

MONO COUNTY PLANNING COMMISSION

PO Box 347
Mammoth Lakes, CA 93546
760.924.1800, fax 924.1801
commdev@mono.ca.gov

PO Box 8
Bridgeport, CA 93517
760.932.5420, fax 932.5431
www.monocounty.ca.gov

MINUTES

October 10, 2013
(Adopted November 14, 2013)

COMMISSIONERS PRESENT: Chris Lizza, Mary Pipersky Dan Roberts, Rodger B. Thompson **ABSENT:** Scott Bush
STAFF PRESENT: Scott Burns, CDD director; Gerry Le Francois, principal planner; Courtney Weiche (videoconference) associate planner; Brent Calloway, associate analyst; Garrett Higerd & Walt Lehmann, public works; Tom Perry, building official; Stacey Simon, assistant county counsel; C.D. Ritter, commission secretary

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Dan Roberts called the meeting to order at 10:19 a.m. at the county courthouse in Bridgeport and led the pledge of allegiance.

2. PUBLIC COMMENT: None

3. MEETING MINUTES:

MOTION: Adopt minutes of September 9, 2013, as amended: P. 2, graph 2: **LADWP Mono County** reluctantly signed agreement on Benton Crossing landfill. (*Lizza/Thompson. Ayes: 4. Absent: Bush.*)

Later in meeting, another correction: P. 4, sentence 3: **Strong Arguments were not that strong** under CEQA... Amend original motion to include new info. (*Lizza/Thompson. Ayes: 4. Absent: Bush.*)

4. PUBLIC HEARINGS:

10:10 A.M.

A. CONDITIONAL USE PERMIT 13-003/June Lake Brewing Co. Project would remodel a 3,500-square foot storage building behind the June Lake General Store at 2740 Hwy. 158 (APN 015-113-065) at June Lake. The proposal would allow operation of on-site beer manufacturing, storage of product, limited on- and off-premise sales of product, a small on-site tasting room with restrooms, and parking. The building is located on the same parcel as the June Lake General Store. The land use designation is commercial (C). A CEQA exemption is proposed. *Staff: Heather deBethizy, associate planner, & Gerry Le Francois, principal planner*

Gerry Le Francois outlined the proposed brewery and showed images of the site. No changes to existing uses are indicated. Project received significant number of support letters and concerns of an adjacent owner. Parking requirement was increased to 10. No ABC liquor license until BOS approves use permit. Assumption is that it will be a popular venue with outdoor music, so Condition #6 is about noise and special event permit process.

Why parking change? *Originally calculated to commercial, but doubled with restaurant/tasting 100 sf.*

How many more chairs? *People standing at tasting room, so nine bar stools should suffice. Affects mixed use and single-family residences nearby, so maybe add commission review in a year.*

If add more bar stools, may need more parking. Stacey Simon suggested clarifying to "at least 10." Add seats without more parking spaces? *Proposal is more relaxed standard.*

Commissioner Roberts noted more parking exists there now than elsewhere at June Lake.

Le Francois noted bars/restaurants have one space for three seats (gets rid of square-footage overlay). Simon stated Condition 3 would be subject to different standard if later approved.

Parking lot and warehouse on same parcel? *Yes, merged.*

Change Condition #3? *Yes, 10 instead of seven.* Simon added, "Or in compliance with Mono's parking regulations as may be amended."

DISTRICT #1
COMMISSIONER
Mary Pipersky

DISTRICT #2
COMMISSIONER
Rodger B. Thompson

DISTRICT #3
COMMISSIONER
Daniel Roberts

DISTRICT #4
COMMISSIONER
Scott Bush

DISTRICT #5
COMMISSIONER
Chris Lizza

Le Francois noted 6 for tasting room x 3 = 18 places to sit, taking into account employees.

Gravel parking area signed? *Double Eagle maintains its gravel parking lot. Paving is extremely expensive, especially at startup. Could use railroad ties.*

Special Event permit process? Scott Burns noted new ordinance was adopted several months ago. No new permits beyond staff review. Tiers of review. Special Events coordinator. Used to require use permits, but needed special considerations. If deviations are requested, go to BOS.

Timing? *Several months typically.*

Smaller musical events without permit? *Music within structure OK; if outdoors, need permit.*

OPEN PUBLIC COMMENT: Jil Stark, June Lake resident for 36 years, cited brewing as one of fastest-growing industries. The Citizens Advisory Committee had no negative comments. June Lake really needs business, as it's completely tourist-based. A smart business couple opening an exciting business is really needed. Costs are astronomical, but they're willing to do this. She noted huge parking areas nearby.

Doug Greiner, resident, spoke of the character of June Lake and his family's extensive history there since 1945. He viewed items on Internet from Walsh, who was making great moves, financed, knowledgeable, energetic, doing things for the community. Bring those ideas and energy into June Lake.

