



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 II
DISTRICT III
DISTRICT IV
DISTRICT V

PLANNING COMMISSION FINAL ACTION SUMMARY 7 MINUTES (Approved 7/18/25) MAY 30, 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	Present	9:00 AM
John McCamman	District V	Present	9:00 AM

B. Pledge of Allegiance

Commissioner Smith 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.

There was no public comment received.

D. Approval of Minutes

1. Planning

Planning Commission - Regular Meeting - May 02, 2025

By motion of Commissioner McCamman, seconded by Commissioner Herman, the Planning Commission approved the minutes of May 2, 2025, as presented. Motion passed.

RESULTS: APPROVED

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

NOES: None

ABSTAIN: Commissioner Smith
EXCUSED: None

E. Discussion and Action

1. Planning

Discussion and Preliminary Action on the Draft Development Code Update, Article 5 Subdivision Regulations

Steve Engfer, Planning Director, presented the overview of Article 5, Subdivision Regulations with a PowerPoint presentation.

Engfer highlighted the following amendments that were made to Article 5:

- New structure and organization.
- Clarified the purpose, intent, and overall applicability of the subdivision regulations.
- Created a new section identifying the review authority for all subdivision related actions (appeal authorities, County Surveyor, Planning Director, Planning Commission, Board of Supervisors).
- Updated the definitions of terms to reflect State law and best practices and aligned definitions with new processes and content in the Article.
- Updated terminology to match industry's best practice and State subdivision.
- Updated filing and processing procedures for tentative maps.
- Updated subdivision design standards.
- Clearer guidance and procedures for improvements plans.
- Clarified and simplified standards for Certificate of Compliance, Lot Line Adjustments (Director-level), Parcel Mergers (Director-level).
- Updated the "Planned Development" chapter to reference out to new standards and procedures codified in updated Development Code.

After the presentation, Engfer asked the Commission for their input and directions.

Baggett suggested citing the State code in its entirety instead of using partial language, making the definitions that were changed consistent with the rest of Title 17, and that the appeal process should be consistent with the appeal the Planning Commission recommended for the other actions. Baggett noted that the direction was No Fees for appealing to the Planning Director or Planning Commission's decision and to make that consistent.

Baggett noted that the directions provided to staff conflicts with the current General Plan but with the General Plan update will reflect those changes.

Baggett recommended that Ken Melton (resident) provided Engfer with editorial changes to Article 5 and that staff will memorialize the suggested recommendations.

Public comment was received by Ken Melton (resident) who agreed with Baggett regarding citing the State code in its entirety and used the Lot Line Adjustment on page 31, item Q in Chapter 16.04 as a reference.

A discussion occurred regarding McCamman's concern about remainders (Gift Deed), specifically not being

able to create new parcels on page 31, item O in Chapter 16.04. Engfer provided clarification noting that the County has requirements that were already in code (Gifted Ordinance) that allowed a Gift Deed to be honored as a parcel, and that the County would honor a Gift Deed that was created and transferred prior to specific dates. Engfer then stressed the importance of why this code should remain as the code does not state this process can be completed today.

Russ Marks (Public Works County Surveyor) who spoke about the required filing for remainders and noted that the title came with conditions that must be met prior to building on the parcel.

Public comment was received by Ken Melton (resident) who shared his personal experience processing a Gift Deed and noted that a Gift Deed does create a parcel, even a non-conforming parcel.

Russ Marks (Public Works County Surveyor) noted that on the on Gift Deed there is a Superior Court Judgment (Megan) from 1992 that states how to address Gift Deed.

Baggett asked if this should be included in the subdivision map act as a code to be consistent with the court case. *Engfer acknowledge and noted for consideration to include this provision to the subdivision map act.*

Planning Commission moved on to Chapter 16.10 Tentative Map filing and Process.

