

# MONO COUNTY PLANNING COMMISSION

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## SPECIAL MEETING MINUTES

DECEMBER 10, 2015  
(Adopted March 10, 2016)

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**COMMISSIONERS:** Scott Bush, Chris I. Lizza, Carol Ann Mitchell, Mary Pipersky, Dan Roberts

**STAFF:** Scott Burns, director; Gerry Le Francois, principal planner; Courtney Weiche, associate planner; Stacey Simon, assistant county counsel; Wendy Sugimura, analyst; Jake Suppa, CDD intern; Garrett Higerd, public works; CD Ritter, commission secretary

**GUESTS:** Supervisor Fred Stump; John Connelly; Rick LaBorde & John Connolly, CSA1; Mike Bodine, The Sheet; Ron Day, Norm Tenedora & Marc Overton, Crowley Lake residents

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**1. CALL TO ORDER & PLEDGE OF ALLEGIANCE:** Vice-chair Chris Lizza called the meeting to order at 10:05 a.m. at the Town/County Conference Room, Minaret Village Mall in Mammoth Lakes, and attendees recited the pledge of allegiance.

**2. PUBLIC COMMENT:** Commissioner Fred Stump introduced and welcomed new commissioner, Carol Ann Mitchell, who has a long history of community involvement and sees all local issues.

**3. MEETING MINUTES:**

**MOTION:** Adopt minutes of Nov. 12, 2015, as amended. Motion #1: ~~and nobody would win.~~  
Lizza: Applicant would not have to fund an appeal. (*Bush/Roberts. Ayes: 4. Abstain due to absence: Mitchell.*)

**4. PUBLIC HEARING**

**A. CONDITIONAL USE PERMIT 15-004/Crowley Lake Skate Park.** The proposed project is to allow construction of an up to 10,000-square foot skate park on the east side of the Crowley Lake Community Center parcel at the corner of South Landing Road and Pearson Road, at 58 Pearson Rd. (APN 060-210-020) in the community of Crowley Lake. The parcel is 2.1 acres, County-owned, and has a land use designation of Public Facility. In addition, CUP 15-004 will memorialize existing and proposed uses such as the community center, community garden and possible future library location. In accordance with the California Environmental Quality Act, an addendum to the adopted Negative Declaration for Use Permit 37-97-01 is being utilized. *Staff: Associate Planner Courtney Weiche*

Courtney Weiche presented CSA1 PowerPoint, memorializing existing uses on County-owned Public Facility (PF) land. Reviewed revised site plan and activities on site. ADA sidewalk to skate park, restrooms, community garden. Skate park up to 10,000 sf. Parking: 18 paved, two ADA. At April 8 meeting, Planning Commission (PC) OK'd parking. Community workshop in October. Kids drew desired features on butcher paper. CSA1 worked with RPAC, meetings open to public, notice to 1,500' owners. Negative Declaration adopted for original use permit. Wetland delineation study by Dr. Jim Paulus. CSA1 wants use permit and site plan approval before entering process. Tech components in upcoming months. Final design back to Planning Commission at noticed public hearing. Conditions: Paved parking, encroachment permit, all ADA, rules approved and posted by risk management. No sign plan yet. All costs funded by CSA. If >\$5,000, need BOS approval.

Library? Weiche described location by bus shelter, 22,000 sf, landscaping, and parking.

Image of skate park model? Not for this one.

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DISTRICT #1  
COMMISSIONER  
Mary Pipersky

DISTRICT #2  
COMMISSIONER  
Carol Ann Mitchell

DISTRICT #3  
COMMISSIONER  
Daniel Roberts

DISTRICT #4  
COMMISSIONER  
Scott Bush

DISTRICT #5  
COMMISSIONER  
Chris Lizza

Lizza asked about Item 9. Prohibit fundraising or private donations? Loosen language? Simon: If third party fundraises, tweak language. Money flows through CSA funds. Actively fundraising, but not opposed to private. BOS does not want general fund maintaining structure. Put money in CSA fund first.

Restroom facility? Weiche explained ADA requires unisex restrooms. Could specifically call out restroom/sidewalk.

Simon stated comply with ADA including but not limited to accessible restrooms, parking, etc. as required determined by public works and building division.

Burns noted Item 7 shall be approved (missing word).

Pipersky on solar power: shall consider, not should.

**OPEN PUBLIC COMMENT: Supervisor Fred Stump** verified outreach of CSA, lot of effort and resources to reach out to community. Community center solarized already. Residents approach, not understand what's going on. Lights? Why not at ballfield (owned by school district)? Scope smaller for kids below level of Volcom. Explanation appeared to satisfy.

**John Connolly**, CSA board member, recreation profession >20 years at Town. PowerPoint summed up progress. Works with kids, runs summer camps. Combined with Wave Rave for four skateboard camps, 115 kids. Skate parks good opportunity for kids. Kids at trailer park. Likes parcel, huge library supporter, community gardener, all tie in together.

**Ron Day**, CSA commissioner, RPAC. Favors, all who talk to as well. Makes community a little bit closer.

**CLOSE PUBLIC COMMENT.**

**DISCUSSION:** Stacey Simon suggested site plan as attachment to use permit. Condition #3 (site plan attached as Exhibit 1). Bush: #7: missing word "and" posted. Pipersky got negative comments, but not substantial.