Applicant Justin Walsh thanked commenters. He had pondered how to make a living at June Lake, which has been losing people and viable employment opportunities. Bring in business not reliant on June Mountain, with jobs, revenue, tax base, outside interest in craft beer where people drive to an area, stay at motels, dine at restaurants. California has 22,000 jobs based in craft breweries. Bring life into a town not beholden to large corporate entity. Loves craft beer product. No food on site. **CLOSE PUBLIC COMMENT.**

DISCUSSION: Le Francois explained the project shall include 10 parking spaces minimum "or such lesser number as may be authorized by amended parking regulations adopted by Mono in future" if Mono adopts reduced standards in future.

Commissioner Thompson suggested another venue, move product out to other areas like Chalfant. Fire issues would be covered under building permit. Le Francois noted Mono has contract firms that examine plans.

Time frame? *Three to six months. Brewery equipment is in high demand. Open next June. Recent brew festival attracted 600 people.*

Commissioner comments: 1) Take nothing and make something of it; and 2) Great location, found good place for it.

MOTION: Find that the project qualifies as a Categorical Exemption under CEQA guideline 15303 and instruct staff to file a Notice of Exemption; make the required findings as contained in the project staff report; and approve Use Permit 13-003 subject to Conditions of Approval as amended to reflect clerical corrections, 10 parking spaces "or in compliance with Mono's parking regulations as may be amended." (*Lizza/Pipersky. Ayes: 4. Absent: Bush.*)

B. TENTATIVE PARCEL MAP 13-001/Hildenbrand. Project proposes to divide a 6.1-acre parcel (APN 026-220-009) into four parcels ranging in size from one to two acres. The property is located at 248 Valley Rd., in Chalfant Valley. The land use designation is Rural Mobile Home (RMH). Current uses on the property include a home, garage and accessory uses. Individual wells and septic systems are proposed. A private roadway, Owens Ranch Road, is proposed for access. A CEQA section 15183 is proposed. *Staff: Gerry Le Francois, principal planner*

Gerry Le Francois indicated a large vacant parcel to the north, Rural Mobile Home (RMH) to south. CEQA allows streamlined environmental process. Parcel was designated RMH, but flood study occurred after General Plan EIR. Uniform standards apply to all projects in special flood hazard areas through building permit process. Policies for parcel maps apply. CEQA 15183 says analyze only new things.

Correction: 6.1-acre parcel, not 16.5 (p. 26). No remainder.

Could civil matter occur with future development to north? Commissioner Thompson saw two roads next to each other as devastating. Surface of road? *Sand/gravel.* Thompson cited dust mitigation measure.

Le Francois preferred that private roads be accepted into County system. A funding entity or Zone of Benefit could pay for such roads. Paved roads are required for more than five parcels, but only four parcels here. Other private roads exist in Chalfant, such as Hunter Road, which is paved, then dirt, then private.

Nexus between proponents and Mono apart from this proposal? *Stacey Simon indicated no one in Mono has any financial interest.*

Le Francois sent notices to nearly 40 owners within 300'. Statutory requirement is 10 days prior to public hearing, but notice was sent 12-14 days.

Divide two-acre parcel? *Simon indicated successive subdivision and piecemeal is possible under Map Act, but lots of litigation ensues.*

Walt Lehmann mentioned map conditions, noting it's difficult to change a map. If it's listed as a separate instrument, Mono can do it. Forewarn future buyers of mitigation issues. Intent of supplemental sheet is notification of earthquake faults, flood zones, etc. Title company lists instruments affecting parcel.

Garrett Higerd noted recording concurrently keeps items together when title search occurs. Developer needs infrastructure up front. In height of housing boom, people with small parcel maps argued against bonding, wanting to sell one parcel to finance improvements. Planning Commission allowed that for three or four parcel maps, and it was disastrous. Parcels on blacklist had no surety of improvements. This map does not follow that model. Requiring engineered plans, cost estimate, and bonds in order to finalize map provides surety of improvements.

Condition #35: FEMA flood maps affect Chalfant area. Flood waters crossed Highway 6 earlier. Chalfant is in special flood hazard area since December 2012. Make buyers aware of this. Owners can develop, but some guidelines exist. If structures are removed from floodplain, owner does not have to pay flood insurance. Hildenbrand knows what needs to be done. FHA does not loan to properties in floodplain.

Lehmann noted Digital 395 now factors into Condition #25. How deal with it in subdivision? Overhead power lines on Valley Road were less expensive.

Scott Burns mentioned infrastructure prior to development. Conduit in road projects could allow underground utilities later. Will be clarified in General Plan update not yet adopted. Commission spent time years ago on overhead vs. underground, specifying underground.

Le Francois noted LDTAC discussed utilities.