Public comment received by Ken Melton (resident) expressed that there should be no reason why the public should offer their easement to the County through their property, unless it's a road between two counties. That was open to the public. He used Morningstar Lane as an example and noted that if accepted, it must be in conjunction with the need of the public to use that road. Melton stated that a non-exclusive easement is not a public access road and noted that offer of dedication requirement should be removed, unless there's a specific County Road already being maintained with no easement. Melton noted that using the non-exclusive easements provides for ingress and egress to all the parcels and provides access for telephone and utility.

A lengthy discussion occurred between Commissioners, Melton, Marks, and Staff regarding the offer of dedication, exclusive and non-exclusive easement. Baggett suggested requiring an offer of dedication if it's a through road. *Engfer noted that staff will review with legal counsel that the requirement is applied and is maintained to the extent that has been done in the past, that the reasons are known and there's a legal basis to maintain or change the existing code.*

Public comment received by Ken Melton (resident) page 36, 16.10.010 Purpose and Applicability, item A4 recommended removing Staff shall not accept an application for a land division (or other application) if there are any outstanding county code violations on the subject property.

The consensus from the Commission was to remove Item A4, on page 36, per Melton's recommendation.

Baggett called for recess at 10:30 A.M. and the meeting was reconvened at 10:39 A.M.

Public comment received by Ken Melton (resident):

- Page 38, Item 1- Required Referrals and 2- Anticipated Type of Response: *Melton asked if there were any regulations set in place that would affect property. McCamman noted that whatever the State law requirement was the consensus from the Commission.*

- Page 38, Tentative Map Public Hearing and Action, 16.10.050, A-Scheduling and Notice of Public Hearing(s): Melton asked to be shown where the State law requires 300 ft. or 600 ft. as he could not find the distance requirement. *Staff will review and provide the answer.*
- Page 39, A- Required Findings for Approval, Item E- The design of the Subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of, properly within the proposed subdivision: Melton noted that this item should be removed as it is confusing.
- Page 39, A- Required Findings for Approval, Item F – The proposed subdivision has made adequate provision for sewage disposal, potable water, and access: Melton asked for clarification. The information was received by Engfer. No recommendation was provided by Melton.
- Page 41, 16.10.070 Conditions of Approval, A-Dedications and Improvements, Item A1 – As a condition of approval of a tentative map, the County may require dedications and improvements as necessary to ensure that the parcels to be created: Melton noted that this item should be edited and provided language for Staff to use. *Baggett advised Melton to provide the edits to Engfer.*
- Page 41, 16.10.070 Access, Item 2 – Private road easements may be approved for access to each parcel if it is determined that the public street access cannot be provided due to certain title limitations of topographical conditions: Melton questioned what this paragraph was in here and recommended removing it as it did not make sense.
- Page 41, 16.10.070 Access, Item 3 – No subdivision shall be approved if the traffic generated by the proposed project will exceed the capacity of the road systems which provide access from the nearest County major collector or State highway, unless mitigation is required...: Melton noted that this paragraph conflicted with other Road and Circulation Policy. *Staff flagged this item to review.*

McCamman provided an editorial change to page 42, C – Parcel or Final Map Preparation. Item 1 – A parcel map for a subdivision of four or fewer parcels shall be prepared, filed, processed and recorded in compliance with the standards in compliance with this Article, unless a parcel map has been waived in compliance with this Article. *McCamman noted that “In compliance with this Article” was a duplicate.*

Public comment received by Ken Melton (resident):

- Page 42, Item 4 (at the top of the page) – New roads within a subdivision shall be constructed to all applicable local and State fire safe standards: Melton noted that the fire safe standards should be removed as the California Department of Forestry and Fire Protection (CDF) standards are not State law and does not have jurisdiction over subdivisions.

The Commission directed staff to revise Item 4 to be more specific regarding the fire standards.

- Page 42, Item 5 (at the top of the page) – All new non-County maintained roads within a subdivision shall have a provision for maintenance which has been accepted and approved by the County (e.g. a road maintenance association or a zone of benefit): Melton noted that this item should be removed.
- Page 42, Item B Expiration of an Approved Map, Item 1- Expiration of an approved tentative map or vesting tentative map shall terminate all proceedings: Melton noted that it states expiration shall terminate all proceedings and asked about an extension, as the extension was mentioned on page 43.

