

MONO COUNTY PLANNING COMMISSION

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SPECIAL MEETING MINUTES

April 11, 2013
(Adopted May 9, 2013)

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

STAFF PRESENT: Scott Burns, CDD director; Courtney Weiche, associate planner; Nick Criss, compliance officer; Garrett Higerd, public works; 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 10:03 a.m. at Town/County Conference Room in Minaret Village Mall, Mammoth Lakes and led the pledge of allegiance.

2. PUBLIC COMMENT: None.

3. MEETING MINUTES: Review and adopt minutes of March 14, 2013.

MOTION: Adopt minutes of March 14, as submitted. (*Bush/Pipersky. Ayes: 5-0.*)

4. PUBLIC HEARING:

A. SPECIFIC PLAN AMENDMENT & TENTATIVE TRACT MAP MODIFICATION/Rock Creek Ranch.
The Rock Creek Ranch Specific Plan (SP) and Tentative Tract Map (TTM) 37-56 approval in 2008 subdivided a 54.7-acre property into 60 lots, including deed-restricting five lots for affordable housing and deed restricting 11 lots for accessory dwelling units consistent with the Housing Mitigation Ordinance, which has since been suspended by the Mono Supervisors. The applicant recently completed a Housing Mitigation Agreement with the Board in 2012 that removes the requirement to provide five additional lots (given by the County as a density bonus to provide for affordable housing) and therefore is required to amend the TTM and SP to reflect the reduction of lots to 55. In accordance with the California Environmental Quality Act, an addendum to the existing Specific Plan EIR is being utilized. The amendment and addendum are available for public review at the Community Development offices in Bridgeport and Mammoth Lakes.
Staff: Courtney Weiche

Courtney Weiche presented a brief background by PowerPoint. The 11 deed-restricted units were no longer required after suspension of the Housing Mitigation Ordinance. Accessory units will be encouraged, but not required. Replace all references to 60 units with 55, strike 11 deed-restricted units throughout.

Stacey Simon indicated staff could adjust proposed resolution to mention revised Tentative Tract Map. Weiche would insert clean version into approved Specific Plan.

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

Enlarge 55 remaining lots? Developer Matthew Lehman indicated they were added into net area of total 55 lots. One of pool/spa lots was removed to retain view. Commissioner Lizza did not oppose concept, but wanted to see map with proper language before moving forward. Scott Burns indicated another set of hearings for final map. Lizza questioned sections 3.2.2, 3.6.2, and suggested accessory unit language be removed from Addendum.

~~Commissioner Thompson asked about eliminating lots by adding to 55.~~ **Commissioner Thompson asked that since the number of lots has been reduced, how has the corresponding change in lot acreage been incorporated into the final project? Lehman indicated the acreage was added to selected lots, and one pool/spa lot was eliminated to retain the viewshed.**

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

Simon indicated any of 55 are eligible, but not required. Scott Burns indicated State law requirement applies to subdivision, but not 11 set aside in deed-restricted format.

Simon read aloud changes to resolution.

MOTION: Approve Specific Plan Amendment 13-001 subject to the findings contained in Planning Commission Resolution R13-01 as amended. (*Thompson/Pipersky. Ayes: 4. No: Lizza.*)

B. GENERAL PLAN AMENDMENT 13-001(a) & (b) to amend the General Plan Land Use Designation Maps to establish two separate Transient Overlay Districts (TOD) to allow for nightly rentals. GPA 13-001(a) would establish a TOD on three adjoining parcels (APNs 019-051-010, -009, & -008) at Virginia Lakes, and GPA 13-001 (b) would establish a TOD on four adjoining parcels (APNs 016-094-007, -008, -009, & -015) at June Lake. The projects qualify as a CEQA exemption. *Staff: Courtney Weiche*

Courtney Weiche presented a PowerPoint review of former actions on Transient Rental Overlay Districts. Individual homeowners could apply. One comment letter was in support, none in objection.

Two different resolutions? If one is withdrawn, could have R13-001 without (a) and (b). Scott Burns reminded that four GPAs/year are allowed, can be multiple topics.

OPEN PUBLIC COMMENT: Ralph Lockhart, co-owner of Double Eagle Ranch, rented guest house nightly for seven years and collected Transient Occupancy Tax (TOT). After a resident complained, he stopped. He would like to resume renting.

