

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

SPECIAL MEETING MINUTES

January 9, 2014
(Adopted February 13, 2014)

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

STAFF PRESENT: Scott Burns, CDD director; Courtney Weiche, associate planner; Garrett Higerd, Jeff Walters (videoconference) & Walt Lehmann (videoconference), public works; Louis Molina, environmental health director; Stacey Simon, assistant county counsel (videoconference); C.D. Ritter, commission secretary

1. CALL TO ORDER & PLEDGE OF ALLEGIANCE: Chair Dan Roberts called the meeting to order at 10:09 a.m. in the board of supervisors room at Sierra Center Mall, Mammoth Lakes, and led the pledge of allegiance.

2. PUBLIC COMMENT: Supervisor Fred Stump thanked Public Works and IT for US Fish & Wildlife Service meeting yesterday in Bridgeport and resetting this room.

3. CONSENT ITEM:

A. APPROVAL OF FINAL PARCEL MAP 32-56/Mead. Parcel Map 32-56, which was approved March 11, 2010, will divide APN 006-120-002, totaling approximately 120 acres, into three lots of 38.71, 38.80, and 38.87 acres, with an open-space easement for lands outside prescribed building envelopes and road access easements. This site is midway between Walker and Bridgeport, approximately two miles off US Highway 395 and accessed off Burcham Flat Road. *Staff: Garrett Higerd & Walt Lehmann, Department of Public Works*

Garrett Higerd reviewed actions over past four years. Issues included emergency road access, with variance on width from Cal Fire and modifications by Department of Public Works. All map conditions have been complied with.

MOTION: Approve Final Parcel Map 32-56/Mead. (*Bush/Pipersky. Ayes: 4. Absent: Lizza.*)

4. MEETING MINUTES:

MOTION: Adopt minutes of November 14, 2013, as submitted. (*Pipersky/Thompson. Ayes: 5 [Lizza just arrived]*)

5. PUBLIC HEARING:

A. SPECIFIC PLAN AMENDMENT & TENTATIVE TRACT MAP MODIFICATION/Rock Creek Ranch.

The proposal is to reduce the number of parcels from 55 to 23, including elimination of the package sewage-treatment facilities, evaporation pond, pool clubhouse and other common elements. In accordance with the California Environmental Quality Act, an addendum to the existing Specific Plan EIR is being utilized. *Staff: Courtney Weiche, associate planner*

Courtney Weiche presented background on the project. When Housing Mitigation was suspended, applicant had to amend both specific plan and tract map. Since then, he has further reduced number of lots for varied reasons, which increases lot size to one to two acres. Group amenities have been eliminated. Access road is to be realigned and second access has been set up.

Sandra Bauer reviewed environmental process. New element is emergency loop road connected to BLM road. CEQA 15162 says no subsequent EIR is required unless substantial changes occur. CEQA 15164 requires an addendum, whose basis is no new significant impacts or increase in severity. Dr. Jim Paulus

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

concluded shift from larger small lots to small larger lots would benefit deer. No need to reevaluate impacts. Several recent changes: 1) traffic signage; 2) pets; and 3) water system. All proposals reviewed by CEQA.

Noticing/outreach: LDTAC twice; representatives of Cal Fire and Paradise FPD; property-owners; Paradise meeting Jan. 6, 2014; and Daniel Moore, Round Valley school superintendent, who sent comment letter. Changes: Table 3-3 updated to reflect accurate lot sizes and buildable area; pet regulations (no horses on site, pets on leash or restrained by fencing); and "intersection ahead" sign recommended by traffic engineer.

OPEN PUBLIC COMMENT: Mike O'Sullivan thought density reduction was a significant improvement. California Legal Code, Title 14 fire-safe regulations sets constraints on emergency access. Address public-safety element now to avoid ongoing contentious issues at Mono City and Swall Meadows. Dead-end road means one ingress/egress point, maximum length limit 1,300'. Secondary access off BLM two-track road cannot handle fire trucks. He asked commission to slow process and look at emergency access. Ask developer to bear expense, not county residents.

