

MONO COUNTY PLANNING COMMISSION

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MINUTES

November 14, 2013
(Adopted January 9, 2014)

COMMISSIONERS PRESENT: Scott Bush, Chris Lizza, Mary Pipersky, Dan Roberts, Rodger B. Thompson

STAFF PRESENT: Scott Burns, CDD director; Gerry Le Francois, principal planner (via videoconference); Courtney Weiche, associate planner; Nick Criss, compliance officer; John-Carl Vallejo, deputy county counsel; C.D. Ritter, commission secretary

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

2. PUBLIC COMMENT: None.

3. MEETING MINUTES:

MOTION: Adopt minutes of October 10, 2013, as submitted (*Pipersky/Lizza. Ayes: 4. Abstain due to absence: Bush.*)

4. PUBLIC HEARING:

A. USE PERMIT MODIFICATION 13-001/June Lake Cross Country Ski Trails. The proposal is to modify Use Permit 12-005/Black (June Lake Cross Country Ski Trails), extending the use permit operations previously allowed only for the 2012 season to a continuous seasonal use. UPM 13-001(UP 12-005) allows public access on APNs 015-010-006, 015-010-004, & 016-094-009 for non-commercial cross country skiing associated with adjacent U.S. Forest Service land. The 40+ acre project consisting of three parcels has a land use designation of Natural Habitat Protection (NHP) and Estate Residential that conditionally allow for such recreational uses. In accordance with the California Environmental Quality Act, an addendum to the June Lake Environmental Impact Report (EIR) was approved for UP 12-005. *Staff: Heather deBethizy, associate planner, & Nick Criss, compliance officer*

Nick Criss noted commission voted to allow one-year trial pending compliance review. Applicants now request permanent seasonal use. Parking is accessed via private property, no vehicle access via Nevada Street. During trial season of 2012, got two complaints re access via Nevada Street. Investigated, observed several sets of tracks, but no vehicles parked along street, so tracks could have been made by residents. Conducted a dozen inspections. Parking for 15 cars is screened from view of homes by thick hedge of willows. Layer of snow on parking area protects vegetation. Signage is strategically placed, snow stakes installed. Compliance Division will continue observation.

Findings dates correct? *No, approved as seasonal use now.* Change dates? *Yes.*

What if land is sold? *Use permit goes with property.* Would one parcel owner have power to stop use permit? *Would need use permit modification.* Scott Burns thought it would be odd to take ownership knowing about cross country skiing and then oppose it.

OPEN PUBLIC COMMENT: None. **CLOSE PUBLIC COMMENT.**

DISCUSSION: None.

MOTION: Approve Use Permit Modification 13-001 as proposed, subject to the Conditions of Approval. (*Bush/Pipersky. Ayes: 5-0.*)

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

B. GENERAL PLAN AMENDMENT 13-004 to amend the General Plan Land Use Designation Map to establish a Transient Rental Overlay District (TROD) to allow for nightly rentals at four adjoining parcels, APNs 015-140-035, -034, -033, & -032, along Boulder Drive in the community of June Lake. In accordance with the California Environmental Quality Act, an addendum to the existing General Plan EIR is being utilized. The Planning Commission may recommend that the Board of Supervisors approve the proposed General Plan Amendment. *Staff: Courtney Weiche, associate planner*

Courtney Weiche noted a third TROD application. Notice was sent to adjacent property owners, no formal comments, but some emails on what it means, regulations, etc. Sent Ch. 25 & Ch. 26, and people were more comfortable with it. Don Morton, property owners representative, was present to answer questions, but there were none.

OPEN PUBLIC COMMENT: Don Morton stated the proposed rentals are in keeping with intent of overlay: off road, plenty of parking, snow storage, nice family place. Only one of four owners to move immediately is Millington/Morris. Others participated.

New homes? *Some were former USFS structures in land trade. Morton noted very little to bring up to code for Millington/Morris. Older house with quiet occupant. Really old house was rebuilt, remodeled, filmed in Honda commercial.* **CLOSE PUBLIC COMMENT.**

MOTION: Approve Resolution R13-07, accepting Addendum 13-04 to the Mono County General Plan EIR and recommending approval of General Plan Amendment 13-004. (Lizza/Thompson. Ayes: 5-0.)

