



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 MINUTES

OCTOBER 24, 2025 (Approved 11/7/25)

A. Call to Order and Roll Call

Chair Baggett called the meeting to order at 9:01 A.M. and called for roll call. Baggett noted that Commissioner McCamman maybe joining the meeting remotely.

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	Excused	9:00 AM

B. Pledge of Allegiance

Commissioner Smith led the pledge.

C. Action Item

1. Planning

Approve the Request from Commissioner John McCamman to Participate in Today's Meeting Via Teleconference under Government Code Section 54953 (f) and (j)(1)

By motion of Commissioner Herman, seconded by Commissioner Gray, the planning Commission approved the request from Commissioner John McCamman to participate in today's meeting via teleconference under Government Code Section 54953 (f) and (j)(1). Motion passed.

There was no public comment received.

RESULTS: Approved

Ayes: Commissioner Baggett, Commissioner Gray, Commissioner Herman, Commissioner Smith

Noes: None

Abstained: None

Excused: Commissioner McCamman

D. 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.

A public comment was received from Mariposa County Building Inspector and Plan Examiner, Justin Meisner, who provided an update regarding Title 25, noting that all feedback received from the survey issued by the Building Department has been positive. Additionally, Meisner clarified inaccuracies found in a recent Gazette article concerning Title 25 being a new code. Meisner then noted that the goal is to present the ordinance to the Board of Supervisors in December 2025. Lastly, he shared that staff plans on meeting with the community and contractors to provide public education on how building affordable housing can be done in Mariposa County.

E. Approval of Minutes

1. Planning

Planning Commission - Regular Meeting - October 10, 2025

By motion of Commissioner Smith, seconded by Commissioner Herman, the Planning Commission approved the minutes of October 10, 2025, as presented. Motion passed.

RESULTS: APPROVED

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

NOES: None

ABSTAIN: Baggett

EXCUSED: Commissioner McCamman

F. Discussion and Action

1. Planning

Resolution approving that the Non-Industrial Timber Management Plan (NTMP) currently in effect complies with the requirements of the County Code, Timber Exclusive Zone (TEZ) Application PLAN-DIS-2025-00011; Susan J. Lewis, Karen L. Simmons, Julie A. Fouch and Mark D. Scott, Successor Co-Trustees of the Walter Scott Family Trust dated May 15, 1975, Applicants; 6800 Jerseydale Road, Mariposa Assessor Parcel Numbers (APNs) 009-190-011, 009-190-012 and 009-190-013 (subject property).

Sarah Williams presented the project with a PowerPoint presentation.

There was no public comment received.

By motion of Commissioner Herman , seconded by Commissioner Smith , the Planning Commission approved a resolution approving that the Non-Industrial Timber Management Plan (NTMP) currently in effect complies with the requirements of the County Code, Timber Exclusive Zone (TEZ) Application PLAN-DIS-2025-00011; Susan J. Lewis, Karen L. Simmons, Julie A. Fouch and Mark D. Scott, Successor Co-Trustees of the Walter Scott Family Trust dated May 15, 1975, Applicants; 6800 Jerseydale Road, Mariposa Assessor Parcel Numbers

(APNs) 009-190-011, 009-190-012 and 009-190-013 (subject property).

RESULTS: APPROVED

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

NOES: None

ABSTAIN: None

EXCUSED: Commissioner McCamman

2. Planning

Discussion and Action on the Draft Development Code Update, Articles 1, 2, 3, 4 and 9 Zoning Ordinance

The Planning Director introduced Senior Planner Ben Goger who provided the substantive changes incorporated into the 5th preliminary drafts as directed by the Commission. He then asked the Commissions if they have any other changes to the Articles or if not, Staff was looking for approval to move forward with the Draft Articles.

Page 172, Chapter 17.18, M-Landscaping #3, Herman asked for clarification regarding the second sentence that states “Utilization of plants which are susceptible to insects and disease shall be prohibited” and asked for staff to advise on which plants fit under this requirement. Goger concurred and noted that Staff will remove this sentence.

Page 251, Chapter 17.52 – Adult-Oriented Businesses/Entertainment Uses, E-Location Standards, #1, Herman read the sentence and noted that he doesn’t understand the text for “outside the County” and asked for clarification. Staff noted that this section pertained to adult entertainment, and this language came directly from State law which prohibited it, but Staff can double check.

The Commission moved to Article 1-Enactment and Applicability. The Commission did not provide Staff with any changes to Article 1.

There was no public comment received.

The Commission moved to Article 9 - Definitions.

Goger noted that ADU’s structures were included in the definitions pertaining to Title 25, which needed to be aligned with Building Code and an amendment to the definitions will need to be made to include Title 25 for Accessory Structures (LDRD), which is prohibited from being used as a short-term rental.

