item C – Modification Proposals, Melton noted that in the first sentence stating "One or more parcels where one or more of the parcels does not meet minimum parcel size" was unclear.

The following directions were provided by the commission to Article 9 – Definitions:

Baggett questioned why there are five definitions for easement on page 401 and noted that only the first easement "the right of a person, the public at-large, a government agency, or a public utility company to use public or private land owned by another for a specific purpose" was needed and suggested eliminating the following easements: Easement, Access or Road, Easement, Drainage, and Easement, Slope.

The following public comment received by Ken Melton (resident):

- Page 339, Residential Care Facilities, he noted that the statement was poorly written and shared the state's definition for residential care facilities "California residential Care facility is defined as a facility providing 24-hour non-medical care for people needing personal services"

**The consensus from the Commission was to replace the current statement and replace with the state's definition for residential care facilities.**

- Page 409, 17.60.160 Parcels Coverage, Melton suggested eliminating "structure(s)."

Baggett noted that the commission will come back to address parcel Coverage.

- Page 414, Primary Surface, Melton noted that this shouldn't be a part of the Parcel definitions.

Staff will review the cross reference for consistency for Primary Surface with regards to the airport and bring it back to the commission.

The Commission directed staff to review the definitions for all Airport related items to bring back to the Commission.

- Page 421, Street Private, Street Public, Melton noted that he looked for the cross reference as noted on page 421 for Street and could not find the cross reference. The term in the cross-reference is "Road, Private".

Staff noted that they will make sure that the cross references are accurate.

Senior Planner, Ben Goger provided an update regarding new legislation pertaining to AB 2339, AB 139, and AB 101. He noted that AB 139 and AB 101 had to do with emergency shelters and staff will incorporate that language in definitions.

## **G. Commissioner Reports**

A discussion occurred between the Commission and Staff regarding the future Planning Commission meeting dates and agenda items.

Engfer noted that the Housing Elements Draft Review will be brought to the Commission at the May 2, 2025 meeting.

April 18, 2025 meeting- cancelled.

May 16, 2025 was rescheduled to May 30, 2025.

McCamman noted that he wanted to address the agritourism topic with the Agricultural Advisory Committee and suggested a joint meeting on May 30, 2025 or June 6, 2025.

## **H. Information Items**

Commissioner McCamman asked for an update for Title 1 pertaining to Enforcement.

Engfer shared that language has been developed and that there will be another opportunity for a second joint meeting with the Code Compliance Advisory Committee.

Williams provided an update from the Interim Building Director, Corrina Miranda, regarding the minimum 120 square footage structure size that establishes the requirement for a building permit.

## **I. Future Agenda Items**

- May 2, 2025 Finish Title 17- Housing Elements Draft Review
- May 30, 2025 New Meeting Date – Title 16
- June 6, 2025 Joint Meeting with the Agricultural Advisory Committee
- Joint Meeting with the Code Compliance Advisory Committee – Date TBD

## **J. Adjournment**

There being no further business, the meeting was adjourned at 1:02 P.M.

Respectfully submitted,

ART BAGGETT, Chair  
Mariposa County Planning Commission

SOPHEA CRAIGHEAD, Secretary  
Mariposa County 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](#)