



Mariposa County

Mariposa County MINUTES of the Planning Commission

<http://www.mariposacounty.org/>



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

DISTRICT I
DISTRICT II
DISTRICT III
DISTRICT IV
DISTRICT V

PLANNING COMMISSION FINAL ACTION SUMMARY MINUTES (Approved 5/30/25) MAY 2, 2025

A. Call to Order and Roll Call

Chair Baggett called the meeting to order at 9:02 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	Excused	0:00 AM
John McCamman	District V	Present	9:00 AM

B. Pledge of Allegiance

Commissioner McCamman 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.

Public comment received from Ken Melton (resident), he noted that in the Development Code Update regarding the Public Roads Definitions on page 929, that he could not find the definitions for Streets and Roads and recommended that it be corrected and provided staff with a handout.

Public comment received from Robert Fox (resident), expressed his disagreement regarding the deed restriction requirements for Junior Accessory Dwelling Unit (JADU's). Fox noted that the Accessory Dwelling Units (ADU's) did not have the same deed restriction requirements and noted that this requirement could have an adverse effect on the sale of the property.

D. Approval of Minutes

1. Planning

Approve the April 4, 2025 Planning Commission Minutes

By motion of Commissioner McCamman, seconded by Commissioner Gray, the Planning Commission approved the minutes of April 4, 2025, as presented. Motion passed.

RESULTS: APPROVED

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

NOES: None.

ABSTAIN: None.

EXCUSED: Commissioner Smith.

Baggett moved Item E.2. Draft Development Code Update, Article 4 forward for the Commission to address before Item E.1., Review of the 7th Cycle Housing Element Administrative Draft.

E. Discussion and Actions

2. Planning

Discussion and Preliminary Action on the Draft Development Code Update, Article 4

Before presenting Article 4, Steve Engfer, Planning Director, announced that Commissioner Smith was excused but provided Planning Commission Secretary, Sophea Craighead, with information she wanted to report during the Commissioner Reports and asked Craighead to share the information.

Craighead noted that Smith wanted to address the Bed and Breakfast exemptions for ones that are non-typical (a place that does not meet the vacation rental description) as majority of the Bed and Breakfasts in the county are non-typical. Smith wanted to know if there was a process in place for exemptions, or if it is something that may need to be considered.

A brief discussion occurred. Engfer noted that if someone proposed a Bed and Breakfast or Vacation Rental under the code program, they must comply with the codes. For anything outside of the existing standards in Title 17, staff could not authorize it because of the way the codes are set.

Engfer presented an overview of the project and presented the edited version of Article 4: Accessory Dwelling Unit (ADU), Density Bonus, Short Term Rental or Vacation Rental, and Temporary Occupancy of Travel Trailers, Recreational Vehicles and Transportable Housing Units.

Engfer stated that the Workforce Housing Provision Set will be brought back to the Commission prior to the adoption.

Engfer noted that public comment was received after the publication of the agenda packet from the Central Sierra Chapter California Native Plant Society that was provided to the Commission, and copies were available at the back table. Engfer ensured that their comment be considered and addressed.

Engfer suggested that the Commission hold comments and discussion for the Agricultural related provisions for the joint meeting with the Agricultural Advisory Committee.

The following directions were provided by the commission to Article 4:

- Page 250, 17.52.060 – Bed and Breakfast Inns and Vacation Rentals, A- Purpose: McCamman recommended that the distinction between Bed and Breakfast and renting out a room was explicit as

possible. Staff is to replace “(also referred to as residential transient occupancies)” with “(that requires a transient occupancy permit).”

Ben Goger, Senior Planner, noted that there were major changes made that were listed on page 233 for the Commission to address.

A lengthy discussion occurred regarding the Health and Safety Check from building and/or fire every 2-5 years. Goger explained that the 2-5 years inspection allowed staff to parcel out a certain number of the vacation rentals to one inspector to complete the inspections. Also, this would allow for the inspections to be spread out and to show lenience.

Polina Pivak, Senior Planner, noted that this recommendation was provided by Environmental Health, County Fire, and the Building Department who are associated with life, health and safety checks. The Commission disagreed with the septic inspections as it could be costly and invasive for the owner/operator. Then the Commission expressed that the initial septic inspection at the time of application and the annual self-reporting inspection certification (potentially bi-annual self-reporting) was sufficient, and that the 2-5 years inspection wasn't necessary.

Public Comment received by Ken Melton (resident), in agreement with the Commission regarding the septic inspection requirement and questioned what the inspection consisted of. Then suggested conducting a visual type of inspection opposed to an invasive and expensive inspection.