5. WORKSHOPS: No items.

6. REPORTS:

A. DIRECTOR: 1) Courtney Weiche: Presented Transient Rental Overlay Districts at BOS and attended USFWS workshop on sage grouse in Smith Valley. Distributed map showing front-country lakes with potential ramifications for business owners on Yosemite toad; 82% of privately owned property lies within critical habitat area for sage grouse. Review for frog/toad closes Nov. 18; BOS submitted comments, requesting 90-day extension on sage grouse. Former comments were based on local agencies in Bi-State planning effort to preserve sage grouse. Commendable effort of voluntarily taking positions. Potential exemptions for agricultural and LADWP lands. Two workshops already: public meeting in Bishop same day as BOS considered sage grouse, next day in Smith Valley. At Bishop, USFWS agreed to BOS workshop Dec. 3 at Bridgeport, 2-4 p.m. to discuss potential ramifications. Procedure: Propose listing, economic analysis, final decision, and recovery plan. Listing could impact projects at commission. Sweetwaters clear-cut pinyon for sage grouse, including 100-year-old pines. Bodie and Long Valley populations are healthy, a couple marginal are not capable of getting back to sustainable levels. Hopeful listing could be avoided. Taken along with toads/frogs, there's a cumulative impact. Map shows Mono is getting hit the most. No governor position. Maybe Mono's a sacrificial population, distinct from the rest in the West. Airport Road bike lane is in sage grouse habitat. Maybe not easy CEQA exemptions. USFWS says no impact unless need federal permit, but maybe it's not that simplistic. 2) Nick Criss: Working as SMARA coordinator. Successful at State level. Learned of wholesale change at State due to way Mono was treated. New reporting requirements involve more in-depth annual reports. 3) CAC: Big turnout for Rusty Gregory last week, who outlined June will reopen, proposed plan. Burns saw it as one of most positive meetings, lots of behind-the-scenes work produced good outcome. Kids under 12 ski free; relaxed facial hair policy company-wide. 4) AT&T: Service level in Tri-Valley led to local supervisor working with installing cell tower close to or on fire house property. 5) Parking regulations: BOS approved parking regulations commission recommended, with minor change on chart. 6) Fees: BOS discussed waiving/reducing fees on green (energy efficient) projects. No action, but dovetails with Resource Efficiency Plan in General Plan update. 7) Dog sleds: Operation has continuing issue. BOS expressed concerns with onerous Use Permit. 8) LTC: Updating Regional Transportation Plan as Circulation Element. 9) Mono Basin: Finalized Mono Basin policies last night. Need to update financial element for funding projects. 10) Housing Element: Met with HCD in workshop on update, due by June. Hopeful to have draft to HCD in next several months. Brent Calloway has been working on that.

B. COMMISSIONERS: Roberts: The California County Planning Commissioners Association (CCPCA) annual conference theme was water, held at San Jose State campus. Traditional approaches to water supply have been used up, different approaches are needed. Stanford has its own city, described water reclamation, wells that could sustain, recycling efforts, landscaping. Saw new 49ers stadium under construction and toured recycling plant that produces purple pipe water. It's OK to drink despite psychological barriers. First landscaping, agricultural use, recharge aquifer. Groundwater pumping dropped land by 20'.

Currently, Roberts serves as vice-president. Hierarchy is district representative / district director / vice-president / president elect. Next conference will be held in Merced, and then Mono County. Topic ideas are welcome. Attendees (80 this year) are mostly from rural, sparsely populated areas of central part of state. Tough to get Southern California commissioners, and Northern California is remote (Burns noted the CCPCA capped environmental planner conference at 70). Roberts explained that Southern California is more connected with Eastern Sierra than Central Valley. Metro areas of Sacramento, San Francisco and Los Angeles rarely show up. Most conferences are held in central area.

7. INFORMATIONAL: No items.

8. ADJOURN at 11:13 a.m. to December 12, 2013. Roberts not attend.

Prepared by C.D. Ritter, commission secretary