Liz O'Sullivan expressed concern of no provisions in specific plan for school bus or kids to cross Lower Rock Creek Road. Road is under-designed for amount of use, hairpin curve services many users; no safe access to trailhead. She asked commission to consider road design to mitigate user conflict and not make residents bear cost of potential lawsuits.

Matthew Lehman, developer, responded: 1) school bus was addressed in earlier map with larger development; 2) no trail will connect to existing trail; 3) spoke with Cal Fire, aware of road length, ingress/egress proposed by Cal Fire; and 4) reducing disturbed area by 25% with better project addressing current market conditions and public demand for larger parcels.

Courtney Weiche stated Cal Fire's Chief Hardy was available by phone, but nobody requested his input. Kids: Daniel Moore described small GMC van that alters routes and stops; no concerns driving to project site at designated spot(s). **CLOSE PUBLIC COMMENT.**

DISCUSSION: Commissioner Lizza noted width and angle of turn on north side. Weiche stated emergency loop is only for emergencies, not public access. Add condition and address in Specific Plan. Lehman cited up-sloping topography and wants front yards on downslope. Turning radius was proposed by Chief Hardy and Triad/Holmes Associates.

Commissioner Thompson noted 15% grade for 700' was no issue for Cal Fire, but expressed concern with structure protection equipment downslope in winter. Lehman noted the grade was same as Westridge Road across the canyon. Thompson thought turnouts could help. Worst fire conditions can occur in winter.

Septic issues? Louis Molina stated soil work showed soil is conducive to septic systems and it's consistent with approved systems. No requirements beyond those of Paradise Estates. Previous proposal was sketchy and would have gone to regional board.

Commissioner Lizza noted emergency access concerns like Mono City. Gate? Who would gain access? Locked gate with bolt cutters attached?

Chief Michael House, Paradise FPD, saw many positive changes, and continues to review fire access road. All access roads in original project were paved, but not now. Driving up 15% grade on ice with chains is a challenge. Access has increased importance during summer brush fires.

Hydrant system? *Hydrants are similar to Paradise setup.* Curve negotiable by equipment? *Longer-term concerns with what happens to dirt road over time.*

Thompson indicated turning radius was not an impairment except at dead end. Chief House has small trucks, so it's OK.

Thompson believed that people react by "muscle memory," what they know, so would head out normal driveways, not emergency road. Turnouts could mitigate issues effectively. Burns asked if revised layout should include turnouts. Thompson stated yes; successful on dead-end roads. Garrett Higerd, however, stated that entrance road is two-lane, and Cal Fire needs turnouts with less than two full lanes.

Weiche noted one condition is a will-serve letter from Paradise FPD. Recommendations by Chief House might be heeded.

Stacey Simon noted that if FPD and owner discussions result in significant changes, come back for revision to map and specific plan as well. A map amendment might be needed.

Mr. O'Sullivan: Strong southwest wind would push fire where significant brush fuel load exists, in direction where fire is coming from, and that secondary access does not meet fire-safe laws. Cliff face is quite a bottleneck. More work is needed so future cost would not be borne by citizens.

Thompson referred to fire-safe laws on State Responsibility Areas, so rules do not apply to federal land. Had 60 lots with same access, now reduced to 23.

Do most vehicles leave on paved road? Thompson noted only one way out onto Rock Creek Road. Equipment could still get in/out on paved road. Lehman clarified that Cal Fire required secondary road for emergency vehicle ingress/egress.

Mr. O'Sullivan: Law doesn't compel BLM. Once subdivision is built, it would be hard to satisfy everybody.

Lehman: Had these discussions with community and FPD.

Access road maintenance? Weiche: Maybe designate as homeowner responsibility in CC&Rs.

Higerd noted that the proposed road is private, not a County road. Have language address both roads.

Ms. O'Sullivan: HOA might not be up to Mono standards. North-facing entrance would hold ice and snow.

Thompson: Fuel loading/fire break are part of maintenance. Who would maintain access safety? Pipersky would be satisfied if Chief House were OK with it.