After discussion, the Commission directed staff to strike A1, as written in the packet regarding the septic inspection requirement in the zoning ordinance.

The Commission directed staff to include that the septic functions properly and that fire clearances are maintained in the Annual Self-Reporting (potentially bi-annual self-reporting) Inspection Certification listed on page 253, 11- Reporting.

Staff will meet with Environment Health to discuss options for the septic system and will bring back to the Commission.

Public comment received from Robert Fox (resident) who shared that the septic system inspection should be proposed throughout the county and not just the Bed & Breakfast/Vacation Rental, and noted that the self-inspection certification should be taken seriously, like a disclosure document on real estate contract.

The Commission provided the following directions for Article 4:

- Page 252, 8a- Parking, Baggett noted that this was addressed at the previous meeting regarding stacked parking for Bed and Breakfast that should be treated the same as a Vacation Rental. Staff noted that the directive was received from the previous meeting and that this document did not reflect the change.

Baggett called for recess at 10:35 A.M. and reconvened at 10:45 A.M.

The Commission provided the following directions for Article 4:

- Page 256, Home Enterprise and Home Offices, B1. Minimum Parcel Size, the Commission directed to remove the 2.5 acres, no minimal parcel size restrictions.
- Page 257, Rural Home Industry, A – Minimum Parcel Size, the commission directed staff to strike the 5 acres requirement.

- Page 256, D2 – On-Site Sales, the Commission directed staff to remove the term “services” from the statement “on site sales of goods, services, and products, and other items derived from the home office is prohibited.”
- The Commission directed staff to remove “Home Offices” from the Development Code Update 17.52.090 Home Enterprise and Home Offices, and to remove “Home Offices” from the General Plan.

Public comment received from Ken Melton (resident), who asked for clarification on the definition of Home Offices.

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

- He provided a general comment regarding travel trailers or other vehicles that fall under the definition of recreational vehicles not being used consistently throughout the document when referencing recreational vehicles. Then questioned why the state definition wasn’t used for the reference.
- Page 261, 17.52.150 – Recreational Vehicle Parks, A. Compliance, Melton noted that the statement “Recreational vehicle parks shall comply with all applicable State Uniform Building Code and Fire Code requirements” was unclear as the statement referred to two different jurisdictions, and suggested that this statement be made clear.
- Page 261, 17.52.150 -Recreational Vehicle Parks, B1. Operational and Development Standards, questioned why it isn’t based on the use of the RV Park instead of the maximum of seven recreational vehicle sites per acre.

McCamman noted that on Page 262, Item E, Recreational Vehicle Parks, the word “campground” should be replaced with “recreational vehicle parks”.

Gray noted that he did not see any code provision for small campgrounds or Hipcamp in the Development Code Update as previously discussed and wanted to confirm that the idea of having the small campgrounds or Hipcamp was not abandoned. Engfer provided clarification, noting that the idea hasn’t been forgotten and will be addressed after the Development Code Update.

Goger informed the Commission that 17.52.220 – Temporary Occupancy of Travel Trailers, Recreational Vehicles, and Transportable Housing Units (Tiny Homes), Section E. Procedure on page 271, can be removed from code to become a secondary document (a process document) at the Commission’s discretion.

The Commission directed staff to remove Section E – Procedures from Code and recommended five years for the emergency ordinance.

Herman provided a summary regarding (Page 269, Section B – Authority) that the Building Official can override the decision of the Commission pertaining to the code provision. Baggett recommended that staff specify that proper power, water and sewer hookups be required in Section B – Authority. Engfer noted that staff will review the California Building Code and Section R104.1 of the California Residential Code to ensure that those specific codes are met for the installation of hookups (Section B-Authority).

Public comment was received from Ken Melton (resident):

- he spoke about temporary camping located in different ordinances that included conditions that do not fall under the definition of temporary. Melton referenced Section C. Maximum Number of Days on page 269 that states “If such occupancy is for more than fourteen cumulative nights in any ninety-

day period, it shall be considered a residential use and shall be subject to all occupancy standards established in the Building Code” and suggested that this statement be removed. The Building Code does not have building standards for Park Trailers and that those standards come from the State.

- Melton also noted that per Housing Community Development (HCD) there is no State law that prohibits a person living in a recreational vehicle or a park trailer outside of an RV Park and that the County had jurisdiction outside of an RV Park.
- Page 270, #6, Units must comply with County fire safety standards, he stated that this statement needed clarification.
- Melton asked staff if there was a State definition for tiny homes and proposed that the County uses the state definition for tiny homes.