Commissioner Roberts was approached by Nevada Street resident concerned about vacant lot potential (cabins?). *No such current plans; if so, he would have to provide request. Overlay is supported by Vorobyoff, Carruthers, Rossier, and Suzynski.*

Weiche stated land use designation is SFR, which would require a building permit. Commissioner Bush asked if overlay existed, could accessory *and* primary unit be rented. Nick Criss indicated he still would need permit, but technically could do it.

Patrick Gale, Nevada Street resident, didn't realize rental wasn't nightly. Rental time was not obvious.

CLOSE PUBLIC COMMENT.

Burns noted that "intent" is why Ragland withdrew due to negative comment. It was not a use permit, so no conditions applied.

Commissioner Thompson saw great benefits going from monthly to nightly, which would require more upkeep and could eliminate trash.

Stacey Simon noted resolution R13-02 was withdrawn; keep R13-03.

MOTION: Approve wording of R13-03 with proper wording applicable to June Lake. (*Bush/Thompson. Ayes: 5-0.*)

5. WORKSHOP:

A. MONO SUPERVISORS STRATEGIC PLANNING MATRIX: Request for better management of Conway Ranch. Good session held at Mono Basin RPAC last night. Bridgeport Valley RPAC spokesman Benny Romero commented on Main Street efforts and economic development in Bridgeport. Bob Peters wanted strong economic development strategy, reorganization within Mono government. Ilene Mandelbaum spoke of Mono Basin Community Plan that clarified County's and community's priorities, local and regional food systems. Friends of Inyo attendee Laura Beardsley noted federal agencies are struggling, and maybe Mono could help fund wilderness ranger program. Economic development study draft will be completed by June. Paul Payne of KMMT-FM addressed algae blooms on Crowley Lake, and Ron Day supported single water system for Crowley. Mono Supervisors will take up matrix again next month.

Commissioner Pipersky asked if Bridgeport's aging County building (clinic) with heating/cooling issues could turn solar. *Replaced old boiler, working on facilities plan.*

Bodie Visitor Center generated interest. Documented demand for additional office space to acquire land. Buster's Market site would be suitable for multi-agency facility. New jail site? Met with all departments to define needs. Lots of staff and facilities five years ago, different now. Hopefully facilities planning will find its way into General Plan to be ready for grant opportunities.

Most immediate consideration on matrix, which is not prioritized? Mammoth Dog Sleds Use Permit needs to be revisited. Request for proposals go out this summer, formal solicitation of other potential activities.

Scott Burns stated that Mono Supervisors had asked specifically for Planning Commission feedback. Whereas some counties load up general plan for more policy direction for government component, Mono's General Plan has overall vision for Mono, not just planning.

Commissioner Roberts saw a wide range, from very broad to very specific.

Commissioner Pipersky thought landfill, Conway Ranch, substation, and parking ordinance pertained to Planning Commission. She suggested finding out about landfill (end of lease, other sites, and cost).

Commissioner Bush wondered how Mono could have a wish list without funding information. Burns noted downturn in economy last five years.

Garrett Higerd cited monitoring requirements independent of usage, self-sustaining, but with certain minimum liabilities/costs that can't be cut down when less money comes in. Monitor groundwater 30 years beyond closure date. Most infrastructure is in, but paperwork required for methane testing, etc.

Scott Burns stated Tony Dublino will conduct a presentation for the Collaborative Planning Team (CPT).

Higerd noted the LADWP lease ends 2023, so mandate to find another solution exists regardless of day-to-day operating. Mono Supervisors raised landfill rates recently, but are looking ahead to long-haul transfer or new site with permitting time. Mammoth Lakes generates ~80% of waste, so its decision on waste is vital. Mammoth is looking at other alternatives, expanded recycling center by transfer station. Recycling laws want to divert waste from landfill, which worsens the problem. How do we not pull against ourselves economically? Monitoring and recycling need to occur.

Pipersky mentioned biomass and composting. Wendy Sugimura has sustainable communities grant moneys for consulting assistance. Enough critical mass is available and Mono is actively pursuing.

YARTS? Supervisors Tim Alpers and Byng Hunt are new members. Note: YARTS members can't be on LTC. Burns cited interest in YARTS from Tuolumne (SR 120) and Fresno (SR 41). Madera County (Oakhurst) is paranoid of keeping cars out of Yosemite.