OPEN PUBLIC COMMENT: Susan Booth, applicant and 29-yr resident, described plan to build four homes, middle two first, above floodplain. Profit margin is not great compared to up-front costs. Her passion is to build nice homes with landscaping to increase property values and encourage others to do likewise. She opposed conduit for Digital 395, which costs \$20,000 to \$40,000 and doesn't benefit her in any way. Triad/Holmes said to ask about electrical above-ground to property. Paved road would be \$120,000, so she is weighing maintenance of gravel road. Maybe homeowners association, or percentage of frontage for road maintenance. Wells and septic on all, place homes thinking about neighbors.

Existing utility easement on south edge of property overhead? *Yes, on Valley Road.*

Road name? *Named after stepson.* Add circle or lane so people know road doesn't go through.

Stacey Simon noted anything inconsistent with General Plan can't be approved. Discussion on Digital 395 is ongoing. Burns noted intent to clarify utilities in General Plan update. Inadequate capacity on existing poles.

Burns noted vesting tentative parcel map would lock in requirements.

Commissioner Thompson noted that the proposal meets what community has been looking for – one-acre parcels in rural atmosphere. If adjacent parcel sells, avoid two adjacent roads.

Landscaping requirements don't address dust. *Booth described sprinkler system for full acre, lawn, shrubs around home, lawn in backyard, shrubs, and trees. Watering truck during construction. Build road so it could widen later if property to north sells.*

Commissioner Lizza described landscaping here as dust mitigation. Le Francois noted Conditions #8-10 deal with erosion during construction, not after. **CLOSE PUBLIC COMMENT.**

MOTION: Adopt the CEQA document; adopt the findings as contained in project staff report; and approve Tentative Parcel Map 13-001 subject to Conditions of approval and Mitigation Monitoring Program as contained in project staff report as amended. *(Thompson/Pipersky. Ayes: 4. Absent: Bush.)*

- Condition #20: recorded by the County by notation on a supplemental sheet of the ***on the parcel map, but recorded as separate instrument;***

- Condition #25: All utilities... shall be ~~extended underground~~ **in compliance with General Plan**; and
- Condition #27: access from ~~Mountain-view Avenue~~ **Valley Road.**

C. GENERAL PLAN AMENDMENT 13-02/CH. 06 PARKING: CENTRAL BUSINESS DISTRICT PARKING REGULATIONS & MINOR COUNTYWIDE PARKING REGULATIONS UPDATE. Brent Calloway stated discussion started in January. Major changes occurred after returning to RPACs: Bridgeport strongly supported it. June Lake wanted to expand area beyond commercial to mixed use and commercial lodging (whole village). Anything that allows commercial activity is part of central business parking district. Mono Basin: Skeptical, but approved recommendations. Communities are already compact and walkable, with transient rentals (motels, campgrounds), street parking, and historic development pattern. Change of use provision: "regardless of existing parking supply."

Parking management plan: Off-site: Expand up to quarter mile, pretty much community + periphery to allow more flexibility. Stall dimension: Combination of sizes accommodates different vehicles. Tandem: Blocking exit, so employees OK. Shared: Joint-use off site. Different demands allow shared parking. Substitution: Bike parking, showers, etc. Reduce parking by one space.

DISCUSSION: Talking points: 1) Food carts by nature are portable; 2) food cart in Mono right of way? 3) No existing definition of food cart.

Scott Burns noted food carts and outdoor sales were never really nailed down. Carts are treated like restaurants now.

Joint use on same site, such as Vons parking lot? *Percent capacity at certain times.* Stacey Simon noted parking is not needed all the time, but at any given time for each.

Burns noted past regulations were for worst-case scenarios. Now, decide on sufficient parking.

MOTION: Adopt Resolution R13-04, accepting Addendum 13-01 to the Mono County General Plan EIR, and recommending adoption of General Plan Amendment 13-002 by the Mono County Board of Supervisors with changes made to the driveway paving requirements table clarifying that semi-pervious surfaces may be allowed and further clarifying the off-site joint-use provisions. (*Thompson/Lizza. Ayes: 4. Absent: Bush.*)

5. WORKSHOP: No items.

6. REPORTS:

A. DIRECTOR: 1) Transient Rental Overlay Districts: approved by BOS; 2) Geothermal lawsuit: Stacey Simon indicated opposition briefs were filed by Mono and Ormat, CEQA has gray areas, so never know, hearing before Judge Eller will be held in late November; 3) CD-IV: located on BLM/USFS lands, with air control district as lead agency, immediately appealed by same two groups; 4) Staff: Megan Mahaffey is assigned to accounting; 5) Frogs/Toads: Comments by Nov. 18, attended Inyo meeting, suggesting habitat reduction in recreation areas; and 6) Sage grouse: nothing happened due to federal government shutdown.

B. COMMISSIONERS: Roberts: Heading to California County Planning Commissioners Association conference in San Jose after this meeting. He serves as vice-president of the CCPCA.

7. INFORMATIONAL: No items.

8. ADJOURN at 1:19 p.m. to November 14, 2013

Prepared by C.D. Ritter, commission secretary