The Commission moved on to Chapter 17.54 - Accessory Dwelling Units.

Baggett questioned why the Impact Fees, Section D on page 276 was 750 but the Mandatory Approval, Section E, was 800, instead of both being 800. Pivak noted that she had to revert the Impact Fees to 750 per State law but will further review for accuracy.

Pivak provided clarification to Fox’s public comment regarding the deed restrictions for JADU’s.

Public comment received by Robert Fox (resident), provided additional information regarding the disclosure of his property at the time of sale.

Pivak provided the commission with an update regarding a major provision restricting ADU’s from being allowed in Wawona based on the wastewater and water system issues that will be included in Chapter 17.54 – Accessory Dwelling Units. She noted that the National Park Service will provide staff with documentation to cite in the ordinance. Pivak explained that the State requested the areas in the County where ADU’s are allowed and where they are not allowed be cited in the ordinance with the reasoning behind it.

The Commission recommended that the County should require proof of a will-serve letter for water and wastewater before a person can apply for an ADU permit within a public water/wastewater system.

Staff noted that they will run it by the State to ensure their requirements are met.

Baggett called for recess at 11:58 A.M. and reconvened at 12:15 P.M.

The Commission addressed Chapter 17.56 – Density Bonuses.

Baggett commented that the Commission previously directed staff to include very low income to achieve a higher density bonus and to include the same density bonus for workforce housing.

Goger explained that those were the statutory allowances per category and staff provided the overall percentage increase. Per the Legal Consultants, the County cannot provide density bonuses for workforce housing. Goger then explained that through the Moderate Housing Section and the Number of Incentives and Concessions (that the Planning Director can grant concessions) depending on the project task as per page 289, Table 4-5.

1. Planning

Review of the 7th Cycle Housing Element Administrative Draft

Before the Commission addressed the Housing Element Draft, a discussion occurred regarding the Commission's intent to create permanent housing in the County and to incorporate the State's RV codes and Santa Cruz's Ordinance into the Housing Element.

Enger noted that staff will review the seasonal housing category, caretaker, and occupancy for permanent housing units. He then added that one unit was allowed by a primary secondary or an ADU.

Goger presented the Housing Element Administrative Draft with a PowerPoint presentation highlighting a new chapter that's called "Affirmatively Furthering Fair Housing" and informed the Commission that he and Pivak have elected to work on the Housing Element in-house to absorb the consultant cost. Goger did state that they do have a Housing Element Professional that is on contract to review for State alignment.

Goger shared the following projects that are currently in progress and upcoming new ones:

- Workforce Housing Overlay
- Revised Setback standards
- Achieve pro-housing designation with the State through the density bonus that gives us additional points on HDC grants
- Activate the Local Housing Trust Fund
- Develop incentives to promote ADU Development
- Implementing recommendations from the Community Wildfire Prevention Plan
- Housing opportunities in Phase IV of the Mariposa Creek Parkway
- Implement recommendations from the Integrated Mobility and Housing Strategies – Missouri Gulch Project and Field of Dreams
- The Behavioral Health Bridge Housing Project through Health and Human Services Agency

Goger then noted that on the ADU's webpage on the Mariposa County Website there are new features that are available, such as the Plans Gallery (six free ADU plans from San Diego County - downloaded) and Prefab Units full plan sets. Also, included are maps of site assessments that are a housing sites inventory, which is a mandatory portion of the housing element that's used to verify that there is enough zoned land to provide for the population.

McCamman asked Goger if there was an opportunity to include the Commission's intent to incorporate RVs as permanent housing into the Housing Element; if not, the Commission should consider a discussion to create those opportunities. Goger noted that staff will need to review the findings in order to incorporate this revision into the Seasonal Housing Needs and to develop a new program, but would like to run this by the Housing Consultant.

Goger shared the permitting cost for multi-family was higher than reported, which is an issue for HCD as they prefer that the multi-family permitting cost does not exceed a single-family residential permitting cost.

Enger noted that the Building Department Director will be reviewing the fees and fee structures.

Baggett suggested flagging "School Fees" for the Board of Supervisors to discuss with the school district.

F. Commissioner Reports

None.

G. Information Items

Information was received from Steve Engfer, Planning Director.