Public comment was received by resident, Ken Melton who provided the following recommendations:

- Page 326, Helipads, Private: Melton noted that “Private Property” was not included after “Landing and takeoff areas” and noted that the government does not allow for commercial operations on private property to use helicopters. Baggett directed Staff to make this consistent with State and Federal law.
- Page 327, Horizontal Surfaces: Melton noted that this definition should be removed. Staff noted that this definition should be in the Development Code. Williams suggested that the Commission direct Staff to move it to a different section, such as Airport Overlay Zone. The consensus from the Commission was to move “Horizontal Surface” definition to the Airport Overlay Zone.
- Page 328, Landform Grading: Melton noted that this definition should be included in the Scenic Highway section. Williams recommended removing “ while retaining the aesthetic and ecological

integrity of the native landscape” from the sentence. Baggett directed Staff to leave Landform Grading in definitions and amend as Williams recommended.

- Page 332, Obstruction: Melton suggested changing the definition as it was not clear. Herman disagreed and stated that the definition should not be changed. The consensus from the Commission to keep the definition as is.
- Page 333, Parcel, Flag: Melton recommended that the text “Maintained form privately maintained easement” should be removed. Staff will remove as recommended.
- Page 336, Figure 8-6 Through parcel: Melton noted that setbacks side should be based on the property. Baggett agreed and asked Staff if there was a way to identify the parcel front and recommended defining this as a director approved variance without going to the Planning Commission. Engfer noted that this could be a Planning Director Determination. Baggett recommended including a note advising the public that there is a procedure process. Staff will develop language to include in the definition as Baggett recommended.
- Page 339, Public Road: Melton recommended using the State’s definition of a public road. Goger noted that Staff will review this with the County Public Works Land Surveyor.
- Page 341, Scenic Highway Corridor, or Corridor: Melton highlighted that “Corridor” was a duplicate. Staff will amend.
- Page 342, Setback, Front: Melton stated he had the impression that the Commission decided to remove the setback from easement as it’s for a particular use normally associated with a road that he previously provided a recommendation for. Also, Melton noted that the second sentence was not clear. Goger provided clarification regarding the changes that was requested and those were to remove access agreement or access easement and the consideration to include parcel boundaries for easements and roads. After discussion, Baggett directed staff to rewrite the definition into multiple paragraphs and align the text with the diagram shown on page 343.
- Page 342, Scenic Quality: Melton recommended that the last sentence that states “Human developments can enhance or detract from scenic quality.” Baggett concurred with Melton and directed staff to remove the last sentence.
- Page 343, Sign Illegal: Melton recommended replacing the text “complies” with “meet” as if the sign complies than it is not an illegal sign. Baggett concurred and directed staff to replace the text “complies” with “meet” or a different word.
- Page 346, Sufficient Water Supply: Melton recommended that this paragraph should be removed. Baggett explained that it was from State law. Goger noted that the last sentence regarding water quality is not from State law and was included to ensure the quality standards meet human consumption.
- Page 349, Viewshed: Melton did not agree with the language used, specifically the 165-degree range of vision and recommended that Staff change the General Plan. After discussion, Baggett directed for Staff to move Viewshed to the Scenic Highway section and use the State’s definition.
- Page 349, Wetland: Melton noted that the definition should state what it means. Baggett directed Staff to use the State Waterboard’s definition for Wetland.

Williams recommended adding in parentheses the term “Onsite” after Workforce Housing on page 351.

Baggett called for recess at 10:26 A.M. and the meeting reconvened at 10:38 A.M.

The commission moved to Article 4 – Regulations for Specific Land Uses.

Page 273, Chapter 17.52.10 – Mining and small-Scale Mining, B-Small-Scale Mining Operations, #1: Gray asked for clarification regarding a change previously directed by the Commission for small-scale mining related to the Conditional Use Permit and asked if this change was made as it was not clear in this section. Williams provided clarification noting that the County has no authority over State or Federal land, and that there is an MOU (Memoranda of Understanding) with the BLM (Bureau of Land Management) and recommended replacing “all” with “any” to state “Small scale-mining shall obtain any County, State and Federal agency permits required, based on the characteristics of the project, before commencement of work on-site. Baggett and Gray concurred with Williams’s recommendation.

Resident Ken Melton provided the following comments to Article 4:

- Page 280, #1: Melton noted that “legal parcel” should be added after “shall be a” and strike out the rest of the sentence, to state “The parcel where the temporary unit is proposed shall be a legal source” as #1 covers the other items. Baggett concurred with Melton.
- Page 280, #3, b: Melton recommended that “well or public system” should be replaced with “approved water source” to state “Potable water must be from an approved water source.” Baggett concurred with Melton.
- Page 280, D-Permitted Temporary Occupancy Scenarios, 1-During construction or major remodeling of a single-family dwelling, b-Temporary occupancy is limited to (3) three years or until the permit expires: Melton noted that #1b should read as follows: Temporary occupancy should be valid until the permit expires. Baggett concurred with Melton.