**MOTION:** In accordance with CEQA, determine none of the conditions in CEQA Guidelines 15162(a) applies to the proposed Crowley Lake Skate Park, and adopt the Crowley Lake Skate Park Addendum to the 1997 Negative Declaration for the Crowley Lake Community Center and Library, and direct staff to file a Notice of Determination; make the required four findings in project staff report; and approve Use Permit 15-004 as modified, subject to Conditions of Approval. (Pipersky/Bush. Ayes: 5-0.)

B. **ONE-YEAR EXTENSION OF TENTATIVE PARCEL MAP (TPM) 31-86 / Graves.** One-year map extension for property located along US 395 and Burcham Flat Road, approximately a half-mile south of the community of Walker. The parcel is approximately 111 acres and has a land use designation of Rural Residential 10-acre minimum parcel size. The TPM would divide the property into four parcels. *Staff: Principal Planner Gerry Le Francois*

Gerry Le Francois noted applicant lives in Bay Area, wants to apply with conditions. Could apply for one more extension. Approved in 2005. Today is ministerial action. Extending life of map with no changes. If all improvements not done, map goes away. Simon recalled statewide extension of maps, four or five pieces of legislation. Garrett Higerd: Many years without any coming to Planning Commission except White Mountain Estates. Maybe State believes market is turning around. When property was first divided, Mono got pieces along river through Lot Line Adjustments. Access across federal land.

Bush knew Olive as Sally. Daughter trying to keep it alive, see what options are, no plans yet. Family visits occasionally. Paid \$495 for extension to buy time. Graves used to own all property there. Solar powered home on hillside.

Lizza asked about meeting requirements, conditions of approval? Le Francois thought maybe hired contractor. Many parcels for sale in area. Some maps expired. If can't sell, map goes away. Another extension in spring.

Lizza: Notice when expire? Le Francois mentioned six-month warning.

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

**MOTION:** Find that the project was approved in 2005, under Section 15183 of the CEQA Guidelines, and this map extension is a ministerial action and exempt from further CEQA review under CEQA Guidelines Section 15268; and approve the second one-year extension of Tentative Parcel Map 31-86/Graves to Nov.

11, 2016, subject to the prior Conditions of Approval and mitigation Monitoring Program as contained herein. If map moves forward, address inconsistencies. (*Bush/Mitchell. Ayes: 5-0.*)

Condition 33: Contradictory statement. USFS vs Applicant on responsibility for road. Conflicts with 34 and 35. Higerd: Improvements by applicant vs. purchaser. How turnkey should parcels be? Unusual parcels here, concerning to potential buyer that federal land in between dirt road and properties. If Graves moves forward, need grading. When developed, added cost for Graves to final the map.

Bush: Lawsuit? Higerd: Back to PC as couldn't make finding one way or another.

Lizza: Conditions approved in 2005? Simon noted correction of oversight. Original intent was "applicant." If relook and change to future property owners... Bush described Graves as "land rich, money poor." Lived in camper, had no money for road.

Burns indicated General Plan states developing cost should be borne by applicant.

Bush: Contact her? Burns indicated map amendment if needed. Just correction for consistency: responsibility of applicant. Simon stated not feasible as worded. Bush stated applicant would have withdrawn map. Burns noted internally consistent with conditions.

Simon: No. 35 says applicant. Kick can down road, or fix today. Future owners pay lots 1 and 4, applicant pay lots 2 and 3. Firesafe only on 2 and 3? Apply regardless.

Le Francois noted inconsistency; map amendment when apply for last one-year extension. Simon stipulated if final within one year.

--- Recess: 11:25-11:30 ---

**5. WORKSHOP:** None

**6. REPORTS:**

**A. DIRECTOR:** 1) PC appointment: BOS appointed Carol Ann Mitchell, who submitted resume. 2) General Plan Update: Adopted General Plan, certified EIR, take to LTC for RTP on Monday. PC recommendations. 3) EIR: Later. 4) TRODs: PC recommendation discussed thoroughly, commenters Mammoth Lakes and Bridgeport, Simon noted Weiche conveyed PC angle. People don't understand role of staff. BOS unanimously denied. Schedule joint BOS/PC workshop. 5) Landscape Ordinance: Water-efficient landscape ordinance based on State model; 6) Medical marijuana: To BOS, make sure if want to regulate. Ballot initiative in 2016. Not addressed in General Plan. 7) Development activity: Low, lined up other grant studies. NFWF grant ~\$500,000 on potential Walker Basin water transfers. No intent to support or oppose. Do CEQA analysis. CDBG grant to update housing study for Mono County only, revisit housing mitigation requirements, revisit ordinance. Sustainable ag grant to reexamine strategies on development credits, take to next step, transfer property to property, landowner to landowner. Ag depends on grazing allotments. Environmental considerations like sage grouse. Scenic Byway planning effort may be top priority. 8) Granicus: BOS video/audio setup for PC?

**B. COMMISSIONERS:** Commissioner Pipersky served as hearing officer on pretend-TROD by Shear Development/Fettes. Orders have been served, 20 days to file in Superior Court. Now move to collection, equally as challenging as enforcement.

**C. COUNTY COUNSEL:** County Counsel office's loss of Marshall Rudolph and John Vallejo is dramatic cut to staffing levels. Simon 3ill cut back on meeting attendance. Advertised position yesterday. Simon will be acting county counsel till she agrees to take on, or someone else is hired. Use outside counsel meanwhile.

**7. INFORMATIONAL:**

**A. RESIGNATION.** Commissioner Rodger B. Thompson has relocated to another area.

**8. ADJOURN** at 11:45 to January 14, 2016

*Prepared by CD Ritter, commission secretary*