H. Future Agenda Items

- Workforce Housing June 6, 2025 Meeting
- Density Bonuses
- Reclarification of definitions

I. Adjournment

There being no further business the meeting was adjourned at 12. 57 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](#)



**Items that came in
after the Agenda and
packet was prepared
and publicly posted.**



CENTRAL SIERRA CHAPTER

CALIFORNIA NATIVE PLANT SOCIETY

April 29, 2025

REFERENCE: Mariposa County, 2025 Development Code Update
Aligning County Code to the General Plan, Section 11 - Conservation and Open Space

Dear Planning Commissioners:

Thank you for your work to update the *Mariposa County Development Code* to reflect goals outlined in the *Mariposa County General Plan*. We are particularly interested in updates that will advance the goals outlined in [*Section 11 - Conservation and Open Space*](#), and the implementation of which is clearly addressed in the [*Mariposa General Plan, Strategic Implementation Work Plan*](#). The latter was adopted by the Board of Supervisors, February 2018. We see the current update as an important opportunity to integrate standards that support the vision and goals outlined in Section 11 of the General Plan.

We have reviewed the Planning Commission's agendas related to the Development Code over the past few months. Generally, we support code changes that streamline and provide flexibility in application processes and maximizing densities, where appropriate; at the same time, we want to ensure that goals for preserving Mariposa's rural character and natural communities are not diminished but are supported through resulting code changes.

- 1) **Related to Code Recommendations Made to Date by the Planning Commission.** We want to ensure that we have adequate time to review recommendations and to participate in a meaningful stakeholder engagement process by providing input prior to recommendations going to the Board of Supervisors.
 - a) Are red-lined and updated versions of the Commission's recommended changes to code available for review and input? We do not yet see these documents available online, although we see that the Commission has been working on changes since last fall.
 - b) *We are highly interested in participating in such an important process.* What mechanisms are available for adequate review and meaningful input prior to taking the Planning Commission's recommendations to the Board of Supervisors?

- 2) **Specific to Article 4 – Regulations for Specific Land Uses (May 2, 2025 Agenda)**. Article 4 deals with Accessory Uses (*both currently in place and proposed*) that have potential to significantly (negatively) impact land use across the county. While we understand the need to define Accessory Uses, our concern overall is that the natural plant and animal communities, watersheds, viewscales, and Mariposa’s rural character are protected. *By protecting our rural character and natural communities, we are also protecting Mariposa’s economic base, social structure and community health.*

As such,

- a) For clarity and to ensure understanding, we ask that all Accessory Use language include that said Use will meet and support General Plan goals by providing for applicable property line setbacks; scenic resources standards; watershed area guidelines, including site runoff and sewage disposal; signage, artificial light and dark sky guidelines; noise and nuisance guidelines; protection for sensitive habitat zones, including creeks and streams, migration corridors, breeding and nesting areas; protection of heritage oaks and other native trees; firewood harvesting standards; protection of rare or endangered native plant species; use of locally-native plants for landscaping and permeable surfaces for parking; as well as any relevant local design review guidelines.
- b) Provisions that ensure adequate conservation, monitoring and compliance enforcement must be in place before additional Accessory Uses *are added to the Development Code*. Unless these uses are adequately defined and monitored for compliance and standards enforced, they will cumulatively degrade the rural character and natural communities of Mariposa County over time. Can you specify what entity within the county will monitor for compliance and enforce standards for current and additional Accessory Uses?
- c) **12.52.040 Agritourism/Glamping; 12.52.070 Campgrounds; 17.52.200 Temporary Camping; 17.52.220 Temporary Occupancy of Travel Trailers, Recreational Vehicles, and Transportable Housing Units.** These are very high-impact Accessory Uses and must be carefully and thoroughly considered. We encourage a meaningful public and stakeholder engagement process, including an assessment of their impact on the conservation aspects of the General Plan, prior to moving forward on adoption of these uses.

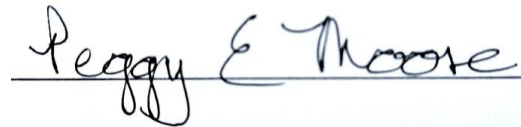
Mariposa County's General Plan is the county's long-range plan to guide policy makers on both the development *and the conservation* of the county. Thank you, once again, for the work you are doing to ensure the county's vision for land use and conservation are realized.

We look forward to hearing from you and to working together.

Very sincerely,



David Campbell, President
Central Sierra Chapter, California Native Plant Society



Peggy Moore, Vice President for Mariposa County
Central Sierra Chapter, California Native Plant Society

We are dedicated to protecting California's native plants and their natural habitats, today and into the future, through science, education, stewardship, gardening, and advocacy.

Learn more and join us!

CENTRAL SIERRA CHAPTER
CALIFORNIA NATIVE PLANT SOCIETY