Commissioner Lizza suggested focus on federal agencies, engage on issues. Burns cited an MOU with USFS and BLM to promote agency coordination. Toiyabe is in a different USFS region, hence not part of MOU. Tuolumne River Plan comments by Mono Supervisors highlighted importance of SR 120. Last year NPS initiated Lee Vining/Tuolumne route 3x/day. This year it will change to Mammoth Lakes/Yosemite twice daily.

Higerd mentioned that projects on Rock Creek Road and Convict Lake Road, with bike-climbing lanes on each, may go to bid in December. A two-year construction process is likely, creating some inconveniences.

Bush stated Digital 395 had encroached onto BLM land. That issue is between Praxis and BLM, not Mono.

Roberts suggested the June Lake ball field could be multi-use for concerts, soccer, etc.

Pipersky wanted to add solar to list.

SUMMARY: Commissioners identified items relevant to commission: clinic, landfill, parking ordinance, Conway Ranch, substation, Digital 395, June Lake ball field, and Mono Basin planning efforts through RPAC. Definitive structure and more information are needed for future Planning Commission recommendations.

6. REPORTS:

A. DIRECTOR: 1) June Mountain: June Lake CAC turned out for peer resort tour report and discussion on potential for ski area and town. Community was out in force. CEO Rusty Gregory spoke to Mono Supervisors, heard lots of feedback on making June Mountain a more-viable operation. He proposed marketing a family-friendly resort, and committed to snowmaking and replacement of J-1 chair. Time frame: environmental field work summer 2014, lift approval with USFS fall 2014, up and running by 2016. Summer events include weddings and triathlon. Gregory wants 1,000 hotel rooms (2,000 people), and acknowledged MMSA is no longer involved in Rodeo Grounds. Supervisor Johnston suggested trading Rodeo Grounds for land at base of June Mountain. 2) Housing Mitigation Ordinance: Take up next month, potential changes, adjust to current economy. Tied to Housing Element update. 3) McGee: Encroachment onto BLM land has occurred (propane tanks, petting zoo, etc.). Relocate items into Mono's jurisdiction.

B. Garrett Higerd: Public Works projects: 1) Tentative maps: politically charged and contentious issue. CDD is involved to some extent. Once a project is approved, it rolls over to Public Works. Make sure developers are aware of two approval processes: CDD and Public Works (details in map conditions). Final

maps go to Planning Commission, and then to Mono Supervisors. Activity has been slow on final map front, but state Congress issued automatic extensions to tentative maps awaiting economy improvement. One tentative map is in final-map stage (Swall Meadows, adjacent to Rimrock Ranch), will go on consent agenda, and show how map conditions are satisfied. Taxes for parcel must be prepaid before map records. APN for parent parcel goes away, new APNs assigned. 2) Bridgeport and Lee Vining: street rehabilitation projects received bids. West side of courthouse space will get landscaping, benches, and back-in angle parking to make it an inviting park space and people can walk to shops. 3) June Lake and Chalfant: RPACs will hear about street rehab projects. 4) June Lake: Aspen Road will be paved. Caltrans did sidewalk work. 5) Lee Vining: pedestrian arterial between Mono Cone and community center, 5' ADA sidewalk, enhanced parking at Gus Hess Park and museum, and slatted fencing for screening in front of and around Caltrans yard.

C. COMMISSIONERS: Lizza: Mono Basin RPAC talked of return of June Mountain. Tioga Pass will not be plowed till May 15 due to sequester, and Mono and MMSA prevented from going in. Conway Ranch MOU with Caltrans would allow perceived violations of grant restrictions and build barn to hatch fish.

Bush: High Point not yet complete, but road's open (send notice to commissioners).

Pipersky: CSA #1 gets tax dollars from geothermal. After CSA built community center, money accumulated and now CSA wants to build a library. (Scott Burns noted Kim McCarthy presented CSA survey results to Mono Supervisors.) In last seven months two under-maintained houses at Sunny Slopes sold for more than asking price. Market supposedly is changing.

7. INFORMATIONAL: No items.

8. ADJOURN to May 9, 2013, at courthouse in Bridgeport

Prepared by C.D. Ritter, commission secretary