The Commission directed staff to review and make the statement clearer as the extension was mentioned on page 43.

McCamman asked for Melton to provide Engfer with his editorial changes.

The Commission moved on to Chapter 16.12 – Parcel Maps and Final Maps.

Public comment received by Ken Melton (resident), Page 55, 16.12.080 Percolation Tests, A-Percolation test and soil analysis will be required on all proposed parcels of six acres or less, and on all parcels where the County Environmental Health Unit determines that soil tests are necessary to form a valid opinion and prepare a recommendation: Melton noted that “and/or” should be include where it states “Percolation test and/or soil analysis will be required on all proposed parcels of six acres or less”.

The Commission agreed with Melton to include “and/or” in the sentence.

Gray asked for clarification regarding prepayment of property tax on a parcel that is current on their tax payment after completing a subdivision on page 63, 16.12.110 Payment of Taxes. The information was received by Engfer. Marks noted that it’s a requirement from the Subdivision Map Act.

The Commission directed Staff to confirm if this requirement is from the Subdivision Map Act.

The Commission moved on to Chapter 16.16 – Subdivisions Design and Improvements.

No direction was provided for this chapter by the Commission.

The Commission moved on to Chapter 16.20 – Additional Subdivision Procedures.

Public comment received by Ken Melton (resident) who expressed he has an issue with the General Plan being referred to as a regulatory document as it states in various sections of the Development Code Update that “when in compliance with the General Plan”, the General Plan becomes an ordinance.

The Commission directed Staff to make it consistent.

Public comment received by Ken Melton (resident):

- on Chapter 16.16, Page74, 16.16.040 Subdivision Improvement Requirements, Item B – Monuments: Melton suggested this statement be removed. Marks agreed that this statement needed to be consistent.

The Commission directed for Staff to make this statement consistent.

- Page 85, Item E - A Certificate of Compliance shall be required for the remainder parcel(s) on final or parcel maps: Melton noted that this sentence should be removed.

Staff will review Item E for consistency as a Certificate of Compliance is required for a remainder.

- Page 85, Item D – Review and Action, Item 4a – In compliance with this Subparagraph: Melton noted that the “current owner” in the statement should be removed.

Staff agreed with Melton and will strike “current owner” from the statement as it is not correct.

Melton provided editorial notes to Engfer.

- Page 98, 16.20.180 Surfacing of Street: Marks noted that Staff has this item flagged for revision.

The Commission moved on to Chapter 16.24 – Fees.

No direction was provided for this chapter by the Commission.

The Commission moved on to Chapter 16.28 – Planned Development.

A brief discussion occurred between the Commission and Staff pertaining to the intent McCamman wanted to use this section regarding development. No direction was provided for this chapter by the Commission.

The Commission moved on to Chapter 16.32 – Enforcement and Penalties.

Engfer briefly explained that this section is for Title 1 and noted that the Board of Supervisors will set the appeals fee which will be a part of the cover letter to the Board of Supervisors.

A brief discussion occurred regarding Gray's suggestion in having some mechanism set in place to refund the applicant if they win the appeal as this would hold the County accountable in the instant that a future Planning Director denies applications and the applicant had to file an appeal. Engfer reassured that the risks are low as the code protected both parties consisting of the applicant's rights, what the procedures are and what the authorities are for the decision makers.

F. Commissioner Reports

Future Planning Commission Meeting dates:

June 6 - Joint AAC Meeting

June 27 – Joint CCAC Meeting (Code Enforcement and workforce housing provisions)

July's potential meeting dates:

- July 11 and July 25
- Possibly July 18 meeting instead of July 11

August 8 and August 22 (Baggett Excused August 22nd)

September 5 and September 19 (McCamman and Baggett Excused September 19th)

Baggett suggested meeting on September 26th instead of September 19th (Cancel September 19, 2025 meeting)

G. Information Items

Information was received by the Planning Director, Steve Engfer.

H. Future Agenda Items

None.

I. Adjournment

There being no further business the meeting was adjourned at 11.57 A.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](#)