Cal Fire is wildland agency but, as Chief House indicated, for first 15 minutes, the FPD is all there is. Lehman stated rocky cliff provides natural break. Mr. O'Sullivan countered that wind-driven fire will throw embers up cliff and ignite. Can't make feds react, but LADWP land is on southern edge. He suggested bypassing BLM lands entirely.

Lizza thought decreased density was much better. He encouraged the development, but wanted emergency access road to be clarified. Thompson noted project really scaled down; wanted maintenance on second access point. Bush indicated it was better than before. Roberts was disappointed at urban-type development.

MOTION: Adopt Resolution R14-01 recommending that Mono Supervisors approve Specific Plan Amendment 13-002 and second amendment to Tentative Tract Map Modification/Rock Creek Ranch with revisions described by staff: 1) Condition #24 – "shall" instead of "may"; 2) Condition #45 – add gate onto BLM land; 3) Condition #47 – add "intersection ahead" sign; 4) HOA to maintain emergency access road and loop road; 5) homeowner front yards face paved road; 6) a plan to control access to emergency road; 7) lots adjoining loop road cannot take primary access from loop road; and 8) fuel break and loading reduction program with ongoing maintenance. *(Thompson/Bush. Ayes: 5-0.)*

6. WORKSHOPS:

A. RESOURCE EFFICIENCY PLAN & COUNTY ENERGY PROGRAM PRIORITIES: *Staff: Associate Analyst Wendy Sugimura (continued to a later meeting)*

B. HOUSING ELEMENT UPDATE: Associate Analyst Brent Calloway introduced the Housing Element as part of General Plan update. He met with state Housing & Community Development in late October at Mammoth. The HCD seemed amenable to working with staff and helped with data. The Housing Element, which comprises more than 200 pages in General Plan, is the only element that requires State review and strict update timeline (every five years), but is not used very much. By time get through all hoops, it's more a State document that doesn't pertain to Mono County.

Goals include providing decent housing for every Californian, facilitating cooperation of government and private sector, and having lands available to provide housing. Demographic analysis was updated using 2010 Census data, with format change to short form that statisticians like better. However, American Community Survey data was bad; e.g., households by income overpaying for housing = 307 of 305. The HCD recommended Census data from 2000 and 2010. Other agencies involved with housing include Health, IMACA, etc. June Lake Area Plan has its own Housing Element that should be integrated into General Plan so housing data is in one place. Parcel analysis shows list of vacant parcels, but Mono's shows only developed parcels, not vacant.

Commissioner Bush departed at noon.

The Housing Element has no maps. The HCD offers a streamlined review process if a county has a local density bonus ordinance and allows emergency shelters without discretionary permits in at least one land use

designation (Public Facility [PF]). Could designate community centers. Elsewhere emergency shelters focus on homeless, not emergencies. Must answer 117 questions to see if qualify for streamlined version.

How to deal with density bonus and emergency shelters? Public participation is encouraged by HCD. Take to RPACs later and also engage Mono's 38%-40% Hispanic or Spanish-speaking population.

Scott Burns noted density is not really an issue in Mono County (densest was Intrawest at June Lake). Regulations are in place. Density bonuses were not suspended in Housing Mitigation Ordinance. No multifamily (MF) housing in some communities. It's OK for staff to refine proposals.

Commissioner Lizza thought Commercial could include homeless shelter(s). Calloway stated that technically, PF designation satisfies the State.

Commissioner Lizza departed at 12:24 p.m.

7. REPORTS:

A. DIRECTOR: Endangered species: At public meeting by USFWS Mono wanted to exclude water bodies used for recreation, and USFWS seemed willing. Frogs/toads: Hearing on at end of January. Sage grouse: Deadline extended to Feb. 10. Consultant mapping. Bi-State planning effort to avoid listing. Exemption for agricultural and Bi-State plan areas.

B. COMMISSIONERS: None.

C. COUNTY COUNSEL: Stacey Simon and Gerry Le Francois attended MP-1 hearing yesterday with Mono, LIUNA and Ormat. Ruling should be issued in a month or so.

8. INFORMATIONAL: No items.

9. ADJOURN at 12:31 to February 13, 2014.

Prepared by C.D. Ritter, commission secretary