The Commission moved to Article 3-Regulations Applicable to All Zones.

Resident Ken Melton provided the following comments to Article 3:

- Page 187, 17.30.030-Minimum Parcel Size Standards, Item C-Modification Proposals: Melton provided proposed language that is also for section of 17.30.040. Williams noted that she can check with County Counsel for the language. Goger stated “Any one or more parcels are improved, and affective parcels are not harmed.” Baggett concurred with the language stated by Goger.
- Page 187, 17.30.040-Setback Measurement and Exceptions, B-Purpose: Melton asked for clarification for space around structures for visibility. Baggett provided clarification and no changes were made.
- Page 191, F-Uses Prohibited in Setback Areas, 1: Melton noted that this was only for setbacks from a road and provided language for item. After discussion, Baggett did not agree. No changes were made to this section.
- Page 195, 17.32.030-Development Standards, Item A-Accessory Structures in Agricultural and Resource Zones: Melton shared his opinion and questioned the language in this section. Williams provided clarification. No changes were made to this section.
- Page 196, Accessory Structures in Residential General Plan Land Use Designations, 2: Melton recommended that this item should be removed. After discussion, no changes were made.
- Page 196, Commercial Accessory Structures: Melton noted that the county is infringing on property owners. No changes were made to this section.
- Page 197, 17.34.03-Fence and Wall Standards, Item C – Prohibited Fence and Wall Materials: Melton noted that shade cloth should not be used. After discussion, Herman recommended that this section should be removed.
- Page 199, 17.36.030-Landscaping Standards, Melton provided language to state “The design, installation, and maintenance of all required landscaped areas” in the sentence. Baggett concurred.
- Page 201, 17.38.020-Permit Requirements, B-Modification of Existing Park Facilities: Melton questioned the language in this section. After discussion, no changes were made.

Melton moved on to page 211 – Sign Standards and Baggett noted that the Planning Commission deferred this section to the Board of Supervisors. Engfer asked for clarification from the Commission if they are directing staff to use the current provisions not the existing code requesting for the Board to convene a group to review and make any changes to the current provisions.

- Page 225, 17.42.030-Development and Design Standards, Item D: Melton noted that the sentence that states “Solid waste/recycling storage enclosures shall be constructed to allow walk-in access” who expressed concerns about the solid waste/recycling storage enclosures. Baggett clarified that this section is for commercial and not residential. There were no changes made to this section.
- Page 243, Melton provided an editorial comment, suggesting adding “it” after “historic structures where” in the first sentence.

Williams provided a comment referencing the diagrams shown on page 188, page 189, and page 190 and recommended that the diagrams that’s in code in this section and the definition section should be the same. Baggett concurred with Williams and directed Staff to review the diagrams, generally keep the black and white diagrams and include any beneficial information from Article 9 to this section for consistency.

The Commission moved to Article 2- Zones, Allowable Uses, and Development Standards.

Resident Ken Melton provided the following comments to Article 2:

- Page 148, 17.12.040-Additional Regulations: Melton spoke about the Cal-Fire setbacks requirements on table 2-4 Residential Zones Development Standards and noted that this requirement should not be applied to all residents. The Commission directed Staff to rewrite the centerline boundaries clearer. Engfer noted that it should be 25ft from the property line and 55ft. Staff will amend as directed.
- Page 149, 2-Mountain Home Zone: Melton asked for clarification regarding the addition of ADU’s. Engfer noted that this is applied to a new subdivision, and the language will need to be amended for clarity. Baggett directed Staff to flag this item to change the General Plan as part of the Development Code. Staff will review. Also, Smith recommended to add language that states “for additional development please refer to State’s ADU’s and County Ordinance.”
- Page 156, 17.14.050-Additonal Regulations, Additional Development Standards Regulations, 1-All Zones, a- Setback form Residential Zones, #1 Vehicle Parking: Melton noted that vehicle parking should be allowed. No Changes were made to this section.

Page 149, B- Additional Allowable Use Regulations, #3 Limited Density Rural Dwellings (LDRD): Gray provided a comment noting that he didn’t care about other counties and what they do with regards to LDRD and questioned why Mariposa would need to fall in-line with this code. Baggett directed Staff to remove LDRD from the Development Code Update. Engfer recommended that Staff will review with the Building Department and will bring this item back to the Commission for further discussion.

G. Commissioner Reports

The Commission did not have anything to report.

H. Information Items

Information was received by Planning Director Steve Engfer.

I. Future Agenda Items

- Discussion with the Building Departments – LDRD
- November 21, 2025 Planning LCA Applications – Public Hearing

J. Adjournment

There being no further business the meeting was adjourned at 12:30 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](#)